

Ward Broadclyst

Reference 19/1184/FUL

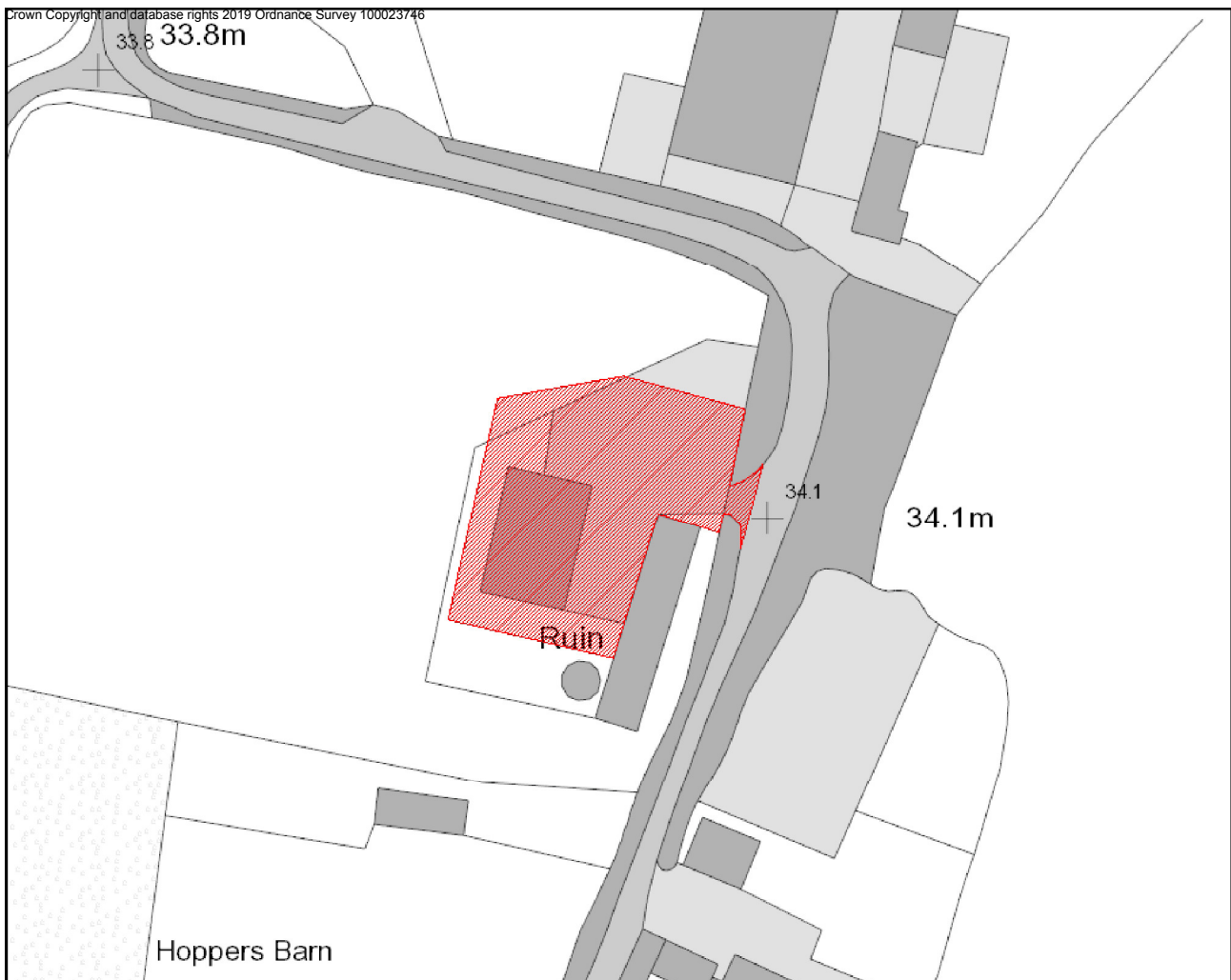
Applicant Messrs Glanvill

Location Land At Holbrook Farm Clyst Honiton

Proposal Demolition and replacement of agricultural building with erection of storage and distribution building (use class B8) and associated works



RECOMMENDATION: Approval with conditions



		Committee Date: 3rd September 2019
Broadclyst (Clyst Honiton)	19/1184/FUL	Target Date: 26.07.2019
Applicant:	Messrs Glanvill	
Location:	Land At Holbrook Farm Clyst Honiton	
Proposal:	Demolition and replacement of agricultural building with erection of storage and distribution building (use class B8) and associated works	

RECOMMENDATION: APPROVE subject to conditions

EXECUTIVE SUMMARY

This application is before members as the officer recommendation is contrary to the view of ward councillors and because the proposal is a departure from the East Devon Local Plan.

The application proposes the demolition of an agricultural building and replacement with a storage and distribution building (use class B8) for the applicant's internet based homeware and luxury home furnishing business.

The proposal is a departure from the local plan because a new build commercial unit in this countryside location doesn't comply with the provisions of policy E5 (Small Scale Economic Development in Rural Areas) of the Local Plan. This policy supports such small scale economic development and the expansion of existing businesses proposals where:

- It involves the conversion of an existing building**
- or if new buildings are involved, it is on previously developed land**
- or if on a greenfield site is well related in scale and form and in sustainability terms to the village and surrounding areas.**

However notwithstanding the conflict with this policy approach, it has to be acknowledged that under Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, the Class R permitted development right permits a change of use of agricultural buildings to a range of flexible uses which includes B8 (Storage and Distribution) of the use classes order. Under Class R of the permitted development right it would therefore be possible to change the use of up to 150 sqm of the existing building to a B8 use without the Council's approval.

The applicant has demonstrated that the application building and other agricultural buildings within the farm holding could qualify for a change of use to B8 and that this is a realistic fall-back position over which the Council would have no control over the type of business and/or the vehicle movements associated with its use.

Under this current planning application there are a number of clear benefits which include the ability to impose a condition restricting the use of the building to the applicant's business where the type and number of traffic movements are considered to be appropriate for its rural location and for the local highway network. The planning permission can also exercise greater control over hours of operation and timings for deliveries etc. which would be of greater benefit to the residential amenities of the occupiers of surrounding properties.

The proposal is considered to be acceptable in terms of its impact on the character and appearance of the area and the residential amenities of the occupiers of surrounding properties. There would be no harm to the setting of heritage assets, ecology or biodiversity or highway safety.

On balance, having regard for the fall-back position under Class R of the GPDO, the proposal is considered to be acceptable and is therefore recommended for approval subject to conditions.

CONSULTATIONS

Local Consultations

Broadclyst - Cllr Eleanor Rylance

I am very concerned by this application for a B8 use of an old barn. The access alone rings major alarm bells- the roads leading to this farm are narrow, poorly maintained and have very sharp bends, some of them right angles. To use this site for warehousing and distribution, potentially bringing large trucks along very narrow lanes, whichever direction it is approached from, does not seem sensible. I have serious concerns about this application and want to see a full highways report on the access. There are far better locations for such a centre, closer to main roads and access points, nearer to Exeter.

The road suffers from extremely poor surface, is never repaired satisfactorily or to a lasting standard, and has very narrow nearly right angle bends. It is in my opinion a wholly unsuitable place for a B8 type business, which could be repurposed by any subsequent owner entirely beyond the control of the existing owner.

The owner of this business could locate their business in a more favourable location nearer larger access roads, whilst still remaining near to the family farm. It would be entirely inappropriate for any courier business to be granted daily access to this road, which would be used in either direction, either from the A30 direction or from the A3052.

The applicant has also failed to adequately explain, given that they propose to employ staff, where the toilet facilities will be located for this proposal. Indeed, no provision appears to be made for the staff's toilet needs.

Finally, this proposed development is in contradiction with Clyst Honiton's emerging neighbourhood plan policies.

Conclusion: I object to this proposal on a number of grounds, not least of which is the truly terrible state of the road surface, the very tight bends, the lack of thought that has gone into the comfort of any staff, the emerging neighbourhood plan policies for Clyst Honiton, and the existence of far better locations nearby for a business of this type.

Broadclyst - Cllr Sarah Chamberlain

I do not feel the current application shows enough detail about access from lorries or vans, the road layout within the area can be quite restrictive and I do not feel that with the vast amount of distribution centres which is currently being built at the science park, sky park and the greendale site that there is a need for this site to also be changed into a distribution centre

I do not support this application.

Parish/Town Council

This response is from Clyst Honiton Parish Council, of which I am the Clerk.

Clyst Honiton Parish Council is fully supportive of enabling rural businesses to thrive and expand, as policies E1 and E2 of the emerging Neighbourhood Plan demonstrate.

Change of use to B8 is permanent and although the proposed use will not have extreme effects, future businesses on this site might of a different nature. The access to the site is poor and other storage uses would have a much greater impact than that proposed. For this reason, Clyst Honiton Parish Council OBJECTS to this application.
13/06/2019

NP / NDO Officer report on 19/1184/FUL

I am writing this response as the Clyst Honiton Parish Council Neighbourhood Plan Lead.

Present application for:

Demolition and replacement of agricultural building with erection of storage and distribution building (use class B8) and associated works.

Past Planning History: Prior Approval of Proposed Change of Use of Agricultural Building to two Dwelling houses (Use Class C3) Ref. No: 15/1078/PDQ | Status: 63

Business Use : With extensive class B8 provision at Hill Barton, Blue Hayes site and on Sky Park the Clyst Honiton Neighbourhood Plan has no Policy in support of B8 class development within the Parish. Policies for development outside the village are provided below:

E1 - Supporting the rural economy

Proposals for holiday accommodation (C1), live/work units (C3/B1), or business (B1) uses outside of the village built-up area, will be supported where they:

- a) are proposed on previously developed land or through the conversion of existing agricultural buildings;
- b) are in keeping with the scale, form and countryside setting;
- c) would be compatible with the existing landscape setting; and
- d) would not result in adverse impacts to residential amenity or highway safety.

Where proposals involve the conversion of existing agricultural buildings, this should not entail substantial rebuilding or disproportionate extensions.

E2 - Opportunities for new and improved business development

Proposals for new business and commercial development (Use Class A1, B1 and B2) through the conversion of existing buildings or the small-scale expansion of existing employment premises is supported where they:

- a) are in keeping with the scale, form and character of its surroundings;
- b) would be compatible with the existing landscape setting; and
- c) would not result in adverse impacts to residential amenity or highway safety.

Proposals for the small-scale production and/or sale of local food and drink products, and/or artisan/craft products will be particularly welcome and supported.

Design of Development in its' Location (E 1b and E2a) :

The proposed development is situated in the rural hamlet of Holbrook which comprises of 7 residential properties, a holiday let, bed and breakfast and a working farm. The development of a warehouse measuring 18m x 12m and 6.1 m high in an isolated position away from the main farm complex, results in a proposed development that is not in keeping with the scale, form and character of its surroundings.

Lighting and Noise Issues: E1& E2 c) Compatibility with the existing landscape setting

Class B8 requires lighting for safety of warehouse and distribution work, and with delivery 24/7 windows requirements of this type of business, this will cause light pollution in a rural residential area. The nature of this work and the 4m x 4m rolling door will cause noise in an area that is both dark and silent during the day and night.

E1d and E2c: impacts to residential amenity or highway safety.

The access route to the property is along a single lane with no vehicular pulls in. The lane presently is in a poor state of repair with 40+ pot holes needing repair. The lane which leads onto access the A30 has 5 right hand bends see diagram below which is not suitable as a safe regular delivery van or lorry access route. Complaints about this route being used by DHL vans from Hill Barton was brought to the Councils notice and DHL agreed for vans to no longer take this route. The development of Class B8 use in this location would create access safety issues. Access to this location is not appropriate for the type of road use linked to Class B8 use.

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Summary

Change of use to B8 is permanent and although the present business is starting out, future business and future tenants/ owners on this site might be of a very different nature and it is therefore considered that this type of Class B8 business is not appropriate in this rural location with very poor access.

Recommendation: Do not SUPPORT

17/06/2019

Technical Consultations

DCC Historic Environment Officer

Assessment of the Historic Environment Record (HER) and the details submitted by the applicant do not suggest that the scale and situation of this development will have any impact upon any known heritage assets. However, the HER records a Nissen Hut in close proximity to the application area, which according to the application will remain unaffected by the proposed development. It would be greatly appreciated if the owners could send us images of the Nissen Hut so the record of it can be enhanced.

The Historic Environment Team has no further comments to make on this planning application.

County Highway Authority

The plot lies on an unclassified road (W5723).

The proposal intends to use the existing access and for storage over an area of 218m squared. Though this lane is not ideal for deliveries and is in a poor state of repair.

Expected traffic movements from the type of storage and area considered over, mean traffic intensification is unlikely to be greater than that of the existing granted permitted use.

Therefore the County Highway Authority has no objection to this planning application.

Recommendation:

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

Environmental Health

I have considered this application and recommend that the following condition is attached to any permission granted:

No deliveries shall be accepted or despatched to or from the site except between the hours of 07.30 and 1800hrs Monday to Friday, and not at all at weekends or Bank Holidays.

Reason: To protect the amenities of local residents from noise.

Conservation

We do not wish to comment.

Other Representations

At the time of writing this report 11 letters of support have been received. 4 letters of objection have been received raising concerns which can be summarised as:

- The small rural lanes are unsuitable for additional traffic movements and the type of movements associated with a B8 use.
- Poor visibility and sight lights
- Increase in pollution, noise and traffic in a quiet hamlet
- Impact on the rural landscape and character and appearance of the area
- Building design and materials inappropriate for rural location
- Impacts from lighting and noise
- No control over future B8 uses
- There are more suitable locations where infrastructure is in place
- Impact on setting of listed property
- Set a precedent for further commercial development in the area
- There is no main sewerage system in the area

POLICIES

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

D1 (Design and Local Distinctiveness)

EN5 (Wildlife Habitats and Features)

E5 (Small Scale Economic Development in Rural Areas)

EN9 (Development Affecting a Designated Heritage Asset)

TC2 (Accessibility of New Development)

TC7 (Adequacy of Road Network and Site Access)

TC9 (Parking Provision in New Development)

Government Planning Documents

NPPF (National Planning Policy Framework 2019)

National Planning Practice Guidance

Site Location and Description

The site refers to an area of land and agricultural building located in the countryside on the opposite side of the road to Holbrook Farm which comprises a farmhouse, a range of agricultural buildings and a farm yard.

The site comprises a steel frame Dutch barn which is partly covered with corrugated metal sheeting. The site is relatively flat and has an existing vehicular access onto the unclassified road from Little Hill Cottage to Marlborough Farm.

The site is located within the countryside in a remote rural location in a hamlet containing a small number of residential properties. No landscape designations apply.

Planning History

Prior approval was deemed under reference 15/1078/PDQ under Class Q of the General Permitted Development Order for the proposed change of use of agricultural building to two dwelling houses. As this permission has not been completed within 3 years, the permission can no longer be implemented or used as a fall-back position.

In 2002 ref (02/P1241) planning permission was granted for the change Of Use and construction of boarding cattery facilities at Holbrook Farm

Proposed Development

This application seeks planning permission to demolish the existing Dutch barn and to construct a new building for a B8 (Storage and Distribution) use for the applicant's internet based homeware and luxury home furnishings business.

The proposed building would have a dual pitched design measuring 18.6 metres by 12.0 metres with a maximum ridge height of 6.1 metres providing internal floor space amounting to 205 sqm. The elevations of the building would be clad with tanted vertical timber boarding under composite roof sheeting coloured merlin grey. The yard area to the north and west of the building would be surfaced with compacted stone. Vehicular access into the site would be from the existing access off the public highway to the east.

ANALYSIS

Issues and Assessment

The main issues to consider in determining this application are in terms of the principle of development having regard for the 'fall back' position under Class R of the GPDO, the impact on the character and appearance of the area, the residential amenities of the occupiers of surrounding properties, highway safety and parking, ecology and biodiversity.

Principle of development

The site is located within the countryside as defined by the East Devon Local Plan. Strategy 7 (Development in the Countryside) of the Local Plan states development in the countryside 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 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.

Policy E5 (Small Scale Economic Development in Rural Areas) of the Local Plan states *'In villages and rural areas small scale economic development (not including retail use classes/other uses in Classes A1 - A4) and expansion of existing businesses designed to provide jobs for local people will be permitted where:*

- 1. It involves the conversion of existing buildings. Or*
- 2. If new buildings are involved, it is on previously developed land. Or*
- 3. If on a Greenfield site, shall be well related in scale and form and in sustainability terms to the village and surrounding areas.*

Provided that the following criteria are met: a safe highway access, the local highway network is capable of accommodating the forecast increase in traffic established by a Traffic Assessment, no detrimental impact upon the amenities of neighbouring properties, wildlife, landscape or historic interests. All new buildings shall be designed to blend into their location and shall meet sustainable construction and on site renewable energy production. In order to ensure that land is retained for the benefit of the local economy, permitted development rights allowing changes to alternative uses will be withdrawn.'

As a new build commercial unit in the countryside, this proposal does not comply with the provisions of policy E5 because it would not involve the conversion of the existing building and because the site is in agricultural use it is not previously developed land. In addition, given the sites remote rural location and distance from the nearest settlement of Clyst Honiton, it isn't considered that it would be well related in scale and form or in sustainability terms. On this basis and because of the proposals conflict with the provisions of the policy, the application has been advertised as a departure from the Local Plan.

Whilst the concerns of the Parish Council in respect of the proposal's conflict with the Clyst Honiton Neighbourhood Plan are noted, the plan is emerging and in its early stages of preparation having not been out to formal rounds of consultation such that it isn't considered that any significant weight can be attributed to it as a material planning consideration at this moment in time.

Material Considerations: Fall-back Position

Attention has been drawn to the case of *Mansell v Tonbridge and Malling Borough Council*, heard at the Court of Appeal, which concluded that the availability of permitted development rights can properly be taken into account as a fall-back position where some alternative form of development scheme is then proposed.

In this case, it is acknowledged that under Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, the Class R permitted development right permits a change of use of agricultural buildings to a range of flexible uses which includes B8 (Storage and Distribution) of the use classes order. Under Class R of the permitted development right it would therefore be possible to change the use of up to 150 sqm of the existing building to a B8 use without the Council's approval through a full planning application. In addition, a proposal between

150-500sqm would only allow the Council to consider matters of transport and highways impacts of the development, noise impacts of the development, contamination risks and flooding risks on the site. The building does not need to be structurally sound and capable of conversion.

The agent has also identified a number of agricultural buildings within the farm holding that would benefit from the permitted development right where the Council would have no control over the end user or the vehicle movements associated with a B8 use. As such, the applicant has a fall-back for 5000sqm on the farm unit.

Whilst the concerns of the ward councillors and the Parish Council in respect of the suitability of the location in sustainability and highway safety terms for a B8 use are noted, and notwithstanding the proposal's conflict with policy E5 of the Local Plan, it is considered that in assessing the principle of this application, significant weight should be given to the fall back position offered by Class R of the GPDO as established through the aforementioned case law. Further sections below consider the acceptability of the proposal in terms of visual appearance, noise and highway safety (there being no flood risk or contamination risks from the site).

Character and Appearance

Policy D1 of the Local Plan states that proposals will only be permitted where they:

1. Respect the key characteristics and special qualities of the area in which the development is proposed.
2. Ensure that the scale, massing, density, height, fenestration and materials of buildings relate well to their context.

The existing Dutch barn is in a state of disrepair and is mainly visible from the public highway which wraps around the site. Notwithstanding the state of the building it makes no positive contribution to the rural character of the area although it is agricultural in appearance and characteristic of the site's rural character and surroundings.

It is accepted that development of the site and the proposed industrial building would have a degree of impact on the rural character and appearance of the area. Whilst this would be the case, the replacement building would be positioned over the footprint of the existing building with a similar sized floor area. The height of the building would exceed the highest part of the Dutch barn by 300 mm but not an extent that would cause significant visual harm. The building itself has been designed to have a simple dual pitched roof form and amended plans have been received which have changed the materials from metal profiled sheeting to tanalised vertical timber boarding under a merlin grey coloured metal sheeting roof which would help to ensure that the impact of the building is softened and would create the appearance of a barn instead of an industrial unit more appropriate to the rural surroundings.

Turning back to the 'fall back' position, it should be noted that Class R only permits a change of use of the building and requires a separate planning application for operational development where matters of design, appearance and materials can be considered. Changes to the building under such an application would need to be approved where reasonable in their appearance and causing little or no harm.

On balance, having regard for the limited increase in size and footprint of the proposed building in relation to the existing Dutch barn, coupled with the changed materials which now proposes a natural timber clad finish to the building, it isn't considered that the impact on the rural landscape character and appearance would be so harmful to sustain an objection on these grounds.

Residential Amenity

Policy D1 of the Local Plan requires that proposals do not adversely affect the amenities of existing residential properties. Policy EN14 (Control of Pollution) requires that Permission will not be granted for development which would result in unacceptable levels, either to residents or the wider environment of noise and/or vibration and light intrusion.

The site is in close proximity to a number of residential properties to the south and a number of concerns have been received in respect of the impacts from noise and disturbance and activity associated with the proposed B8 use. Whilst these concerns are noted, the Council's Environmental Health Officer has considered the application and has raised no concerns subject to a condition which restricts deliveries to and from the site to between the hours of 07.30 and 1800hrs Monday to Friday, and not at all at weekends or Bank Holidays to protect the amenities of local residents from noise.

Again turning back to the fall-back position under Class R, 150 sqm of the building could be used for B8 purposes over which the Council would have no control over the end users, hours of operation or deliveries to and from the site. Under this planning application the Council can exercise control over the end user and the hours of operation which would be of benefit to the amenities of the existing residents over the fall-back position.

On balance, having regard to the above and noting a lack of objection from the EHO, it isn't considered that the proposed use would give rise to significant harm to residential amenity to sustain an objection.

Highway Safety

Policy TC7 (Adequacy of Road Network and Site Access) of the Local Plan states 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. Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The majority of the concerns that have been expressed by the Parish Council and ward councillors are in relation to the impact of vehicle movements associated with a B8 use on the local highway network which it is acknowledged is very narrow in places with few passing places and would not therefore be suitable for substantial increases in traffic or large HGV movements. The County Highway Authority has not objected to

the proposal but acknowledges that the road is not ideal for deliveries and is in a poor state of repair.

With the fall-back position under Class R permitted development rights, the Council would have no control over a 150 sqm of B8 use of the building or the nature of the business, the type of vehicles or the number of vehicle movements associated with the use. The existing agricultural use of the building would generate traffic movements including tractors and trailers delivering straw to the building for storage and then taking it from the building for bedding livestock.

The highway and traffic impacts of this particular business have been carefully assessed. From the information submitted, it is understood that the building would be used to store and distribute products associated with the applicant's internet based homeware and luxury home furnishing business and that the vehicles movements associated with this use would be up to two light vehicle trips to and from the site on weekdays. In addition it is stated that there would be up to three 20ft shipping container deliveries per year.

Notwithstanding the fall-back position offered by Class R, and given that the proposal is for 205sqm of floorspace, without control over the type of business on the site, it is accepted that increased traffic movements to and from the site could be detrimental to highway safety given the nature of the surrounding highway network which is typical of its rural location. Therefore it is considered to be necessary and reasonable to impose a condition which restricts the use of the building and site to the applicant's business (ZaZa Homes) which would provide the Local Planning Authority with comfort and control over the nature of the business that would operate from the building and its associated traffic movements.

Having regard for the above and the condition restricting the use of the building to the applicant's business it is not considered that an objection could be sustained on highway safety grounds. The proposal is considered to comply with the provisions of policy TC7 (Adequacy of Road Network and Site Access) of the Local Plan.

Ecological Impact

Under Class R the impacts of changing the use of the building on ecology and protected species cannot be considered. This application is not accompanied by a protected species survey and it is accepted that given the dilapidated state of the building and the fact that it is open-sided that it is unlikely to contain bats. A visual inspection of the building has also been undertaken which confirms that there were no barn owls or nesting birds within the building at the time the application was submitted.

As would be the case for development under Class R of the GPDO, it is considered that there would be a duty on the applicants to carefully demolish the building to ensure that there are no nesting birds within it and should protected species be observed that work is stopped and an ecologist and Natural England are contacted. It is considered that the proposal complies with the provisions of policy EN5 (Wildlife Habitats and Features) of the Local Plan.

Heritage Impact

The site is located to the north west of Higher Holbrook Farm which is a grade II listed property. The Council's Conservation Officer has raised no concerns regarding the impact of the development on the setting of this heritage asset. The site is well distanced from the listed building and given the limited size and scale of the proposal coupled with the existing vegetation on the site's boundaries, it isn't considered that the proposed B8 building would give rise to any harm to its setting. The proposal is considered to comply with the provisions of policy EN9 (development Affecting a Designated Heritage Asset) of the Local Plan.

A consultation response has been received from the County Council's Historic Environment Team who have advised that an assessment of the Historic Environment Record (HER) and the details submitted by the applicant do not suggest that the scale and situation of this development will have any impact upon any known heritage assets. However, the HER records a Nissen Hut in close proximity to the application area, which according to the application will remain unaffected by the proposed development. Whilst raising no objections to the application, the Historic Environment Team have requested that the owners send them images of the Nissen Hut so the record of it can be enhanced. This will be added as an informative to the planning permission.

CONCLUSION

This application for the demolition and replacement of an agricultural building with the construction of a storage and distribution building (use class B8) for the applicant's internet based homeware and luxury home furnishing business.

A new build commercial unit in the countryside in this location does not comply with the provisions of policy E5 (Small Scale Economic Development in Rural Areas) of the East Devon Local Plan, or any other local plan policy.

However notwithstanding the conflict with this policy approach, it has to be acknowledged that under Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, the Class R permitted development right permits a change of use of agricultural buildings to a range of flexible uses which includes B8 (Storage and Distribution) of the use classes order. Under Class R of the permitted development right it would therefore be possible to change the use of up to 150 sqm of the existing building to a B8 use without the Council's approval.

The applicant has demonstrated that the application building and other agricultural buildings within the farm holding could qualify for a change of use to B8 and is a realistic fall-back position over which the Council would have no control over the type of business and/or the vehicle movements associated with its use. Under this application there are a number of clear benefits which include the ability to impose a condition restricting the use of the building to the applicant's business where the type and number of traffic movements are considered to be appropriate for its rural location and for the local highway network. The planning application also provide the

opportunity to exercise greater control over hours of operation and times of deliveries which would be of benefit to the amenities of existing properties in the area.

The proposal is considered to be acceptable in terms of its impact on the character and appearance of the area and the residential amenities of the occupiers of surrounding properties. There would be no harm to the setting of heritage assets, ecology or biodiversity or highway safety. On balance, having regard for the applicant's fall-back position under Class R of the GPDO, the proposal is considered to be acceptable and is therefore recommended for approval subject to conditions.

RECOMMENDATION

APPROVE subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission and shall be carried out as approved.
(Reason - To comply with section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice.
(Reason - For the avoidance of doubt.)
3. No development above foundation level shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
(Reason - To ensure that the materials are considered at an early stage and are sympathetic to the character and appearance of the area in accordance with Policy D1 - Design and Local Distinctiveness of the Adopted East Devon Local Plan 2013-2031.)
4. The building hereby permitted shall only be used for storage and distribution purposes in association with the business known as ZaZa Homes Limited.
(Reason: The proposal is justified on highway safety grounds by the type and nature of the applicant's business and the predicted number and nature of traffic movements associated with its use. An unrestricted B8 use in this location may give rise to unacceptable levels of traffic movements unsuitable for the local highway network that could be detrimental to highway safety in accordance with the provisions of policy TC7 (Adequacy of Road Network and Site Access) of the East Devon Local Plan 2013-2031).
5. No deliveries shall be accepted or despatched to or from the site except between the hours of 07.30 and 1800hrs Monday to Friday, and not at all at weekends or Bank Holidays.
(Reason: To protect the amenities of local residents from noise in accordance with the provisions of policies D1 (Design and Local Distinctiveness) and EN14 (Control of Pollution) of the East Devon Local Plan 2013-2031).

6. Prior to first use of the building hereby permitted, an external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
(Reason: In the interests of the character and appearance of the locality in accordance with policy D1 (Design and Local Distinctiveness) and EN14 (Control of Pollution) of the East Devon Local Plan 2013-2031).

NOTE FOR APPLICANT

Informative:

In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 in determining this application, East Devon District Council has worked positively with the applicant to ensure that all relevant planning concerns have been appropriately resolved.

The County Council's Historic Environment Team have requested that the owners could of the site send them images of the Nissen Hut so the record of it can be enhanced.

Plans relating to this application:

2019.005.01 Rev A	Proposed Combined Plans	05.08.19
2019.005.02 Rev 0	Location Plan	31.05.19

List of Background Papers

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