

**Ward** Woodbury And Lymptone

**Reference** 19/1204/FUL

**Applicant** GB House And Son

**Location** Land Opposite Woodbury Business Park  
Woodbury

**Proposal** Change of use of agricultural land for an  
overspill car parking area to be used in  
association with Woodbury Business Park



**RECOMMENDATION: Approval with conditions**

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|  |   | <b>Committee Date: 7<sup>th</sup> January 2020</b> |
| <b>Woodbury And Lympstone (Woodbury)</b> | <b>19/1204/FUL</b>  | <b>Target Date: 30.07.2019</b>                     |
| <b>Applicant:</b>                        | <b>GB House And Son</b>   |  |
| <b>Location:</b>                         | <b>Land Opposite Woodbury Business Park Woodbury</b>  |  |
| <b>Proposal:</b>                         | <b>Change of use of agricultural land for an overspill car parking area to be used in association with Woodbury Business Park</b> |  |

**RECOMMENDATION: Approval with conditions**

#### **EXECUTIVE SUMMARY**

**This application is before members of the Development Management Committee because the officer recommendation differs from that of a Ward Councillor.**

**Retrospective planning permission is sought for the change of use of agricultural land to an overspill parking area for up to 59 cars to serve Woodbury Business Park which is located on the opposite side of the road.**

**Woodbury Business Park is located within the open countryside where policies of restraint apply. Strategy 7 (Development in the Countryside) states that the countryside is defined as all those parts of the plan area that are outside the Built-up Area Boundaries and outside of site specific allocations. 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.**

**Policy E7 (Extensions of Existing Employment Sites) of the Local Plan states that outside Built-up Area boundaries and where it is clear that a business or employment site or estate is at or near full occupancy, the Council will permit the small scale expansion of the site in a manner that is proportionate to the existing size and scale of site operations provided a number of criteria are met. These criteria include highway safety, residential amenity and that no protected landscapes or historic interests or other environmental interests are adversely affected.**

**There are some sensitivities with this application in so far as it introduces development in the countryside on the opposite side of the road from the business**

park. The hard surfacing and parking of vehicles urbanises part of an agricultural field which as an expansion of the business park is visually and physically divorced from the site and therefore this has a degree of localised landscape harm and visual impact which weighs against the proposal. In addition, the location of the site opposite a listed building introduces some very limited (less than substantial) harm to the setting of the listed building.

Whilst the visual impact and environmental harm weighs against the proposal, this has to be balanced against the justification and need that has been put forward by the applicant for the overspill car park and the economic/wider public benefits that would arise from the scheme in terms of ensuring that existing and future businesses continue to invest and sustain and encourage growth of the business park given that the business park does not currently make adequate parking provision for the existing businesses and visitors.

There is a clear evidence of need for the overspill car parking which is strongly supported by the Councils Economic Development Officer and as such officers consider that the economic benefits arising from the scheme should be afforded weight which, whilst very finely balanced, is considered to just outweigh the localised visual harm to the rural landscape, character and appearance of the area with these wider public benefits outweighing the very limited harm to the setting of the listed building within the overall planning balance.

The application is therefore very finely balanced but recommended for approval subject to conditions which include the implementation of a submitted landscaping scheme, its appropriate management and that the car park is only used in conjunction with the business park.

## **CONSULTATIONS**

### **Local Consultations**

#### **Woodbury And Lympstone - Cllr Geoff Jung**

I have viewed the documents and visited the site for the Planning application 19/1204/FUL for the change of use of agricultural land for an overspill car parking area to be used in association with Woodbury Business Park on land opposite Woodbury Business Park Woodbury.

I recognise the importance of employment the Woodbury Business Park provides, and the successful adaption of the previous farm buildings and new structures have helped to integrate the industrial use into a rural landscape.

However, in referring to the previous history to this site a previous application for signage 12/1252/ADV was refused because: I quote

"The two signs are positioned on land opposite the business park in an area which is quite obviously rural in its character and appearance."

"The signage is considered to be completely inappropriate, intrusive and out of keeping with the rural landscape character and appearance of this area and is not therefore supported by the Local Planning Authority."

In my view the location of a carpark in this same location would also be out of character in this rural landscape.

This carpark would in effect allow the expansion of the industrial/employment curtilage of the business park across the road and although the East Devon permits the expansion of rural business parks I feel extending the business park onto the opposite side of the road inappropriate and therefore, I cannot support this application.

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

Further comments:

I have viewed the further documents for the planning application 19/1204/FUL for the change of use of agricultural land for an overspill car parking area to be used in association with Woodbury Business Park Woodbury.

The addition of a hedge to shield the view of the carpark from public view is a welcome addition, but on balance the significant expansion of the business park boundary to be increased should not be allowed in this rural location.

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

#### Parish/Town Council

NOT SUPPORTED. Occupants should consider other forms of transport such as the bus service. Building in the open countryside and outside of the boundary of the business park. This application should be retrospective.

Further comments:

NOT SUPPORTED. Building in the open countryside and outside of the boundary of the business park. This application should be retrospective. Recommend EDDC instigate enforcement action to reinstate the original Devon Bank and agricultural land.

#### **Technical Consultations**

##### Economic Development Officer

We have reviewed the planning application 19/1204/FUL and submitted documents.

The applicant has provided a particularly compelling justification for the application from an economic development perspective. Having looked through the letters and emails of support from existing tenants, it is clear they are expressing legitimate concerns re. constrained parking onsite. They note the specific adverse impacts on their individual business operation, their ability to grow and provide additional employment. I would urge my planning colleagues to afford these direct employer accounts sufficient material weight in determining the application for additional overspill parking provision.

There is a very clear consensus in terms of the issues each existing employer at Woodbury Business Park is experiencing and the required mitigation. The existing parking provision for 146 employees across 31 on-site business cannot be met on the existing site when visitor demand can exceed 74 additional vehicles per day.

To suggest that modern, successful, growing businesses and visitors should consider a limited public transport service as a primary means of transportation to and from the Business Park is not practicable. Policy E7 is relevant.

Tourism within the district will not be adversely impacted with an overall increase in visitors following from the much needed support afforded by the additional 59 parking spaces to the employers on site. Improved capacity and operation would also benefit local supply chains and secondary employment.

Though not an ED issue, I'm aware that the cost of providing additional parking to the south of the existing business park is prohibitive. Am also assured by the applicant's willingness to agree conditions or a specific legal agreement not to pursue new workspace development on the west side of the road, around the subject site.

From an Economic Development perspective, the application warrants our full support to protect the operation of the valuable existing employers on-site.

## Landscape Architect

### 1 INTRODUCTION

This report forms the EDDC's landscape response to the full application for the above site. The report provides a review of landscape related information submitted with the application in relation to adopted policy, relevant guidance, current best practice and existing site context and should be read in conjunction with the submitted information.

### 2 RESPONSE TO PROPOSALS

It is understood that the additional parking proposed is to meet the need for increased staff and visitor parking for the business park which now includes a gym amongst other uses.

The car park is intended for use when the business park is open, stated to be currently between the hours of 8am and 9pm daily.

It is noted that works have already been carried out to provide a levelled surface and bund around the perimeter of the proposed car park.

I have concerns regarding this application in terms of its landscape and visual impact and the design of the car park itself for the following reasons:

While the business park itself is clustered around a former complex of agricultural buildings the proposed extension car park site is within open countryside on the opposite side of the Woodbury-Lympstone Road, although the rural character has been eroded somewhat in recent times

There is currently no street lighting or lighting to the road frontage of the business park that would help to illuminate the site. As the gym and some of the other units are likely to be open until at least 9pm, car park users will need to access it in the dark between early September and early May. Without lighting this will be difficult and some users are likely to feel vulnerable or unsafe leading to pressure to provide lighting within the car park which would further increase its landscape and visual impact.

The car park is proposed to be gravel surfaced. While this would provide a permeable surface it is difficult to provide clear and durable marking of parking bays on gravel which drivers will take notice of. Given the very tight layout of the car park it is likely that drivers will park inefficiently reducing the actual parking capacity.

The proposed reinstatement of the roadside boundary hedge could be considered to be a landscape and bio-diversity enhancement, however, there is insufficient space between the road edge and the existing sitting area to enable a decent width of hedging to establish along this section.

There is nothing in the supporting documentation to indicate what the applicant is doing to reduce car travel to the site by provision of covered cycle parking, showers and promotion of car sharing or other green travel options.

There is a substantial amount of caravan/ camper van storage within the business park and consideration should be given to reducing this to provide the required additional car parking for the site.

### 3 CONCLUSION AND RECOMMENDATIONS

For the above reasons the application is considered contrary to the following Local Plan policies in particular, Strategy 7: Development in the countryside and D2: Landscape requirements, and should be refused.

However, should the scheme be considered for approval a revised layout should be secured prior to grant of approval that should include the following changes:

- The existing sitting area should be moved, omitted or adjusted to enable a minimum 2m width to be provided between the road edge and post and rail fence in order to allow for the planting and establishment of a new hedge along the whole road frontage.
- Planting should include the planting of new trees including oak and field maple around the perimeter of the site including the road frontage.
- Details of the proposed parking bay markers and car park surface and construction make up should be provided.
- Gates should be provided to both entrances, to be locked at night when the business park is closed, to prevent unauthorised access.

Additionally, should approval be granted the following conditions should be imposed:

1) No development shall take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority; such a scheme shall include the following:

- Detailed drawings providing the following information:
  - Construction details of any proposed fences, walls, surfacings, site furniture and signage.
  - Proposed site levels, retaining walls and indication of slopes greater than 1:3.
  - Means of surface water drainage, ensuring no discharge onto the highway.
- Soft landscape proposals shall be accompanied by a specification detailing the proposed species, their planting size, the density at which they will be planted, any specific planting matrices, the number of plants of each species and notes describing how the scheme will be implemented including specification for supply and preparation of subsoil and topsoil, tree and shrub planting and grass seeding, mulching, staking and means of protection.

The landscaping scheme shall be carried out in the first planting season after completion of the groundworks or prior to first occupation whichever is the earliest unless otherwise agreed in writing by the Local Planning Authority and the landscaping shall be maintained for a period of 5 years. Any trees or other plants which die during this period shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority.

(Reason - In the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Strategy 3 (Sustainable Development), Strategy 4 (Balanced Communities), Strategy 5 (Environment), Strategy 43 (Open Space Standards), Policy D1 (Design and Local Distinctiveness) and Policy D2 (Landscape Requirements) of the East Devon Local Plan. The landscaping scheme is required to be approved before development starts to ensure that it properly integrates into the development from an early stage.)

## 2) Management and maintenance

No development shall take place until a schedule of landscape maintenance for a minimum period of 10 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

(Reason - To ensure that the details are considered at an early stage in the long term interests of preserving and enhancing the character and appearance of the area in accordance with Policies D1 - Design and Local Distinctiveness and D2 - Landscape Requirements of the Adopted East Devon Local Plan 2013-2031.)

Further comments:

I have looked at the plan and make the following comments:

The verge between the carriageway and car park is too narrow either side of the entrance gate. A minimum 2m width should be provided to allow for growth and spread of the proposed hedge as it matures.

The hedge mix should include 15% holly to help maintain screen cover during winter.

A specification should be provided for sowing and management of a wildflower mix grass verge between the hedge and carriageway.

The boundary treatment to the adjoining field should be confirmed. This would need to be stock proof.

Proposed trees to the north and west side of the car park are shown within the adjacent field outside of the redline application area. The applicant should confirm if this is the intention. If so, a specification for individual stock protection around each tree should be provided.

I feel there are too many trees shown along the northern boundary. We do not want to screen views from the road completely to the landscape beyond. I suggest reducing the number of trees on the northern boundary to 5, arranged in two linear groups of 2 and 3.

I disagree that there is insufficient space for tree planting to the roadside boundary and two trees should be provided between the bus stop and car park entrance.

All trees should be supplied as 12-14cm girth heavy standards.

A tree pit and staking detail should be provided.

I disagree that people will park efficiently without parking bay delineation or the presence of a marshal and the intended 59 space capacity will therefore not be achieved. That in itself is not a landscape issue, but my concern is that the landowner may then decide to extend the carpark westwards.

If the application is approved planting works should be completed no later than 31 March 2020. I refer you also to the conditions noted in my previous response which should be applied.

#### County Highway Authority

##### Observations:

The site is located on the C799 and the junction with Rydon Lane, (L409). The planning application is not seeking to expand the actual business park units and so the overspill car park will be accommodating for existing trip generations. The overspill parking when required is likely to be currently occurring on the local carriageway network especially with the limited parking restrictions in this vicinity, therefore the provision of off-carriageway parking will only seek to improve the current highway safety.

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, MAY WISH TO RECOMMEND CONDITIONS ON ANY GRANT OF PLANNING PERMISSION

1. The site access road shall be hardened, surfaced, drained and maintained thereafter to the satisfaction of the Local Planning Authority for a distance of not less than 20 metres back from its junction with the public highway

REASON: To prevent mud and other debris being carried onto the public highway

Addendum 11/11/2019

The County Highway has seen the updated proposed site plan which is predominantly of landscaping additions and is satisfied that our stance remains the same.

Recommendation:

THE HEAD OF PLANNING, TRANSPORTATION AND ENVIRONMENT, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, MAY WISH TO

RECOMMEND CONDITIONS ON ANY GRANT OF PLANNING PERMISSION

1. The site access road shall be hardened, surfaced, drained and maintained thereafter to the satisfaction of the Local Planning Authority for a distance of not less than 20 metres back from its junction with the public highway

REASON: To prevent mud and other debris being carried onto the public highway

#### Environmental Health

I have considered this application and do not feel that there are any Environmental Health Pollution issues with this proposal, therefore I have no further comments to make.

#### Other Representations

14 letters of objection have been received raising concerns which can be summarised as:

- There is unused space in the business park which can be used for parking
- Precedent will be set for creep and expansion of the business park into the countryside
- Visual impact and detriment to the landscape
- Previous planning permissions should not have been granted if inadequate parking provision
- Adverse impact on the character and appearance of the area
- Does not promote sustainable travel
- Use of best and most versatile agricultural land
- Access is unsafe, impact on highway and pedestrian safety
- Unjustified development in the countryside
- Alternative sites for car parking should be considered

- The Woodbury Neighbourhood Plan seeks to constrain development at Woodbury Business Park
- Cumulative impacts of sprawl into the countryside should be considered
- Impact on biodiversity and habitats
- Impact on the setting of the grade II listed building
- Caravan storage areas should be reduced in favour of extra parking within the business park

## **POLICIES**

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

Strategy 46 (Landscape Conservation and Enhancement and AONBs)

D1 (Design and Local Distinctiveness)

D2 (Landscape Requirements)

E7 (Extensions to Existing Employment Sites)

EN9 (Development Affecting a Designated Heritage Asset)

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**

Woodbury Business Park is an established business park which caters for a range of B1, B8 and D1 uses and outside caravan and boat storage.

Whilst the business park itself is clustered around a former complex of agricultural buildings the application site forms part of a larger field, around 0.13 ha in area on the opposite side of the Woodbury-Lympstone Road. The site is low lying and is currently bound on its roadside boundary by a post and rail fence. The site is located in the countryside, outside of the built-up area boundary of Woodbury as defined within the East Devon Villages Plan and is not the subject of any national or local landscape designations.

## **Planning History**

Planning history for the business park is extensive however there is no planning history for the application site.

## **Proposed Development**

Retrospective planning permission is sought for the retention of the car park that has been constructed as an overspill parking area for the adjacent business park. The car park is laid out informally to accommodate up to 59 cars and would be surfaced with a permeable grey dress stone. The car park would operate with an in/out arrangement where cars access the car park from an existing field access off the main 'C' class road and exit the site from an existing access point onto Rydon Lane.

## **ANALYSIS**

### **Issues and Assessment**

The main issues to consider in determining this application are in terms of the principle of development, an assessment of the information that has been submitted to evidence the need and justification for the overspill car park and how this impacts on the operation of the business park, the impact of the car park on the rural landscape character and appearance of the area and highway safety.

### **Principle of Development**

Woodbury Business Park is located within the open countryside where policies of restraint apply. Strategy 7 (Development in the Countryside) states that the countryside is defined as all those parts of the plan area that are outside the Built-up Area Boundaries and outside of site specific allocations. 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.

It is pertinent to note that there is no 'Made' neighbourhood Plan for Woodbury and that it is not at an advanced stage to carry any weight in the decision making process.

The pre-amble to Policy E7 (Extensions to Existing Employment Sites) of the Local Plan states:

*It is important for East Devon to develop its employment base and where established sites are successful, an additional extension should be provided to concentrate and encourage economic development. This policy applies to employment sites and larger employers but still offers protection to the surrounding built and natural environment whilst promoting business in the District.*

Policy E7 itself states:

*Outside Built-up Area boundaries and where it is clear that a business or employment site or estate is at or near full occupancy, the Council will permit the small scale expansion of the site in a manner that is proportionate to the existing size and scale of site operations provided the following criteria are met in full:*

1. *The local highway network is capable of accommodating the forecast increase in traffic established by a Traffic Assessment; or where these can be mitigated either by physical works being undertaken by the applicant or contributions are secured towards the cost of the works.*
2. *There will be no detrimental impact upon any nearby residential properties.*
3. *No protected landscapes or historic interests or other environmental interests are adversely affected and the existing local biodiversity and habitats are conserved or enhanced.*

*In association with any development encouragement will be given for 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.*

*This policy will not apply at Hill Barton and Greendale business Parks.*

Assessment of the proposal against this policy is as follows:

**1. The local highway network is capable of accommodating the forecast increase in traffic established by a Traffic Assessment; or where these can be mitigated either by physical works being undertaken by the applicant or contributions are secured towards the cost of the works.**

Comment: The site is located on the C799 and the junction with Rydon Lane, (L409). The planning application is not seeking to expand the actual business park units and so the overspill car park would be accommodating for existing trip generations. The overspill parking will not in itself result in more trips on the highway, it being proposed to cater for existing demand.

In light of this, and as no new business units are proposed, there will be no increase in traffic, no need for a Traffic Assessment to address any increased traffic and no need for any physical works or contributions to improvements to the highway.

The County Highway Authority support this position raising no objection to the planning application subject to a suitable hard surfaced access (which is proposed).

Concerns have been raised by third-parties regarding the safety of pedestrians needing to cross the road to access cars, but County Highways have raised no objection on these grounds with employees already crossing the road to access and existing seating area and bus stop.

It is therefore considered that the proposal complies with this criterion, as well as the provisions of policy TC7 (Adequacy of Road Network and Site Access) of the Local Plan.

**2. There will be no detrimental impact upon any nearby residential properties.**

Comment: The overspill car park is considered to be located a sufficient distance from the nearest residential properties and on the opposite side of the road such that there would be detrimental impact on the amenities of the occupiers of residential properties. No objections have been received from the Council's Environmental Health Officer.

The proposal is therefore considered to comply with this criterion.

**3. No protected landscapes or historic interests or other environmental interests are adversely affected and the existing local biodiversity and habitats are conserved or enhanced.**

Comment: The site is located in the open countryside (that is no subject to any statutory landscape designation) on the opposite side of the business park and therefore this development represents an incursion into the undeveloped fields and into the countryside. It is therefore accepted that the car park would result in some visual harm and impact on the rural landscape character and appearance of the area through its hard surfacing and urbanising impact, and through the parking of vehicles and activity associated with the use of the car park.

The visual impact of the car park is acknowledged by the Council's Landscape Architect who has raised concerns about the landscape and visual impact and the design of the car park on the basis that the business park itself is clustered around a former complex of agricultural buildings and that the car park site is within the open countryside on the opposite of the Woodbury- Lympstone road.

Whilst these concerns are noted and acknowledged, the visual harm arising from the car park is limited and very much localised being limited to views when passing the site. Notwithstanding the fact that the car park is divorced from the built form of the business park, it is relatively low lying and partially screened behind an existing roadside hedge which limits its impact to a degree. There is no wider significant landscape harm such that it not considered that the proposal adversely affects any protected landscapes or historic interests as required by policy E7 of the Local Plan.

Although the car park is proposed on the opposite side of the road from the business park, there is nothing with Policy E7 that requires an extension to employment sites to be on the same side of a road. Whilst this may be because it was expected that any extension would be physically adjoining an existing site, in light of the lack of reference to this in the policy, an assessment of the visual impact from the proposal is required.

Acknowledging the fact that the car park is physically and visually divorced from the business park, officers have sought to minimise the harm to the character and appearance of the area through inviting the submission of a detailed landscaping scheme which proposes a native hedgerow between the road edge and post and rail fence along the whole road frontage. This and additional tree planting around the perimeter of the site would help to screen the car park and limit its visual impact on the character and appearance of the area whilst providing a landscape and biodiversity enhancement. Sufficient details in respect of species types, heights and planting intervals have been provided, which can be conditioned, along with a requirement for the landscaping to be carried out within an acceptable timeframe and maintained in perpetuity. The applicant has confirmed that there is no lighting for the car park

proposed. These changes address the recommendations of the Landscape Officer, although the Landscape Officer still retains concerns regarding the visual impact and activity given the divorced nature of the proposal from the Business Park and extension of the site into an open field.

There are therefore concerns with this application on the basis that it introduces development in the countryside on the opposite side of the road from the business park. The hard surfacing and parking of vehicles urbanises part of an agricultural field which as an expansion of the business park is visually and physically divorced from the site and therefore this has a degree of localised landscape harm and visual impact which weighs against the proposal.

Whilst concerns regarding precedent are noted, this is not a reason to refuse planning permission. Further planning applications for new industrial development on the site or land around it would have to be considered on their own merits. Granting planning permission for an overspill car park which has limited visual harm and landscape impact does not infer that further expansion of the business park would be acceptable on land divorced from the business park.

In terms of the impact on historic interests, the car park is located opposite the range of farm buildings running - 20 metres along roadside 40 metres north-west of Venmore Farmhouse, both structures being Grade II listed. The listing description describes the range as being impressive when seen from the road, and groups well with the farmhouse. The remainder of the farm buildings have been much altered, and are not included in the listing.

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires a decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. This is reflected in the National Planning Policy Framework and within the Council's Local Plan policies in relation to development affecting the setting buildings of special architectural and historic interest (policy EN9 Development Affecting a Designated Heritage Asset) refers.

The introduction of a car park and its urbanising impact opposite the grade II listed building has a degree of impact on the setting of the listed building, although the application site itself being across the road from the heritage assets means that the harm to the setting of the listed building is very limited. Informal discussions with the Council's Conservation Officer have acknowledged the impact of the car park but that owing to its low lying nature, the chosen gravel surface material and the proposed hedgerow and tree planting along the frontage of the site that would help to screen the car park in terms of views from the public highway, it is considered that the impact on the setting of the building would be less than substantial.

Under the provisions of paragraph 196 of the NPPF, and Policy EN9 of the Local Plan, it is stated that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. In this case the public benefits are considered to be linked to the ability to retain local employment and existing businesses within the

business park as well as attract new business and employment opportunities which would be of benefit of those seeking skilled job roles. The less than substantial harm that would be caused to the setting of the grade II listed building is not therefore considered to be significant enough to warrant refusal of the application and the proposal is therefore considered to comply with Policies E7 and EN9.

**In association with any development encouragement will be given for on-site renewable energy production.**

Comment: On the basis that the application is only proposing a car park that will not generate any demand for energy, there is no opportunity or need for the proposal to provide 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.**

Comment: As there are no buildings proposed as part of the proposal, and it is simply for car parking for which planning permission would be required to change to a different use, there is no need to remove any permitted development rights.

**The policy will not apply at Hill Barton and Greendale business Parks.**

Comment: The site is not within Hill Barton or Green Business Park.

In conclusion on the assessment against Policy E7, in light of the location of the proposal divorced from the business park off the main road, the car park will result in some localised visual harm from the main road. Whilst this harm can be limited to a degree by some landscaping and through conditions, the car park will be visible at the entrance and exit points and the activity from the car park will highlight its presence.

As such, the proposal will result in some visual harm contrary to Policy E7. Whilst it is inevitable that any extension of a business park in the countryside is likely to result in some visual harm, in this instance, the harm is increased by the divorced nature of the car park and location on the opposite side of the road such that it will not necessarily be read in association with the wider business park.

In light of the visual harm identified, an assessment is required of whether there are any material considerations that outweigh this harm and this is addressed below.

Justification and Need

Noting the sensitivities regarding the development of an overspill car park in the countryside on an area of undeveloped land opposite Woodbury Business Park, officers have requested further information pertaining to the justification for providing car parking outside of the established limits of the Business Park and evidence of need. In response to this request, the agent has provided additional information which comprised of the following:

- 17 letters/emails from existing tenants of the business park, highlighting their strong support for the application in light of the parking problems they are experiencing, which are becoming increasingly significant and problematic for the efficient running of their businesses.
- A table setting out the number of businesses operating from Woodbury Business Park and the associated number of employees, along with conservative estimates of the number of visitors to the site.
- A plan showing the number of car parking spaces available for tenants and visitors of the business park.

The information provided reports that there are currently 25 businesses operating from the business park which equates to 60 full time staff and 66 part-time staff and a conservative estimate of around 67 additional visitors to the site at any one time.

It is also reported that there are six new business units at Woodbury Business Park ("The Courtyard"), five of which are occupied, which at present accommodate 14 full-time members of staff and six part-time members of staff plus a conservative estimate of seven visitors to the site at any one time.

In total, it is stated that the potential number of vehicles on site at any one time is now 220 (using conservative estimates).

The existing business park provides 121 car parking spaces available for tenants and 45 unallocated/ visitor spaces totalling 166 spaces across the site. The applicant advises that it is clear that without the overspill car parking there is clearly an established need for overspill parking in this location to support existing businesses within the business park. This is considered to be a material consideration in the determination of this planning application that should be afforded weight within the overall planning balance particularly in the context of local and national planning policies which seek to encourage economic development and support a prosperous rural economy.

On this point, the Council's Economic Development Officer (ED)) accepts that the applicant has provided a particularly compelling justification for the application from an economic development perspective. Having looked through the letters and emails of support from existing tenants, it is clear they are expressing legitimate concerns regarding constrained parking onsite. They note the specific adverse impacts on their individual business operation, their ability to grow and provide additional employment. The EDO suggests that sufficient material weight should be afforded to these direct employer accounts in determining the application for additional overspill parking provision.

The EDO accepts that there is a very clear consensus in terms of the issues each existing employer at Woodbury Business Park is experiencing and the required mitigation. The existing parking provision for 146 employees across 31 on-site businesses cannot be met on the existing site when visitor demand can exceed 74 additional vehicles per day and that this is likely to impact on the ability of these local businesses to operate effectively from the business park and negatively affect the ability of the local businesses to grow. The EDO accepts that the types of jobs at the business park e.g. chartered surveyors, graphic designers, physiotherapists are the

type of jobs that the district needs to protect but there is a real risk of losing these from the district as businesses will go elsewhere if they cannot park which could impact on the long term economic future of Woodbury Business Park which is an important employment site in East Devon.

The applicant has been asked to consider reducing the area used for caravan/motorhome storage to facilitate the car parking needs, but has said that this will impact upon the profitability of the site and as such is not an option.

Whilst there is an element of the situation having been brought upon themselves through the expansion of the site and changes of use that have increased the demand for car parking, there is nonetheless compelling evidence of the need for additional car parking and economic benefits from its provision.

There is a clear evidence of need for overspill parking and is acknowledged that if parking provision within the business park is not improved then it may become less attractive to existing and future tenants impacting on the economic growth and viability of the business park as well the ability to attract and retain skilled jobs. Officers consider that this should be afforded weight as a material consideration within the overall planning balance within the context of national planning policy within the NPPF which seeks to ensure that planning decisions enable the sustainable growth and expansion of all types of business in rural area.

An assessment of the planning balance between the visual impacts from the proposal and economic benefits is considered below.

### Sustainable Transport

A number of concerns have been raised in relation to this proposal not meeting the sustainable travel objectives of the Local Plan. Strategy 5B (Sustainable Transport) of the Local Plan states that development proposals should contribute to the objectives of promoting and securing sustainable modes of travel and transport.

This has been raised with the applicant who has advised that car sharing and travel plan measures are already encouraged for staff within the business park. However it is recognised that the business park is located in a rural area where alternative modes of transport are limited and because of the distance from nearest settlements staff and visitors are likely to be reliant on the use of the car given the nature of the businesses which operate from the site. There is a bus service (no 56) which is an infrequent service which runs past the site which is understood to operate on an hourly basis between 9 am and 4 pm on weekdays. It is recognised that the bus service is not a particularly reliable service for employees of the business park to travel to work.

Paragraph 103 of the NPPF recognises that the planning system should actively managed patterns of growth in support of promoting sustainable transport but that opportunities to maximise sustainable transport solutions will vary between urban and rural areas which should be taken into account in both plan making and decision taking.

On the basis of the business park's rural location and the fact that this proposal is designed to provide overspill parking for existing vehicles only, it isn't considered that

an objection could be reasonably sustained on sustainable transport grounds. It is however considered that it is reasonable to impose a condition that requires the submission of a comprehensive travel plan to ensure that opportunities for sustainable modes of transport are maximised.

### Other Matters

The proposal will result in the loss of an area of agricultural field and therefore its removal from agricultural use. However, the loss of the area is insignificant in itself and as such it would be difficult to resist the application on the basis of this small loss of agricultural land that is believed to be Grade 3.

There are no known ecological impacts from the proposal that could justify refusal of planning permission, particularly given that the proposed planting would result in some limited ecological potential.

### Planning Balance

Achieving sustainable development means that the planning system has three overarching objectives; economic, social and environmental which the NPPF states are interdependent and need to be pursued in mutually supportive ways.

This application is finally balanced insofar as it introduces new development into the countryside which is physically and visually divorced from Woodbury Business Park and urbanises part of the field with some environmental (visual) harm. Policy E7 of the Local Plan does permit the small scale expansion of existing sites in a manner that is proportionate to the existing size and scale of site operations which is considered to be applicable to this proposal but the divorced nature of the car park on the opposite side of the road to the Business Park adds to its visual impact.

Whilst no designated landscapes would be adversely affected there would be less than substantial harm to nearby heritage assets, although this harm is considered to be outweighed by wider public benefits from the proposal.

Whilst the visual impact of the car park weighs against the proposal, this has to be balanced against the justification and need that has been put forward by the applicant for the overspill car park and the economic benefits that would arise from the scheme in terms of ensuring that existing and future businesses continue to invest and sustain and encourage growth of the business park given that the business park does not currently make adequate parking provision for the existing businesses and visitors.

There is a clear evidence of need for the overspill car parking which is strongly supported by the Councils Economic Development Officer.

In light of the identified visual harm and economic benefits the proposal is considered to be very finely balanced.

On balance however, officers consider that the economic benefits arising from the scheme should be afforded more weight than the harm arising from the visual impact which can be reduced through planting and the use of conditions, and to the setting of

the nearest heritage asset that is outweighed by the public benefits associated with the proposal.

Subject therefore to the implementation of the submitted landscaping scheme, it isn't considered that the harm to the rural character and appearance of the area or the setting of heritage assets would be significant enough to justify refusal of the application when weighed against the wider economic benefits of the proposal.

## **CONCLUSION**

In affording the economic benefits of the proposal greater weight within the overall planning balance in the context of the NPPF and Policies E7 and EN9 of the Local Plan, they are considered to outweigh the visual and limited heritage harm.

In light of this, and in the absence of any impacts on protected landscapes, highway safety or impacts on residential amenity, on balance, the application is recommended for approval subject to conditions which restrict the use of the car park to light commercial vehicles for staff and visitors only associated with the use of the business park and only during the opening hours of the business park (8am to 9pm) and to prevent any commercial use of the site. It is also necessary to impose a condition requiring the submission of a landscaping plan and a schedule of landscape maintenance for a period of 10 years.

## **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. The car park hereby approved shall only be used for overspill car parking for cars and light commercial staff and visitor vehicles only in conjunction with the use of Woodbury Business Park during the opening hours 8 am to 9pm. No vehicles shall be permanently stored on site or left parked outside of the opening hours. For the avoidance of doubt, the car park shall not be used for any commercial storage or any business purpose.  
(Reason: The site is within the open countryside and the car park is only justified in this location on the basis of the economic case that has been made by the applicant. Any use un-associated with the business park and not for overspill car parking would be unjustified and is likely to result in greater significant visual harm to the rural character and appearance of the area. In accordance with the provisions of Strategy 7 (Development in the Countryside) and policy E7 (Extensions to Existing Employment Sites) of the East Devon Local Plan 2013-2031).
3. No external flood lighting shall be installed unless otherwise agreed 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 rural character and appearance of the area in accordance with Strategy 7 (Development in the Countryside) and policies D1 (Design and Local Distinctiveness) and E7 (Extensions to Existing Employment Sites) of the East Devon Local Plan 2013-2031).

4. Notwithstanding the submitted details and within three months of the date of this permission, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority; such a scheme shall include the following:
  - Detailed drawings providing the following information:
  - Construction details of any proposed fences, walls, surfacing, site furniture and signage.
  - Proposed site levels, retaining walls and indication of slopes greater than 1:3.
  - Means of surface water drainage, ensuring no discharge onto the highway.

Soft landscape proposals shall be accompanied by a specification detailing the proposed species, their planting size, the density at which they will be planted, any specific planting matrices, the number of plants of each species and notes describing how the scheme will be implemented including specification for supply and preparation of subsoil and topsoil, tree and shrub planting and grass seeding, mulching, staking and means of protection. The landscaping scheme shall be carried out in the first available planting season and the landscaping shall be maintained for a period of 5 years. Any trees or other plants which die during this period shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority.

(Reason - In the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Strategy 7 (Development within the Countryside) and policies D1 (Design and Local Distinctiveness) and D2 (Landscape Requirements) of the East Devon Local Plan 2013-2031).

5. Within three months of the date of this permission, a schedule of landscape maintenance for a minimum period of 10 years shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall thereafter be carried out in accordance with the approved schedule.

(Reason - In the long term interests of preserving and enhancing the character and appearance of the area in accordance with Policies D1 - Design and Local Distinctiveness and D2 - Landscape Requirements of the Adopted East Devon Local Plan 2013-2031.)

6. Within 6 months of the date of this planning permission an updated Travel Plan shall be developed for Woodbury Business Park. The Travel Plan will need to be prepared in line with prevailing policy and best practice and shall include as a minimum:
  - The identification of targets for trip reduction and modal shift
  - The methods to be employed to meet these targets
  - The mechanisms for monitoring and review

- Implementation of the Travel Plan to an agreed timescale or timetable and its operation thereafter
- Mechanisms to secure variations of the Travel Plan following monitoring and reviews

(Reason – In order that business park promotes public transport, walking and cycling and limits the reliance on the private car in accordance with the requirements of Strategy 5B (Sustainable Transport) 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.

##### Plans relating to this application:

Location Plan – 7949-LP - 04/06/2019

Proposed Site Plan – 7949-03 Rev D – 10/10/2019

##### List of Background Papers

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