

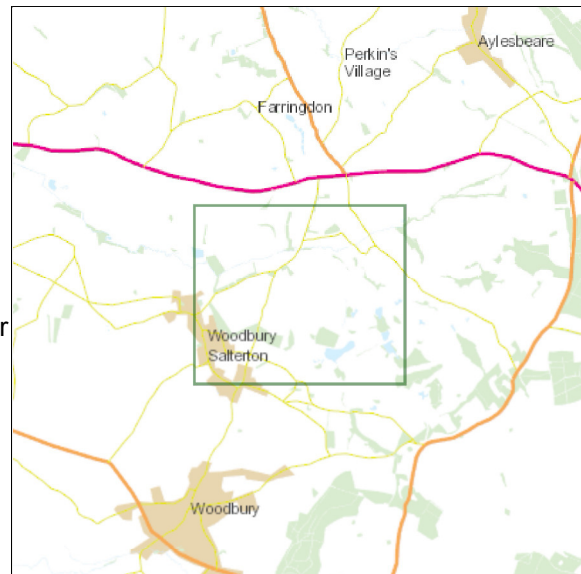
Ward Woodbury And Lymptone

Reference 19/1046/FUL

Applicant FWS Carter & Sons Ltd

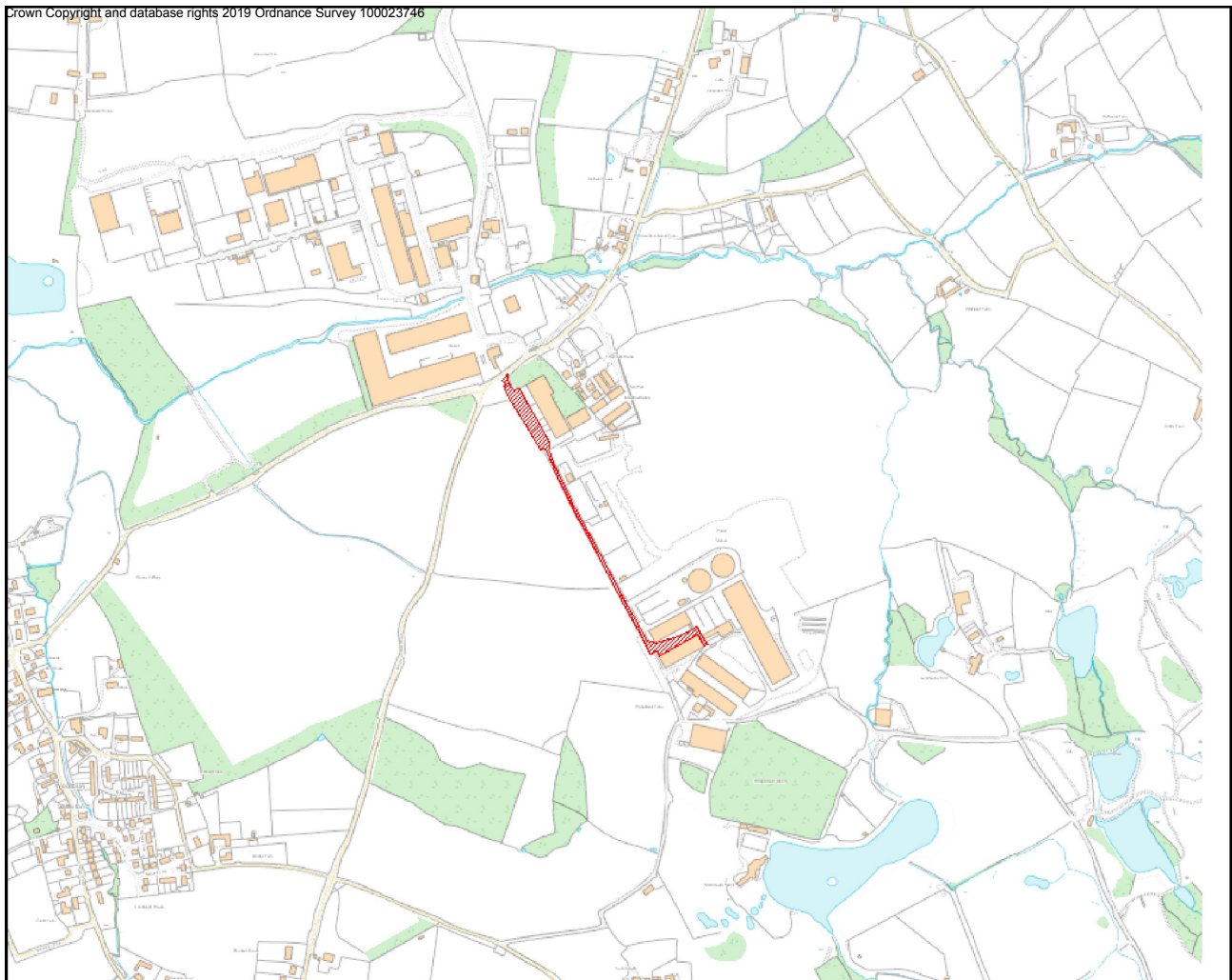
Location 10 Hogsbrook Units Woodbury Salterton Exeter
EX5 1PY

Proposal Retention of extension to industrial unit
(including change of use from agriculture to
Class B8 (storage))



RECOMMENDATION: Approval retrospective (conditions)

Crown Copyright and database rights 2019 Ordnance Survey 100023746



		Committee Date: 6th August 2019
Woodbury And Lympstone (Woodbury)	19/1046/FUL	Target Date: 15.07.2019
Applicant:	FWS Carter & Sons Ltd	
Location:	10 Hogsbrook Units Woodbury Salterton	
Proposal:	Retention of extension to industrial unit (including change of use from agriculture to Class B8 (storage))	

RECOMMENDATION: Retrospective Approval (conditions)

EXECUTIVE SUMMARY

This application is before the Development Management Committee as the application is a departure from local plan policy.

Retrospective planning permission is sought for an extension to the building. The land is currently classified as agricultural and, therefore, it is also proposed to change the use of the land.

This application relates to an existing unit within the Hogsbrook Farm Business Units, which is currently used by Powderkeg Brewery. The site is located within the countryside, although there are other units and development in close proximity to it. The existing unit lies within the boundary of Greendale and Hogsbrook, as detailed in the East Devon Villages Plan. However, the site of the development to which the report relates lies outside that boundary. There are no other land designations impacting upon the site or the surrounding area. Access to the site is via a private road, which joins a public road to the north of the site.

It is considered that the proposal is acceptable in terms of its impact on highway safety, neighbour amenity and from an environmental health perspective. In terms of the principle of the development, the proposal is a departure from the Local Plan as it lies outside of the consented area for Greendale/Hogsbrook. However, the proposal is modest in size and would be used in conjunction with an existing business unit. Its design is such that it would be read in association with the existing unit, as well as surrounding developments. The development would not be visually harmful to the area, and there would be economic benefits resulting from the proposal.

The Design and Access Statement indicates that relocation of the business is not a viable option for them, due to the scale of the business. It also states that the

proposed extension would only be used for the storage of kegs, rather than the production of drink.

Consequently, whilst the site is technically in the countryside and lies outside the boundary of Greendale/Hogsbrook, given the above, it is considered that the proposal is acceptable. Therefore, it is recommended that this application is approved.

CONSULTATIONS

Local Consultations

Woodbury And Lympstone - Cllr Geoff Jung

I have viewed the documents for the planning application 19/1046/FUL for the retention of an extension to industrial unit including change of use from agriculture to Class B8 (storage) at 10 Hogsbrook Units Woodbury Salterton Exeter EX5 1PY. This application is like 19/0288/FUL which I could not support as the development was outside the boundary for Industrial development at Greendale Business Park.

The boundary map for the Employment Area around for Greendale Business Park and Hogsbrook would seem to indicate that this application for an extension to an Industrial unit is outside this agreed boundary and is therefore contrary to the East Devon Local Plan and the East Devon Villages Plan.

I therefore cannot support this planning application, but I reserve my final views on the application until I am in full possession of all the relevant arguments for and against.

Further comments 17/07/19:

Thank you for sending the report that proposes a departure from the local plan and the villages plan.

On this specific application I concur with your decision to override the agreed policies and to allow this retrospective application for the benefit of the tenant.

Parish/Town Council

NOT SUPPORTED. Sits outside the boundary set out in the East Devon Village Plan Design Statement.

Technical Consultations

Environmental Health

I have considered this application and do not foresee any Environmental Health Pollution issues with this proposal, therefore I have no further comment to make.

Other Representations

No third party representations have been received.

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies Strategy 7 (Development in the Countryside)

D1 (Design and Local Distinctiveness)

D2 (Landscape Requirements)

E5 (Small Scale Economic Development in Rural Areas)

E7 (Extensions to Existing Employment Sites)

Government Planning Documents NPPF (National Planning Policy Framework 2019)

Site Location and Description

This application relates to an existing unit within the Hogsbrook Farm Business Units, which is currently used by Powderkeg Brewery. The site is located within the countryside, although there are other units and development in close proximity to it.

The existing unit lies within the consented boundary of Greendale and Hogsbrook, as detailed in the East Devon Villages Plan. However, the site of the development to which the report relates lies outside that boundary. There are no other land designations impacting upon the site or the surrounding area. Access to the site is via a private road, which joins a public road to the north of the site.

Proposed Development.

Retrospective planning permission is sought for the retention of an extension to the building, and the associated change of use of the land from agriculture to B8 storage.

The extension measures approximately 6.2m wide by 23.4m long with a ridge height of 8.4m. The extension matched in size, height and materials the adjoining industrial units.

The Design and Access Statement indicates that relocation of the business is not a viable option for them, due to the scale of the business. It also states that the proposed extension would only be used for the storage of kegs, rather than the production of drink.

ANALYSIS

The key considerations in the determination of this application relate to the principle of development, visual impact, impact upon neighbouring amenity and highway safety.

The principle of the proposal

The whole of the Greendale and Hogsbrook Business Parks lie in the open countryside, although the East Devon Village Plan details a boundary within which the business park use is authorised. The 'host' building, from where the brewery was running prior to the erection of the extension lies within this boundary. However, the extension in question lies outside this boundary and is therefore in the countryside.

Policy E7 (Extensions to Existing Employment Sites) of the adopted Local Plan clarifies that the policy support granted by the policy to small scale extensions to employment sites does not apply to Greendale Business Park.

Given this, there is no policy support for the proposal in the Local Plan and as such it represents a departure from the local plan. It is therefore necessary to consider whether there are any material considerations which would outweigh the lack of planning policy support. In this instance, the material considerations that weigh in favour of the proposal are:

- The modest nature of the proposal.
- The extension being attached, and directly related to, an existing unit within the above-mentioned boundary.
- The economic benefits from the proposal.
- The lack of wider visual harm resulting from the proposal, due to its modest size and the surrounding development.

It is considered that these material considerations, coupled with the lack of harm from the proposal, justify a departure from the local plan and support for the application.

Character and appearance

The site lies immediately adjacent to existing industrial/business units, and existing agricultural buildings adjoin this site to the east. Given this, the modest size of the proposal and the materials used, it is considered that the proposal is acceptable in terms of its character and appearance.

There are no wider views to or from the site that would be harmed with the proposal appearing as part of the existing employment units.

Neighbour amenity

There are no domestic properties located close to the site, with the nearest being approximately 100 metres to the south. Between the site and those properties, there are further industrial buildings within the Hogsbrook Farm site.

The proposal has been considered by the Council's Environmental Health Department, which has not raised any objections.

Given this setting, the modest nature of the proposal and the use of the extension, it is considered that there would not be a detrimental impact upon the amenity of the

occupiers of the aforementioned dwellings subject to the same conditions being imposed as apply to the main building.

Highway safety

The private road leading to the highway appears to be of good quality, and the junction between it and the public highway also appears to be suitable. The Country Highway Authority has not objected to the proposal. Given these factors, and the proposed use of the extension, it is considered that the proposal is acceptable from a highway safety perspective.

CONCLUSION

Whilst the site is technically in the countryside and lies outside the consented boundary of Greendale/Hogsbrook, the proposed is considered to be suitably located and designed, in terms of its scale and design, to be acceptable in this instance. The proposal would not result in any visual harm to the area, or loss of amenity to the occupiers of nearby dwellings, and would result in an economic benefit by allowing a small business to continue to trade in the local area. Furthermore, there are no technical objections to the proposal.

Consequently, it is considered that the material considerations (modest nature of the proposal, extension being attached, and directly related to, an existing unit, economic benefits from the proposal, and lack of wider visual harm) justify a departure from local plan policy. Therefore, it is recommended that this application is approved.

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. No high frequency audible reversing alarms shall be permitted on any site vehicle or vehicle based at the site (white noise alarms are permitted).
(Reason - To protect the amenities of local residents from high frequency alarm noise which is audible over considerable distances in accordance with Policy EN15 (Control of Pollution) of the East Devon Local Plan.)
3. No machinery shall be operated, no processes carried out and no deliveries accepted or dispatched except between the hours of 6am and 6pm Monday to Friday, or 6am and 1pm on Saturdays, and not at all on Sundays or Bank Holidays.
(Reason - To protect the amenities of local residents from noise in accordance with Policy EN15 (Control of Pollution) of the East Devon Local Plan.)
4. All site lighting shall be turned off between 7pm and 6am and any low level security lighting shall be selected so that there is no upwards or lateral light

overspill. Temporary lighting required during the occasional out of hours activity shall be operated by movement sensors.

(Reason - To protect the local environment from light pollution and in accordance with Policy EN15 (Control of Pollution) of the East Devon Local Plan and the provisions of the National Planning Policy Framework.)

NOTE FOR APPLICANT

Informative:

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

Plans relating to this application:

7865-02 Rev A	Proposed Combined Plans	15.05.19
7865-03 : site plan	Combined Plans	15.05.19
7865-LP	Location Plan	15.05.19

List of Background Papers

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