

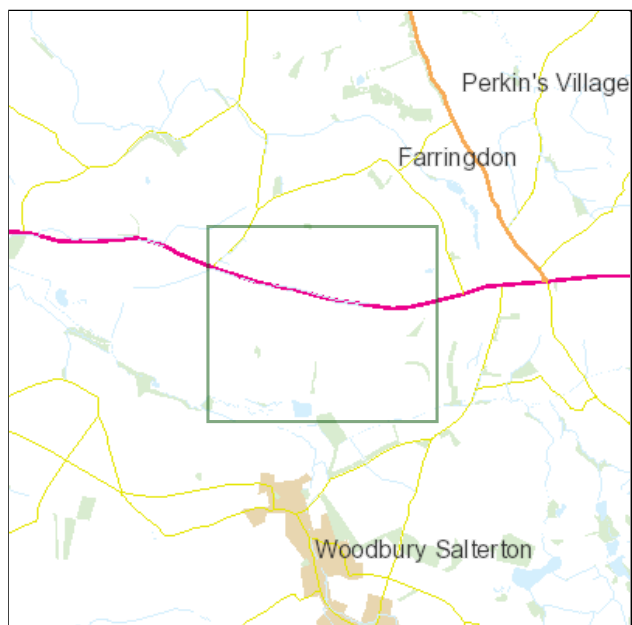
Ward Woodbury And Lymestone

Reference 23/0298/FUL

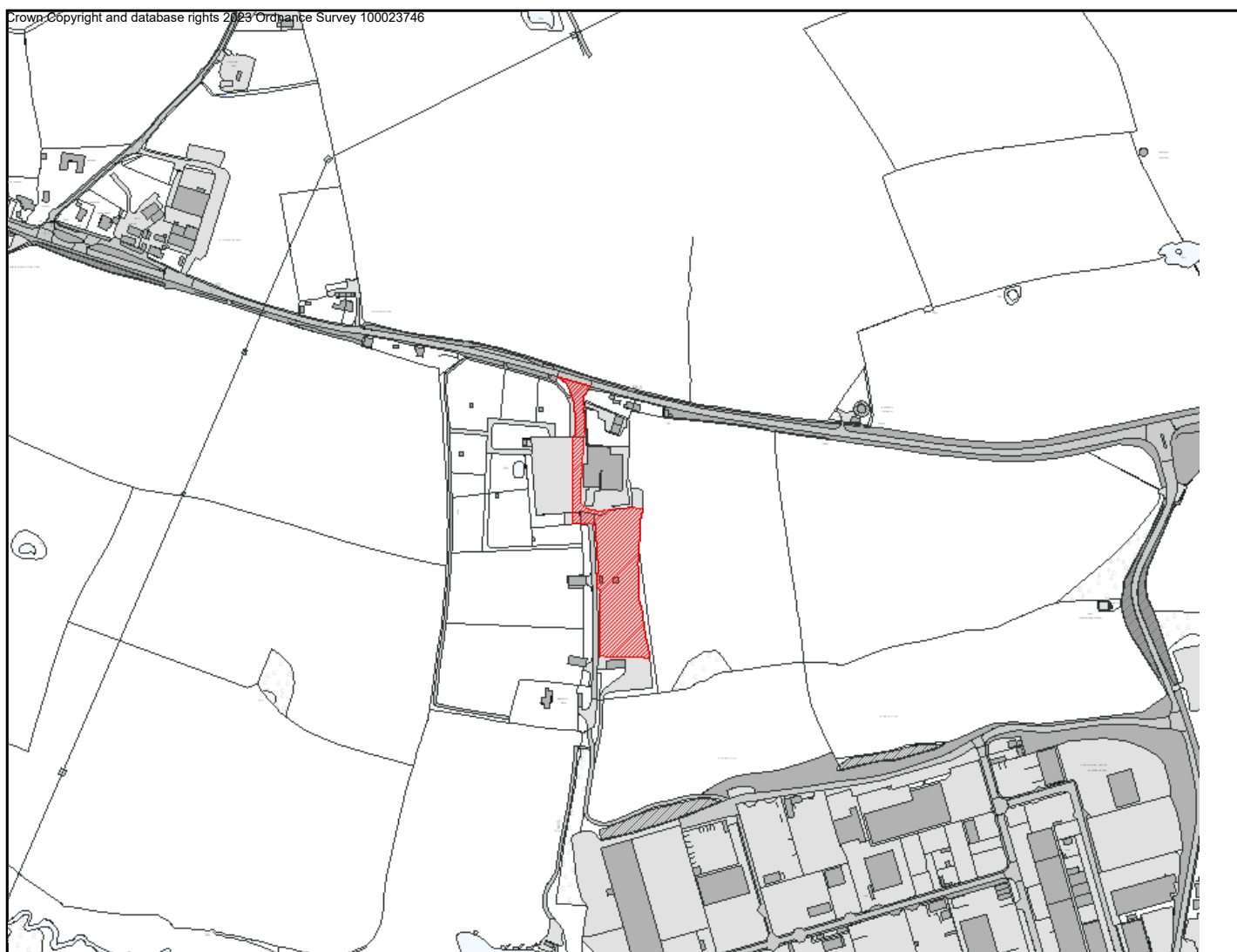
Applicant F W S Carter & Son

Location Greendale Farm Shop NHS Drive Through
Vaccination Centre Sidmouth Road Farrington
Devon EX5 2JU

Proposal Proposed replacement building for Vaccination
Centre



RECOMMENDATION: Refusal



		Committee Date: 13.06.2023
Woodbury And Lympstone (Woodbury)	23/0298/FUL	Target Date: 06.04.2023
Applicant:	F W S Carter & Son	
Location:	Greendale Farm Shop NHS Drive Through Vaccination Centre , Sidmouth Road, Farringdon	
Proposal:	Retention of NHS Vaccination Centre and associated car park	

RECOMMENDATION: REFUSAL

EXECUTIVE SUMMARY

This application is retrospective and is before members of the Planning Committee because officer recommendation differs to that of one of the ward members.

The application site is located outside any defined built-up area boundaries or site specific allocations and therefore under the provisions of Strategy 7 (Development in the Countryside) of the East Devon Local Plan, is considered to be open countryside. In such rural locations, Strategy 7 of the Local Plan states that development will only be permitted where it is in accordance with a specific Local or Neighbourhood Plan policy that explicitly permits such development and where it would not cause landscape, amenity or environmental harm. There are no policies within the Local Plan which support proposals for vaccination centres and therefore this application is considered to be a departure from the Local Plan and has been advertised as such.

Given the sensitivity around the use of the site for administering COVID vaccinations the needs of the NHS have been carefully considered as part of this application. Whilst it is accepted that there is a need to provide further vaccinations and booster jabs to the over 75's and those in the most vulnerable category, neither the applicants nor the NHS have been able to robustly demonstrate why the vaccination centre needs to be provided at the Greendale Farm Shop site. The NHS have been provided with a purpose built drive thru vaccination centre by the applicants, which they say presents the cheapest option for delivering the vaccination programme in the District even when compared with a mobile vaccination centre in an HGV in a shopping centre car park.

Officers do not consider that a robust and clear planning justification has been provided to explain why a permanent building is required or why the vaccination centre should be provided in this location and what the long-term need for it is, other than rolling out the Spring vaccination programmes. The NHS simply describe Greendale as a well-known and accessible location but in planning terms, as detailed later within this report, it is not very accessible by sustainable transport and creates few linked trips making it an unsustainable form of development in land-use terms which weighs against the proposal within the overall planning balance as a location. The applicants have failed to justify this development in this location and have not demonstrated why planning permission should be granted contrary to the policies of the local plan.

This proposal does intensify commercial development beyond the consented boundaries of the farm shop site and introduces new development in the form of a new building, extensive areas of hard surfacing and car parking into previously open countryside to the south which is detrimental to the landscape character and appearance of the area and established settlement pattern contrary to Strategy 7 of the Local Plan. The landscape harm arising from the outward expansion of the site into the open countryside is considered to weigh against the proposal within the overall planning balance.

On balance, having regard for the above, it isn't considered that there are sufficient material considerations that have been presented which justifies a departure from the Local Plan. This proposal represents an unjustified and unsustainable form of development which is visually intrusive and encroaches into the open countryside to the detriment of the rural landscape character and appearance of the area. This harm coupled with the conflict with Local Plan policies is considered to outweigh the social benefits that would be derived from the provision of a purpose built building for the NHS to roll out their vaccination programme.

The application is therefore recommended for refusal.

CONSULTATIONS

Local Consultations

Woodbury And Lympstone - Cllr Geoff Jung
23/0298/FUL

I have viewed the further documents for the planning permission for 23/0298/FUL for a proposed replacement building for Vaccination Centre at Greendale Farm Shop NHS Drive Through Vaccination Centre Sidmouth Road Farringdon. I previously did not support this application and the further documents unfortunately does not explain why this development is required in the open countryside.

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

Woodbury And Lympstone - Cllr Geoff Jung
23/0298/FUL

I have viewed the documents relating to the planning permission 23/0298/FUL for a proposed replacement building for a Vaccination Centre at Greendale Farm Shop NHS Drive Through Vaccination Centre Sidmouth Road Farringdon.

I note that this application is from the landowners and not the National Health Service. A previous use to this area was used by the NHS during the Covid emergency and because it was under government emergency measures it did not require planning permission. I understand that this requirement for emergency use expired at the end of Dec 2022.

There is no supporting justification for the continued use of this location to be used for medical purposes.

As this site is clearly in the open countryside, and development is not for agricultural purposes this application is contrary to the EDDC Local Plan and clearly not an appropriate location for medical purposes.

Therefore, I am unable to support this application and the use of this location should be continued as agricultural. However, I reserve my final views on this application until I am in full possession of all the relevant arguments for and against.

Woodbury And Lympstone - Cllr Ben Ingham

I recommend this planning application for approval. I consider this a more appropriate location for this activity

Ben Ingham - Ward Member for Woodbury, Woodbury Salterton, Exton and Lympstone

Parish/Town Council

Farringdon Parish Council Comment

PC reviewed the amended plans and agreed that although there were no concerns regarding the proposal the main concern was the speed limit on the A3052 road. The speed limit must be brought down to 40mph , (as is planned for Clyst St Mary through to the Cat & Fiddle). The PC has expressed its disappointment that the proposed 40mph speed restriction will not include Farringdon despite numerous requests over the past 20 years. Serious accidents continue to take place in Farringdon on the A3052 on a frequent basis and a reduction in speed is paramount.. This application will only increase the traffic to the A3052

Parish/Town Council

After a long discussion and careful consideration, although this is an agricultural building and is against EDDC policy, Woodbury Parish Council does support this application because it is to be used for an NHS vaccination centre and, only, for this reason it was important to support such use.

Clerk To Farrington Parish Council

The PC agreed that it had concerns regarding the proposed access road. This is shown on the plans as going through the Greendale Shop Car Park which is not that wide and very busy. The drive thru vaccination building appears quite hemmed in on the location plan.

13/02/2023

Parish/Town Council

Woodbury Parish Council supports this application.

Technical Consultations

None

Other Representations

1 letter of objection has been received raising concerns which can be summarised as:

- Increased traffic and impact on highway safety
- Operational hours of the site could lead to noise and disturbance
- Is there a need for another vaccination centre
- Concerns about future commercial uses for the building when no longer required by the NHS.

PLANNING HISTORY

Reference	Description	Decision	Date
18/2388/PDR	Prior notification under Part 3, Class R for the flexible change of use from agricultural use to 3 no. units of shops (A1)	Prior approval not required	11.12.2018

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)

D1 (Design and Local Distinctiveness)

D2 (Landscape Requirements)

TC2 (Accessibility of New Development)

TC7 (Adequacy of Road Network and Site Access)

Government Planning Documents

NPPF (National Planning Policy Framework 2021)

Government Planning Documents

National Planning Practice Guidance

Site Location and Description:

The site refers to an area of land to the south of Greendale Farm Shop and which was formerly the site of a poultry unit set within an agricultural field and was in an agricultural use. It has now been hard surfaced and the vaccination building that is the subject of this retrospective application has been constructed and has been operating since April 2023. The site is located in the open countryside and is not the subject of any national or local landscape designations. The site is proposed to be accessed through the existing farm shop car park and via the existing splayed vehicular access onto the A3052, although at present the access is via a one way system with access in off the main road to the east of the farm shop and out via the farm shop car park.

Planning History:

There is an extensive planning history for the farm shop site and for the former poultry units on the site. The most recent planning history that relates to this application site is a Prior Approval that was granted on the 11th December 2018 (ref 18/2388/PDR) under Part 3, Class R for the flexible change of use from agricultural use to 3 no. units of shops (A1). Members should note that it was a requirement of the legislation that the development be commenced within 3 years of the date of the notice. The development was not commenced within the 3 year timeframe such that it is considered that the Prior Notification has expired. Prior to the development of the vaccination site the lawful use remained as agricultural.

It should also be noted that Prior Approval of a poultry unit to the west of the site was granted in 2020 (ref 20/1918/PDS) for a change of use of agricultural building and land within its curtilage to a registered nursery. A further planning permission was granted in 2021 (ref 21/0482/FUL) for the construction of a building for use as registered nursery, and associated ancillary works. It is understood that the nursery is currently operating on the site.

A building adjacent the farm shop is being used as a milkshake retail outlet, our records do not show this to be an authorised use.

A very large building frame has been erected in an adjacent plot, again we have no record that this has planning permission and it is being investigated by our enforcement team.

Proposed Development:

Retrospective planning permission is sought for the construction of a drive through NHS vaccination centre on the site of a former poultry unit. The building is single storey and pitched roof in form. The building measures 26.0 metres in length, 11.0 metres in width and 5.0 metres in height. The building has an external finish of green metal cladding under a grey metal clad roof. Internally the building provides a purpose built space for walk in COVID vaccinations, an office and kitchen/ staff room and toilets. The building has also been designed so that those who cannot leave their vehicles can drive up to it and can receive their vaccines in a drive through form.

The proposal also includes a large area for parking which has been hard surfaced with scalplings. Access is proposed via the existing farm shop entrance onto the A3052.

Issues and Assessment:

As an NHS vaccination centre, this is fairly unique proposal where the main issues to consider in determining the application are considered to be:

- Policy Position and Principle of Development
- The background to the existing NHS Covid vaccination centre at Greendale Business Park
- An assessment of the justification and need for the building
- Accessibility
- The impact on the character and appearance of the area
- The impact on residential amenity
- The impact on highway safety
- Conclusions and Planning Balance

ANALYSIS

Policy Position and Principle of Development:

The National Planning Policy Framework (NPPF) states that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The Council formally adopted the East Devon Local Plan 2013-2031 on the 28th January 2016 and the policies contained within it are those against which applications are being determined and carry full weight.

Planning law requires that applications for planning permission must be determined in accordance with the development plan (foot note 2 states this includes local and neighbourhood plans that have been brought into force) unless material considerations indicate otherwise. Paragraph 12 of the NPPF states that the presumption in favour of development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted.

The application site is located in the open countryside where under the provisions of Strategy 7- Development in the Countryside of the East Devon Local Plan it is stated that development will only be permitted where it is in accordance with a specific Local or Neighbourhood Plan policy that explicitly permits such development and where it would not cause landscape, amenity or environmental harm. This is a unique proposal such that there are no policies within the Local Plan which support the provision of an NHS vaccination centre and there is no neighbourhood plan that covers this area. Therefore this application is considered to be a departure from the Local Plan and has been advertised as such.

Background to Existing NHS Vaccination Centre:

Members may be aware of the existing NHS vaccination centre at the nearby Greendale Business Park which was constructed under permitted development rights established in light of the Covid-19 pandemic under Part 12A of The Town and Country Planning (General Permitted Development) (Coronavirus) (England) (Amendment) Order 2020. This legislation granted permission for emergency development by a local authority or health service body and it is under this legislation that the building and car park were constructed. At the time of the pandemic, the location and siting of the vaccination centre was not the primary area of concern and therefore this became the site for the vaccination centre on which it is understood that the NHS have a long-term lease even though they have now vacated the building into the new building.

A temporary planning permission was granted by the Council in 2022 (ref 21/2123/COU) for the continued use of Greendale Vaccination Centre by the NHS until 31st December 2022. A condition was imposed which required the temporary building and all the resulting materials to be removed from the land and the land restored to its former condition by 31st December 2023.

The reason for the condition was because the use of the building and its siting were considered to be acceptable only in exceptional circumstances to aid in dealing with the global pandemic to fight Covid 19 and on the basis that the use of the site and building are contrary to Strategy 7 (Development in the Countryside) and D1 (Design and Local Distinctiveness) of the East Devon Local Plan being outside the defined developable area of Greendale Business Park as defined by the Villages Plan DPD and the because the building would have a detrimental impact on the character and appearance of the surroundings.

The applicants comment that the existence of the original vaccination centre is a material planning consideration for the current application seeking to justify the siting of the new building because of its proximity to the existing vaccination centre site and the fact that the site and surrounding area is already known to those who have already been vaccinated by the NHS.

It is important to bear in mind the fact that the existing NHS vaccination centre was constructed under permitted development rights and this is not a location that officers would normally have supported for such a use having regard to its distance

from towns and village settlements and its relatively unsustainable countryside location. It should also be noted that the emergency legislation has now been revoked where the expectation from the government is that vaccinations should now be given locally to people whether in GP surgeries and health centres or in temporary buildings on existing commercial sites or within supermarket car parks in mobile facilities.

The original nearby vaccination centre now vacated by the NHS which had a temporary planning permission only with a requirement to be removed by the end of this year is now subject to a planning application from the same applicants (ref 22/1893/FUL) for the permanent retention of the building at the business park for commercial and industrial uses which could also include NHS use if the need arose.

Justification and Need:

Part 8 of the NPPF sets out that 'planning policies and decisions should aim to achieve healthy, inclusive and safe places which: ... c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs - for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling'

Officers accept that the NHS continues to play an important role in rolling out spring booster jabs to the over 75's and those in the most vulnerable category and recognise the health and well-being benefits that are to be derived from this. However officers have been trying to understand the needs and intentions of the NHS with regards to vaccination centres in Devon and in East Devon in particular and to establish a clear planning justification of why the new permanent vaccination centre should be provided at the site of Greendale Farm Shop and what the need for it is versus other options/ sites that have been considered which is needed to justify a departure from Local Plan policy. In this respect, whilst the NHS is not the applicant, officers made direct contact with an NHS representative and posed questions about the NHS catchment area, the need for a permanent building along with evidence of other sites/ options that have been considered to provide their vaccination service.

In terms of the catchment area, the NHS have advised:

'There isn't a formal NHS definition of catchment area, but a need to have a local offer. However, looking at the set up in NHS Devon we have vaccination centres in Barnstaple, Plymouth and Exeter to try and meet the needs of the whole community. There are larger GP sites in Torbay and Tiverton. Given most Exeter based practices are supporting the programme, the Greendale site predominantly provides for the East Devon community and those than need a more flexible offer with out of hours appointments and at weekends'

In terms of other sites that have been considered by the NHS, they have advised:

'A full options appraisal was submitted to NHSE for due diligence, initially exploring all NHS Property options, and then looking at commercial estate options. Some

industrial units were available in Sowton, but lease length was prohibitive (~ 25 years) and refit costs were unaffordable. We also explored replicating our North Devon model, with an HGV in a supermarket car park, but again this was significantly more expensive and so not supported

Prior to getting NHSE permission to stay at Greendale, evidence of due diligence had to be provided to the national team, via the regional NHS vaccination programme board. The proposal was to downsize at the existing site, providing a cost effective programme, or relocate to new premises. The following options to relocate were available at that time. NHSE accepted the option to downsize provided a cost effective delivery model, that met the needs of the local population.

a) Commercial Estate to rent.

- a. Apple Lane @ £16,667 pcm + VAT + all business rates, utilities, cleaning, waste removal.*
- b. Falcon Road @ £30, 417 pcm and as above*
- c. Kestral Way warehouse @ 12,917 pcm and as above. This is a industrial warehouse and would require significant renovation to be re purposed for vaccination programme.*
- d. Sanderling Court @ £14, 167 pcm and as per option c).*

All commercial options are long term lease based, minimum 20 year lease

b) Replicate the Barnstaple Model

This replicates the North Devon model, delivered by RDUH, using an articulated vehicle in Tesco Exeter Extra car park.

The costs of this option fall into five categories:

- 1) The cost of the articulated unit;*
 - 2) The cost of the temporary structure/marquee*
 - 3) Ancillary costs, such as portacabin, waste management, utilities, storage*
 - 4) Additional licence legal fees for peppercorn agreement and licence to occupy with Tesco*
 - 5) Installing electricity meter if required*
- c) There is currently no additional NHS or LA property that would accommodate a reduced vaccination offer. Community hospital estate across RDUH footprint will continue to be fully utilised as a satellite/outreach offer to minimise the size of the hub that is required. These tend to be one day a week at each site, when out patient footfall is reduced and a spare clinic room is available. The recent floor vacated by ICB at County Hall Annex is now being used by RDUH as additional office space for RDUH, given the hospital site is at capacity’.*

The NHS also advised that:

'As the vaccination programme migrates to a business as usual model, we need to ensure optimal cost effectiveness and this is a smaller sized building, with reduced overheads. However, we are still being asked to submit a surge plan should there be a need to considerably increase capacity at two weeks' notice. If this was necessary, we would look to operationalise this from the larger site, which we still retain a lease agreement on for this eventuality.'

As we need to be cost effective with our model and reduce rental expenditure. The spring booster programme starts on 3rd April, with the same eligibility as last year. We anticipate vaccinating ~ 30,000 patients April-June, and can deliver this via a smaller site. Greendale as a location is now well known by the public, easily accessible and service user feedback has been and remains excellent. Initial agreement is for 12 months, pending Government decisions on the future of the vaccination programme thereafter.

'There is a need to ensure optimal cost effectiveness for their business model and that the building that has been provided on the farm shop site is smaller in size with reduced overheads, It is also understood that a full options appraisal was submitted to the NHSE for due diligence, initially exploring all NHS Property options, and then looking at commercial estate options. Some industrial units were available in Sowton, but lease length was prohibitive (~ 25 years) and refit costs were unaffordable. The NHS also explored replicating their North Devon model, with an HGV in a supermarket car park, but again this was significantly more expensive and so not supported'.

From the information that has been provided by the NHS, it appears that it is a case of them keeping their options open with them retaining some form of lease on both vaccination centres. The intention appears to be to use the proposed drive-thru centre for the roll out of the spring booster jabs to over 75's and those in the most vulnerable category while retaining an option on the main vaccination centre should it be needed.

It is not clear why the NHS could not downsize their operations in the existing building with a possibility of the remaining building being let to other uses (subject to planning permission) rather than having a whole new purpose built building provided for them. It is surprising that this is a more economical option than for example siting a HGV in a supermarket car park.

Officers do not consider that a robust and clear planning justification as to why a permanent building is required or why the vaccination centre should be provided in this location and what the long-term need for it is, other than rolling out the Spring vaccination programmes. The NHS simply describe Greendale as a well-known and accessible location but in planning terms, as detailed later within the report, it is not very accessible by sustainable transport and creates few linked trips making it an unsustainable form of development in land-use terms which weighs against the proposal within the overall planning balance as a location. The applicants have failed to justify this development in this location and have not demonstrated why planning permission should be granted contrary to the policies of the local plan.

Accessibility:

It is accepted that the application site has good access and connectivity with the A3052 however in location terms, it is not considered to be in a particularly accessible location, owing to its relatively isolated position away from a town or village settlement. Paragraph 105 of the NPPF states *'that the planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. It does also recognise that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making'*.

These principles are reflected in policies in the Local Plan including Strategy 5B - Sustainable Transport which states *'that development proposals should contribute to the objectives of promoting and securing sustainable modes of travel and transport. Development will need to be of a form, incorporate proposals for and be at locations where it will encourage and allow for efficient, safe and accessible means of transport with overall low impact on the environment, including walking and cycling, low and ultra low emission vehicles, car sharing and public transport'*.

Policy TC2 - Accessibility of New Development of the Local Plan also states *'that new development should be located so as to be accessible by pedestrians, cyclists and public transport and also well related to compatible land uses so as to minimise the need to travel by car. Where proposals are likely to attract large numbers of visitors they must be accessible by public transport available to all sectors of the community'*.

The very nature of this proposal as a drive-thru vaccination centre suggests that this development will be accessed primarily by private vehicle with few opportunities for linked trips other than the farm shop and the children's nursery at the site. The remote location of the site and distance from settlements is such that officers consider that the proposal would be unsustainable in location terms where users of the facility are likely to be heavily reliant on the use of the car. It is acknowledged that the site is on a bus route however it is unlikely that this mode of transport would be chosen to get to the site by the majority of staff and visitors. In land-use terms and having regards for the fact that the NHS have not been able to robustly demonstrate why the vaccination centre is required in this location in favour of other more sustainably located sites, it is not considered that this would represent a sustainable form of development from an environmental perspective which weighs against the proposal within the overall planning balance.

Character and Appearance:

The site falls within Landscape Character Type 3B: Lower rolling farmed and settled slopes, as defined in the East Devon Landscape Character Assessment 2019. Key characteristics of this LCT relevant to the site are - gently undulating farmland, with medium sized fields bounded by low-cut hedgebanks with frequent trees, often affording far reaching views. The immediate landscape surrounding the site has

relatively few trees and a greater sense of openness than the LCT type. Landform rises to the east to Windmill Hill which is a locally distinctive landmark. Although the surrounding landscape is predominantly agricultural, the Greendale Farm Shop complex is situated off the A3052 immediately to the north. The A3052 is an important commuter and holiday route and affords long distance views for west bound travellers across the site and over Exeter to the Haldon Ridge beyond. The site and associated infrastructure and parking is clearly visible stretching across the middle distance of these views descending from Windmill Hill.

Strategy 7 of the Local Plan requires that development does not harm the distinctive landscape, amenity and environmental qualities within which it is located, including:

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

This proposal does intensify commercial development beyond the consented boundaries of the farm shop site and introduces new development in the form of a new building, extensive areas of hard surfacing and car parking into previously open countryside to the south which is detrimental to the landscape character and appearance of the area and established settlement pattern.

Furthermore, the new building is sited over the footprint of the previous poultry unit which has been removed and which had a floor area of approximately 150 sqm. It is understood that the poultry building had an overall height no greater than 3.3 metres. In contrast, the vaccination centre building reaches a height of 5.0 metres and has a floor area 231 sqm and therefore it does appear more prominent within the landscape when viewed from the A3052 from the east owing to the fact that this part of the site sits at a higher level than the existing farm shop and car park. The building is also more visible in views to the west albeit it is read more within the context of the farm shop and other buildings on the site (some which are not consented). The building does still occupy an elevated position in relation to the site and is visible beyond the farm shop from the A3052. Whilst the building does have a green metal clad finish which helps to reduce the visual impact to a degree, the proposed building and associated parking does result in localised visual harm which weighs further against the proposal within the overall planning balance.

Residential Amenity:

The proposed vaccination centre site has the potential to impact on the residential amenities of the occupiers of no 48 Sidmouth Road, a residential dwelling with a shared access into the site. Concern has been expressed by the occupiers of this property on the basis that potential operating hours at night or early morning coupled with traffic movements could lead to noise and disturbance.

Whilst these concerns are noted, the vaccination centre site and building itself is set well back from this property such that it isn't considered that its use would give rise to any significant harm to residential amenity. Had officers been minded to support the

application, then it would be considered reasonable and necessary to impose conditions which control the hours of use of the building to ensure that noise and disturbance arising from traffic passing the neighbouring property would be not be overly detrimental to residential amenity.

Highway Safety:

Policy TC7 - Adequacy of Road Network and Site Access of the Local Plan states that planning permission for new development will not be granted if the proposed access, or the traffic generated by the development, would be detrimental to the safe and satisfactory operation of the local, or wider, highway network.

The vaccination centre currently operates as a one way system and is accessed via an existing vehicular access from the A3052 along a private road through Greendale Business Park which enters the site from the south. Vehicles approach the site from the south and then exit the site through the farm shop car park and the existing splayed vehicular entrance to the north onto the A3052 which affords good visibility in both directions. The application proposes that access will change to using the farm shop access to enter and exit the site

Having regard to the fact that the vaccination centre uses existing and well-established vehicular accesses onto the A3052 with good standards of visibility coupled with the ability for vehicles to park and turn on the site so that they can leave in a forward gear, it isn't considered that the proposal would give rise to any highway safety concerns. No comments have been received from the County Highway Authority.

Planning Balance and Conclusions:

The site is located within the open countryside where under the provisions of Strategy 7- Development in the Countryside of the East Devon Local Plan, development will only be permitted where it is in accordance with a specific Local or Neighbourhood Plan policy that explicitly permits such development and where it would not cause landscape, amenity or environmental harm. This application for a permanent drive-thru vaccination centre site is a unique proposal such that there are no policies within the Local Plan which expressly support its provision. Therefore this application is considered to be a departure from the Local Plan and has been advertised as such.

Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

There is no doubt that NHS vaccinations continue to play an important role against COVID to those in the most vulnerable category and officers recognise the health

and well-being and social benefits that are to be derived from this. Notwithstanding this, a purpose built drive-thru vaccination centre has been constructed in the open countryside for which there is no policy support and the neither the applicants or the NHS have been unable to provide a clear planning justification as to why the new vaccination centre has to be provided at the site of Greendale Farm Shop, why a permanent building is required and why such a service cannot be provided in more accessible and more sustainable locations closer to existing settlements within the District.

Whilst the NHS are not the applicants for this application, they have been helpful in providing answers to the questions posed by officers however on the face of it, it would appear as though this site has been selected by the NHS as the new vaccination centre site because the applicants have provided them with a purpose built building and offered it to them for use. The long-term future of COVID vaccination programmes is currently unknown and therefore it isn't clear as to why a new building is required in favour of other sites that are more likely to be preferred that do not lead to the encroachment into the countryside. Furthermore, in the absence of evidence of need, concerns raised regarding the long term future of the building are shared by officers. In granting a permanent permission for the building and car parking, members should consider what other future uses the applicants might want for the building and the fact that once a permission is granted it would be difficult to resist other commercial uses for the building which wouldn't normally be supported by policies in the Local Plan.

In the absence of a robust justification which demonstrates why the vaccination centre has to be provided in this particular countryside location, it is considered that the proposal has intensified commercial development beyond the boundaries of the farm shop site and introduces new development in the form of a new building and hard surfacing into the countryside to the south which is detrimental to the landscape character and appearance of the area. The visual harm arising from the unjustified incursion into the countryside weighs against the proposal within the overall planning balance.

A further environmental concern is the unsustainable location of the site and its remote location from villages and towns within the District. The location of the vaccination centre site and its nature as a drive-thru vaccination centre means that people are likely to access the site via private car which promotes a pattern of transport that would not be considered to represent a form of sustainable development conflicting with the aforementioned Local Plan policies and the NPPF which seeks to encourage promoting and securing sustainable modes of travel and transport. In land use terms the proposal is not considered to represent a sustainable form of development from an environmental perspective which weighs further against the proposal within the overall planning balance.

On balance, having regard for the above, it isn't considered that there are sufficient material considerations that have been presented which justifies a departure from the Local Plan. This proposal represents an unjustified and unsustainable form of development which is visually intrusive and encroaches into the open countryside to the detriment of the rural landscape character and appearance of the area. This harm coupled with the conflict with Local Plan policies is considered to outweigh the

social benefits that would be derived from the provision of a purpose built building for the NHS to roll out their vaccination programme. The application is therefore recommended for refusal.

RECOMMENDATION

REFUSE for the following reasons:

1. The proposed development, is located outside of any recognised development boundary and is within the open countryside where new development is strictly controlled. In the absence of policies within the East Devon Local Plan which expressly support this proposal and in the absence of a robust justification and evidence of need, the proposed development represents unjustified and unsustainable development in the countryside. The location is remote from villages and towns within the District and its nature as a drive-thru vaccination centre means that people are likely to access the site via private car, in conflict with policies in the East Devon Local Plan and the NPPF which seek to encourage promoting and securing sustainable modes of travel and transport. It is not considered that there are material circumstances to outweigh the adverse impacts of development in this location which justify a departure from policy. The environmental harm is considered to outweigh the social benefits that would be derived from the provision of a permanent building for the NHS to roll out their vaccination programme. The proposal is considered to be contrary to the provisions of Strategy 5B- Sustainable Transport, Strategy 7- Development in the Countryside and policy TC2- Accessibility of New Development of the East Devon Local Plan 2013-2031 and the National Planning Policy Framework in particular paragraph 105.
2. In the absence of a robust justification and evidence of need, the proposed vaccination centre and associated car park represents an unjustified form of development which is visually intrusive and encroaches into the open countryside to the detriment of the rural landscape character and appearance of the area. It is not considered that there are material circumstances to outweigh the adverse impacts of development in this location which justifies a departure from policy and that the visual harm is considered to outweigh the social benefits that would be derived from the provision of a purpose built building for the NHS to roll out their vaccination programme. The proposal is considered to be contrary to the provisions of Strategy 7 - Development in the countryside, policies D1- Design and Local Distinctiveness and D2- Landscape Requirements of the East Devon Local Plan 2013-2031 and the guidance contained within the National Planning Policy Framework.

Statement on Human Rights and Equalities Issues

Human Rights Act:

The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human

Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance

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

Plans relating to this application:

8646-02B	Proposed Site Plan	06.04.23
8646-03E	Proposed Combined Plans	06.04.23
8646/LPB	Location Plan	06.04.23

List of Background Papers

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