

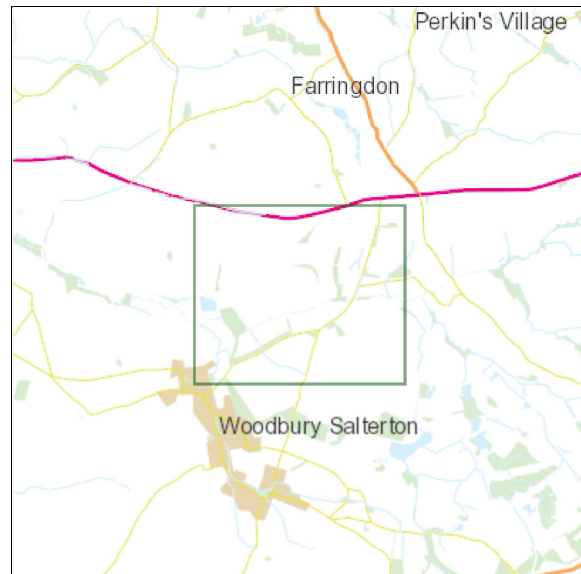
**Ward** Woodbury And Lymphstone

**Reference** 20/0270/MFUL

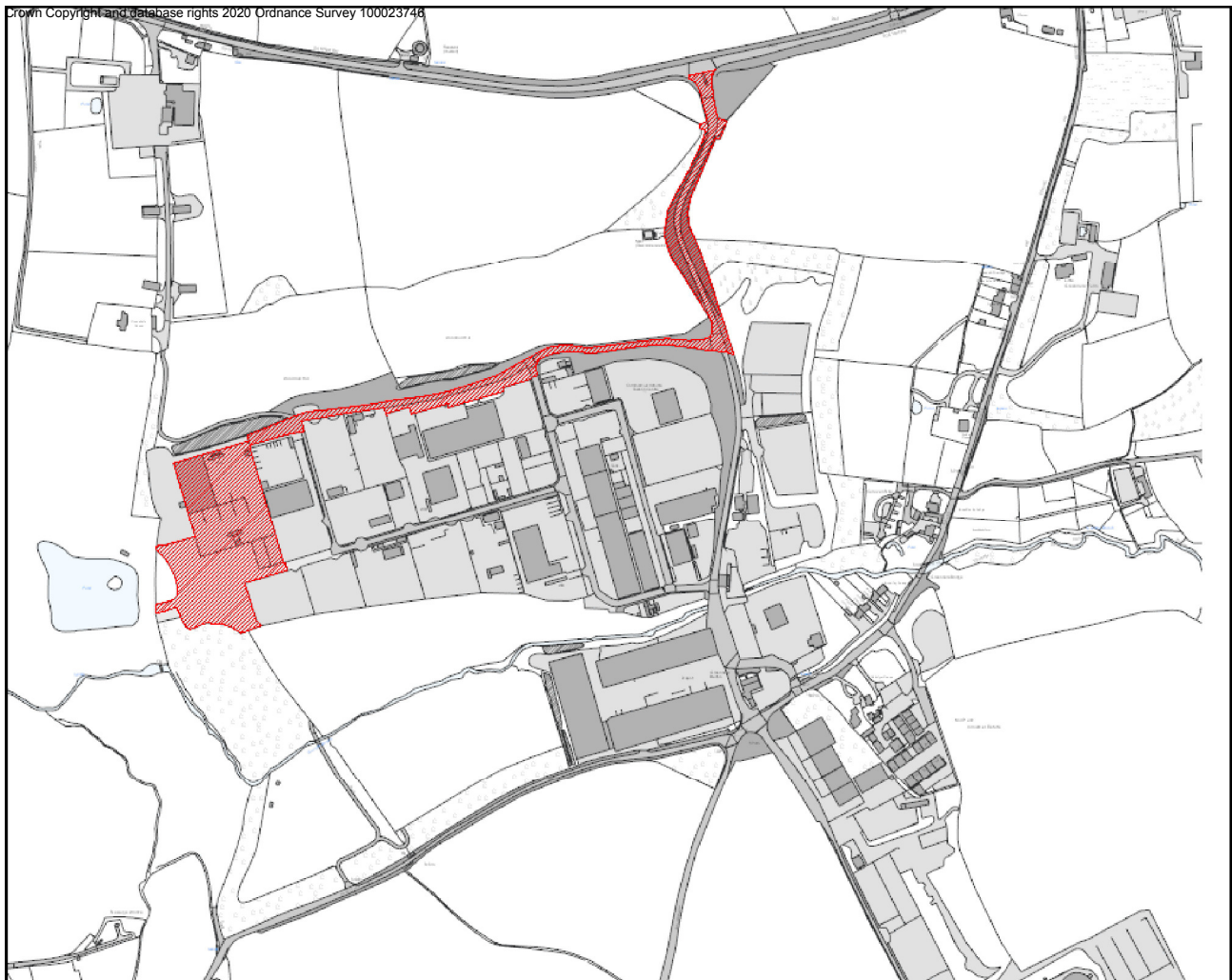
**Applicant** F W S Carter and Sons Ltd

**Location** Unit 50 Greendale Business Park Woodbury  
Salterton Exeter EX5 1EW

**Proposal** Erection of extension to warehouse (use class B8), new HGV turning head, creation of a new footpath link, regrading and associated earthworks and landscaping



**RECOMMENDATION: Approval with conditions**



		<b>Committee Date: 15<sup>th</sup> July 2020</b>
<b>Woodbury And Lymphstone (Woodbury)</b>	<b>20/0270/MFUL</b>	<b>Target Date: 18.05.2020</b>
<b>Applicant:</b>	<b>F W S Carter and Sons Ltd</b>	
<b>Location:</b>	<b>Unit 50 Greendale Business Park</b>	
<b>Proposal:</b>	<b>Erection of extension to warehouse (use class B8), new HGV turning head, creation of a new footpath link, regrading and associated earthworks and landscaping</b>	

**RECOMMENDATION: Approval with conditions**

#### **EXECUTIVE SUMMARY**

**This application is before Committee as it represents a departure from the Local Plan.**

**This application seeks to extend an existing business unit, create an HGV turning area and provide an emergency vehicular link to the west of the Business Park, together with re-grading, re-profiling and landscaping of the land on the western boundary. The application is partially retrospective as the re-grading, re-profiling and some surfacing works have been undertaken.**

**The site extends beyond the identified boundary of Greendale Business Park and the proposal therefore represents a departure from the local plan. There are no policies within the local plan that specifically permits the development, although there is general support within the NPPF for the sustainable growth and expansion of businesses to support a prosperous rural economy where this respects the character of the countryside.**

**In terms of scale within the context of Greendale Business Park, the site it is of a relatively modest size. The extension to the existing building represents an increase in floor area of almost 1,200 square metres (around a 30% increase in the floor area of the existing building) and creating an additional 10 jobs.**

**Whilst the extended building would be more visible within the landscape, there are few public views of the site, generally limited to field gate openings from lanes to the south and west from where the building, although at a higher level than the surrounding land, would be seen against the background of the existing business units. It is not considered that this would create any significant or unacceptable visual harm.**

**It is considered that whilst there are no local or neighbourhood plan policies which provide specific policy support for the proposals, there are a number of other benefits, particularly the creation of additional jobs and consequent economic benefit to the area; an improvement in the traffic management of this part of the estate by the provision of a HGV turning area; improved pedestrian links to the site, and the provision of an emergency access to the western boundary of the business park.**

**Overall, it is considered that subject to appropriate conditions relating to landscaping, surfacing, use of the building and surroundings it is considered that the proposed development is acceptable and is recommended for approval.**

## **CONSULTATIONS**

### **Local Consultations**

#### Parish/Town Council

The Parish Council is unable to consider the merits of the application.

#### Woodbury And Lympstone - Cllr Geoff Jung

20/0270/MFUL Unit 50 Greendale Business Park Woodbury Salterton.

I have viewed the documents for the retrospective planning application 20/0270/MFUL for the erection of extension to warehouse (use class B8), new HGV turning head, creation of a new footpath link, regrading and associated earthworks and landscaping at Unit 50 Greendale Business Park Woodbury Salterton.

This application incorporates some of the land associated with 18/2867/FUL for the regrading and planting for Compound 62 which was submitted in 2018 but has never been approved. Therefore, may I suggest that the 2018 application is withdrawn to show clarity.

The proposal is to extend the storage building within Unit 50 which I have no concerns. The extension of unit 50 will require the removal of a "Sound Barrier" which was erected on behalf of the previous tenant Wood Yew Waste to reduce sound emanating to the residential area of Woodbury Salterton. Although the present tenant is using the compound for storage which does not present a noise nuisance, I therefore I have no concerns. However, I would ask for a condition to rebuild a sound barrier if a tenant in the future carries out activities that do create a noise nuisance again.

I note that the proposal incorporates the regrading and landscaping to the boundary embankment and the provision of a cycleway access from the existing cycle way. If there is no further encroachment beyond the permitted 2009 09/1195/MOUT Greendale Extension and the new planting is incorporated in the Greendale Tree protection order I again do not have any problems with the proposal.

The final part of the proposal is to construct an HGV turning head. However, the proposal seems to suggest hardcore surface rather than concrete or tarmac finish to

the roadway. Although I support the proposed road layout, I consider the use of hardcore surface will create dust and therefore be a health hazard.

If this Application is approved, I would suggest the following conditions to apply which are like the other full planning applications for the expansion area for Greendale Business Park.

Proposed Conditions for all units on the Extension at Greendale Business Park.

Maximum height of buildings.

1. The height of buildings permitted shall not exceed the eaves height of 7.5 metres (as referred to in the applicant's letter of 22nd June 2009 ref M de C/5724)

REASON: In the interests of the character and visual amenities of the area  
Ref 09/1195/MOUT

Yard Areas.

2. The finished yard areas to be concrete or tarmac. Gravel or crushed concrete should not be used.

REASON: To minimise dust disturbance to nearby residential areas.

Colour Scheme of Buildings

5. The building hereby approved shall be finished in Merlin Grey for the roof and Olive Green for the walling.

Reason - In the interests of the appearance of the development in accordance with Policy D1 (Design and Local Distinctiveness) of the East Devon Local Plan.

Operational Hours

3. The site shall be open for the receipt of deliveries between 07.00 hours to 18.00 hours Monday to Friday

Weekend and Bank Holiday workings. The site shall be open for the receipt of deliveries between Saturday mornings 07.00 to 13.30 hours only.

No other operation to be carried out on Sundays and Bank Holidays

REASON: In the interests of the amenity of the area.

Reversing Alarms

4. All vehicles involved in the operation (excluding delivery and collection Vehicles not in the operator's control) shall be fitted with white noise reversing alarms. Such alarms shall be fitted within 3 months and shall be continued to be used for the life of operations at the site.

REASON: To minimise the impact of reversing alarms on nearby residential properties.

#### Noise

5. All plant and machinery used for the operation shall be maintained in accordance with the manufacturers' guidelines in order to minimise noise.

REASON: To minimise the impacts of noise on nearby residential properties.

6. All vehicles parked overnight at the site shall be manoeuvred so that they can leave the site in a forward gear.

REASON: To ensure reversing alarms are not activated during early morning hours.

#### Lighting

6. A detailed lighting scheme for the application site shall be submitted to the EDDC Environmental Health for its approval in writing prior to the start of construction. Following approval, the lighting shall be provided and maintained in accordance with the scheme.

REASON: To reduce lighting impacts in the interests of the amenity of the area.

#### Conclusion.

I cannot support this application at the present time until it has been confirmed it is totally within the Greendale Employment Zone and not within the open countryside, and the suggested conditions are confirmed; however, I reserve my final views on this planning application until I am in full possession of all the relevant arguments for and against.

### **Technical Consultations**

#### Economic Development Officer

We're pleased to see local support for this application and very much welcome both the 10 new FTE jobs the proposed development will deliver.

#### EDDC Trees

No objection on Arboricultural Grounds, The Arb report is acceptable.

#### Devon County Highway Authority

Observations:

None

Recommendation:

THE HEAD OF PLANNING, TRANSPORTATION AND ENVIRONMENT, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, HAS NO OBJECTION TO THE PROPOSED DEVELOPMENT

### **Other Representations**

None received

### **POLICIES**

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

Strategy 7 (Development in the Countryside)

D1 (Design and Local Distinctiveness)

D2 (Landscape Requirements)

D3 (Trees and Development Sites)

EN5 (Wildlife Habitats and Features)

EN14 (Control of Pollution)

EN22 (Surface Run-Off Implications of New Development)

E7 (Extensions to Existing Employment Sites)

TC2 (Accessibility of New Development)

TC7 (Adequacy of Road Network and Site Access)

TC9 (Parking Provision in New Development)

#### **East Devon Villages Plan 2016**

VP04 – Greendale Business Park

#### **Government Planning Documents**

NPPF (National Planning Policy Framework 2019)

National Planning Practice Guidance

### **Site Location and Description**

The application site lies on the western edge of Greendale Business Park, with Unit 50 occupying the westernmost site of the business park. The site extends beyond this unit and associated compound to include the land adjacent, part of which has been re-profiled with the land being raised and levelled without planning permission.

The south and western area of the site slopes steeply down to a wooded plantation and the countryside beyond. There is an existing informal access track leading down to an attenuation pond to the west of the site.

### **Proposed Development**

Planning permission is sought for an extension to Unit 50 and the formation of a new HGV turning area. In addition permission is sought for re-grading some of the adjacent land including earthworks, and re-profiling the land, with associated landscaping. The formation of a new footpath to the west is also proposed which would provide a link to the permissive footpath which links Greendale Farm Shop to the north with Honey Lane and Woodbury Salterton which lies to the south of the site.

Much of the re-profiling and earthworks have been undertaken and the application is therefore partially retrospective.

### **Planning History**

The wider business park has been subject to numerous applications with the most relevant being the historic consent in 2009 that established the extent of the business park.

Also relevant is planning application 18/2867/FUL for the current application site for regrading and planting works. This application remains un-determined but the applicant has advised that this application will be withdrawn if the current proposal is granted planning permission.

### **ANALYSIS**

The main issues are considered to be in respect of the principle of the development and any impact which the works will have on the landscape character and appearance of the area, on trees, residential amenity or highway safety.

#### **Principle of Development**

Part of the application site is located beyond the identified Greendale Business Park consented boundary and is therefore in planning terms classed as being within the countryside where Strategy 7 (Development in the Countryside) of the East Devon Local Plan applies. Within the countryside new development is strictly controlled and will only be permitted where it is in accordance with a specific local or neighbourhood plan policy that permits such development and where it would not harm the distinctive landscape, amenity and environmental qualities within which it is located.

The East Devon Villages Plan was adopted on 26 July 2018 and within this Policy VP04 – Greendale Business Park states that development as indicated on the inset map will be considered to be in accordance with the relevant policies of the development plan. In this situation the main part of the site where development is proposed lies outside of the identified development boundary for the Business Park, and there are no other specific Local Plan policies which permit development such as that proposed. The application has therefore been advertised as a departure from the Local Plan.

The Woodbury Neighbourhood Plan covering this part of the District is in an early stage of production and therefore does not, at this stage, carry any weight in policy terms.

As the application represents a departure from Local Plan policy, assessment of the application turns to whether there are any material considerations that weigh in favour of the proposal and outweigh the lack of planning policy support.

The National Planning Policy Framework provides support for a prosperous rural economy with Paragraph 83 seeking to enable the sustainable growth and expansion of all types of business in rural areas, including new buildings.

Paragraph 84 recognises that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements. In such circumstances development should be sensitive to its surroundings. In addition paragraph 84 states that the use of previously developed land, and sites that are well-related to existing settlements should be encouraged where suitable opportunities exist. This paragraph also indicates that proposals should be sensitive to their surroundings and which do not have an unacceptable impact on local roads should exploit any opportunity to make a location more sustainable, such as improving the scope for access on foot or by cycling.

The application is accompanied by supporting information which indicates that the proposed extension would permit the expansion of a local business and the creation of an additional 10 jobs which weighs heavily in favour of the proposal. The potential for the business to expand on alternative sites has also been explored, but there are very limited options, and none readily available for a building of the size required which is realistically deliverable.

It is also considered that there are potential benefits arising from the provision of the turning head which would assist the highway arrangements within the Business Park by reducing conflict between manoeuvring large HGVs and other vehicles using the current road system. There are other benefits in terms of an additional footpath link and emergency access link.

Whilst the proposal represents an extension of the Business Park beyond the defined and consented boundary of the Local and Villages Plans, which weighs against the proposal, it gains support in terms of the general provisions of the NPPF in supporting and promoting a prosperous rural economy.

With the above in mind and having regard to the scale of the development and the economic benefits which it would offer, it is considered that, on balance the development would be acceptable as a policy departure subject to no harmful visual impacts or other significant harm.

### **Character and Appearance of the Area**

The proposed extension to the building is considered to be relatively modest within the overall context of the Business Park, although at almost 1,200 square metres it is not an insignificant extension. Where it would be viewed from any public vantage points, of which there are very few, it would be seen against the backdrop of the large buildings currently on the business park. The design of the extension would be the same as the existing building, and given matching materials it is not considered that it would be either prominent or out of character within its context.



The re-profiling of the land has altered the appearance of the western boundary of the Business Park with a more sharply rising land form than that previously existing. Whilst different, this has also presented the opportunity to provide significant new and additional planting and landscaping which will, in time, soften the appearance of the edge of the business park, although it is accepted that given the scale of the buildings and industrial form, landscaping will not be able to disguise their presence.

The formation of the turning head and the proposed emergency link road are not considered to have any wider visual impact.

Whilst there will therefore be a visual impact from the proposals, the impact is limited to longer range views where there is little harm as the works are read in combination with the wider business park, or from the footpath to the west of the site from which landscaping is proposed to soften the visual impact to an acceptable extent.

In light of this, it would be difficult to argue that the proposal results in a harmful visual impact.

### **Trees**

There is a blanket tree preservation order (18/0002/TPO) relating to the western boundary of the business park. The protected trees comprise a number to varieties including Ash, Oak, Beech, Maple, Birch and Alder, some of which have been group planted. The order was imposed to ensure the protection of these relatively young trees planted to provide screening of the Business Park. This proposal seeks to reinforce the existing planting and provide additional protection to the existing trees which will, in time further soften the boundary of the site.

The landscaping, planting and protection measures have been considered by the Councils Arboricultural Officer and found to be acceptable.

### **Residential or other Amenity Impact**

The nearest residential properties are located to the south west of the site, with the closest in excess of 400m away, with the topography of the land and existing planting meaning that the application site is not clearly visible in general views from this area.

Despite the lack of visibility of the site, external lighting and operation of the site at night has the potential to result in a loss of amenity, in terms of an increase in light pollution for the nearest residents, although restrictions in terms of hours of operation and controls over external lighting could ensure that this potential issue is addressed.

The creation and operation of the turning area would result in additional traffic movements on the south western edge of the site, which has the potential to create additional noise and disturbance. However the turning head would offer the opportunity for large vehicles to be able to turn within the western edge of the business park without having to manoeuvre and reverse around the existing buildings. As such there would appear to be the potential to reduce, or at least minimise noise arising from reversing alarms within this part of the site. It is considered that this issue can

be further addressed through appropriate conditions and it is not considered that there would be any significant impact on residential amenity arising from the proposed development.

### **Impact on Highway Safety**

The site is served by an established access onto the main estate road network, and whilst there will be a resultant increase in vehicular movements with the additional floor area and further staff, it is not anticipated that the extension to the building will result in any significant alterations to the current situation.

The new turning area may also result in additional traffic using this part of the Business Park, with large vehicles using the turning area. However the road network within the Business Park is private, and whilst the turning head would be unlikely to reach any highway design criteria it is considered to be suitable in this location. It would also be likely to reduce the need for some reversing/manoeuvring which is considered to be of some positive highway benefit.

There is an existing permissive footpath extending from Greendale Farm Shop to the north and Honey Lane on the edge of Woodbury Salterton to the south and it is proposed to provide a link to this from the edge of the Business Park. Whilst modest in nature and probably in terms of use, this link would offer an alternative pedestrian access to the Business Park which at the present time has no access from its western side.

No details as to the proposed construction of the footpath have been provided and as such it is considered that these should be conditioned and that the footpath should be installed prior to the occupation of the proposed extension to ensure that this element of the proposal is undertaken in a timely manner.

### **CONCLUSION**

It is considered that whilst there are no local or neighbourhood plan policies which provide specific policy support for the proposals, there are a number of other benefits that derive from the proposal, particularly the creation of additional jobs and consequent economic benefit to the area; an improvement in the traffic management of this part of the estate by the provision of a HGV turning area; improved pedestrian links to the site, and the provision of an emergency access to the western boundary of the business park.

On balance, and given the relative lack of landscape harm or other harm resulting from the proposal, it is considered that subject to appropriate conditions relating to landscaping including the design of the proposed footpath link, surfacing, use of the building and surroundings, the benefits from the proposal outweigh the harm and lack of planning policy support for the proposal.

### **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. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match, in type, colour and texture those of the existing building.  
(Reason - To ensure that the materials are sympathetic to the character and appearance of the existing building in accordance with Policy D1 - Design and Local Distinctiveness of the Adopted East Devon Local Plan 2013-2031.)
4. Notwithstanding the submitted details and prior to first use the proposed turning area shall be finished in concrete, or other hard surface as otherwise agreed in writing by the Local Planning Authority.  
(Reason - To protect the amenities of residential properties from dust and in accordance with the provisions of policy EN14 (Control of Pollution of the East Devon Local Plan 2013-2031).
5. Prior to first occupation of the building hereby permitted the link to the existing footpath on the western boundary of the site shall have been installed in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. The path shall be maintained thereafter available for access in perpetuity.  
(Reason – In the interests of sustainable development and in accordance with policy TC2 (Accessibility of New Development) of the East Devon Local Plan 2013-2031 and the guidance within the National Planning Policy Framework 2019
6. The site shall be open for the receipt of deliveries between 07.00 hours to 18.00 hours Monday to Friday only. The site shall be open for the receipt of deliveries between Saturday mornings 07.00 to 13.30 hours only. No other operation to be carried out on Sundays and Bank Holidays.  
(Reason: In the interests of the amenity of the surrounding area in accordance with Policies D1 (Design and Local Distinctiveness) and EN14 (Control of Pollution) of the East Devon Local Plan)
7. All vehicles involved in the operation (excluding delivery and collection vehicles not in the operator's control) shall be fitted with white noise reversing alarms. Such alarms shall be fitted within 3 months and shall be continued to be used for the life of operations at the site.  
(Reason: To minimise the impact of reversing alarms on nearby residential properties in accordance with Policies D1 (Design and Local Distinctiveness) and EN14 (Control of Pollution) of the East Devon Local Plan).

8. A detailed lighting scheme for the application site shall be submitted to and approved in writing by the Local Planning Authority in consultation with the EDDC Environmental Health Department prior to the building being brought into its intended use. Following approval the lighting shall be provided and maintained in accordance with the scheme prior to the use of the site commencing.  
(Reason: To reduce lighting impacts in the interests of the amenity of the area in accordance with Policies D1 (Design and Local Distinctiveness) and EN14 (Control of Pollution) of the East Devon Local Plan).
  
9. Landscaping and planting shall be undertaken in strict accordance with the details and specifications submitted by Redbay Design on Drawing No. 670/01 Rev A (Planting Plan) and Drawing No. 670/02 (Details and Notes) dated 30.01.2020 and received 17 February 2020, and Aspect Tree Consultancy Drawing No. 05213 TPP (Tree Protection Plan), and Drawing No. 05213 AMS (Arboricultural Method Statement) dated 13.05.2020 and received 13.05.2020.  
(Reason – In the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Policy D1 (Design and Local Distinctiveness) and Policy D2 (Landscape Requirements) of the East Devon Local Plan 2013-2031).

#### 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.

##### Plans relating to this application:

05213-AMS 13.05.20	- Arboriculturist Report	13.05.20
05213-TPP 13.05.2020 TPP	- Tree Protection Plan	13.05.20
	Landscape Visual Impact Appraisal	07.02.20
7898-LP rev C	Location Plan	07.02.20
tree survey	Arboriculturist Report	17.02.20
670/01 rev A : planting plan	Landscaping	17.02.20
670/02 : details and notes	Other Plans	07.02.20

7898-11 rev D	Proposed Floor Plans	07.02.20
7898-12 rev E	Proposed Elevation	17.02.20
7898-14 rev I	Proposed Site Plan	07.02.20
5030545-DR-C- 3001 rev P2 : planting+ regrading works	Landscaping	07.02.20

List of Background Papers

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