

RALEIGH
Woodbury

09/1195/MOUT

Target Date: 23rd Sept. 2009

Applicant: FWS Carter and Sons

Location: Land to the West of Greendale Business Park,
Woodbury Salterton

Proposal: Expansion of business park for B1(c) (light industrial), B2 (general industry), B8 (storage and distribution) and sui generis uses (comprising of a concrete batching plant, training centre and recycling waste transfer station) including provision of estate roads, new access, landscaping and balancing pond.

CONSULTATIONS

County Highway Authority

The County Council has a number of concerns regarding the predicted trip generation and background growth assumptions. These need clarifying and revising in order to assess the impact on key junctions on the local highway network. It is considered necessary to assess Clyst St Mary roundabout. Furthermore, it is considered necessary to undertake a survey of bus patronage amongst existing employees for the AM and PM peak periods to support assumptions relating to the vehicle trip rates.

Recommends Refusal for the following reasons:

1. Adequate information has not been submitted to satisfy the Local Planning Authority that the proposal is acceptable in terms of traffic trip generation in relation to network capacity and sustainable transport initiatives which is contrary to Policy TR10 of the Devon County Structure Plan.

Recommend a condition requiring the submission a detailed scheme for the design and layout of the new access on to White Cross Road should planning permission be granted.

Environment Agency

No objections subject to conditions

Highways Agency

We accept that there is little opportunity to identify additional capacity enhancements at this junction that are reasonable and deliverable. The agency therefore does not require additional capacity enhancements at this junction and consider that a robust travel plan and associated measures should form the principal form of mitigation.

We are pleased you accept the principles of what is being sought by our initial comments on the travel plan, based on the DoT Good Practice Guidelines: Delivering Travel Plans Through the Planning Process (April 2009) guidance. We request that a standalone Framework Travel Plan is prepared and agreed prior to occupation of any employment floorspace at the Application site and therefore propose a condition to that effect.

We agree that the additional matters can also be dealt with by way of planning conditions, including a limit to the mix of land uses and a maximum parking provision. We have therefore removed the Holding Direction and propose wording for 3 conditions, as confirmed by the attached TR110 form.

Devon County Council – Archaeology

The proposed development impacts upon fields which were probably first enclosed during the Middle Ages and the area may contain evidence for grubbed-out field boundaries. Furthermore, the proposal appears to involve the removal of probable medieval hedgebanks, which are of archaeological and landscape importance and appear on the late 19th century historic mapping. Given the antiquity of the boundaries and the potential for the exposure of archaeological and sealed palaeoenvironmental deposits beneath the hedgebanks, I would advise that any consent your Authority may be minded to issue should carry the PPG16 paragraph 30 condition whereby: No development shall take place until the applicant has secured the implementation of a programme of archaeological work. I would envisage a suitable programme of work as taking the form of the archaeological monitoring and recording of the groundworks associated with the proposed development, along with the investigation and recording of the structure of the hedgebanks. The production of a report setting out the results of the fieldwork and any post excavation analysis undertaken would also be required.

Devon County Council – Planning

The development would provide for 6.2ha of additional employment land, including B1c, B2 and B8, together with sui generis uses for waste operations. Regional Policy is set out in RPG10, and within the soon to be adopted Regional Spatial Strategy for the South West [RSS]. In terms of the RSS it is considered that the proposal accords with Policy ES2, which requires Local Authorities to ensure that LDD's provide a range and choice of available employment land and premises to meet the needs of businesses. I note that the application document provide evidence of potential users for the site and in terms of Greendale which appears to demonstrate a lack of employment land and a need for the development.

In terms of the Devon Structure Plan it is considered that whilst the site is outside of the Exeter PUA [which is the main focus for development in the area] the proposal accords with Policy ST5 relating to development priority. This is on the basis of an identified additional need for employment provision within East Devon, but outside of the Exeter PUA. I can therefore confirm that DCC as Strategic Planning Authority has no objection to the principle of the proposal.

As Waste Planning Authority it is noted that the site is outside of the area for waste development currently designated in the Devon Waste Local Plan. Also that the application site is within an existing active landfill. In respect of the landfill, it appears that the development would not significantly impact on the remaining capacity of the site and in any event the landfill permission is time limited and will expire in the near future. The proposal would also have the potential benefit of permitting waste recycling uses which are higher in the waste hierarchy than landfill.

Whilst the landfill uses inert wastes there does not appear to be much in the way of information about how the fill has been engineered and you will need to satisfy yourself that the site is capable of being developed in the way envisaged. Also, as the landfill has a requirement to be restored to agriculture and your decision on the application ought to take into account that this equates to the site being a Greenfield development.

In terms of Waste Local Plan policy any future reserved matters application for waste uses would have to be considered against Policy WPC2: Development Control Considerations.

Economic Development Manager

In assessing the merits of this important application I think it is important to reflect on the circumstances that informed its preparation.

In May 2006 the Council commissioned Atkins to undertake an Employment Land Review of the District in accordance with the guidelines issued by the Office of the Deputy Prime Minister. The

employment land review was designed to inform contribute to the evidence base for the preparation of the Core Strategy of the emerging Local Development Framework.

Atkins identified 126.0 hectares of B Class employment land as vacant and potentially suitable for development. The majority of this vacant land 106.7 hectares falls within the Exeter Area of Economic Activity and is largely a reflection of the strategic employment allocations of the Structure and Local Plan namely Skypark the University of Exeter Science Park and the Multi Modal Freight Facility.

The findings of the Atkins review were referred to the East Devon Business Forum for consultation. The Forum questioned the accuracy of the Employment Land Reviews assessment of available employment land and the absence of any direct contact between the consultants and the owners of the land it identified.

The Forum's misgivings were confirmed by a Council Task and Finish Forum which by using the local knowledge of Members concluded that:

There were 6.05 hectares of readily available B Class employment land in the District.

There was no employment land available for new development in many of the towns in East Devon

With the development of Skypark the Science Park and Multimodal Freight Facility delayed there was likely to be a minimum of three years during which time there would be a large gap in the availability of employment land

That there was a need to take short term action to overcome the lack of useable employment land

At a meeting held on 3rd September 2008 the Councils Executive Board resolved to invite the Corporate Overview Committee to consider in detail how the Councils economic priority was being dealt with and what further action could and should be taken to support the economic health of the district.

This request arose from comments made during the course of the meeting by the Economy Portfolio Holder who suggested that the Council should be much clearer about its second corporate priority a thriving economy particularly in the light of the Chancellor's gloomy assessment of the depth of the economic downturn.

Councillor Halse asked if the Council's planning policy and Development Control framework was responding positively.

A joint report to the October 23rd 2008 meeting of the Corporate Overview Committee by the Economic Development Manager Corporate Director and the Head of Planning and Countryside Services was drafted in response to that question.

The report noted that the legislation that frames the determination of all planning applications the Town and Country Planning Act 1990 as amended in 2004 obliges Local Planning Authorities to give primacy to the Development Plan. However where other material considerations impact upon the determination of a particular application these must also be taken into account. If on balance these factors justify a move away from adopted policy Local Planning Authorities have the power to give due weight to these practical considerations and are required to do so.

The East Devon Local Plan was adopted in 2006 for the period 1995 to 2011. It is in the final phase of its life and in relation to employment arguably no longer reflects current circumstances and emerging national and regional policy. In following the policies and proposals of the Devon County Structure Plan the East Devon Local Plan focuses much of the potential for new

residential and business development on those parts of the district closest to the M5/A30 intersection i.e. the West End. These strategic residential and employment allocations have proved very difficult to achieve. As a result throughout much of the district and in Exeter itself there is now an acute shortage of development land for employment.

The Council is committing significant resources to overcoming the difficulties delaying the release of strategic employment land north of the A30. However it is unlikely that any of this land will be available before the winter of 2011. The reality is that less than 50 percent of the additional employment land provision identified in the Development Plan 1995 to 2011 has actually been delivered East Devon Local Plan, Table 3 Employment Land Provision page 100

The report noted that Greendale Barton Hill Barton and Exeter Airport Business Parks are recognised as established employment sites by the adopted Local Plan and are afforded protection under Policy E3. They are located close to the strategic highway network the A30, A3052 and Junctions 29 and 30 of the M5 and the boundaries of Exeter. They benefit from available infrastructure capacity good highway access and proximity to regular bus services.

The operators of Hill Barton and Greendale Barton Business Parks were seen to be experiencing growing pressure to provide additional development land to businesses either already trading from within East Devon and Exeter or from outside the area. Demand from the manufacturing sector and warehousing is for locations with good accessibility to a wide labour catchment. Manufacturing companies are now niche players using a higher skills base and therefore attract their employees from a wider catchment. Access to the M5 and the A30 is therefore of most interest. Many of the firms will typically only be able to pay a rental half of that which could be expected on a strategic site such as Skypark. The type of businesses presenting themselves to East Devon business parks are not the A grade office users that will eventually be accommodated on Skypark or the scientific and knowledge based users that will be accommodated at the Science Park.

The report concluded that as the Council seeks to deliver its second corporate priority it is faced with a stark choice: We either accept there is a short term problem that can only be addressed, through the development control process by looking favourably at the controlled expansion of Greendale and Hill Barton and possibly other sites in the remainder of the District. Or by the same means, we will fail to accommodate desirable investment in the period between now and the winter of 2011.

In working to a positive approach to new commercial investment in this period a further choice arises. These can either be considered or determined through the development control process on a piecemeal basis or through a process to identify the scope for controlled expansion at specific locations. This could be achieved through a single large scale departure application that is seen to deliver substantial economic benefits while avoiding the too frequent rehearsal of these arguments case by case.

Following their consideration of this report, Members of the Corporate Overview Committee resolved the following

3. that Members underline the significance of the current shortage of serviced employment sites with planning permission which was likely to persist for the next two to three years, and recognise that existing employment parks with services and infrastructure such as Greendale Barton, Exeter Airport Business Park and Hill Barton Business park were likely to be best placed to address the immediate need from business for land and premises
4. that until such time as the LDF Core Strategy had been approved Development Control Committee be requested to give urgent and significant weight to the need to provide sufficient employment land and premises to meet the needs of business in East Devon when determining planning applications for employment

5. that through 2009 East Devon District Council adopts the short term corporate objective of providing sufficient employment land and premises to meet the business needs of East Devon through departure applications.

This application should be seen as a very useful product of the work undertaken by Members and officers of the Council and indeed by the applicant to overcome some of the problems first identified by the East Devon Business Forum and the Employment Land Issues TAFF during the autumn of 2007. In my view the applicant has responded fully and convincingly to the suggestions and guidance offered by the Head of Planning and Countryside Services in her letter of December 2008.

In the time that has elapsed since then the applicant has demonstrated his willingness to co operate with officers and Members of the Council to resolve an number of outstanding issues in relation to the regularisation of business operations at Greendale Barton Business Park. He and his agents have been willing to share commercially sensitive information on the demand for new work space at the Park. This proposal will not only facilitate the creation of much needed additional B Class employment land but also the delivery of land for other business users. I fully support this application and would be grateful if you would bring these comments to the attention of Members.

Environmental Health

I have considered the above application and I have no objections to the application, however I would like to recommend the following conditions to any permission granted because I have some concerns regarding the future mixed use classes of B1 B2 & B8 where B1 & B2 can change to B8 without further consultation, bearing in mind the existing B1 B2 & B8 uses already on the site. This gives potential for both increased noise light and dust pollution.

Therefore I would recommend that a full lighting scheme assessment is carried out which details of compliance with The Chartered Institution of Building Services Engineers (CIBSE) Lighting Guide 4 (LG4) Class 2. All energy of light (watts) must be submitted in compliance with the Clean Neighbourhoods and Environment Act 2005 and must be stated in Lumens.

I would also recommend that a full noise survey/report is carried out which details the existing back ground levels over at least a 24hr period and the predicted background levels. Reason: to prevent creeping background.

To obtain a full noise report for all units in totality and singularly with all existing measured noise levels and predicted noise levels of new units, the report must fully comply with BS4142, and all other related British standards and guidance.

The report must also detail noise levels from all existing and predicted traffic flow.

Reason: The closest residential property is approx 46m away and this report will protect the closest residential property.

I also recommend that a full air quality assessment is carried out to measure existing and predicted levels of any air quality deterioration in compliance with all current legislation.

The concrete batching plant will be a LAPPC premise and a Part B process which is permitted by me under the Environmental Permitting Regulations. This legal document will condition all noise and dust pollution and emissions to atmosphere. Therefore I have no comment to make.

The industrial Training centre poses no pollution problems except that the predictions of noise and dust must be considered in the above assessments and the Recycling waste transfer station will be a PPC Part A process which is enforced by the Environment agency.

Landscape Architect

A significant amount of tree planting is indicated on the proposal plans. Ensuring these trees perform a screening function long term is paramount to the success of the proposals. A detailed landscape scheme is required to be submitted but the general blocks identified on the masterplan and species described within the Landscape and Visual Appraisal (June 2009) accord with the principles discussed at the earlier meeting. I suggest a 'unilateral agreement' is signed to ensure the long term management objectives (in perpetuity) are achieved.

The proposals are generally acceptable – recommend approval subject to conditions controlling building designs inc. Heights, colours and lighting, detailed planting plans and landscape management plan and additional planting adjacent to the access road.

Police Architectural Liason Officer

No comments received

TOWN/PARISH COUNCIL

Object on grounds of scale and location which is too close to Woodbury Salterton. Additional traffic movements will add to the already congested road network. The proposed re-aligned link entrance on the southern side off White Cross Road is potentially dangerous and constitutes a higher risk than the existing entrance. The application involves virtually doubling, by 6.2 HA, the approved Employment Area of Greendale Barton and Councillors consider that the landfill site which lies beneath the historic local landmark of Windmill Hill must be returned to agricultural use by September 2010 as originally directed by Devon CC. In addition it is considered that the application represents a significant departure from the EDDC Local Plan and the Secretary of State should be informed.

The Parish Council and local residents are very concerned at the scale of the proposed development and its location which is too close to this quiet Devon village. Woodbury Salterton already suffers from noise and light pollution from Greendale Barton as it is currently configured and this will inevitably get much worse if the estate is extended closer to the village. Residents do not have an employment problem. Woodbury Salterton, Woodbury and the immediate area already have ample employment opportunities nearby. Indeed we note that other local industrial and business estates are advertising for further tenants to take up unused capacity.

This development will result in substantial travel to work traffic for people resident outside the area, and operational HGV traffic along an already busy and, at times, heavily congested road network. The traffic currently generated by users of Greendale Barton plus May Gurney and SITA is considerable. We consider that the facilities envisaged should be located where they will be easily reached by a local workforce and close to the motorway and trunk roads for ease of access by HGVs, and where noise (and light pollution) will not be a nuisance.

The proposed re-aligned link entrance on the southern side off White Cross Road which almost adjoins Honey Lane is potentially dangerous and constitutes a higher risk than the existing entrance into Greendale Barton.

WARD MEMBER(S)

The initial comments of the Ward Member – Councillor Ann Liverton are -

“In favour, in principle“

In the event that this application comes to Committee I would reserve my position until I am in full possession of all the relevant facts and arguments for and against.

REPRESENTATIONS

Objections

37 letters have been received raising the following points:

- Encroachment into the countryside
- It would overshadow the village of Woodbury Salterton
- Detrimental to the amenity value of the area
- Greendale will take over Woodbury Salterton village
- Increased traffic will create enormous issues at junctions onto the A3052 and the Clyst St Mary roundabout
- The country land around the site were not designed for heavy goods vehicles which are causing damage to hedge banks, trees and walls etc alongside the road. HGV's on these roads makes them dangerous for pedestrians, cyclists and horse riders.
- Increased noise pollution
- Major harmful impact on the landscape
- Access onto White Cross Road should be closed or at least controlled so that it does not provide general access to the business park
- Insufficient landscaping and tree planting proposed to off set the visual impact
- Concerns about light pollution
- Inappropriate to develop outside of defined employment area boundaries – if this is ignored then what is the point of having a Local Plan.
- Greendale is creeping closer and closer to Woodbury Salterton and a clear boundary between the two needs to be defined
- Those employed and expected to be employed at Greendale are not in the main from Woodbury Salterton and therefore having to commute from elsewhere which is unsustainable and adding to carbon emissions.
- The industrial developments at Greendale have simply been relocated from elsewhere and are unconnected to the land
- Site is adjacent to an Area of Outstanding Natural Beauty, Site of Special Scientific Interest and Special Protection Area
- The existing buildings are an eye-sore with their blue and silver shiny roofs more will only make it worse.
- Environmental benefits should be in scale with the proposal i.e. there should be a community woodland, new wetland area etc.
- Visual impact on historically important Windmill Hill
- Impact on flood risk from increased hard surfacing
- The land should returned to agriculture in 2010 as previously agreed
- There are better sites available near Exeter airport
- Recycling should happen in urban areas rather than transporting the waste into the countryside
- The development goes against government aims to reduce carbon emissions
- It will only provide employment for residents of Exeter not East Devon
- Where is the need for this development coming from when there are vacant units at Sowton and Marsh Barton
- The economic benefits of this development will be outweighed by the harm to tourism caused by further industrial expansion into the countryside
- Concerns about dust pollution
- A number of protected species frequent the area – the impact on them should be considered
- East Devon District Council have a vested interest in agreeing this proposal so that they can meet employment and recycling targets and therefore the application should be considered by an independent body

RELEVANT PLANNING HISTORY

App.No:	Proposal	Decision	Date
06/0501/CM	Use of land for recycling and storage of demolition arisings and siting of portacabin	Approved	30/06/06
08/2936/FUL	Retention of concrete batching plant and compound	Approved	12/02/09

PLANNING POLICIES

Government Guidance

PPS1 – Delivering Sustainable Development
PPG4 – Industrial, Commercial Development and Small Firms
PPS4 (draft) – Planning for Prosperous Economies: Consultation Draft
PPS7 – Sustainable Development in Rural Areas
PPS10 – Planning for Sustainable Waste Management
PPG13 – Transport
PPG16 – Archaeology and Planning
PPS22 – Renewable Energy
PPS23 – Planning and Pollution Control
PPG24 – Planning and Noise
PPS25 – Development and Flood Risk

Devon Country Structure Plan (2001-2016)

ST1 – Sustainable Development
ST4 – Infrastructure Provision
CO1 – Landscape Character and Local Distinctiveness
CO6 – Quality of New Development
CO8 – Archaeology
CO13 – Protecting Water Resources and Flood Defense
CO14 – Conserving Agricultural Land
CO15 – Air Quality
CO16 – Noise Pollution
WM1 – Waste Management
TR1 – Devon Travel Strategy
TR2 – Co-ordinating land use / Travel Planning
TR3 – Managing Travel Demand
TR5 – Hierarchy of Modes
TR7 – Walking and Cycling
TR9 – Public Transport

Devon County Waste Local Plan 2006

WPC1 – Sustainable Waste Management
WPC2 – Development Control Considerations
WPC3 – Integrated Waste Management Facilities
WPP2 – Sites for Other Significant Waste Management Facilities

WPP15 – Areas Not Covered By Specific Policy Designations
WPP16 – Agricultural Land
WPP17 – Water Resources Protection
WPP18 – Protection of Floodplains
WPP20 – Transportation of Waste
WPP21 – Road Transport
WPP22 – Health and Air Quality
WPP24 – Site Design and Appearance
WPP28 – Recycling Centres
WPP29 – Materials Reclamation Facilities for Household and Commercial Wastes
WPP30 – Waste Transfer Facilities

East Devon Local Plan (1995-2011)

S5 – Countryside Protection
S7 – Infrastructure Related to New Development
D1 – Design and Local Distinctiveness
D2 – Sustainable Construction
D4 – Landscape Requirements
D5 – Trees on Development Sites
EN6 – Wildlife Habitats and Features
EN8 – Proposals Affecting Sites Which May Potentially be of Archaeological Importance
EN15 – Control of Pollution
E4 – Bad Neighbour Uses
TA1 – Accessibility of New Development
TA4 – Footpaths, Bridleways and Cycleways
TA7 – Adequacy of Road Network and Site Access

SITE LOCATION AND DESCRIPTION

Greendale Business Park lies to the south side of the A3052 to the east of the village of Farringdon and the north east of Woodbury Salterton. The site is accessed by a private road onto the A3052 to the north and also onto White Cross Road to the south. The business park emerged from the conversion of former agricultural buildings and has developed in an ad-hoc fashion over the years. The site now includes a variety of industrial and waste management operations.

The application site forms an area of land measuring 7.2 hectares in area that lies immediately to the east of the existing business park. The western most part of the site currently forms part of an on-going landfill operation and a concrete batching plant. The eastern part of the site is currently agricultural land.

PROPOSED DEVELOPMENT

The proposed development would provide 6.2 hectares of employment land to be used for light and general industry, storage and distribution and a variety of other uses which do not fall within specific use classes such as a concrete batching plant, training centre and waste transfer station. The application is made in outline and seeks consent for the principle of extending the business park as indicated on the submitted plans and the access arrangements to the development. All of matters would be reserved so that the occupiers of the individual plots can submit their own applications for specific buildings to meet their needs.

It should be noted that the waste uses proposed by this development would normally be considered by Devon County Council as the waste and minerals planning authority, however due to the inclusion of these uses within this wider development it has been agreed that this application be determined by this authority with regard to the advice given by the County Council.

CONSIDERATIONS AND ASSESSMENT

Background

Much of the background to this application has been detailed in the comments of the Economic Development Manager which have been included in full earlier in this report. His comments regarding the need for employment land and the important role that existing business parks such as Greendale can play in meeting that need is duly noted and forms an important consideration for this report. However it is also important to understand the background to this site itself. Following the resolution of the Corporate Overview Committee on 23rd October 2008 the landowners of Greendale Business Park were contacted to tell them of the identified need for additional employment land on sites where the required infrastructure was already in place and invite them to bring forward any proposals that may help to meet the identified need. This was done without prejudice to any future decision Members may make with regard to this application but it was done to highlight the resolution of the Corporate Overview Committee to the landowner. It was however noted in the letter sent to the applicants that there were at this time a number of outstanding enforcement matters on land at Greendale Business Park and the owners nearby operations and that these should be resolved before any further development at the site is proposed. These have now largely been resolved with the exception of the Farm shop on the A3052 which is operated without planning permission by the applicants. It is understood that an application will be submitted shortly for this development, this having been delayed by discussions with officers regarding this matter and the preparation of reports to support an application. Now that the other enforcement matters have been resolved the applicants have submitted this application to expand Greendale Business Park to meet some of the identified need for employment land.

There are a number of issues relevant to the consideration of this application specifically the principle of siting the development in the location proposed and more detailed issues such as the landscape impact, highways impact, ecological and environmental impacts and pollution issues.

Principal Issues

Policy S5 (Countryside Protection) is the main Local Plan policy that is relevant to this proposed development. The policy seeks to prevent development in the countryside unless it is specifically permitted by policies elsewhere in the Local Plan and it would not harm the distinctive landscape, amenity and environmental qualities within which it is located. This policy reflects similar countryside protection policies included within the Structure Plan and embodied in the government guidance of PPS7 – Sustainable Development in Rural Areas. Clearly none of the policies in the Local Plan permit large scale employment development in the open countryside and as such this proposed development is a clear departure from the Local Plan contrary to the principle behind Policy S5. The second aspect of Policy S5 – the landscape impact will be considered later in this report. It is therefore for the Local Planning Authority to consider whether other material considerations would justify granting this application contrary to the Local Plan. The comments of the Economic Development Manager detail the economic need for this development and as such it is not intended to repeat these comments which have already been included elsewhere in this report. The applicants have however submitted an up to date list of businesses who wish to take any potential sites at Greendale Business Park. This demonstrates a mixture of needs arising from businesses wishing to relocate to this part of the district in many cases due to its links to the major road network. This information demonstrates a clear need for additional space at Greendale.

The focus is therefore on why this development need cannot be met outside of the countryside. The reason for this is simply a shortage of land that can be developed in locations that are accessible and free from landscape designations. There is no brownfield land available within the towns of East Devon that would be capable of accommodating a development of this size and

scale. This was proven at the time of the Local Plan Inquiry and this situation has not changed. In order of preference therefore planning policy would direct development to sites on the edge of settlements. The problem with this option is that many of the towns in the district are located on the coast where the infrastructure requirements of a development such as this are difficult to meet without significant cost. Such sites would therefore face similar delivery problems as Sky Park and other allocated sites which are dependent on major infrastructure investment which is not coming forward quickly enough. In any event the coastal towns in the district are surrounded by high quality landscapes that are designated as either Areas of Outstanding Natural Beauty or Areas of Great Landscape Value. These issues led to the allocation of a number of sites in Honiton, Axminster and Ottery St Mary within the Local Plan where such designations are not an issue. Unfortunately these sites have also not come forward due to infrastructure or construction costs or in other cases they are earmarked for the expansion of existing businesses and will not come forward to meet the current need. In order to meet current needs land is needed that has access on to the main highway network, can be brought forward quickly and with relatively low costs in terms of infrastructure provision and such sites also need to be located away from areas of high landscape value. By a process of elimination this leaves only the A3052 corridor and in order to ensure quick delivery of land which already has good infrastructure it brings us to the existing business parks along the A3052 corridor. Aside from these clear advantages to this site there are also benefits for business and sustainable development objectives from expanding an existing business park. For business there is the potential for supply chains to be established within the business park which it is understood is already happening this can help to minimise the transport of materials from elsewhere to the site thereby reducing vehicular traffic. There are also benefits in terms of additional scope for car sharing and improved public transport provision as demand increases. As a result the business park would benefit from economies of scale. Although a large extension to Hill Barton Business Park has already been permitted earlier this year the advice of the Council's Economic Development Manager is that this in itself is insufficient to meet the arising needs. His advice combined with the information submitted in support of this application suggests that there is a need for this development. Such a need could justify a departure from the countryside protection policies of the Local Plan.

Aside from the Local Plan the proposed development would be contrary to current government guidance contained in PPS7 with regard to countryside protection. It should however be noted that the government is currently consulting on new guidance in the form of PPS4: Planning for Prosperous Economies. This guidance indicates that small scale employment development outside of settlement boundaries may be appropriate where it represents the most sustainable option. While this development could not be considered small scale it does accept that there may be cases where economic development can take place outside of settlement boundaries where this is the most appropriate option. This guidance is only draft and therefore carries very limited weight. It also does not endorse this proposal. However it does give a clear indication of the direction that government policy is heading in relation to economic development outside of development boundaries including a growing acceptance that it may not always be possible to accommodate all economic development within settlements.

In terms of the proposed waste uses these must be considered in the context of the Waste Local Plan for Devon. This plan identifies Greendale Barton as a site for other significant waste management facilities under policy WPP2. It should be noted however that the Waste Local Plan identifies a development boundary to the business park which although different to that included in the East Devon Local Plan, does not include the application site. Policy WPP4 of the Waste Local Plan permits waste management facilities outside of allocated locations where they would contribute to the achievement of an integrated and sustainable waste management strategy and all other relevant policies. It is considered that given that the site lies immediately adjacent to an allocated site that it would be difficult in the context of these policies to argue that this site is not sustainable or integrated with the County Council's Waste Management Strategy. It therefore falls to consider this development against other material considerations which are broadly the same in the Waste Local Plan and the East Devon Local Plan and will be examined in turn.

Highway Issues

A development of this scale has the potential to have wide reaching implications for the highway network beyond the roads immediately adjacent to the site but most significantly on the roundabout at Clyst St Mary between the A3052 and A376 and junction 30 of the M5. As a result a full transport assessment has been submitted with the application and the views of the County Highway Authority and the Highways Agency have been sought.

The Highways Agency initially objected to this application. However through discussions their concerns regarding the impact on Junction 30 of the M5 and the travel plan that accompanies the application have been overcome and they have withdrawn their objection. They have now directed that should planning permission be granted conditions be imposed restricting the floor area devoted to specific uses. Notably this seeks to ensure that the total external floor area of the development does not exceed 20,000 sq m and that of this total no more than 3,000sq m be used for light industry, no more than 1,500sq m be used for general industry and no more than 15,500sq m be used for storage and distribution. The remaining uses that do not fall within these use classes would also be included within the maximum total of 20,000 sq m. This condition has been designed to control the nature of the use of this site and ensure that it is in line with the levels of vehicle movements that have been assessed in the applicants transport assessment. The Highways Agency recommend further conditions to ensure that the Council's parking standards are adhered to and that a framework travel plan is submitted setting down targets for trip reduction and modal shift and mechanisms for monitoring this and measures to be applied in the event that targets are not met. These conditions are considered to be reasonable given the scale of the proposed development and they also tie in with the needs identified.

In terms of the minor road network the County Council as highway authority are concerned regarding the impact of the proposed development on the Clyst St Mary roundabout due to capacity issues at this junction which leads to queuing in both directions at peak times. They are concerned that the proposed development would lead to further traffic using this junction at peak times which would exacerbate the current situation. Linked to this is their concern regarding the provision of employment development in an unsustainable rural location. The reasons for this have already been set out above, however they link into the highway authority's concerns and the need to ensure that as many people as possible use the bus service to this site to ensure that the site operates in the most sustainable manner possible and minimises vehicle movements over the Clyst St Mary roundabout and also queuing at the Sandygate roundabout at junction 30. The application includes the provision of new bus stops on the A3052 by the site and also on White Cross Road to the south of the site and new footpaths that would link these footpaths with the proposed development. These would clearly help to make the use of public transport to reach this site more attractive than it is at present. However it seems that the highway authority would like further works included. They have suggested that the developers should make a financial contribution towards the provision of a bus priority lane around the Clyst St Mary roundabout, however they have not designed such a scheme and cannot indicate how much it would cost. The purpose of such a scheme would be to make public transport more attractive to commuters. However it is unclear as to whether it would be likely to have the desired effect. In any case without a fully worked up and costed scheme it would be unreasonable to require the developers to make a contribution.

The issue of capacity at the Clyst St Mary roundabout raises wider issues than just this application because there is a need to accommodate employment development in the district and there are only two main arterial routes in the district which could accommodate the associated traffic these being the A3052 and the A30. There are clear issues with additional major development on the A30 due to the implications for Junction 29 of the M5. Developments in this area are already on hold awaiting improvement works to this junction. As a result the A3052 was considered to be the only major route that could accommodate such development. Although the Highways Agency initially had concerns these have been overcome through conditions controlling the nature of the uses on the site so as to minimise vehicle movements and a travel

plan to promote sustainable modes of transport. While their only concern is the impact on the motorway junction similar principles apply to the impact on the Clyst St Mary roundabout and the same measures have in the past (most recently at Hill Barton Business Park) also been sufficient to overcome concerns from the County Council as Highway Authority. It is considered that this inconsistency of response with previous applications and with the Highways Agency as well as the lack of any County Council scheme to address the problems with the Clyst St Mary roundabout make it difficult to object to this proposal on these grounds. The measures already required by the Highways Agency should significantly mitigate the highway impact of this proposal on both the strategic road network and the county network.

Impact on Landscape

The proposed development does not lie within any landscape designations, however it is part of an attractive area of open countryside and the impact of this development on the wider landscape and the setting of the village of Woodbury Salterton is an important consideration.

The site lies immediately to the south of Windmill Hill which rises quickly to a level 15m above that of the application site. The submitted details suggest that the ridge heights of the proposed buildings would be in the region of 10 – 12.5m in height and as such they will not be visible from public vantage points to the north of the site.

From the east there are considered to be no significant views of the application site from White Cross Lane through the gaps between the houses along the land due to intervening vegetation and the existing buildings on the site although even these are largely screened from public viewpoints. Due to rising grounds levels further to the east there would be distant views of the proposed development from around Sanctuary Lane and nearby footpaths. However these will be from some distance and it would be viewed in the context of the existing buildings at the site.

When viewed from the south from Honey Lane the site would be well screened by the existing vegetation which is to be bolstered by additional planting as part of this application. The roof lines of some of the buildings on the eastern side of the application site would be visible through a gateway along Honey Lane. However it is not considered that this would cause significant harm.

Views from Woodbury Salterton itself would be limited to glimpsed views from public viewpoints mainly from Lower Road and Stony Lane. While there would be more significant views from the first floors of dwellings in Woodbury Salterton these would be from a significant distance and would be in a direct line of sight from few properties. It should be noted that the planning legislation does not seek to protect the views of individual properties in any case.

The visual impact of this development is likely to be greater after dark due to the potential light pollution. Car parking areas and service yards will need to be externally lit and on the types of premises proposed these areas will be used before sunrise in the mornings and after sunset in the evenings particularly during the winter months. According to residents of Woodbury Salterton light pollution is already a significant problem and the Council's Environmental Health Officer has raised concerns regarding light pollution as well. She recommends a condition requiring the submission of a scheme for external lighting which will give the Council control over this to ensure that lighting is kept to a minimum and is directed down onto the site with suitable cowls to prevent excessive spread into the night sky and adjoining areas. The footpaths linking the site with the proposed bus stops will also need to be lit to provide some security to users of the footpath after dark. This will also need to be carefully controlled to prevent light pollution.

Further measures can also be used to minimise the visual impact of the proposed development such as ensuring that appropriate materials are used. Concerns have been raised about the blue and silver cladding used on many of the buildings at the site which stands out against the green fields and trees around the site. Through controlling the materials of future buildings so that dark green cladding is used it would be possible to minimise the visual impact of the buildings. The

height of the buildings can also be controlled by condition albeit the detailed design of the buildings can be controlled through any subsequent reserved matters applications if permission is granted in outline. The Council's Landscape Architect also recommends that conditions be used to secure further details of the proposed landscaping and its subsequent management. It is considered that subject to these measures being imposed the landscape visual impact of this development could be adequately controlled such that it would not have an unacceptable impact on the landscape.

Ecological and Environmental Issues

The application site lies directly to the north of an area of land that is at high risk of flooding associated with the Grindle Brook. The only part of the development to fall within the flood zone is a footpath, however the scale of the development requires a flood risk assessment to be submitted in any case. Clearly the main risk for flooding in the area arising from this development is increased surface water run-off. It is proposed to provide a surface water lagoon in an adjoining field to the application site into which surface water would flow rather than the Grindle Brook. This proposal and the flood risk assessment has been fully assessed by the Environment Agency who raise no objections subject to full design details of the lagoon being secured through an appropriate condition.

In terms of ground contamination clearly part of the site has been used for landfill. However this material was all inert and has been carefully controlled through the licensing of the site. The remainder of the site has only been used for agriculture and should not pose any risks. A site investigation is however recommended by the Environment Agency and Environmental Health as a condition to ensure that any contaminants are identified and suitable handled.

In terms of ecology on the site there is no evidence to suggest that the site is of any ecological importance. An existing hedgerow runs across part of the western end of the site running parallel to its southern boundary albeit several metres within the site boundary. It is believed that this may have formed part of a field boundary which has been removed along the remainder of its length to accommodate the authorised landfill operations. The hedgerow itself is sparse and in poor condition and does not contain species of particular value and as such the Council's arboriculturalist can see no objection to its removal. There is however a semi-mature Oak tree within the hedgerow which is of some value. Although not worthy of a Tree Preservation Order the developers have been asked to accommodate this tree within the layout of the development in order to add to the landscape setting of the development. They have confirmed that they would be happy to do this and it is considered that this can form part of the detailed landscaping scheme for the site.

An objector has suggested that there are protected species in the area but has made no specific mention of protected species on the application site. No evidence of such species was noted when officers have visited the site and a such although no ecological survey has been carried out in support of this application in the absence of any evidence to suggest that this is an area for concern it is considered that it would not be reasonable to require such a survey in this case.

Pollution Issues

A number of objectors to this application have raised concerns regarding pollution arising from the proposed development specifically noise, light and dust. The proposed development has been fully considered by the Council's Environmental Health Officers and it is considered that given the distance to the nearest residential properties which is in the region of 350m away, prevailing winds and the nature of the proposed uses that there is no objection in principle to the proposed development. A number of conditions are suggested to ensure that the impacts of this development are fully mitigated and as such a full lighting scheme, noise survey and air quality assessment are required through conditions.

Other Issues

There are a number of other issues that have been raised by objectors that are not otherwise addressed in this report which will now be discussed.

Concerns have been raised about HGVs using the nearby country lanes and causing damage to fences, walls and grass verges. While it is appreciated that these vehicle movements arise from the business park any damage to property is a private matter between the property owner and the relevant company. Comments have also been made that the access on to White Cross Lane should be closed when in actual fact the proposal involves the provision of a new access and the closure of the existing access to traffic for the business park although it would remain open for servicing of a sub-station and properties that are accessed from it. In effect there would therefore still be a single vehicle access to the business park at this point. The potential to close this access completely has been discussed but as Members will be aware the applicants operate a number of business units on the south side of White Cross Lane as well and require direct access between the two which is actually made safer through the provision of the new access. There is also an issue that the kerbside refuse collections that take place throughout Woodbury, Woodbury Salterton and the surrounding area access their facility at the business park through this access following their collections in the area. The alternative is that they would have to drive along the full length of White Cross Lane to the A3052 entrance to the site which would further add to traffic along this road. The intention is therefore that no additional traffic would use the White Cross Lane entrance than do at the moment. It would however be desirable and reasonable to seek to control this. Routing agreements have generally been deemed to be unenforceable when considered by Planning Inspectors at appeals, as the only way to determine if the agreement is being adhered would be to post enforcement officers along its route. This would be costly and impractical and could not feasibly be done. It is however considered reasonable and enforceable to require the applicants by condition to erect signs at the entrance to the proposed development giving instructions to drivers using the site as to the route that they should take dependent upon their destination and therefore direct drivers away from taking a shortcut through the country lanes by Woodbury Salterton and Woodbury. Such measures would be enforceable as the erection of the signs could be checked and enforced. Although such a measure would be open to abuse it is considered that this is the only action that can reasonably be taken to address this concern. The roads concerned are all public highways upon which commercial vehicles are entitled drive and as such they cannot be prevented from doing so only advised not to.

Concern has been raised regarding the proposed development being sited adjacent to an Area of Outstanding Natural Beauty, Site of Special Scientific Interest and Special Protection Area. The development is however sufficiently far from any such designations not to impact upon them.

The point has been made by several people that the businesses that would be sited at this development are unlikely to employ local people. Nevertheless the development will provide employment opportunities for local people; however this development would meet a district wide need for employment and should not be viewed in the isolation of its immediate surroundings in terms of its economic benefits.

The impact on Windmill Hill is an historic landform and is considered by some to be of importance. While the hill is clearly a distinctive landform it does not benefit from any designation while the Devon County Council archaeological unit have not made any reference to the impact of the proposal on the hill in their comments. In any event the proposed development will not cut into the hill itself. While it will impact on its setting this is not considered to be of particular significance.

CONCLUSIONS

In conclusion this development would help to meet the identified need for employment land on a site with a reasonable prospect of development coming forward in the short term. The proposal would have some impact on the landscape and amenity of the area but not to a sufficiently significant degree to justify refusal in this case. Although the county council as highway authority have concerns about the impact on the A3052 around Clyst St Mary the highway impact of the development has been mitigated as much as possible. The question is therefore whether the additional traffic from this development would 'tip the balance' between acceptable traffic levels on the A3052 around Clyst St Mary and levels exceeding capacity. There seems to be a lack of clear evidence to prove either way the impact of this development on the Clyst St Mary roundabout while the concerns of the highway authority need to be balanced against wider objectives such as the Council's objective for sustainable development. When balancing this issue with other objectives it is also important to bear in mind that the concern is that of capacity and sustainable transport objectives and not one of safety. The issue of the Clyst St Mary roundabout is an on-going concern that will need to be addressed by the highway authority but overall it is considered reasonable to approve this application due to its wider economic benefits that would on balance outweigh the harm in transportation terms.

While this application is a departure from the development plan following the revised direction from the Secretary of State earlier this year there is no longer any requirement to refer this matter to the Government Office of the South West if Members are minded to grant this application.

RECOMMENDATION

APPROVE subject to the following planning conditions:

1. Approval of the details of the layout, scale and appearance of the buildings and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
(Reason - The application is in outline with one or more matters reserved.)
2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
(Reason - In accordance with the requirements of Section 92 of the Town & Country Planning Act 1990.)
3. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
(Reason - In accordance with the requirements of Section 92 of the Town & Country Planning Act 1990.)
4. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. The development shall be carried out at all times in strict accordance with the approved scheme, or such other details as may be subsequently agreed in writing by the Local Planning Authority.
(Reason - To ensure that an appropriate record is made of archaeological evidence that may be affected by the development.)

5. Prior to the commencement of the development hereby approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:
- a) A preliminary risk assessment which has identified:
 - All previous uses
 - Potential contaminants associated with those uses
 - A conceptual model of the site indicating sources, pathways and receptors
 - Potentially unacceptable risks arising from contamination at the site.
 - b) A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
 - c) The site investigation results and the detailed risk assessment (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

(Reason: To protect controlled waters)

6. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the method statement detailing how this unsuspected contamination shall be dealt with.

(Reason: For the protection of controlled waters)

7. No development shall commence until the proposed surface water attenuation pond has been provided in accordance with detailed plans of its design, construction, exact siting (which notwithstanding any indication on the plans hereby approved shall be outside of the flood zone) and a long term maintenance plan. The pond shall thereafter be retained and maintained in accordance with the approved maintenance plan.

(Reason: In order to minimise flood risk arising from the development)

8. Prior to the commencement of development full details of any external lighting within communal areas of the development including all roadways and footpaths shall be submitted for the written approval of the Local Planning Authority. The submitted details shall include the siting and design of any proposed lighting columns, details of their method and level of illumination and a scheme to minimise light pollution arising from their use. The submitted details shall also set a framework for types and levels of illumination within the individual plots which comprise the remainder of the site and any subsequent reserved matters applications for development on the plots shall be in accordance with the approved details. Thereafter any external illumination of the site shall be in accordance with the approved details.

Reason: To minimise light pollution arising from the development that would be detrimental to the character and amenity of the area and its residents)

9. Prior to the commencement of development a full noise survey shall be carried out to identify existing background noise levels across a 24 hour period and agree acceptable noise levels across an average 24 hour period for when the development hereby approved is completed and all plots are operational. This shall include identifying maximum noise levels across an average 24 hour timeline that shall not be exceeded. The survey shall take into account all noise from vehicle movements as well as the business units themselves and shall include where appropriate mitigation measures to reduce noise levels arising from the development. The development in total (including all plots) shall thereafter be operated only in accordance with the agreed noise levels unless otherwise agreed in writing with the Local Planning Authority.

Reason: To minimise noise pollution arising from the development that would be detrimental to the character and amenity of the area and its residents)

10. Prior to the commencement of development a full air quality assessment shall be carried out to establish existing air quality levels and predict those likely to occur once the development is completed and fully operational. The assessment shall set a maximum level of pollution that shall arise from the proposed development as a whole and shall include details of any mitigation measures that shall be used to control air pollution from the development. The development shall thereafter only be operated in accordance with the agreed levels unless otherwise agreed in writing with the Local Planning Authority.

Reason: To minimise air pollution arising from the development that would be detrimental to the amenity of the area and its residents)

11. The development hereby approved shall comprise a maximum gross external area (GEA) floor space of 3,000sq.m of Light Industrial (use class B1c), 1,500sq.m of General Industrial (Use Class B2) and 15,500sq.m of Storage and Distribution (use class B8) and not exceed a total of 20,000 sq.m unless otherwise agreed in writing by the Local Planning Authority (in consultation with the Secretary of State for Transport)

Reason: In order to ensure that traffic generation from the development remains within levels that have been assessed and found to be appropriate in the interests of Highway Safety.

12. The development shall be carried out in accordance with Policy TA9 of the Adopted East Devon Local Plan (2006) not exceeding maximum car parking levels:- Light Industrial (use class B1c) – 1 space per 50 sq.m gross floor area; General Industry (use class B2) – 1 space per 50 sq.m gross floor area and; Storage and Distribution (use class B8) 1 space per 200 sq.m gross floor area.

Reason: In order to ensure that parking levels are commensurate with the form of development, and meet the guidelines set out in the adopted East Devon Local Plan (2006).

13. A Framework Travel Plan for the application site shall be prepared and agreed with the Local Planning Authority (in consultation with the Highways Agency representing the Secretary of State for Transport) prior to occupation of any employment floorspace at the

application site. The Travel Plan(s) shall 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
- The mechanisms for reporting
- The measures to be applied in the event that targets are not met
- The mechanisms for mitigation
- Implementation of the travel plan to an agreed timescale or timetable and its operation thereafter
- Mechanisms to secure variations to the travel plan following monitoring and reviews

All of the recommendations and proposed actions contained therein and the Approved Framework Travel Plan (or any variation of the Travel Plan agreed in writing with the Local Authority in consultation with the Highways Agency representing the Secretary of State for Transport) shall be operated thereafter strictly in accordance with the approved details. Subsequent individual Travel Plans will be developed in accordance with the Framework Travel Plan and submitted thereafter for the approval of the Local Authority (in consultation with the Highways Agency representing the Secretary of State for Transport) and agreed within 3 months of occupation. Individual Travel Plans shall be prepared in line with prevailing policy and best practice meeting the requirements set out above.

Reason: In order that the development promotes public transport, walking and cycling and limits the reliance on the private car, minimising its impact on the Strategic Road Network.

14. Prior to the commencement of any of the development hereby approved a fully detailed landscaping scheme shall be submitted for the written approval of the Local Planning Authority. The submitted scheme shall include full details of the size, type and species of all planting, details of all grassed areas, walls, fences and other boundary treatments. The landscaping scheme shall be carried out in the first planting season after commencement of the development unless otherwise agreed in writing with the Local Planning Authority and 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 the amenity of the area and to preserve the character and appearance of the area.

15. A landscape management plan for the long term management of the landscaping of the site shall be submitted for the written approval of the Local Planning Authority prior to the commencement of any development on the site. The landscaping shall thereafter be maintained in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

(Reason – In the interests of minimising the visual impact of the proposed development and maintaining the character of the area)

16. The height of buildings on the development hereby permitted shall not exceed an eaves height of 7.5 metres (as referred to at para. 3.11 of the submitted Planning, Design and

Access Statement) and a maximum ridge height of 12.5 metres (as referred to in the applicants letter of 22nd June 2009 ref. MdeC/5724) unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the character and visual amenities of the area.

17. Before any development commences on any part of the development hereby approved full details of final finished floor levels and finished ground levels in relation to a fixed datum for that part of the development shall have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

(Reason – To ensure that adequate details of levels are available in the interests of the character and appearance of the locality)

18. Prior to the commencement of development on any of the phases of the development hereby permitted the details of the materials to be used externally on the respective phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason: In the interests of the visual amenity and character of the area.

19. Prior to the first occupation of any of the development hereby approved directional signs shall be provided at the entrances to the application site from the existing estate road directing traffic to enter and exit the site using the access from the A3052. The signs shall be in accordance with a design and siting that shall have been previously agreed in writing with the Local Planning Authority and shall thereafter be retained as in accordance with the approved details.

Reason: To minimise the volume of traffic associated with the development using the country lanes to the south of the site in the interests of highway safety and to protect the amenities of nearby residents.

20. No development shall commence until the proposed bus stops have been provided and made available for use in accordance with a full design and layout that shall previously have been agreed in writing with the Local Planning Authority in consultation with the Local Highway Authority unless otherwise agreed in writing.

(Reason: To ensure that the additional transport infrastructure required to improve public transport provision to the site is provided in advance of the proposed development.)

21. Before any operations are commenced the proposed modified vehicular accesses to White Cross Road shall be designed/constructed and provided with visibility zones in accordance with the approved plans, all to be permanently maintained to a specification to be agreed in writing with the Local Planning Authority and the visibility zones shall be kept permanently clear of any obstruction in excess of 600 mm in height above the adjoining carriageway levels.

Reason - In the interest of highway safety

Any further conditions to be delegated to the Head of Planning and Countryside Services.

Informatives

1. With regard to condition 16 the applicant should note that the buildings should be clad in a dark green colour, with a dark roof (not white or goose wing grey).

Reasons for approval

The proposed development is contrary to Policy ST4 (Infrastructure Provision) of the Devon Structure Plan and Policies S5 (Countryside Protection), S7 (Infrastructure Related to New Development) and TA7 (Adequacy of Road Network and Site Access) of the adopted East Devon Local Plan due to it being sited outside of the development limits of any settlement and utilising parts of the highway network that do not have spare capacity. Despite this the proposal meets an identified need for economic development that cannot be met within a settlement and would be appropriately mitigated through landscaping to ensure that its visual impact does not cause excessive harm. The proposal would not be harmful to highways safety and would integrate with the local public transport network. It would not cause significant harm to the amenity of residents in the locality. It would not lead to the loss of high grade agricultural land or have any significant wider environmental or ecological implications. Taking all of these issues into account and the following policies the proposed development is considered to be acceptable.

The proposal complies with the Devon Structure Plan 2001-2016 Policies ST1 (Sustainable Development), CO1 (Landscape Character and Local Distinctiveness), CO6 (Quality of New Development), CO8 (Archaeology), CO13 (Protecting Water Resources and Flood Defence), CO14 (Conserving Agricultural Land), CO15 (Air Quality), CO16 (Noise Pollution), WM1 (Waste Management), TR1 (Devon Travel Strategy), TR2 (Co-ordinating Land Use / Travel Planning), TR3 (Managing Travel Demand), TR5 (Hierarchy of Modes), TR7 (Walking and Cycling) and TR9 (Public Transport).

The proposal complies with the adopted East Devon Local Plan 1995-2011 Policies D1 (Design and Local Distinctiveness), D2 (Sustainable Construction), D4 (Landscape Requirements), D5 (Trees on Development Sites), EN6 (Wildlife Habitats and Features), EN8 (Proposals Affecting Sites Which May be of Archaeological Importance), EN15 (Control of Pollution), E4 (Bad Neighbour Uses), TA1 (Accessibility of New Development) and TA4 (Footpaths, Bridleways and Cycleways).

List of Background Papers

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