

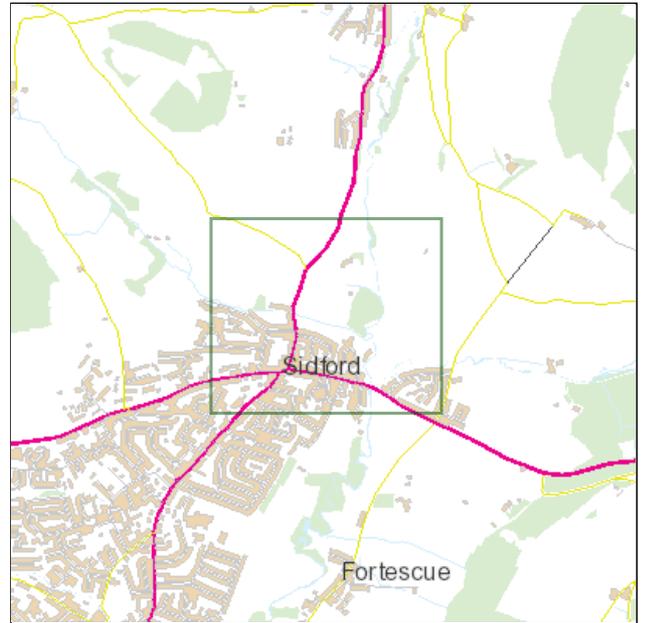
**Ward** Sidmouth Rural

**Reference** 22/0249/MRES

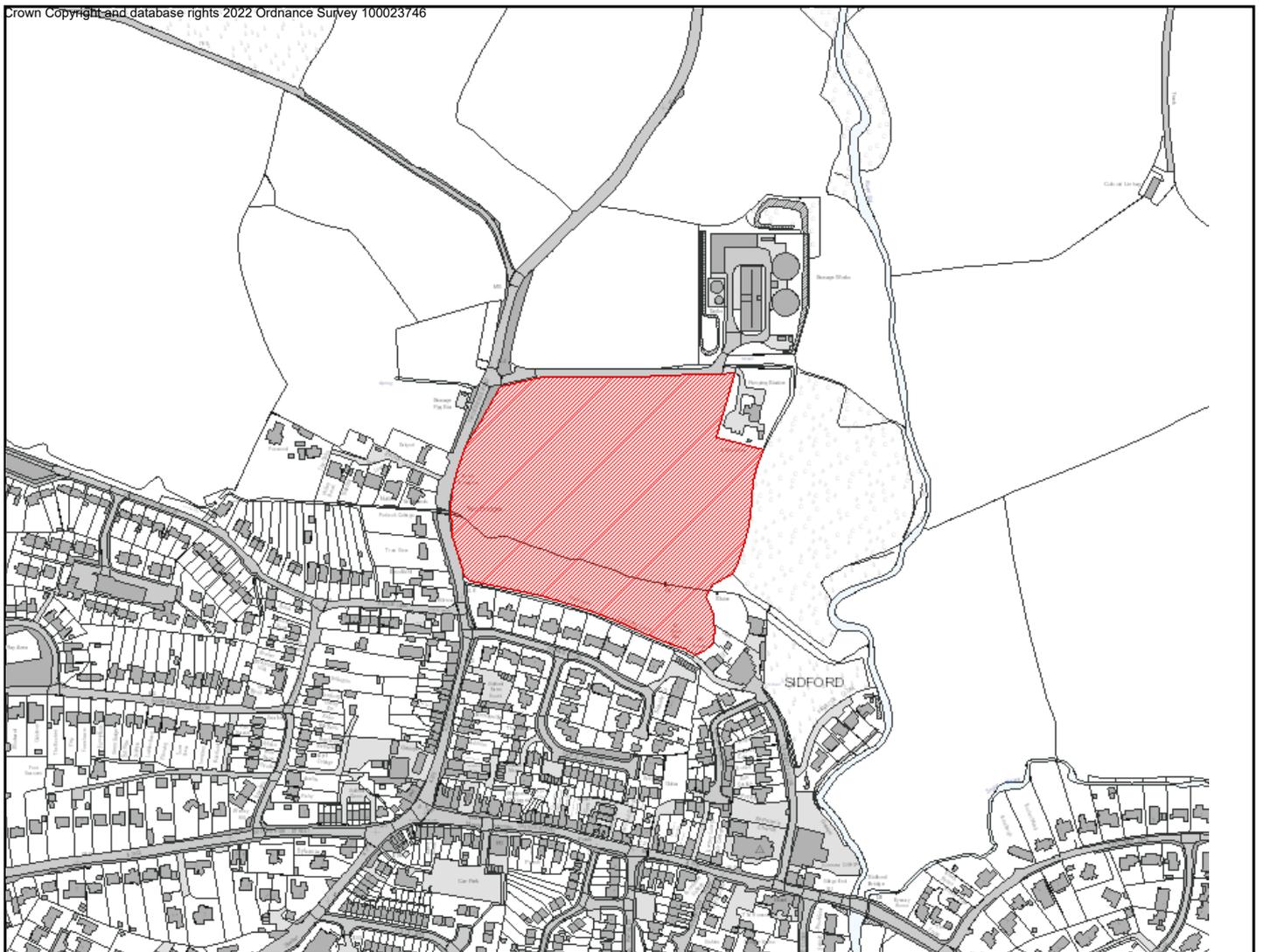
**Applicant** OG Holdings Retirement Benefit Scheme

**Location** Land East Of Two Bridges Two Bridges Road Sidford

**Proposal** Reserved matters application seeking approval of appearance (pursuant to outline planning permission 18/1094/MOUT - Outline application accompanied by an Environmental Statement (with scale and appearance reserved) for the change of use of agricultural land to employment land (B1, B8 and D1 uses) to provide 8,445 sqm of new floorspace, new highway access, cycle and footway, improvements to flood attenuation, building layout and road layout, new hedgerow planting and associated infrastructure).



**RECOMMENDATION: Approval with conditions**



		<b>Committee Date: 14<sup>th</sup> June 2022</b>
<b>Sidmouth Rural (Sidmouth)</b>	<b>22/0249/MRES</b>	<b>Target Date: 10.05.2022</b>
<b>Applicant:</b>	<b>OG Holdings Retirement Benefit Scheme</b>	
<b>Location:</b>	<b>Land East Of Two Bridges Two Bridges Road</b>	
<b>Proposal:</b>	<b>Reserved matters application seeking approval of appearance (pursuant to outline planning permission 18/1094/MOUT - Outline application accompanied by an Environmental Statement (with scale and appearance reserved) for the change of use of agricultural land to employment land (B1, B8 and D1 uses) to provide 8,445 sqm of new floorspace, new highway access, cycle and footway, improvements to flood attenuation, building layout and road layout, new hedgerow planting and associated infrastructure.)</b>	

**RECOMMENDATION: Approval with conditions**

### **EXECUTIVE SUMMARY**

**This application is before Committee as the officer recommendation is contrary to the comments from the Town Council.**

**This current application seeks approval of the final reserved matter of 'appearance'. Therefore considerations must be confined to this matter.**

**The site is located within the East Devon AONB to the North of Sid Vale Close in Sidford. The site is bordered by the A375 (Two Bridges Road) to the West; woodland and the SWW pumping station to the East and further agricultural land and a treatment works to the North. The site comprises 4.2 hectares of gently sloping agricultural land within the bottom of the Sid Valley.**

**Outline planning application 18/1094/MOUT secured planning consent for the following:**

***'Change of use of agricultural land to employment land (B1, B8 and D1 uses) to provide 8,445 sqm of new floorspace, new highway access, cycle and footway, improvements to flood attenuation, building layout and road layout, new hedgerow planting and associated infrastructure.'***

**This outline consent considered the layout, landscaping and means of access. Following this consent the matter of 'scale' was subsequently approved under planning reference 21/1723/MRES.**

**The proposal appearance shows that a dark grey tone has been selected with steel profile sheeting of a similar shade. The appearance of the development would be registered from public vantage points as its own character. Within this context the muted grey tones and fenestration detailing would not be overly prominent or detracting within the landscape. The dark colour selection follows the recommendations from the original Environmental Impact Assessment. Following a request from Members when considering the previous application for the Scale of the buildings, solar panels have been included on a number of roof slopes.**

**No objection to the appearance for the units has been raised by the AONB Team or Landscape Architect and with the principle of development granted on appeal, the principle of development and some visual impact is inevitable but to an extent screened by the already approved landscaping scheme.**

**There is not considered to be harm to the AONB landscape, heritage assets or amenity of adjacent occupiers. Therefore the appearance is considered acceptable and thus the proposal is recommended for approval.**

## **CONSULTATIONS**

### **Local Consultations**

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

##### **UNABLE TO SUPPORT**

Members continued to fundamentally oppose the proposed development but acknowledge the decision of the Planning Inspectorate on the application. If developed, they would therefore like to see:

1. A significant amount of planting of trees being carried out at an early stage of the development.
2. A commitment that none of the proposed units would be used for retail.
3. The outside of the proposed units being kept clear of clutter and rubbish, particularly those facing the A375 road.
4. The Town Council's Environment Working Group being involved with helping to plan the biodiversity of the site.

#### **Sidmouth Rural - Cllr John Loudoun**

This is the final reserved matters application for this site. It relates to the appearance of the units and the site.

Given that this site is located within the AONB, that it will be visible both from afar and locally, as well as the fact that it has residential properties along two boundaries, the visual appearance of the units and site must blend into the location as best as is possible.

Whilst it is incredibly important that both around the boundaries of the site and within the site, the units are screened by trees, hedges and shrubs, these alone cannot camouflage the buildings. I would implore Officers to give most careful consideration to the colour palette of the buildings so that they can be as least intrusive within their setting as possible. Nowhere is this more important than when it comes to determining the colour of the buildings that will be visible and fronting the A375 and visible from Sid Vale Close.

I recognise that the applicants have already started to plant up part of the site and are committed to further landscaping and planting, but in my opinion, it will not be possible to over plant, as this site needs to have maximum camouflage in order to be as unobtrusive as possible.

I support the comments submitted by Sidmouth Town Council's Planning Committee and would trust that even if these cannot be set as conditions, the applicants will voluntarily commit to abide by them. I am a Member of that Committee and I was present for its discussions on this application.

Further comments:

Thank you for this draft report whose contents and recommendations I have noted.

I would point out that I did not object to the application rather I merely made a number of points that I hoped officers would take into account when evaluating the application and reaching their recommendations.

For clarity, as upon re-reading my comments regarding supporting the opinions of Sidmouth Town Council, I recognise that what I said could have been misinterpreted. What I was supporting were the Town Council's points 1 to 4 inclusive. I did not say that I was supporting the Town Council's decision of being unable to support the application.

I trust that this clarifies what I sought to say.

Adjoining Ward Member – Cllr M Rixson

I note in the schedule of materials that solar panels are mentioned.

Bearing in mind that this development is in the AONB, I would prefer solar tiles to be used, as these would be less intrusive, particularly if the tiles were not light reflecting.

## **Technical Consultations**

Landscape Architect – 23.03.2022

### **1 INTRODUCTION**

This report forms the EDDC's landscape response to the reserved matters application for the above site.

The report provides a review of landscape related information submitted with the application in relation to adopted policy, relevant guidance, current best practice and existing site context and should be read in conjunction with the submitted information.

## **2 REVIEW OF SUBMITTED INFORMATION**

### Brick choice

*Extract from applicant's cover letter: The submission includes details of the Ibstock brick proposed to be used on the west elevations of Blocks N and K and the southern elevation of Block K. The selected brick forming part of the submission is called Wigston, a textured white brick with a dark grey mortar, brick code A5228A. A second brick choice has not been submitted, but the applicant has chosen a second brick which would also be acceptable to the applicant. It is an Ibstock engineering type brick called Coaldale with a smooth finish, brick code A5088A.*

In relation to local landscape character it is noted that there is no precedent for the use of either cream or grey coloured bricks within the local area. Nevertheless, the proposed buildings are likely to be seen in rural views across the valley from undeveloped higher ground within the AONB to the west and on the approach along the A375 from the south, where a darker brick is likely to be less obtrusive and blend better with the surroundings than the alternative white colour.

As such my preference would be for a grey brick, although it is felt that the Ibstock grey offered as an option has a rather hard, engineered appearance. A brick with a more textured and variable appearance is likely to better suit the rural context.

### Other finishes

*Extract from applicant's cover letter: The colours of the roofs and elevations are consistent with the recommendations that came forward from the Environmental Impact Assessment related to selecting a dark grey colour, which would recede into the landscape, as opposed to brighter colours, which would be more visually intrusive. The anthracite colours chosen for the profile cladding are complemented with a similar colour for the eaves, gutters and downpipes, all selected in the RAL colour 7016, to provide a uniformed and crisp finish to the overall scheme.*

The proposed Anthracite grey roof covering and elevation treatments are considered acceptable.

## **3 CONCLUSION AND RECOMMENDATIONS**

For the reasons noted above further consideration should be given to the choice of brick finish and mortar colour to units N and K and a range of samples should be submitted prior to approval.

East Devon AONB – 23.03.2022

The proposed buildings in particular the larger more elevated units are likely to be seen from viewpoints across the valley and from higher points to the west and on the approach along the A375 from the south.

We therefore suggest a darker and more textured brick choice is used as this is likely to be less obtrusive and blend better with the surroundings than the alternative white/brighter colours. See example below. The solar panels should also be non-reflective if not already.

#### Devon & Cornwall Constabulary

In relation to the following planning application:

22/0249/MRES | Reserved matters application seeking approval of appearance (pursuant to outline planning permission 18/1094/MOUT - Outline application accompanied by an Environmental Statement (with scale and appearance reserved) for the change of use of agricultural land to employment land (B1, B8 and D1 uses) to provide 8,445 sqm of new floorspace, new highway access, cycle and footway, improvements to flood attenuation, building layout and road layout, new hedgerow planting and associated infrastructure.) | Land East Of Two Bridges Two Bridges Road Sidford

I would like to make the following comments and recommendations for your consideration:

- o In order to prevent casual intrusion and unauthorised access to the site, particularly when it is closed, it is recommended that there is a secure boundary in place, be it by way of substantial hedging that would prevent access or security rated fencing. Gates should also be erected at the vehicular entrance.
- o As raised previously, all units should be fitted with monitored intruder alarms in order to protect against burglary. For police response, the system must comply with the requirements of the Security Systems policy, which can be found at [www.securedbydesign.com](http://www.securedbydesign.com) under the 'Group Initiatives' tab.

#### Natural England

##### SUMMARY OF NATURAL ENGLAND'S ADVICE

##### NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.

SEE SCANNED DOCUMENTS FOR FULL REPORT

#### Environmental Health

The following recommendations to 18/1094/MOUT still apply

Details of proposed lighting must be submitted and agreed by the local planning Authority before the commencement of any works on the site. 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.

No fixed plant noise shall cumulatively exceed 10 dB below background at the nearest residential property. Background as measured during 0700hrs to 2300hrs being 40 dB(A)

No operating noisy machinery outside any premises on the site between the hours of 1800hrs and 0730hrs Monday to Fridays, 1300hrs 07.30 on Saturdays and not at all on Sundays and bank holidays.

Any plant (including ventilation, refrigeration and air conditioning units) or ducting system to be used in pursuance of this permission shall be so installed prior to the first use of the premises and be so retained and operated that the noise generated at the boundary of the nearest neighbouring property shall not exceed Noise Rating Curve 25, as defined in BS8233:2014 Sound Insulation and Noise Reduction for Buildings Code of Practice and the Chartered Institute of Building Service Engineers Environmental Design Guide. Details of the scheme shall be submitted to and approved by the Local Planning Authority prior to the first use of the premises.

### Conservation

## CONSULTATION REPLY TO PLANNING APPLICATION AFFECTING CONSERVATION AREA AND WIDER LANDSCAPE

22/0249/MRES

Land East Of Two Bridges, Two Bridges Road, Sidford

Reserved matters application seeking approval of appearance (pursuant to outline planning permission 18/1094/MOUT - Outline application.

### Background

The current reserved matters proposal seeking approval of appearance is pursuant to outline planning application 18/1094/MOUT, has considered the 2018 historic environment comments provided as part of this outline application, in which the interpretation of the built form through views within the immediate and wider landscape was considered reliant on the proposed use of materials.

The character of the wider countryside being supported by the agricultural use of the surrounding landscape, including the silhouette of the roofscapes associated with farmsteads and the historic core of the neighbouring historic village which forms a conservation area. In this respect the use of traditional pitched roofs and vernacular materials was encouraged, so as to preserve the character of the surrounding area.

### Assessment of harm

Notwithstanding the advice offered in 2018 it is acknowledged the current proposal was allowed at appeal, and as a result, the use of traditionally formed pitched roofs and vernacular materials as advised, would not in this instance be feasible when balanced against the approved depth, height and scale of the proposed units.

However the use of profile steel sheeting to roofscapes and elevations is not an unfamiliar characteristic found in an agricultural setting and in this respect is considered acceptable in context of the character and appearance of the wider landscape.

In summary as a result of the depth, height and scale of the proposed units, their appearance through the use of materials is considered to be reflective of the character of the surrounding area.

Recommend approval.

Environment Agency

Dear Sir/Madam

Thank you for your consultation of 09 February 2022 in respect of the above reserved matter application.

We have no objections to this application. The layout is progressing in line with that agreed at outline stage. On the grounds that the floodplain improvement works have gone ahead we consider the flood risk to the north of the site to have been mitigated in line with previously agreed flood risk assessment (April 2018).

DCC Flood Risk Management Team

SEE SCANNED DOCUMENTS

South West Water

I refer to the above application and would advise that, whilst South West Water has no objection, please note that the public sewer records do not currently indicate any public sewers in the vicinity of the site. I have attached the sewer records plan for reference, this currently shows private foul and private surface water sewers in Spitfire Avenue, therefore these sewers have not yet been formally adopted. This implies that any drainage from the above application site which discharges to these private sewers will not be able to be adopted unless and until the Spitfire Road sewers are adopted.

Clean Potable Water

South West Water is able to provide clean potable water services from the existing public water main for the above proposal. The practical point of connection will be determined by the diameter of the connecting pipework being no larger than the diameter of the company's existing network.

Foul Sewerage Services

South West Water is able to provide foul sewerage services from the existing public foul or combined sewer in the vicinity of the site. The practical point of connection will be determined by the diameter of the connecting pipework being no larger than the diameter of the company's existing network.

The applicant can apply to South West Water for clarification of the point of connection for either clean potable water services and/or foul sewerage services. For more information and to download the application form, please visit our website:

[www.southwestwater.co.uk/developers](http://www.southwestwater.co.uk/developers)

### Surface Water Services

The applicant should demonstrate to your LPA that its prospective surface run-off will discharge as high up the hierarchy of drainage options as is reasonably practicable (with evidence that the Run-off Destination Hierarchy has been addressed, and reasoning as to why any preferred disposal route is not reasonably practicable):

1. Discharge into the ground (infiltration); or where not reasonably practicable,
2. Discharge to a surface waterbody; or where not reasonably practicable,
3. Discharge to a surface water sewer, highway drain, or another drainage system; or where not reasonably practicable,
4. Discharge to a combined sewer. (Subject to Sewerage Undertaker carrying out capacity evaluation)

Please note that the discharge into the ground (infiltration) is South West Water's favoured method and meets with the Run-off Destination Hierarchy. However, should this method be unavailable, SWW will require clear evidence to demonstrate why the preferred methods listed within the Run-off Destination Hierarchy have been discounted by the applicant.

I trust this provides confirmation of our requirements, however should you have any questions or queries, please contact the Planning Team on 01392 442836 or via email: [DeveloperServicesPlanning@southwestwater.co.uk](mailto:DeveloperServicesPlanning@southwestwater.co.uk).

(SEE SEWER MAP UNDER DOCUMENTS TAB)

I refer to the above application and would advise that South West Water has no further comments to add to the previous comments dated 12th October 2021 (re-attached email for reference).

### National Highways

Referring to the notification of a Reserved Matters planning application referenced above, seeking approval of appearance pursuant to outline planning permission 18/1094/MOUT - Outline application accompanied by an Environmental Statement (with scale and appearance reserved) for the change of use of agricultural land to employment land (B1, B8 and D1 uses) to provide 8,445 sqm of new floorspace, new highway access, cycle and footway, improvements to flood attenuation, building layout and road layout, new hedgerow planting and associated infrastructure), at land east of Two Bridges, Two Bridges Road, Sidford, Devon notice is hereby given that National Highways' formal recommendation is that we:

- a) offer no objection (see reasons at Annex A);

Highways Act 1980 Section 175B is/is not relevant to this application.<sup>1</sup>

This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

<sup>1</sup> Where relevant, further information will be provided within Annex A.

Should the Local Planning Authority not propose to determine the application in accordance with this recommendation they are required to consult the Secretary of

State for Transport, as set out in the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018, via [transportplanning@dft.gov.uk](mailto:transportplanning@dft.gov.uk) and may not determine the application until the consultation process is complete.

## Annex A National Highways recommended No Objections

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Highways England was renamed National Highways in August 2021. Prior to April 2015 the organisation was known as the Highways Agency. National Highways is a government owned company responsible for operating, maintaining and improving the SRN.

## Statement of Reasons

The application seeks approval of reserved matters relating to appearance pursuant to outline planning permission 18/1094/MOUT - Outline application accompanied by an Environmental Statement (with scale and appearance reserved) for the change of use of agricultural land to employment land (B1, B8 and D1 uses) to provide 8,445 sqm of new floorspace, new highway access, cycle and footway, improvements to flood attenuation, building layout and road layout, new hedgerow planting and associated infrastructure), at land east of Two Bridges, Two Bridges Road, Sidford, Devon. National Highways previously offered no objections to application 21/1723/MRES which sought approval of reserved matters relating to scale pursuant to outline planning permission 18/1094/MOUT.

We are satisfied that the impact of the development on the safe operation of the strategic road network was addressed at outline stage, and as such offer no objections to the approval of scale as a reserved matter relating to outline application 18/1094/MOUT.

## Recommendation

National Highways has no objections to Reserved Matters application 22/0249/MRES.

## DCC Historic Environment Officer

My ref: Arch/DM/ED/32745c

I refer to the above application and your recent consultation. The Historic Environment Team have no additional comments to make to those made on the earlier reserved matters application 21/1723/MRES, namely:

The consent granted at appeal for the outline consent is conditional upon a programme of archaeological works being undertaken - Condition 16.

To date the programme of archaeological work has only been implemented in the southern (Phase 1) part of the site. As such, the Historic Environment Team would advise that the applicant is made aware of the outstanding requirement to fully implement the agreed programme of archaeological works across the entire development site in accordance with the written scheme of investigation prepared by Cotswold Archaeology (CA Project: EX0152 Version C and dated: 28th August 2020) that was submitted to comply with condition 16 on the consent granted.

I will be happy to discuss this further with you, the applicant or their agent. The Historic Environment Team can also provide the applicant with advice of the scope of the works required, as well as contact details for archaeological contractors who would be able to undertake this work. Provision of detailed advice to non-householder developers may incur a charge. For further information on the historic environment and planning, and our charging schedule please refer the applicant to: <https://new.devon.gov.uk/historicenvironment/development-management/>.

### Other Representations

6 objections have been received to date (in summary);

- Noise from construction and operation.
- Traffic
- Flooding
- Harm to residential amenity.
- Impact on wildlife
- The grey colour would be harmful and not harmonious with surrounding area.

### PLANNING HISTORY

<b>Reference</b>	<b>Description</b>	<b>Decision</b>	<b>Date</b>
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21/1723/MRES	Reserved matters application seeking approval of scale (pursuant to outline planning permission 18/1094/MOUT - Outline application accompanied by an Environmental Statement (with scale and appearance reserved) for the change of use of agricultural land to employment land (B1, B8 and D1 uses) to provide 8,445 sqm of new floorspace, new highway access, cycle and footway, improvements to flood attenuation, building layout and road layout, new hedgerow planting and associated infrastructure).	Approved	17.12.2021
18/1094/MOUT	Change of use of agricultural land to employment land (B1, B8 and D1 uses) to provide 8,445 sqm of new floorspace, new highway access, cycle and footway, improvements to flood attenuation, building layout and road layout, new hedgerow planting and associated infrastructure.	Allowed at appeal	20.08.2019
16/0669/MOUT	Outline application accompanied by an Environmental Statement (with all matters reserved except access) for the development of up to 22,800sqm of floor space for use classes B1 (Office Light Industry), B2 (General Industry) and B8 (Storage and Distribution) with details of, and associated strategic landscaping for, the access, linking cycleway and footway, and flood improvements/attenuation.	Refused	27.09.2016

## **POLICIES**

### **Adopted East Devon Local Plan 2013-2031 Policies D1 (Design and Local Distinctiveness)**

D2 (Landscape Requirements)

EN5 (Wildlife Habitats and Features)

EN6 (Nationally and Locally Important Archaeological Sites)

EN7 (Proposals Affecting Sites which may potentially be of Archaeological Importance)

EN9 (Development Affecting a Designated Heritage Asset)

EN10 (Conservation Areas)

EN13 (Development on High Quality Agricultural Land)

EN14 (Control of Pollution)

EN21 (River and Coastal Flooding)

EN22 (Surface Run-Off Implications of New Development)

TC2 (Accessibility of New Development)

TC4 (Footpaths, Bridleways and Cycleways)

TC7 (Adequacy of Road Network and Site Access)

TC9 (Parking Provision in New Development)

Strategy 3 (Sustainable Development)

Strategy 5 (Environment)

Strategy 26 (Development at Sidmouth)

Strategy 46 (Landscape Conservation and Enhancement and AONBs)

Strategy 47 (Nature Conservation and Geology)

Strategy 48 (Local Distinctiveness in the Built Environment)

Strategy 49 (The Historic Environment)

Strategy 50 (Infrastructure Delivery)

Government Planning Documents  
NPPF (National Planning Policy Framework 2021)

**Site Location and Description**

Sidford. The site is bordered by the A375 (Two Bridges Road) to the West; woodland and the SWW pumping station to the East and further agricultural land and a treatment works to the North. The site comprises 4.2 hectares of gently sloping agricultural land within the floor of the Sid Valley.

### **Proposed Development**

Outline planning application 18/1094/MOUT secured planning consent for the following;

*Change of use of agricultural land to employment land (B1, B8 and D1 uses) to provide 8,445 sqm of new floorspace, new highway access, cycle and footway, improvements to flood attenuation, building layout and road layout, new hedgerow planting and associated infrastructure.*

This outline application considered the layout, landscaping and means of access. Pursuant to this outline planning consent a reserved matters assessing solely scale was approved under reference 21/1723/MRES.

The National Planning Policy Guidance clarifies what is meant by 'appearance' within the context of a reserved matter;

'Appearance' - the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.

Paragraph: 006 Reference ID: 14-006-20140306

Revision date: 06 03 2014

The layout, which has already been approved, illustrates blocks K and N as 'entrance buildings' from the main Sidmouth to Honiton road which is positioned to the west. Both blocks K and N are proposed to be two storeys with a total height of 7.5 metres. Between the road and these buildings would be a cycle/footway and buffer landscaping. Blocks G and J are positioned close to the water pump in the east portion of the site with block J also being 2 storey (total height 7.5 metres). Positioned centrally within the site are blocks H (one storey) and hub buildings (one storey). Other blocks such as A, B, C, D, E, F G and L are single storey with mezzanine - these blocks do not exceed 6.5 metres in height.

Blocks A, B and C are positioned closer to the buffer area around the south perimeters of the site.

The following schedule of materials is proposed;

Roof - Proof steel sheet cladding RAL 7021 (dark grey)

Solar Panels

Main walling - Profile steel sheet cladding RAL 7021 (dark grey)

Brick Wall - to be agreed, applicant suggest ibstock ref Wigston A5228A or Coaldale dary grey with Dark mortar.

Eaves - aluminium hidden gutter system RAL 7016 (dark grey)

Fenestration - Polyster powder coated aluminium section RAL 7016 (dark grey)

Signage - oak

Garage door - polyster coated RAL 7016 (dark grey)

Roof light - triple skinned GRP

## **ANALYSIS**

The issue for consideration as part of this application is the acceptability of the 'appearance' under this proposal in relation to:

- o The impact on the character and appearance of the area, with specific regard to the AONB
- o Impact upon Heritage Assets; and,
- o The potential for settlement coalescence resulting from 'appearance'.

### **The impact on character and appearance, with specific regard to the AONB**

The applicant has offered two different types of bricks to be considered, an off white Wigaton brick or a dark grey variable lbstock engineering type brick called Coaldale with a smooth finish. Given the comments of the council's landscape architect and view of officers there is a clear preference for the use of the darker Coaldale brick to match the natural tones of the surrounding area. The applicant has been advised of this preference and has accepted this as a matter of principle.

Paragraph 176 of the National Planning Policy Framework (NPPF) states Great Weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. Following this strategy 46 of the Local Plan states development will need to be undertaken in a manner that is sympathetic to, and helps conserve and enhance the quality and local distinctiveness of, the natural and historic landscape character of East Devon, in particular in Areas of Outstanding Natural Beauty. Accordingly, development will only be permitted where it conserves and enhances the landscape character of the area, does not undermine landscape quality and is appropriate to the economic, social and wellbeing of the area.

Of particular note is the impact of the appearance of blocks K and N which are the road fronting entrance buildings. The elevations reveal that a dark grey colour would be used (RAL 7021) with glass facades also used. This glazing areas suitably break up the façade of the buildings adding some transparency.

The components of the elevation treatment are a typical industrial affair which favours form and functionality. These materials have to be utilitarian in nature to enable long term serving of the employment uses and withstand the elements. Solar panels are also proposed and these are expected to be of a dark colour, to maximise absorption and would therefore blend with this darker tone. Given the employment context for the site with large buildings, it is not considered that solar tiles as opposed to solar panels could be insisted upon. The visual impact from either being acceptable.

## Heritage Assets

The site is close to the boundary of the Sidmouth Conservation Area (CA) and a number of listed buildings within it notably, the grade II listed Country House, 1, 2 & 3 School Street (Country House).

In accordance with the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, special attention should be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area in reaching this decision. Additionally, Section 66(1) (of the same Act) also includes the duty that have special regard to the desirability of preserving listed building or its setting or any features of special architectural or historic interest which it possesses.

The CA is characterised by traditional properties some finished in cobb and thatch with simple traditional architectural detailing but set within a wider agricultural landscape. The grade II listed Country House is positioned within the CA closest to the edge of the settlement and on the main route into the built-up area. It has been recognised that the significance of these listed buildings derives from their traditional architectural detailing and setting in the rural landscape. The significance of the CA derives from the traditional architectural detailing of the buildings within it and also from its setting in an agricultural landscape.

Under consideration of the outline application the Inspector opined;

*'subject to approval of reserved matters relating to scale and appearance I find the scheme would not harm the setting or significance of any listed buildings within the CA. In this regard the proposal would accord with Policies EN9 and EN10 of the LP which aim to ensure good design, safeguard the character of an area and protect heritage assets and their settings'.*

In the view of the conservation officer the use of profile steel sheeting to roofscapes and elevations is not an unfamiliar characteristic found in an agricultural setting and in this respect is considered acceptable in context of the character and appearance of the wider landscape.

In summary as a result of the depth, height and scale of the proposed units, their appearance through the use of materials is considered to be reflective of the character of the surrounding area.

### **The potential for settlement coalescence resulting from 'appearance'**

The Sid Valley Neighbourhood Plan has been adopted since the approval of the outline consent. As the inspector noted policy 3 of the NP is concerned with settlement coalescence particularly between Sidford and Sidbury and states in an area identified adjoining the appeal site development will only be acceptable if it does not impact on the visual and physical separation of Sidford and Sidbury.

The use of the materials and the arrangement on the elevation of the industrial buildings would not result in any perceived settlement coalescence. It is more likely that the complex of buildings are recognised as their own entity which would not be confused as blurring the settlement boundaries of the two localities.

### **The potential impact on the amenity of surrounding occupiers**

Now that the proposed appearance is known position of openings can be seen. As such the relationship with neighbour properties can be assessed. There are residential properties on the opposite side of the highway to the west of the site, as well to the south and east. Due to the location of a buffer zone to the south of the approved position of the industrial units there is a generous distance between the units and the residential properties. The effect of this is that there is sufficient distance to prevent harmful levels of overlooking towards the rear of the residential properties situated to the south.

The units towards the east of the site are mostly single storey in height and again due to the interviewing distance to neighbouring properties there would not be significant harm to private amenity.

### **CONCLUSIONS**

Considerations of this reserved matters application are restricted to 'appearance'. Appearance within this context concerns aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.

Great weight should be given to conserving and enhancing the landscape and scenic beauty of an AONB, which has the highest status of protection. This reflects the statutory duty under Section 85 of The Countryside and Rights of Way Act 2000 to have regard to the purpose of conserving and enhancing the natural beauty of AONB.

It is noted that there has been some third party objections to the dark grey colour of the materials, stating that it is out of keeping with the AONB surrounds. However, the muted tones of the walling and roof mean that the appearance of the structures would not appear overly prominent. The materials are utilitarian in nature but this would not be uncommon for an industrial area, which the site would clearly be legible as, once complete. Therefore the proposal is considered to conserve the qualities of the AONB by not appearing overly prominent and enhances the AONB with the muted tones.

Taking the above into account the colour scheme and use of materials is not considered harmful to the qualities of the AONB.

The conservation officer does not raise an objection to the proposal and the appearance is not considered to harm heritage assets.

Therefore the reserved matters of 'appearance', as shown on the submitted plans is considered acceptable. A condition shall ensure that a sample of the external materials

to be used are submitted - as this would indicate the final colour, texture and finish of the materials themselves but with the darker facing materials being used.

## **RECOMMENDATION**

APPROVE subject to the following conditions:

1. East Devon District Council as Local Planning Authority HEREBY APPROVE THE FOLLOWING RESERVED MATTER of the above described development proposed in the application numbered as shown above and in the plans and drawings attached thereto relating to:-

### Appearance

This Reserved Matters application numbered as shown above is made pursuant to the Outline Planning Permission (ref. no. 18/1094/MOUT) granted on 20th August 2019.

The reserved matters details hereby permitted also satisfy the requirements of the following Conditions as attached to the Outline Planning Consent (ref. no. 18/1094/MOUT) granted on 20th August 2019 and correct implementation in accordance with the approved details or any further approvals needed:

Condition 1 - Period for the submission of the reserved matters.

Condition 2 - Approval of the specified reserved matters before any development is commenced.

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. Prior to their installation samples of the external materials to be used, indicating the colour, texture and finish shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. (Reason – To ensure that the appearance of the development conserve and enhanced the Area of Outstanding Natural Beauty (AONB), in accordance with policies D1 (Design and Local Distinctiveness) and strategy 46 (Strategy 46 (Landscape Conservation and Enhancement and AONBs) of the East Devon Local Plan).

## 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:

DGA 5.05 A	Proposed Elevation	04.02.22
DGA 5.04 B	Proposed Elevation	04.02.22
DGA 5.01 B	Proposed Elevation	04.02.22
DGA 5.03 B	Proposed Elevation	08.02.22
DGA 5.02 B	Proposed Elevation	08.02.22

List of Background Papers

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