

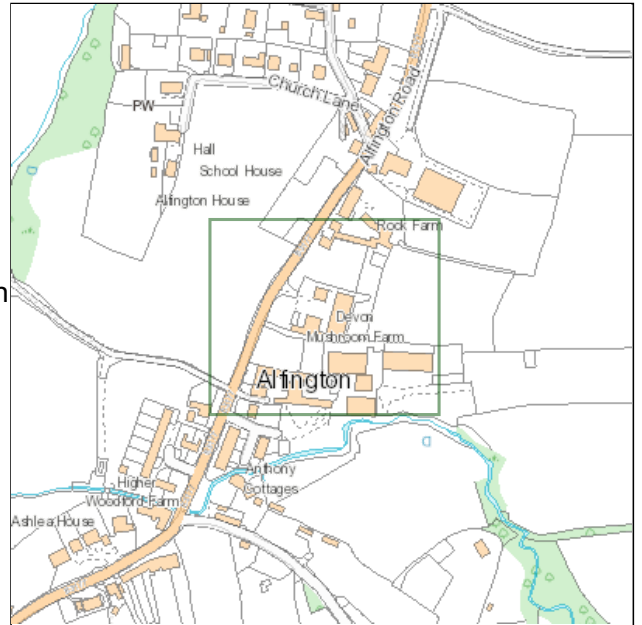
Ward Ottery St Mary

Reference 22/2316/FUL

Applicant Mr M Burgess

Location Devon Mushroom Farm Alington Road Alington
Ottery St Mary EX11 1FE

Proposal Change of use of agricultural buildings to 5no
Class B8 (Storage and Distribution) units and
2no Class E (g) (Light Industry) units including
provision of 11no parking spaces (part
retrospective)



RECOMMENDATION: Retrospective Approval subject to conditions

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		Committee Date: 28.03.2023	
Ottery St Mary (Ottery St Mary)	22/2316/FUL	Target 15.12.2022	Date:
Applicant:	Mr M Burgess		
Location:	Devon Mushroom Farm Alfington Road		
Proposal:	Change of use of agricultural buildings to 5no Class B8 (Storage and Distribution) units and 2no Class E (g) (Light Industry) units including provision of 11no parking spaces (part retrospective)		

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EXECUTIVE SUMMARY

This application is referred to the Planning Committee as the officers recommendation differs from the views of one of the ward members.

It relates to the site of the former Devon Mushroom Farm, located alongside the B3177 to the north of Alfington. This comprises an informal complex of former agricultural buildings, a number of which are currently in use as commercial units for Class B8 (Storage and Distribution) and Class E (g) (Light Industry) purposes, that have changed use pursuant to approvals previously granted under the relevant provisions of the Town and Country Planning (General Permitted Development) Order (GPDO) (i.e. using permitted development rights).

However, the maximum floor space allowance of 500 square metres for such changes of use set out in the GPDO has now been used up. The current application proposal therefore seeks permission, in part retrospectively, for the conversion of the remaining floor space/buildings to create further Class B8 and E(g) units. It also proposes the laying out of 11no parking spaces within the site.

The principle of provision of commercial units for such purposes finds support in the provisions of Local Plan Policies D8 (Re-Use of Rural Buildings Outside of Settlements) and E5 (Small Scale Economic Development in Rural Areas) as well as guidance as set out in the National Planning Policy Framework.

However, the site is the subject of a specific allocation and policy (NP27) within the made Ottery St. Mary and West Hill Neighbourhood Plan for a mixed open market and affordable housing scheme together with the provision of an equipped children's play park to serve the village.

In the planning balance however, there are a number of factors that weigh in favour of the application proposal on account of the limited likelihood of any such scheme being realised.

Although not explicitly backed by evidence from the applicant in the form of detailed appraisals, there are doubts held as to the viability of the scheme envisaged in the policy together with the level of need for affordable housing locally. It is also thought that the lack of pedestrian connectivity to the village, taken together with the likely future availability of the site being called into question and the inappropriate nature of a potential juxtaposition of a play park alongside commercial units all suggest that the aspirations of the neighbourhood plan for this site will not be realised.

Whilst the various detailed concerns raised by the town council and the ward member are noted, it is not thought that any outweigh the balance of considerations in favour of the proposal while conditions are recommended to address particular contextual concerns/issues.

CONSULTATIONS

Local Consultations

Parish/Town Council

The Town Council do not support this application as insufficient information has been provided with regards to what the use of the buildings would be. They also expressed the following concerns:

- Over development of the site
- The premises can be seen from a permissible footpath
- The premises is in a rural area with rural roads. Future use of the site should not have a prejudicial impact on the traffic situation or the proposed children's play park (reference to NP27)
- There should not be a detrimental impact on nearby properties due to intrusive lighting and noise in this rural are.
- Potential of light pollution.
- Detrimental impact on any bat habitat in the area
- Parking spaces to be increased from 6 to 11
- Added impact of more vehicles using the narrow road through Alfington to gain access to this site

Within the application there is a question; Is your proposal within 20 metres of a watercourse (e.g. river, stream or beck)? This was answered with no. However, a gully runs down main road (the B3177) which needs to be unblocked on a regular basis. The B3177 has had lots of issues over the years requiring the road to be closed to repair it. Excess water causes the road to collapse causing massive issues not only for the residents but also commuters generally.

Any development should not increase the amount of surface water generated, leading to possible increase in flooding.

Ottery St Mary - Cllr Vicky Johns

I object to this application which sits within my ward due to:

The change of use is being left very open meaning the area could be turned into an industrial area right in the heart of the small village of Alfington. The access to the area is via the only road running through Alfington, the B3177 which is also the main road from Honiton to Ottery St. Mary used frequently by buses, lorries and other vehicles, the excess amount of vehicles could cause considerable harm to the village.

The application states that it is more than 20m from a water course but this is not correct, there is a gully which runs alongside the opposite hedge along the B3177 which needs to be cleared out frequently otherwise it blocks causing surplus water to turn off down towards the bottom of the village. The hedge alongside the Mushroom Farm has currently been pulled out leaving surface mud and debris to run into the road, especially during the latest rains which is also causing issues.

The application also states that there is no evidence of bats however the Devon bat group was not contacted with regards to this, as a resident of the village I can confirm that there are in fact plenty of bats and owls residing in the village and I have concerns about the lighting which may be used. Alfington is a small communal village and a recent application to turn one of the Bridle paths into an anyone can use it path has been denied due to the excess noise pollution it could cause. There are similar concerns with regards to the Mushroom Farm being turned into an industrial unit right in the centre of the village.

The Mushroom Farm is also on the Neighbourhood and local plan for the siting of a play park and for possible housing, if this planning application is granted it goes against the plan.

The application also states that you can't see the site from any public access but there is a permissible footpath directly opposite the site and when walking along here you can see the site quite clearly. I have had numerous comments from residents enquiring as to what is happening within the site. The footpath also has a communal bench where you can sit and see the goings on.

With the information I currently have I object to the application but I withhold my right to change my decision if further information comes to light.

Technical Consultations

None received.

Other Representations

One representation of objection has been received.

Summary of Grounds of Objection

1. This development is faced across a rural outlook and, at times, experience mechanical noise, smoke and light pollution are experienced.
2. The exit to the property has recently been widened causing the road to be closed on one side during excavation. The resulting scarred banking has large amounts of

water run-off which also includes soil and stones which spread across the village access road and are beginning to fill the road drainage system.

3. The remaining exit mirror from the original entrance also causes an exposed and dangerous traffic hazard.

4. Large amounts of unsightly vehicle parking has been added at the entrance exposed to public view.

5. Expansion of the present use would be detrimental to the village due to a potential increase in noise, run-off of water and soil into the road, increase in traffic entering the units, additional open parking and further intrusive building.

PLANNING HISTORY

Reference	Description	Decision	Date
20/0037/PDR	Prior approval for proposed change of use of agricultural buildings to class B1 (business), B8 (storage) and D2 (assembly and leisure)	Withdrawn	21.02.2020
22/1744/PDR	Prior notification for the flexible change of use from agricultural use to use classes B8 (storage) and E (business) under Schedule 2, Part 3, Class R of the Town and Country Planning (General Permitted Development) (England) Order 2015	Prior approval granted	29.09.2022
22/0138/PDR	Prior notification for the flexible change of use from agricultural use to use classes B8 (storage) and E (business) under Schedule 2, Part 3, Class R of the Town and Country Planning (General Permitted Development) (England) Order 2015	Withdrawn	11.03.2022
20/0008/FUL	Creation of a new vehicular access to agriculture building including grading of banks to provide visibility splay	Approval with conditions	26.03.2020

19/0608/ENQ	Change of Use of an Agricultural Building and Curtilage to a use falling within Class A1 (Shops), Class A2 (Financial and Professional Services), Class A3 (Restaurants and Cafes), Class B1 (Business), Class B8 (Storage or Distribution), Class C1 (Hotels) or Class D2 (Assembly and Leisure).	Approval	05.12.2019
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POLICIES

Adopted East Devon Local Plan 2013-2031 Policies

Strategy 5B (Sustainable Transport)

Strategy 7 (Development in the Countryside)

Strategy 46 (Landscape Conservation and Enhancement and AONBs)

Strategy 50 (Infrastructure Delivery)

D1 (Design and Local Distinctiveness)

D2 (Landscape Requirements)

D3 (Trees and Development Sites)

D8 (Re-use of Rural Buildings Outside of Settlements)

EN5 (Wildlife Habitats and Features)

EN14 (Control of Pollution)

EN19 (Adequacy of Foul Sewers and Adequacy of Sewage Treatment System)

EN22 (Surface Run-Off Implications of New Development)

E5 (Small Scale Economic Development in Rural Areas)

TC2 (Accessibility of New Development)

TC7 (Adequacy of Road Network and Site Access)

TC9 (Parking Provision in New Development)

Made Ottery St Mary and West Hill Neighbourhood Plan 2017-2031 Policies

NP1 (Development in the Countryside)

NP2 (Sensitive, High Quality Design)

NP27 (Exception Site for housing development in Alfington)

Government Planning Documents

NPPF (National Planning Policy Framework 2021)

ANALYSIS

Site Location and Description

The site, located in open countryside just to the north of Alfington, comprises a complex of buildings formerly operated as part of Devon Mushroom Farm. However, in more recent years these have been in use for agricultural storage.

The complex is served off of the adjacent B3177 County road by a long-established short access driveway with a pair of security gates set back from the junction with the highway. As such, and being positioned at a more elevated level in relation to the road, it is not readily visible from it. It is also not particularly visually apparent within the wider surrounding landscape from any other points of public vantage.

The buildings, the majority of which are single storey and consist of a mix of timber boarded, rendered block and corrugated sheeting walls under a variety of fully pitched and monopitch metal sheet roofs, are broadly arranged around three sides of a central courtyard with the fourth side largely open to an embankment alongside the highway.

The complex as a whole exhibits an informality in character and appearance that reflects its former agricultural use.

Background

A written approval by letter, in line with the former provisions of Class R of Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (GPDO), was issued by the Council in December 2019 (19/0608/ENQ refers) for the change of use of 3no buildings adjacent to the southern boundary of the complex for flexible use(s) falling within then Classes A1 (Shops), A2 (Financial and Professional Services), A3 (Restaurants and Cafes), B1 (Business), B8 (Storage or Distribution), C1 (Hotels) or D2 (Assembly and Leisure) of the Town and Country Planning (Use Classes) Order 1987 (as amended) (UCO).

The written request expressly sought approval for change of use of the buildings to Class B1 and B8 uses.

Prior approval was subsequently sought early in 2020 (20/0037/PDR refers) under the provisions of Class R for the flexible change of use of further buildings within the complex to Class B1, B8 and D2 uses. However, the application was withdrawn, in anticipation of the Authority's likely refusal to grant prior approval, on account of the adverse transport and highways impact of the development in the light of concerns regarding the suitability of the entrance to accommodate the additional vehicle movements; this principally owing to the lack of visibility both for and of vehicles emerging from the site.

Planning permission was granted in March 2020 (20/0008/FUL refers) for engineering operations to improve the entrance/access, principally involving its widening and the battering back and grading of banks to both the north and south so as to create better visibility splays.

In January 2022 a further prior approval application (22/0138/PDR refers) for the flexible change of use of buildings within the complex to Class B8 and new (with effect, as amended, from August 2021) Class E (Business) uses was lodged with the Council. However, once again it was subsequently withdrawn in view of officer concerns

relating to inadequate access and visibility issues and ahead of a likely refusal of prior approval owing to the adverse transport and highways impacts of the development.

At this stage, no commencement of operations in pursuance of the implementation of planning permission ref. 20/0008/FUL to improve the entrance to the site had taken place.

However, by the time of the submission of a third prior approval application (22/1744/PDR refers), which was essentially identical to application 22/0138/PDR, the access improvement operations had advanced sufficiently to facilitate a grant of prior approval in September 2022.

The Class R permitted development rights allow for the change of use of a cumulative total of 500 square metres of floor space on a single agricultural unit to Class B1, B8 and D2 uses, or any combination thereof.

The aggregate floor space of buildings within the complex subject to the change of use permitted by letter in December 2019 (under 19/0608/ENQ) and the grant of prior approval in September 2022 (under application ref. 22/1744/PDR) almost equates to this figure.

Indeed, prior to the submission of this current application, these permitted changes of use had taken place with buildings across the site having been 'converted' to form 8no commercial storage and business units.

Details as to the uses/users of these units have been provided by the applicants' agent. These comprise a carpenter and electrical engineer sharing one unit, grounds workers, a blacksmith, car storage with part-time mechanics, a roofer, a window fitter and a carpenter sharing a further unit and a carpenter and window installation company sharing a third. The final unit is in use for household storage.

Proposed Development

With the permitted allowance under the relevant provisions of the GPDO for the change of use of buildings within the complex having now been met in full, the current application seeks planning permission for the change of use of the remaining floor space within the buildings on the site to create a further 5no Class B8 (Storage and Distribution) and 2no Class E (g) (Light Industry) units.

These are already in use and occupied by grounds workers, storage for a refrigeration company, storage for an events company, blacksmiths and table makers and storage for a carpenter and a grounds works business. Part of one of the units currently used for refrigeration company storage is intended to be used as a workshop (under Class E(g)) while the rear section of one of the other units is used for horticultural purposes with the intention being to let the front part to a CAD manufacturer. A remaining unit is currently unused but intended for storage.

The application is therefore partly retrospective in nature and seeks to regularise these uses.

No operational development connected with the re-use of any of the buildings appears to have taken place and none form part of the submitted proposals.

The submitted details do however show the proposed laying out of two rows of parking spaces - totalling 11 in number - within the complex, one to each side of the site entrance.

Considerations/Assessment

The site occupies a location outside of the Built-up Area Boundary of any settlement as defined in the adopted Local Plan. For the purposes of the Local Plan Strategy therefore, it is located within the countryside.

The provisions of Local Plan Strategy 7 (Development in the Countryside) only permit development in the countryside where it is in accordance with a specific local or neighbourhood plan policy and where it would not harm the area's distinctive landscape, amenity and environmental qualities, including land form and settlement patterns, important natural and man-made features that contribute to the local landscape character and public views that also form part of the same.

Policy D8 (Re-Use of Rural Buildings Outside of Settlements) permits the re-use or conversion of buildings in the countryside subject to various criteria being satisfied.

These are considered in turn as follows.

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

The provision of mixed Class B8 and Class E(g) uses would be consistent with the existing uses of other buildings on the site that have been introduced with the benefit of Class R permitted development rights as described above. As such, it is considered that the accommodation of further uses within these classes would be appropriately sympathetic to these.

Although it is acknowledged that the development does not necessarily positively enhance the rural character or setting of the complex as a whole given the minimal alterations to the buildings and site, either carried out to date or as proposed, it is considered that it preserves its largely agricultural character in a manner that, in combination with its limited visual impact upon the surrounding countryside, is sufficient to meet this criterion.

Although the proposed uses would potentially lead to additional travel to and from the site the extent of the proposed uses is quite small scale and is not considered to be substantial addition such that it would prejudice village vitality.

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

Although almost all of the buildings are of a rather utilitarian form and appearance, there are no particular concerns in relation to the structural integrity of any of the buildings to which the proposal applies. Furthermore, the proposals do not include any operations involving their alteration, enlargement or reconstruction.

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

The scheme maintains the buildings in a largely unaltered form from their previous use for agricultural purposes whilst the site itself is also mainly unchanged, aside from the operations carried out to batter back the embankments to both sides of the entrance off of the B3177 in line with planning permission ref. 20/0008/FUL.

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

The comparatively benign nature of the uses of the individual buildings and their limited floor areas are such that it is not envisaged that they would be likely to generate levels of traffic movement or demand for parking that would be at risk of resulting in any potentially adverse effects upon wider highway safety conditions on the adjacent B3177. Any future proposals to consolidate space within them into a smaller number of larger units would require permission in its own right and any associated effects, in terms of the potential to generate larger vehicle movements to and from the site, would be capable of being considered on their merits.

However, the constrained nature of the site entrance and its gradient would appear unlikely to be readily capable of accommodating such movements.

Furthermore, the highly self-contained nature of the site, separated from the adjacent open countryside by established hedges and trees, is considered to effectively mitigate against any potential harm to the rural character or appearance of the surrounding area through parking, storage or the construction of any associated structures, which would in any event likely require permission in their own right.

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

It is understood that the buildings have been largely redundant of any agricultural use for a considerable time. Furthermore, there is no known associated agricultural enterprise whose viability would be at risk of being undermined as a result of the development or where the loss of the buildings would trigger a need for their replacement.

This policy also requires, among other things, that applications for the re-use of rural buildings should be accompanied by the results of a protected species survey. In this case, a bat survey/preliminary roost assessment has been provided, the principal

conclusion of which is that all of the buildings provide negligible habitat value for roosting bats with no further survey effort or mitigation required. However, enhancement of roosting opportunity provision, in the form of the installation of a bat box, is recommended.

The provision of small scale economic development in rural areas, where it involves the conversion of existing buildings, is also permitted by Policy E5 of the Local Plan. Again, its provisions apply criteria that require: a safe highway access; the ability of the local road network to accommodate any forecast increase in traffic; no detrimental impact upon the amenities of neighbouring residents, and no harm to wildlife or landscape interests.

It is considered that the proposal meets with each of these. Aside from the factors and issues set out above in the assessment of the proposal against Policy D8 with which Policy E5 shares common ground, there are no neighbouring residents in very close proximity that would be unduly adversely affected by the development given the nature and scale of the Class B8 and E (g) uses that are both accommodated at present and proposed.

However, it is also necessary to weigh relevant policies of the made Ottery St. Mary and West Hill Neighbourhood Plan (NP) into the balance of considerations in this case, more particularly in the light of the objections to the proposal raised by the town council and commenting ward member.

In particular, Policy NP27 (Exception Site for Housing Development in Alfington), which is also criteria-based, specifically allocates the site (subject to a housing needs survey) for residential development for up to five dwellings, in a mix of three affordable and two open market value types, including provision of a small equipped children's play park to serve the village. It also encourages proposals to include safe pedestrian connections linking the site with the rest of Alfington.

The preamble to the policy set out in the NP acknowledges that the required open market/affordable housing split fails to meet the stipulation for the provision of a minimum of 66% affordable housing as part of 'exception site' mixed market and affordable housing schemes set out in Local Plan Strategy 35 (Mixed Market and Affordable Housing at Villages, Small Towns and Outside Built-up Area Boundaries). This is because it also recognises that the provision of four affordable units (i.e. 80% provision) to meet the strategy might present viability problems for a developer. The policy therefore envisages that the play park be provided in lieu of the shortfall in affordable housing provision.

As such, and notwithstanding the degree of compliance with relevant Local Plan policy set out above, the applicant/agent have been recommended to provide robust justification for seeking to depart from the NP allocation and policy. In particular, it has been suggested that evidence be provided to demonstrate that the mixed open market and affordable housing scheme and play park provision on the site envisaged in the NP would not be viable.

A number of points have been made by the applicant's agent in response, which may be summarised as follows:

1. The applicant was at no point consulted on the inclusion of the site within the NP or its allocation for a mixed open market and affordable housing scheme and play park. Moreover, the land was not put forward for this purpose since it was not in his future plans to develop the site in the manner envisaged in the NP policy.
2. Any development proposal needs to be viable and achievable. The current proposals are significantly more achievable and reflect a demand for the facilities that they provide, as evidenced by the current occupation of much of the floor space within the application buildings. The use of the buildings as commercial units is also financially viable.
3. The units will provide economic benefits to the area whilst sustainably re-using existing building resources.
4. Investigations into how a housing needs survey may be achieved, in conjunction with a potential residential development and play park scheme for the site, have previously been carried out. However, there were difficulties in obtaining the necessary information, and it also became clear that the undertaking of a survey would be costly and not a viable option.
5. There are concerns regarding the viability of a scheme based on the requirements of the NP policy.
6. It is unclear who would be responsible for the play park in the future.
7. There is also significant concern over the connectivity of the site to the village. Indeed, this has previously been raised as an issue by the Highway Authority who indicated that, as a direct footpath could not be provided to the site, they would not support any proposal for housing and a play park.
8. The many unknown and substantial implications and costs, taken together with the absence of any current identified need for affordable housing in Alfington and the likely absence of support from the Highway Authority, the option of pursuing a housing scheme for the site was, and remains, unviable.
9. Whilst the local desire for the provision of a play park, and the inclusion of the site within the NP, are acknowledged, it is the wrong location for such a facility with no direct access. Whilst adjacent landowners may be willing to provide land for a pedestrian footway, this would be at a cost and, even in such circumstances, it is unclear whether safe and direct access could be provided.
10. It would be entirely incongruous to have the juxtaposition of the existing commercial units and a children's play area.
11. The current proposals do not preclude the potential for compliance with NP Policy 27 in the future should a viable scheme be achievable and there is a proven housing need.

There is a lack of any viability evidence to support the assertion that a housing scheme and play park would be unviable. Equally, no substantive attempt would seem to have been made at establishing the level of local need for any potential affordable housing. Despite officer requests for more information in regard to both matters, none has been forthcoming. However, it is considered that the overall case presented by the applicant/agent is, in the wider planning balance, largely a persuasive one.

Aside from the fundamental question as to the availability of the site for the scheme to meet the requirement of NP Policy 27, there is some empathy with the issues highlighted in relation to the future maintenance of any play park and the level of pedestrian connectivity to the site from the village that would be required (the extent of which is not known) and the likely cost of achieving this.

Furthermore, irrespective as to whether the application proposal is accepted or not, it is the case that the current commercial Class B8/E(g) use(s) of the floor space within buildings on the site that have been established, pursuant to the approvals referred to in the Background section of the report above, may continue to do so entirely lawfully. As such, it is thought that the site would not be readily conducive to the accommodation of housing or the provision of a play park, either now or in the future.

Drawing these factors together therefore, it is considered that a grant of permission contrary to the objectives of NP Policy 27 would be justified and that, in the particular circumstances of this case, relevant local plan policy be attributed greater weight in favour of the development.

In terms of the more detailed concerns held by the town council and ward member, the current and proposed uses of units within the complex are, and would be, restricted to those within Classes B8 and E (g) for limited scale storage and distribution and 'light' industry only. Any future proposals for redevelopment of the site or further use changes of the existing buildings would, in most cases, require a further grant of planning permission. The Authority would therefore retain control over the development and use of the site going forward.

In visual terms, although there is an acceptance that the site is visible from a permissive path within a field, elevated above highway level, on the opposite side of Alfington Road, the changes of use - both existing and proposed - have and would not involve any operational development relating to changes to the appearance of any of the buildings. Whilst it may be arguable whether such operations might potentially enhance the overall appearance of the site, they would therefore remain unaltered. Equally, it is not considered that the proposed introduction of parking spaces and/or the presence of more vehicles, relative to those presently generated by the existing commercial units within the site, would have a detrimental visual impact upon the character or appearance of the wider area, more particularly given the contained and well defined nature of the site that effectively prevents any overspill activity, storage, etc.

Similarly, there is an acceptance that the access arrangements to the site are slightly less than optimal in standard, not least in relation to the gradient and surface condition of the entrance driveway. However, improvements have been lawfully made to improve the site entrance in relation to the level of visibility both from, and of, emerging vehicles in both directions. Furthermore, it should again be remembered that it already serves the existing commercial units created using permitted development rights.

In any event, no consultation response regarding the application proposal has been forthcoming from the County Highway Authority.

The points made regarding the maintenance of the surface water gully on the opposite side of Alfington Road from the site entrance are also acknowledged. However, it is not thought that this would be a material consideration for this particular application. However, it would be appropriate to ensure that surface water from the entrance itself is appropriately dealt with and a condition is therefore recommended accordingly.

As stated above, the application is accompanied by a bat survey report that concludes that none of the buildings to which the application relates exhibit evidence of bat activity/roosting, albeit that it does recommend that some enhancement of roosting opportunity provision be accommodated within the complex. It is not considered therefore that there would be evidence to support any objection on the grounds of loss of bat habitat.

In conclusion therefore, having regard to the balance of the various material considerations it is thought that the proposal would be acceptable.

RECOMMENDATION

APPROVE subject to the following conditions:

1. 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.)
2. Within six months of the date of the planning permission hereby granted, the vehicle parking spaces shown on drawing no. 200_01 shall be laid out and surfaced in accordance with details that shall previously have been submitted to, and approved in writing by, the Local Planning Authority. These shall thereafter be retained and kept available for use for such purposes at all times.
(Reason - To ensure that adequate and safe provision is made for the users/operators of the units and clients/visitors and in the interests of highway safety in accordance with the requirements of Policy TC7 (Adequacy of Road Network and Site Access) of the adopted East Devon Local Plan 2013-2031.)
3. The units hereby approved shall only be used for purposes within Class B8 (Storage or Distribution) or E (g) (Light Industry) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).
(Reason - To define the permission, and in the interests of safeguarding the character and appearance of the area in which the site is located and to minimise the possibility of excessive traffic movements by heavy goods vehicles associated with a general industrial use in view of the unsatisfactory nature of the approach road and access to the site in accordance with Strategy 46 (Landscape Conservation and Enhancement and AONBs) and Policies D1 (Design and Local Distinctiveness) and TC7 (Adequacy of Road Network and Site Access) of the adopted East Devon Local Plan 2013-2031.)
4. None of the units hereby permitted shall be amalgamated through the removal of the whole, or part, of any internal walls without the prior written approval of the Local Planning Authority.
(Reason - To enable the Local Planning Authority to retain control over the size of the units in the interests of minimising traffic movements by heavy goods vehicles in view of the unsatisfactory nature of the approach road and access to the site and to comply with Policy TC7 (Adequacy of Road Network and Site Access) of the adopted East Devon Local Plan 2013-2031.)

5. No raw materials, finished or unfinished products, parts, crates, packing materials, waste material, goods or machinery shall be externally stacked, stored or deposited outside of the land and buildings shown edged in red on drawing no. 200_01 or on any part of the access driveway from the B3177 into the site.
(Reason - In the interests of protecting the character and appearance of the area in accordance with Strategy 46 (Landscape Conservation and Enhancement and AONBs) and Policy D1 (Design and Local Distinctiveness) of the adopted East Devon Local Plan 2013-2031.)

6. Within three months of the date of the permission hereby granted, provision shall be made for the hard surfacing of the widened entrance to the site in accordance with details that shall previously have been submitted to, and approved in writing by, the Local Planning Authority.
(Reason - To prevent mud and debris from being carried onto the adjacent County road in the interests of highway safety and to comply with Policy TC7 (Adequacy of Road Network and Site Access) of the adopted 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:

200_01	Location Plan	18.10.22
200_03 sheet 1	Existing Elevation	18.10.22
200_04 sheet 1	Existing Elevation	18.10.22
200_02 A	Existing Floor Plans	03.11.22

List of Background Papers

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