

PLANNING APPLICATION REPORT

Case Officer: Lucy Hall

Parish: Ermington **Ward:** Ermington and Ugborough

Application No: 1329/19/FUL

Agent/Applicant:

Mr Rud Sawers - Rud Sawers Architects Ltd
Rud Sawers Architects
1 Dartmouth Close
The Plains
Totnes
TQ13 7QU

Applicant:

Mr Ian Roper
Sheridan House
Beech Road
Cadleigh
Ivybridge
PL21 9HN

Site Address: Commercial / Office Unit, Endsleigh Park (South Woodland Farm), Ivybridge, PL21 9JL

Development: Construction of Commercial / Office Building (Class B1) with associated car parking, access and landscaping



Reason item is being put before Committee

At the request of Cllr Holway on the grounds 'Endsleigh Garden Centre and the already established businesses on the site mean it is hardly open country. Ivybridge Town Council have a few small units for embryo businesses and this development will provide ideal accommodation for businesses to grow in to. This development is in Ermington parish but is on the edge of Ivybridge and has the support of Ermington PC and Ivybridge TC. There is a lot of residential development in Ivybridge and people will be able to walk or cycle to this site for much needed employment.'

Recommendation: Refusal

Reasons for refusal

In the absence of adequate information to justify a countryside location, the proposed development would constitute unplanned and sporadic development which would erode of the rural character of the area contrary to policies SPT1, SPT2, SPT4, TTV1, TTV2, TTV26 and DEV15 of the Plymouth and South West Devon Joint Local Plan, 2014 – 2034 and the advice contained within the National Planning Policy Framework.

Site Description:

The site relates to a section of sloping green-field located immediately to the east of Owen's Coffee Wholesalers which is located within a small block of recently constructed industrial units off Cadleigh Park (road) to the west of Endsleigh garden centre. The neighbouring uses include a gunroom (class A1), South Moor Veterinary Practice (D1), coffee wholesaler (class B2) and Countrymans Choice Farm Shop. The site is located within the countryside and does relate to any designations.

The Proposal:

The application seeks full planning permission for the construction of a commercial/office building restricted to B1 use, with an associated car park, access and landscaping.

The proposed building would take the form of a single storey, simple rectangular construction with dual pitch roof over. The building measures 33m by 17m with a height of 3.7m to the eaves and 7.6m to the ridge.

External materials include metal cladding to the roof and a mix of metal and timber cladding to the walls. The proposal also includes a number of openings including roof lights, a central glazed opening, with full height glazing either side on the front (north elevation) and two metal roller shutter doors on the rear (south elevation). The proposal also includes an air source heat pump which would be installed to the rear and solar panels on the southern elevation.

The application also includes a new access and a parking area to the front and rear of the building.

The proposal was originally for a two storey building but the design was amended to address officer concerns. The application was re-advertised.

Consultations:

- County Highways Authority No objection
- Environmental Health Section no comments received
- Ermington Parish Council Support
- Landscape (SHDC) no objection subject to conditions
- Drainage (SHDC) No objection subject to conditions
- Highways England No objection

Representations:

The Council has not received any comments from third parties.

Relevant Planning History

21/2254/15/FUL, change of use of agricultural land and construction of agricultural related development park comprising Veterinary Practice (Class D1), Gunroom (Class A1) and Coffee Wholesaler (Class B2) with associated car parking, landscaping and access, Proposed development site at SX 623 557, Endsleigh Park, South Woodland Farm Ivybridge – conditional approval

21_27/2754/14/VAR, variation of condition 2 of approval 21/2161/04/F to allow increase in the total floor space devoted to the sale of certain goods, Endsleigh Garden Centre, refused, appeal upheld

ANALYSIS**Principle of Development/Sustainability:**

The Council's local plan 'Plymouth and South West Devon Joint Local Plan, 2014 – 2034' was adopted in March this year. A fundamental element of delivering economic growth is ensuring that there is sufficient land to meet the need for new employment premises, and through its allocations and existing communities the plan identifies sufficient land to meet this requirement. Policy SPT4 requires the LPA's covered within the plan area (South Hams District Council, West Devon Borough Council and Plymouth City Council) to provide for a net increase of at least 375,208 sq. m of employment floor space land within the plan period. South Hams falls under the 'Thriving Towns and Villages Policy Area' and of that figure the policy sets out that 28,900 sq. m should be made for B1a offices (focused within town centres), 21,700 sq. m for B1/B2 and 33,100 sq. m for B8. It is also expected that development would come forward in existing established employment sites.

The application site lies within the countryside. JLP Policy TTV1 provides a hierarchy of settlements for the distribution of growth and development to deliver homes and jobs, to enable each town and village to play its role within the rural area. The supporting text to this policy through paragraphs 5.7 to 5.10 names the settlements that are applicable to the hierarchy referred to in the sub-components of policy TTV1 as 'The Main Towns' (TTV1. 1), 'Smaller Towns and Key Villages' (TTV1. 2) and 'Sustainable Villages' (TTV1. 3). The site does not fall within a settlement named in paragraphs 5.7 to 5.10. As a consequence, the site is not located at one of 'The Main Towns', 'Smaller Towns and Key Villages' or 'Sustainable Villages'. The development would not align with TTV1. 1, TTV1. 2 or TTV1. 3. It therefore follows that the development is assessed against policy TTV1. 4 of the JLP, the lowest level in the hierarchy of policy TTV1, which relates to 'Smaller villages, Hamlets and the Countryside'. TTV1. 4 states that development will be permitted in such locations only if it can be demonstrated to support the principles of sustainable development and sustainable communities (policies SPT1 and SPT2) including as provided for in policies TTV26.

Policy TTV26 provides a policy framework for guiding development within the countryside. The overarching aim of this policy is to protect the special characteristics and role of the countryside. The policy also sets out circumstances in which development within the countryside might be acceptable including if it responds to a proven agricultural, forestry and other occupational need that requires a countryside location. There is some support for rural businesses under Policy DEV15, however, the policy requires development to be within suitable locations, relies on the re-use of existing buildings and seeks to avoid a reliance on the private car neither of which this proposal would achieve. There is also an emphasis on development which meets the essential needs of agricultural or forestry interests.

Officers do not consider that a generic B1 use meets this requirement. The applicants have confirmed that while an end user has not yet been identified the intention is that they would have a connection to agriculture, farming or the countryside in accordance with policy. Officers do not consider that this is sufficient to demonstrate a countryside location is required. Countryside justification is not ordinarily considered on the basis of end user. Even so, without an end user secured there can be no certainty regarding the type of business that would use the premises, and no consideration given to the extent that alternative premises within a defined catchment area could be available.

The (consented) use classes (A1, B2 and D1) on the adjoining site are not typical of what we would expect to see within a countryside location. However, as with all applications it is imperative that each case is considered on its own merits and having regard to the individual circumstances of the case. The proposal on the adjoining site was considered against a different set of adopted policies that were written to meet out of date needs assessments. The Officer report relating to this application (21/2254/15/FUL) is also clear that while the site is considered to be well suited for the specific uses identified, other uses falling within the use classes may not be appropriate, and relevant conditions were imposed to prevent inappropriate development within this countryside location. Interestingly that application initially proposed a B1 element, but it was removed because the Officer was not persuaded there was a 'tangible justification for the building, within this countryside location.'

Therefore without adequate justification to support a countryside location the proposed B1 use, and in the absence of any other material considerations officers consider the proposal conflicts with the aims of the recently adopted Plymouth and South West Devon Joint Local Plan. The identification of land to meet future employment needs should happen through the plan-led process. The adopted JLP identifies sufficient land to meet the employment needs across the plan area and the approval of this unplanned, speculative development risks undermining the delivery of allocations and existing commitments, and erosion of the countryside.

The application is therefore recommended for refusal on this basis.

Design/Landscape:

Paragraph 124 of the NPPF states 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'. The need for good design, which respects its setting and the crucial role this plays in creating a sense of place and identity is reinforced within the Council's policies. Policy DEV20 requires proposals to have regard to the '*pattern of local development and the wider development context and surroundings*'. Policy DEV23 requires development to 'conserve and enhance landscape, townscape and seascape character and scenic and visual quality'. It goes on to say in DEV23.3 that the development should be of '*high quality architectural and landscape design appropriate to its landscape context*'.

The original proposal was for a larger two storey building which incorporated large elements of glazing. The proposal was notably taller than the adjoining buildings and the large expanse of full height glazing on the northern elevation was not considered to be appropriate in its rural context. Following officer advice the proposal was revised. The upper floor was removed and with it the large expanse of glass. The revised proposal is now similar in its scale and form to the immediate adjoining buildings and in its context is considered to be well designed.

The case officer has discussed the scheme with the Council's landscape specialist who has not raised any objections on the basis that from distant views the building would be seen against the backdrop of the adjoining modern industrial development. The changes to the scale of the building and reduction to the levels of glazing are welcomed. To help provide a distinction between the employment site and the wider countryside, and to protect the wider landscape character, landscaping is recommended, details of which can be secured via a condition. However, while a landscape objection has not been received, the Council's landscape specialist recognises the concerns of officers with regards to unplanned, speculative development on the site which risks eroding the character of the countryside.

Neighbour Amenity:

The surrounding uses are considered to be compatible with the proposed B1 use and no issues are raised regarding amenity.

Highways/Access:

The highway impacts are considered to be acceptable. Highway Authority and Highways England have been consulted on the proposal and neither has raised any objections with regards to highway matters. The proposal includes adequate on-site parking provision and turning for vehicles and the connection to the existing road does not raise any concerns.

Drainage:

The proposal has been considered by the Council's drainage specialist. Initial objections were raised on the basis that insufficient information had been provided to demonstrate drainage could be provided. Additional information was provided and the drainage specialist has now confirmed that this is sufficient to demonstrate a workable scheme, however the final design will need to be agreed with the LPA and appropriate conditions are recommended.

Low Carbon:

Policy DEV32 requires all development to minimise its use of natural resources over its lifetime, such as water, minerals and consumable products, by reuse or recycling of materials in construction. The proposal includes the installation of an air source heat pump and solar panels, the principle of which is considered to be acceptable in helping to deliver a low carbon development. A condition could be imposed requiring these measures to be installed prior to occupation.

Other Matters:

The site falls within the Zone of Influence for new residents have a recreational impact on the Tamar European Marine Site (comprising the Plymouth Sound and Estuaries SAC and Tamar Estuaries Complex SPA). However as the application does not relate to the provision of a new dwelling this is not relevant.

Planning Balance:

The site lies within the countryside, the lowest tier within the settlement hierarchy, and does not form part of any allocation for the provision of employment floor space. While the site is within close proximity to recently consented commercial units, the circumstances surrounding that permission were materially different and as always each proposal must be considered on its own merits. We work with a plan-led system. This proposal is unplanned and if approved, risks undermining the delivery of the allocations and existing commitments within the newly adopted local plan. It also risks eroding the rural character of the area, contrary to JLP Policy TTV26. Insufficient information has been provided to justify a countryside location for the proposed unrestricted B1 use and in the absence of any other material considerations the proposal is recommended for refusal on the basis it is in conflict with the JLP.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004.

Planning Policy

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, as of March 26th 2019, the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts South Hams and West Devon within Dartmoor National Park) comprises the Plymouth & South West Devon Joint Local Plan 2014 - 2034.

Following adoption of the Plymouth & South West Devon Joint Local Plan by all three of the component authorities, monitoring will be undertaken at a whole plan level. At the whole plan level, the combined authorities have a Housing Delivery Test percentage of 166%. This requires a 5% buffer to be applied for the purposes of calculating a 5 year land supply at a whole plan level. When applying the 5% buffer, the combined authorities can demonstrate a 5-year land supply of 6.5 years at the point of adoption.

The relevant development plan policies are set out below:

The Plymouth & South West Devon Joint Local Plan was adopted by South Hams District Council on March 21st 2019 and West Devon Borough Council on March 26th 2019.

SPT1 Delivering sustainable development
SPT2 Sustainable linked neighbourhoods and sustainable rural communities
SPT4 Provision for employment floorspace
SPT9 Strategic principles for transport planning and strategy
SPT10 Balanced transport strategy for growth and healthy and sustainable communities
SPT12 Strategic approach to the natural environment
SPT14 European Protected Sites – mitigation of recreational impacts from development

TTV1 Prioritising growth through a hierarchy of sustainable settlements
TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area
TTV26 Development in the Countryside
DEV1 Protecting health and amenity
DEV2 Air, water, soil, noise, land and light
DEV14 Maintaining a flexible mix of employment sites
DEV15 Supporting the rural economy
DEV20 Place shaping and the quality of the built environment
DEV23 Landscape character
DEV26 Protecting and enhancing biodiversity and geological conservation
DEV28 Trees, woodlands and hedgerows
DEV29 Specific provisions relating to transport
DEV31 Waste management
DEV32 Delivering low carbon development
DEV35 Managing flood risk and Water Quality Impacts

Other material considerations include the policies of the National Planning Policy Framework (NPPF) and guidance in Planning Practice Guidance (PPG).

Neighbourhood Plan

The site is not within a Neighbourhood Planning Area.

Considerations under Human Rights Act 1998 and Equalities Act 2010

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.