

TALE VALE  
(Broadhembury)

07/1226/FUL

Target Date: 26.06.2007

Applicant: Mr G Holway

Location: Dulford Business Park  
Dulford  
Cullompton  
Ex15 2DY

Proposal: Erection of new office building

## **CONSULTATIONS**

### County Highway Authority

Does not consider the site to be in a sustainable location but it could be argued that the proposal is unlikely to generate significant additional traffic over and above that which is generated by other permitted/lawful uses and premises within the Business Park. Has no objection accordingly

### Contaminated Land Officer

Due to historic use of site as extensive poultry farm has recommended imposition of condition requiring submission of a report dealing with potential contamination of site.

## **TOWN/PARISH COUNCIL**

Approved unanimously.

## **WARD MEMBER(S)**

No comments received.

## **REPRESENTATIONS**

### Support

1 letter has been received from the Regional Secretary of The Co-operative Group which occupies premises within the Park, stating that it chose to locate its Membership Centre in East Devon, creating rural employment at the Park. The group would not located in East Devon had a rural site at Dulford not been available and believe that this site "can easily accommodate an additional building" without adding unduly to the traffic in the area.

## **RELEVANT PLANNING HISTORY**

The site known as Dulford Business Park is a relatively modern collection of former agricultural buildings that have been converted and adapted into single storey office and light industrial units. It was at one time a poultry farm and the existing buildings were converted into a small storage/light industrial estate pursuant to a planning permission granted in 1989. Since then permissions have been granted for the rebuilding of one of the units (unit 4) in 1997, the enlargement of another (unit 3) in 1999 and then another extension to unit 3 to provide office accommodation in 2003.

## **PLANNING POLICIES**

### Devon Structure Plan 2001-2016

Policy CO6 - Quality of new development.

### Adopted East Devon Local Plan

Policy S5 – Countryside Protection,  
Policy D1 – Design and Local Distinctiveness  
Policy E6 – Small Scale Employment Development in Rural Areas.

## **SITE LOCATION AND DESCRIPTION**

Dulford Business Park lies on the extreme north-eastern outskirts of the western area, some 10 miles to the north of Honiton. It stands and takes access off Broad Road that runs in a north-easterly direction towards Dulford Cross.

The site is irregular shaped and comprises terraces of commercial units served by a central driveway with parking and servicing areas between them. The site is well screened from the main road and around its perimeter, but the areas between the units are open and hard surfaced.

The application site lies on the south-western side, off the central access and to the south of the bungalow occupied by the applicant, who is the site owner. It presently accommodates a mobile home, but not one that is occupied. The agents have advised that their clients have in fact sold the mobile home and that it will be removed from the site, obviously to accommodate this new commercial unit.

## **PROPOSED DEVELOPMENT**

To erect a new single storey commercial unit within the existing park, on the hardstanding that presently accommodates the vacant mobile home. The new building would follow the levels of the site, but be no taller than others within the park. It would be rectangular shaped, 11.5m long by 9.0m wide located alongside other units on this part of the park. It has a height of 4.66 to its ridge.

Three new parking spaces would be provided in front of the building, accessed off the existing central driveway that serves all of the units. It would be built in red brick and sheet metal roofing to match existing units within the established Business Park.

## **CONSIDERATIONS AND ASSESSMENT**

### Background

The development of the commercial estate known as Dulford Business Park was first granted in 1989 and since then has been allowed over the past 20 years or so, to create what is now quite a thriving little estate of units providing employment and services in the countryside north of the District. That having been said, the estate sits quite comfortably into the local landscape from outside, although it is a little harsh inside in terms of hardstandings, car parking etc.

This application is for an additional commercial unit on a site that lies within the heart of the estate to replace an existing mobile home.

Notwithstanding the physical and visual merits of the proposed building the determining issue here relates primarily to the principle of whether or not a new building within the existing Park, as distinct from the extension of an existing unit, is acceptable given the provisions of Policy E6 of

the adopted Local Plan relating to Small Scale Employment Development in Rural Areas. That Policy states that the development of small scale businesses in villages (specifically not in an Area and Local Centre) on sites within or adjoining Built-up Area Boundaries or the expansion of businesses on their existing sites will be permitted where they meet the following criteria in full:

1. *The proposed buildings should be of a form, bulk and design that is in keeping with their surroundings, local building styles and materials.*
2. *There will be minimal or no adverse impacts on wildlife, landscape or historic interests or on the amenity of nearby residents and other land uses.*
3. *Road access and services are adequate and the site accessible to public transport, cycling and walking.*

*The expansion within existing sites of small scale businesses in other rural areas and in Area Centres and Local Centres where there are no suitable alternative sites available within Built-up Area Boundaries the expansion of existing businesses adjoining/straddling Built-up Area Boundaries will be permitted subject to meeting the above criteria in full.*

The expansion of existing businesses and development of new businesses in rural areas will make an important contribution to the future economic health of the District. Any development will, however, need to be in accordance with protection of environmental interests and particularly protection of the open countryside.

The park is well screened from Broad Road with both native species along the frontage and a dense conifer screen along the western edge of the access driveway. Whilst the new building would be visible from within the site, it is felt that it would not appear intrusive or out of character with the development around it.

It has been pushed towards the rear of the site, with car parking in front of it, which provides the applicant/site owner with a view across front of the site towards the access road that serves the estate.

However, the policy addresses the matter of businesses intensifying the use of their individual sites, as opposed to the more intensive use of sites containing several businesses, or the introduction of new users into a business park. This business park lies close to the Honiton to Cullompton road, and whilst not realistically within walking distance, it nevertheless lies only 2 miles from the outer edge of Cullompton and 3 from the centre of the town, such that it is accessible by cycle.

The use proposed for the building is Class B1 offices, but it is for the introduction of a new business into the park, as distinct from an expansion of a business on the existing site. Policy E6 does not therefore specifically allow the type of development proposed in this application.

When advised of the possible conflict between this application and the terms of Policy E6 the applicant volunteered to provide some supporting information in respect of the existing number of units at the park, the tenants who occupy them and their respective staffing levels, with reference to the number of employees throughout the site, their dependants and where they live in relation to their place of work. A copy of the applicant's letter detailing this information is appended to this report for Members information.

Arguably this proposal is technically contrary to part of Policy E6, however the question of whether or not this particular development would harm either the aims and objectives of the policy or the physical character and appearance of the area in which the Park is situated needs to be addressed. In this respect the new building is located within the group of existing buildings, where it would be physically related to the other built development, without intruding into open countryside or other undeveloped parts of the applicant's land holding.

This site contrasts with other parts of the park, such as the land to the north-east of the existing group, where it rises and exhibits important open characteristics. It is considered that identifiable harm would be caused to the character and appearance of the area if that part of the site was to be developed, and where the provisions of Policy E6 would count against any further expansion of the established commercial estate. The applicant lives in the dwelling to the north-west and does not own or control the building and land to the south-east. The prospect of the park extending out in any direction is therefore constrained either by land ownership or openness and it is felt that this application represents probably the last and only opportunity to add more floor space to the existing estate. The red line plan submitted shows the building to the south-east included within the site. This needs to be corrected and a revised plan has been requested.

## **CONCLUSIONS**

This application involves the erection of a new office building within an existing established business park, located in a rural part of the District. When assessed against the physical characteristics of the area and the actual details of the development in terms of the location, design and overall form of the new building it has been concluded that the development would not cause such fundamental harm to the aims and objectives of the relevant Local Plan policies, or to the character and appearance of the area, such that a refusal of permission could be sustained in this instance.

## **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. No development 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 sympathetic to the character and appearance of the area.)
3. “Before the development begins a report on potential contamination of the site shall be prepared by an appropriately qualified person and submitted to an approved in writing by the LPA. The report shall include:
  - (i) a survey of the scale and nature of any contamination on the site
  - (ii) an assessment of potential risks to the public, buildings (existing or proposed) or the environment, including adjoining land
  - (iii) details of any remedial measures necessary to make the site suitable for the proposed use or development.

The remedial measures shall be carried out as approved before development begins.

If during development works any contamination should be encountered in areas previously expected to be free from contamination, remedial measures shall be carried out in accordance with the approved details.”

## **Reasons for approval**

1. The proposal does not adversely affect the privacy and/or amenity of neighbouring properties.
2. The design and external appearance of the proposal does not harm the visual amenity of the site and surrounding area.

List of Background Papers

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