

PLANNING APPLICATION REPORT

Case Officer: Jeremy Guise

Parish: Buckland Monachorum

Ward: Buckland Monachorum

Application No: 4005/16/FUL

Agent/Applicant:

Mr Ian Russell
9 Lower Compton Road
Plymouth
PL3 5DH

Applicant:

Hill / Greeno / Hopkinson
Yelverton Business Park
Crapstone
PL207LS

Site Address: Land Adjacent To Yelverton Business Park, Yelverton Business Park, Crapstone, PL207LS

Development: Three business units, 960sqm (1x384sqm 2x288sqm (576sqm) Use Class B1 (c) light industrial / Use Class B2 (general industrial) / Use Class B8 Storage & Distribution), together with associated access, parking and landscaping.

Reason item is being put before Committee:

Cllr P. Sanders - My reasons are the impact on the AONB the impact on the adjacent National Park, the use of a green field site to locate industrial activities given that many suitable sites are available within a 15 mile radius. I also feel that although the evolving JLP does not as yet carry much weight it is relevant that although previously considered for industrial development this site is not now included in the JLP for any form of development.

Cllr R Cheadle - Given that the PC has recommended rejection of both applications and there are, to date, over 140 letters of objection, this must come before the Committee



Recommendation: Grant Conditional planning permission

Conditions (list not in full)

1. Time limit
2. Approved plan Nos.
3. Materials
4. Landscaping scheme Implementation
5. Street access and parking to be provided
6. Universal condition for development on land affected by contamination
7. Verification report
8. Unsuspected Contamination
9. Implementation of ecology mitigation and enhancement measures
10. Noise: Protection of residential amenity
11. Restriction on hours of delivery
12. Restriction on hours of use
13. Detailed design surface water drainage management system
14. Restriction to use classes and removal of PD to change

Key issues for consideration:

- The principle of employment development in this location
 - The design and appearance of the proposed buildings
 - The impact upon the character of the Tamar Valley AONB
 - The impact upon the amenity of neighbouring properties
 - The adequacy of parking and access arrangements
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Site Description:

The application site is a piece of vacant agricultural land, approximately 2.25ha in size, located on the eastern edge of Yelverton Business Park and southwestern edge of the village of Crapstone. It comprises field used in the past for pasture / pony paddock, bounded on the northern and eastern side by established Devon hedges, interspersed with the occasional tree. Levels fall approx. 12m across the whole site from the north west to the south east (approx. 5m across the central part of the site, where development is proposed). It is accessed off from Stoke Hill Lane via the Business Park, to the west.

The wider area is edge of settlement in character. There are open fields to the east and south, and the main village approach road to the north. The nearest residential properties, are a single dwelling, to the north east, and a row of large, detached, houses to the south. The latter are separated from the site by a pony paddock and a field.

The site is located within the Tamar Valley Area of Outstanding Natural Beauty (AONB) and adjacent to the boundary with Dartmoor National Park (DNP).

The Proposal:

Planning permission is sought for the erection of three business units, 960sqm 1x384sqm and 2x288sqm (576sqm) Use Class B1 (c) light industrial, Use Class B2 general industrial and Use Class B8 storage & distribution, together with associated access, parking and landscaping.

Plans show three buildings with 22 associated parking spaces grouped around the northern and north eastern half of the site. The buildings would be constructed with ground floors only, but would be 6.5m in height (to ridge), with painted render walls, and profiled aluminium roofs. Timber effect panels would add interest. Tree planting and landscape screening is shown around the buildings and on the southern part of the site which is shown as a pony paddock. A parallel planning application (ref. 4006/16/FUL) for a Brethren Meeting house in the centre/ west of the site is considered elsewhere on this agenda.

The application is accompanied with a suite of supporting documents:-

- Preliminary Ecological Appraisal & Ecology Mitigation & Enhancement prepared by Eco Logic
- Design & Access Statement prepared by Design Development
- Flood Risk Assessment & Drainage Strategy prepared by Hydrock
- Desk Study & Ground investigation prepared by Hydrock
- Transport Statement prepared by Hydrock
- Tree Survey Schedule prepared by Richard Prowse, Arborists
- Energy Statement prepared by Energy Compliance Ltd., and

The summary of the Planning Statement that accompanies the application provides an explanation as to why the application is being made and the processes that have led up to its submission. It states:- *'In summary this proposal has sought to take on board the feedback from the Local Authority, Tamar Valley Area of Outstanding Natural Beauty and local residents, received on the previous applications for the site. Therefore the applications have arranged a number of consultations, with all the relevant parties, to ensure an appropriate development has been proposed.*

A primary aspect of the design of this application has been to provide development for 'established need' only, this has been achieved by working closely with businesses in the existing Yelverton Business Park and proposing individual units for 'Sol Komfort', SW Lubricants' and 'Valves Online' only, with no speculative development provided.

As detailed in Section 3.0 of this document, the density and extent of the development has also been significantly reduced in comparison to previous applications. With the developed area now proposed as 26.7% of the 2,2198sqm total site area.

A significant portion of the site (66.9%) is proposed as new areas of woodland around the northern and eastern boundaries, a linear woodland screen and a retained pony paddock to the south. By being agreeable to the Local Authority giving this element of the proposals 'protected' status (by whichever means they deem appropriate). The applicants are seeking to reassure local residents that no further development will be sought.'

Consultations:

- **County Highways Authority** - The application is supported by a Transport Statement, the content and scope of which is broadly accepted by the highway authority. The recent previous similar withdrawn application, which was for a larger floor space of development, was acceptable from a transport perspective and there are similarly no objections to this proposals from a highway point of view. It is recommended that a condition to require street access, parking and turning to be provided is incorporated in any grant of permission.
- **Environmental Health Section** - Seeks conditions relating to:- Universal condition for development on land affected by contamination; Verification report and 'Unsuspected Contamination', restriction on external noise, delivery hours and hours of use.
- **Buckland Monachorum Parish Council** – First, the Committee considered the cumulative impact of the applications. It considered that the impact of the proposed development, which doubled the physical size of the current business park would have a significant impact on the village of Crapstone and the AONB, and in NPPF terms, should therefore be designated as major development for which no exceptional circumstances were either presented or apparent. The proposals singularly failed to either 'preserve' or 'protect' the AONB landscape. The Committee noted that this view was shared by the TVAONB Planning Officer in his response dated 20th Feb. On these grounds the Committee recommended that, in principal, the applications, if considered cumulatively, should be opposed.

In relation to the application 4005/16 - 3 business units the Committee felt that the application failed in respect of 'conserving and enhancing' the AONB and that none of the businesses (a distributor of industrial lubricants, a manufacturer of industrial blinds and an industrial valve procurement business) had any valid connection with the local community nor provided any services on which the community would derive benefit. There was no justification for building on

an unallocated green field site within the AONB when such businesses would be better located closer to transport routes and within sites allocated for such use. In short, the application failed on all relevant Policies within the extant Development Plan in particular, Policy SP17, and paras 14 & 115 of the NPPF.

- **Tamar Valley Area of Outstanding Natural beauty (TVAONB)** – Have provided a lengthy response that concludes:-

‘This consultation response has sought to set out how these applications have been assessed by the TVAONB and how they fall to be assessed as part of a wider suite of material planning matters that the LPA must consider.

As has been noted we have assessed the schemes both individually and also collectively.

We remain concerned that the overall development whilst reduced in scale, will result in impacts that do not enhance or conserve the natural beauty of the AONB landscape. Given the above we are of the view that the applications as they stand would not fully accord with SP17 of the West Devon Core Strategy or paragraph 115 of the NPPF. In those terms we feel that the application will need to be assessed by the LPA in the light of footnote 9 to the paragraph 14 of the NPPF.

If the LPA is of the view that the development is in accordance with current development plan policies or that other material considerations are such that they outweigh any conflict with these policies then we would wish for suitable mitigation to be provided beyond that currently shown.

The current proposals still leave the area of land to the south of the site as open field with a gap provided for future access into this area of land. It is suggested that further meaningful landscaping should be provided as a minimum to offset the impacts of any development if approved

It is suggested that such landscaping should take the form of a woodland and pond in order to contribute to the Tamar Valley Biodiversity 2020 targets asset out within section 5.7 of the TVAONB Management Plan.’

- **Dartmoor National Park (DNP)** – Objection. The National Park Authority (NPA) notes the revision to the scheme to extend the existing business park presented in their application. It is noted that the site is directly adjacent to the western boundary of the National park in this part of Yelverton - the planning statement makes no mention of the proximity to this protected landscape designation. The main access routes to the site remain from the east linking with the A386 within the Park with the expectation that the majority of traffic generated by the proposal will arrive from that direction. The site lies in open countryside outside of a designated settlement where policies of restraint for all forms of development should apply unless there are exceptional circumstances. The previous planning history of unsuccessful attempts to gain planning permission for similar developments in this location is noted.

Having considered the details of the application the NPA wishes to raise objection to the application for the following reasons:-

- A development of an additional 3 businesses units on the site areas shown, in conjunction with the existing development, would have a major urbanising effect on the character and appearance of this rural location outside of any designated settlement. This would be to the detriment of the setting of the National Park
- The likely increase in commercial traffic accessing the site, in both type and frequency, would have an unacceptable impact on the amenity of users of this part of the National; Park.
- The Council is respectfully asked to fully consider the duty to have regard to National Park purposes (s62 of the Environment Act 1995) when reaching a decision on this matter,

- **DCC Drainage** - At this stage, we have no in-principle objections to the above planning application, from a surface water drainage perspective, assuming that pre-commencement planning conditions are imposed on any approved permission:

Further to our letter of the 22/02/2017 and discussions with the consulting engineer (Hydrock) appropriate infiltration testing has provided within the submitted Ground Investigation to support the proposals for surface water disposal via infiltration. Although groundwater was located on the site, it is note that the groundwater maybe perched water rather than as a result of seasonal groundwater due to their location within the site. The current drainage proposals is now proposing a single soakaway as identified within Drawing No. C161168/C/100 (Rev. H, dated 12/04/17) supported by appropriate sizing calculations (Ref:170412, dated 12/04/17). This is located within are where groundwater was not recorded and infiltration rates where shown to be favourable.

The engineering consultants have also submitted Drawing No. C161168/C/205 (Rev. A, dated 24/03/17) which shows appropriate exceedance routing which proposals of interception bund to the south of the site to retain and exceedance flows within the site boundary.

The consultants have also submitted a suitable maintenance schedule within their email dated 31/03/17). As such we have no further objection from a surface water management perspective subject to the condition above requiring details of the drainage during construction.

- **WDBC Landscape Officer** - In considering this application and assessing potential impacts of the development proposal against nationally protected landscapes, in addition to the Development Plan, the following legislation, policies and guidance have been considered:
 - Section 85 of the Countryside and Rights of Way (CRoW) Act;
 - Section 11 of the NPPF in particular paragraphs; 109 and 114-116;
 - The National Planning Practice Guidance (NPPG) particularly Section 8-001 to 8-006 on Landscape; and
 - The Tamar Valley AONB Management Plan.
 - The Dartmoor National Park

In respect of the principle policy tests in the NPPF, this application is not considered to constitute “*major development*” in the context of paragraph 116, due to the existing industrial park context, the lack of special landscape features affected by the development, and the limited geographic extent of landscape and visual impacts associated with the proposed development. Paragraph 116 of the NPPF therefore wouldn’t apply. Further discussion of this principle is made in the Tamar Valley AONB comments.

However, as set out below, there are considered to be detrimental effects on the landscape and environment of the AONB and the National Park associated with the proposals that should be given great weight in this planning balance, in line with NPPF paragraph 115.

Landscape and Visual Impact

Comments have been made by both the Dartmoor National Park Authority and the Tamar Valley AONB Unit on landscape impact. They raise various concerns over the impacts of the developments on the protected landscapes, principally:

- The detrimental change in the rural character and appearance of the site area and the effect this has on the AONB and the setting of the National Park
- The increase in traffic flows, particularly those of a commercial nature in the protected landscapes and a resulting reduction in rural character and tranquillity.

Without wishing to repeat much of the discussion, these are fair representations of the impacts likely to result from the scheme.

Although the introduction of large built form and associated infrastructure would result in a negative change to the existing rural character, the geographical spread of these impacts would be limited to the local area. As recognised in the AONB comments, the prevailing local landscape character is that of an undeveloped part of the AONB in the setting of the National Park, but is nonetheless impacted upon by the existing industrial uses and road network.

It is therefore reasonable to conclude that there would be adverse landscape character and visual impacts resulting from the scheme, whilst recognising that they would be limited to the local area and moderated to an extent by the existing uses at the adjacent industrial site.

Landscape Design

The proposed landscape mitigation is in keeping with the predominant local character, which includes small woodlands with significant tree cover generally across the area. Although the proposed planted areas will provide a substantial area of visual screening for the development in time, as noted in the AONB comments, these measures do not represent an overall enhancement of the landscape of the site, and further meaningful landscaping to the south would be recommended to better achieve this policy objective. This could be conditioned along with full details of the landscape proposals if you were minded to recommend approval of the scheme.

Arboricultural Impact

There are no principle arboricultural issues associated with the scheme. The submitted tree survey is a fair representation of the trees present within the site boundaries, and recommends appropriate measures for their protection during the course of construction and following completion of the development.

Policy

Policy SP17 seeks to protect the natural beauty and quiet enjoyment of the AONB; to protect the character, natural beauty and special qualities of the National Park; and to conserve and enhance landscape character. As outlined above, although the impacts associated with the scheme are not considered to be significant or far-reaching, nonetheless they do not meet the policy tests of “conserve” and “enhance”. Within the AONB and within the setting of the National Park, NPPF para. 115 and SP17 give great weight to avoiding such impacts, and they should therefore weigh heavily in the planning balance.

Recommendation

The landscape issues associated with these two related applications are finely balanced. Due to the failure of planning policy tests in SP17, and the great weight that is afforded to impacts to protected landscape by the NPPF, it would not be unreasonable for the authority to refuse the application on landscape grounds if it considered that any benefits associated with the scheme did not outweigh these impacts.

However, it should be noted that there are circumstances here that also weigh in favour of the development on landscape grounds. The limited geographical spread of landscape and visual impacts, lessened further in time by the proposed landscaping; the existing industrial uses in this area, served by an already busy road; and the lack of any special landscape features which would be lost by the development are all relevant to the decision making

Representations:

235 letters of representation (LOR's) have been received. 28 support the proposal 207 raise objections to the proposal.

The reasons for support can be summarised as follows:-

Will allow business on the park to grow and increase opportunities for extra jobs in the area
There is a desperate need for industrial premises in the area
The proposal is well-designed will not impact upon the surrounding road network
Enables local people to work without commuting to Tavistock or Plymouth.
Some businesses have outgrown their current sites and wish to extend within the locality

Reduction in traffic – the lubrication business would be able to move from daily to weekly deliveries if they were able to build new and larger premises.

The moderate and discreet development can only be beneficial to the area providing, as it may well do, some local employment opportunities.

The reasons for objection can be summarised as follows:-

The principle

The proposal is unsuitable, unwanted and unnecessary. It is major development. It is inappropriate development in Tamar AONB boarder with Dartmoor National Park. There are no exceptional circumstances. It is outside village development boundary and will destroy a greenfield site adjacent to the National Park and within the AONB

The local community has strongly opposed the development of this site on 4 occasions. The people behind it intend to ride rough shod over the views of those who live locally. The proposal appears to contradict WDBC Policy Framework Policy OP19 of 'Our Plan' which contained the outline of this plan was rejected. It is an attempt to bypass the JLP and BMPC Neighbourhood Plan

No benefit to local community

There is no local justification to expand this park. It is unlikely that the jobs will benefit the local community. The majority of employees commute from adjacent villages and Plymouth. There are always vacant properties on the existing business park

Precedent

This application will set a precedent for further extensions. It is a developer ploy to put forward an extravagant proposal and then withdraw it and submit a new scheme with the claim it is vastly reduced scale.

Adverse impact upon the amenities of residential properties

The site is near residential properties and recreation land whose amenity will be adversely affected. Views would further be scarred by any expansion

Inadequate Screening

Yelverton Business Park is already inadequately screened. Any screening from planting trees will take years to make a difference. It will be an eyesore not in scale or keeping with the development already there.

Extra traffic / traffic safety

Will draw traffic through the National Park where animals roam free have no pavements and no lighting. The A386 is already overburdened. Livestock regularly knocked down. Heavy traffic will damage the roads placing more demands on the public purse. It doubles the size of the existing business parking. There is concern about traffic safety particularly three way junction bus stop used by schoolchildren just outside the site zero visibility when mist and foggy

Drainage

The proposed methods of dealing with surface water will not be effective. There are underground springs in the area which if disturbed will turn the land into a bog. Further investigative reporting has to be done upon the impact of the extension on surrounding land. Site is adjacent to a watercourse Yelverton Brook. Could cause flooding in Village of Milton Combe

Relevant Planning History

- Pre-application advice provided. qualified support offered
- Ref. 2172/16/FUL -Full planning permission for 15 units with D21 meeting hall (2,127sqm) withdrawn 22/11/2016.
- Ref. 00396/2010 Extension to existing business park for B1, B2 and B8 units (33 units 6,216sqm total [4,200sqm light industrial and 2,016sqm office space]) Refused 28/08/2010 on

the grounds that there is no exceptional need for development on this scale and that it would have a detrimental impact on the character of the AONB.

- Ref. 13262/2009/TAV Outline application for change of use (of land) to accommodate B1, B2 and B8 uses units (33 units 6,216sqm total [4,200sqm light industrial and 2,016sqm office space]) Withdrawn 06/11/2009
- Ref. 12273/2008/TAV Erection of 800sqm single storey unit Withdrawn 09/10/2008

ANALYSIS

Principle of Development/Sustainability:

The general policy framework in the adopted local plan is quite supportive of business growth and rural regeneration. Strategic Policy 10, supporting the Growth of the Economy and Strategic Policy 11, Rural Regeneration, of the adopted Core Strategy together with the supportive text and specific policy ED13, and to a lesser extent ED14 Employment Development on unallocated sites and ED16 Development and employment in the countryside, of the adopted Local Plan Review are relevant.

Strategic Policy 10 offers support to *ii. The development and expansion of small businesses* and *iii. The diversification of the rural economy*. Strategic Policy 11 Rural Regeneration offers support to *a. The development and expansion of small scale businesses in rural communities*.

Chapter 5 paragraph 5.40,

Growth in employment in West Devon has resulted principally from the growth of firms already located within the Borough. The retention of existing employers is an important component of the Regeneration Strategy. Firms which have often made significant investments in existing sites may be restricted in their choice of alternative sites should they wish to expand their business. Policy ED13 provides for the expansion of existing firms and employment uses where they meet the criteria listed in the policy.

The wording of Policy ED13 is:-

The expansion of existing employment uses within an existing employment site or the enlargement of an existing employment site will be permitted where:

(i) Sufficient land is available at the site (or at the extended site) to facilitate adequate lay out, access, parking, landscaping and other essential infrastructure required in connection with the proposed development:

In all cases there will be no significant adverse impact:

(ii) On travel, access and highway safety;

(iii) On the amenities of nearby residents or other land uses;

(iv) On wildlife, landscape or historic interests;

(v) In relation to the size of the settlement or group of buildings; or

(vi) In terms of the relationship of the site to the built up area/building group:

In all cases

(vii) The development should not conflict with any allocations or designations of the plan.

Policies ED14 and ED16 are generally supportive, subject to similar tests.

The Local Plan Review and Core Strategy are now somewhat dated policy documents, which both pre-date the Government's National Planning Policy Framework (March 2012). Their policies need to be applied, and afforded appropriate weight, in accordance with the degree of compliance with NPPF provisions. In the case of employment, economic growth and rural diversification issues the NPPF is, in general very supportive of business growth. It contains significant reference to its importance, particularly in chapters 1, building a strong competitive economy and 3 supporting a prosperous rural economy

19. The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as

an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

21. Investment in business should not be over-burdened by the combined requirements of planning policy expectations. Planning policies should recognise and seek to address potential barriers to investment, including a poor environment or any lack of infrastructure, services or housing. In drawing up Local Plans, local planning authorities should:

- *support existing business sectors, taking account of whether they are expanding or contracting and, where possible, identify and plan for new or emerging sectors likely to locate in their area. Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances;*

28. Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- *support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;*

Both the adopted Core Strategy and Local Development Review are in the process of being replaced with Joint Local Plan (JLP – being undertaken with South Hams District Council, SHDC, and Plymouth City Council, PCC). The JLP has reached Regulation 19 stage and its policy provisions have acquired limited weight. JLP Policies DEV14 Maintaining a flexible mix of employment sites, DEV15 Supporting the rural economy and DEV19 Provisions for local employment and skills are particularly relevant in relation to the economic case.

It should also be noted that between the adopted Core Strategy and JLP, WDBC undertook preparatory work on a plan to replace the Core Strategy and retained parts of the Local Plan Review, known as 'Our Plan' This work was subsequently subsumed into the JLP evidence base after the decision was taken to join SHDC and PCC in the preparation of a new 'joint' plan.

In considering the size and scale of the current proposal in relation to the settlement there are a number of factors that can be taken into account: the location of development outside the settlement boundary, the degree of local connection of the proposed end users; and, to a much lesser extent, the scale of development in relation to the previous withdrawn application ref. 2172/16/FUL and the scale of development in relation to the prospective 'Our Plan' employment allocation.

The three proposed business units all have identified end users (Sol Komfort, SW Lubricants and Valves Online) that currently occupy exiting premises on Yelverton Business Park. The proposal is not speculative, but intended to sustain the expansion and growth of existing local business. Many objectors have suggested that these firms should occupy exiting units on the Business Park, which periodically become vacant, in preference to developing on greenfield land. But if the expansion requirements of the businesses could so easily be met in this way it is hard to see why they have not already been occupied, the pursuit of new build being more difficult and uncertain. The applicant's arguments about needing to expend with new build, and wanting to expand locally appear genuine and credible.

The scale of the current application is much smaller than the previous applications and only exceeds the Development Management Order definition of 'major' development, because it includes within the red line of the application site a large 14,845sqm area that it is the applicant's stated intention is to plant and leave undeveloped. Furthermore it is much smaller than the amount of employment envisaged in the abortive Our Plan employment allocation.

There is a sound underlying economic case for supporting this development, which accords with the provisions of local and national policies and guidance. The scale is considered appropriate for the settlement, in relation to the policy ED13(i), ED14 and ED16 consideration. Despite being located outside the settlement boundary and not specifically allocated for employment use, neither of these

considerations represent an unsurmountable policy obstacle to approval. The economic case, in principle, for the business expansion, is, of course, subject to the proposal meeting the other ED13 tests. These are considered in the sections below.

Design/Landscape:

The proposal is located within the Tamar Valley Area of Outstanding Natural Beauty (TVAONB / AONB) where Core strategy Policy SP17, Landscape Character, is relevant. It states:-

a. In designated Areas of Outstanding Natural Beauty their conservation and enhancement will be given great weight. Development will not be proposed in the LDF, or otherwise permitted, which would be detrimental to the natural beauty and quiet enjoyment of the Area of Outstanding Natural Beauty, including its landscape, wildlife and geological interest.

The criteria used to assess whether an application is to be considered a major development, in relation to AONB considerations, does not follow the Development Management Order definition. It is based on an assessment of the likely impacts of the development, not a numeric formula. The TVAONB, in their consultation response, have set out their view that the current proposal does not constitute major development within the AONB, and therefore that paragraph 115 of the NPPF is the relevant consideration, not paragraph 116. WDBC planning and landscape officers concur with the TVAONB's view, and therefore that Paragraph 115 of the NPPF is the relevant consideration. It states

Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.

Unlike previous applications, the scale of the current development proposal is quite modest, allowing space for extensive landscaping and habitat mitigation/ enhancement. It is considered that the applicants have done all they can to reduce the landscape impact of their proposed development and keep it contained to the area immediately adjacent to the existing Business Park.

The proposed business units are functional and reasonably attractive in design terms without being exceptional. The high floor to ceiling height (approximately 6m) would allow tall machinery and double height storage to be accommodated. Possibly it might also facilitate the insertion of a mezzanine at first floor level at a future date, although this does not form part of the current application. With the proposed landscaping around the buildings, the design is considered to be acceptable in relation to Core Strategy policy Strategic Policy 20, Promoting High Quality Design.

The proposal will impact upon semi improved grassland in the centre and north western part of the site, leaving the northern and eastern edges and a large swathe of the south undeveloped and enhanced by planting that would serve both to screen the site and enhance ecology. Development of the central part of the site is unlikely to impact much upon bio diversity. Subject to a condition requiring the implementation of the Ecology mitigation and enhancement measures the proposal is considered to be acceptable in relation to Strategic Policy 19 Biodiversity and Local Development Review Policy BE13 landscape and boundary treatment

Neighbour Amenity:

There are no residential properties in the immediate neighbourhood. Those in the row to the south are some located some distance (circa 60m / 100+m between buildings) from the site and are very unlikely to be affected by pollution or noise (the Policy BE16, potentially polluting activity pollution and Policy BE19 Noise, considerations). Their frontage outlook will alter, but their main private gardens are to the south and there is no planning requirement to safeguard individual views. Eventually the proposed landscaping will mature and obscure their view of their buildings, roads and car parking

Highways/Access:

Yelverton Business Park is located on the eastern side of Crapstone village. Most traffic visiting the Park does not have to travel through the village, as the main road link is via the A386 to the east.

There are various claims and counter claims from objectors and supporters about whether the proposal will result in an increase or decrease in traffic, and that safety will be adversely affected. The applicants transport statement, and traffic modelling predicts a modest increase that the existing highway network is capable of accommodating and no particular safety issues. DCC Highways concur and are satisfied with the proposal in relation to Policy T9, and that levels of parking proposed are adequate – the Policy T8 consideration. Subject to condition requiring the parking and access to be provided the proposal is considered to be satisfactory.

Other Matters:

Drainage

Strategic Policy 21 Flooding of the Core strategy is a relevant policy consideration. It states:-

Development should avoid flood risk where possible, ensure protection from and not worsen flooding, and provide betterment where possible.

Development should first seek to make use of areas at no or low risk to flooding (Flood Zone 1) before areas of higher risk (Flood Zones 2, 3a and 3b), where this is possible and compatible with other policies aimed at achieving a sustainable pattern of development.

Development which is acceptable (in terms of PPS25) or otherwise exceptionally justified within areas at risk of flooding must:

- *Be subject to a flood risk assessment;*
- *Include an appropriately safe means of escape above flood levels anticipated during the lifetime of the development; and*
- *Be designed and controlled to mitigate the effects of flooding on the site and the potential impact of the development on flooding elsewhere.*

Following work undertaken by Hydrock, the applicant's drainage engineers, DCC Drainage are satisfied that the surface water from the development can be adequately drained without adverse impact on land outside the site. A condition to require submission, approval and implementation of a surface water scheme is recommended. Subject to the imposition and compliance with this condition the proposal is considered to be acceptable in relation to Policy CS21.

Impact on public right of way

The site can be viewed in the from the public right of way to the south east. But it is medium distance, and the site will be seen against the backdrop of the existing Business Park. The proposal is not considered to have any significant adverse impact upon uses of the public right of way.

Conclusion

The issues are quite finely balanced. The site is 'greenfield', unallocated, outside the Crapstone settlement boundary and located with the Tamar Valley AONB. As 'greenfield' sites within the AONB go, it is: relatively flat, adjacent to an existing business Park, well screened and fairly inconspicuous within the landscape - hence the TVAONB and landscape officer's position: acknowledging that, in the 'planning balance', the economic benefits of developing three commercial units for local firms could outweigh the degree of contrariness to Core Strategy policy SP17 and the NPPF.

The advantages of allowing a modest extension to the existing business park, to facilitate the retention and growth of locally based businesses are considered to outweigh any harm that arises to the landscape character of the Tamar Valley AONB and setting of the Dartmoor National Park.

It is therefore considered, on balance, appropriate to recommend that conditional planning permission be granted.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004 and with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Planning Policy

All standard policies listed (delete where not relevant, add others as relevant, including NPPF):

West Devon Borough Council Core Strategy 2011

- SP1 – Sustainable Development
- SP2 – Decentralised and Renewable Low Carbon energy to Supply New Developments
- SP3 – Renewable Energy
- SP4 – Infrastructure Provision
- SP5 – Spatial Strategy
- SP10 – Supporting the Growth of the Economy
- SP11 – Rural Regeneration
- SP14 – Accessibility Planning
- SP15 – Traffic Management
- SP16 – Safer Communities
- SP17 – Landscape Character
- SP18 – The Heritage and Historical Character of West Devon
- SP19 – Biodiversity
- SP20 – Promoting High Quality Design
- SP21 – Flooding
- SP24 – Sustainable Rural Communities

West Devon Borough Council Local Plan Review 2005(as amended 2011)

- NE10 – Protection of the Countryside and Other Open Spaces
- BE13 – Landscaping and Boundary Treatment
- BE16 – Potentially Polluting Activity
- BE17 – Potentially Polluting Activity
- BE18 – Potentially Polluting Activity
- BE19 – Development on Contaminated Land
- H41 – Business Use in Residential Areas
- H42 – Disabled and Those with Mobility Issues
- ED12 – Safeguarding Employment Land
- ED13 – Expansion of Existing Employment Uses
- ED14 – Employment Development on Unallocated Sites
- ED16 – Development for Employment in the Countryside
- ED21 – Rural Diversification
- T1 – Walking and Cycling
- T2 – Pedestrian and Cyclist Safety
- T3 – Protection of Existing Footways, Cycleways and Bridleways
- T5 – Public Transport
- T7 – Railways
- T8 – Car Parking
- T9 – The Highway Network
- PS2 – Sustainable Urban Drainage Systems

Emerging Joint Local Plan

The Plymouth and South West Devon Joint Local Plan (the JLP) will replace the above as the statutory development plan once it is formally adopted.

Annex 1 of the National Planning Policy Framework (the Framework) provides guidance on determining the weight in relation to existing and emerging development plan policies.

- For current development plan documents, due weight should be given to relevant policies according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
- For the JLP, which is an emerging development plan, the weight is to be determined by the stage of its preparation, the extent to which there are unresolved objections, and its degree of consistency with the Framework.

The JLP is at a relatively advanced stage of preparation. The precise weight to be given to policies within the JLP will need to be determined on a case by case basis, having regard to all of the material considerations as set out on the analysis above.

PLYMOUTH AND SOUTH WEST DEVON JOINT LOCAL PLAN -: PUBLICATION (as considered by the Full Councils end Feb/Early March 2017)

SPT1 Delivering sustainable development

SPT2 Sustainable linked neighbourhoods and sustainable rural communities

SPT4 Provision for employment floorspace

SPT8 Strategic connectivity

SPT11 Strategic approach to the natural environment

TTV1 Prioritising growth through a hierarchy of sustainable settlements

TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area

TTV31 Development in the Countryside

DEV1 Protecting amenity and the environment

DEV2 Air, water, soil, noise and land

DEV14 Maintaining a flexible mix of employment sites

DEV15 Supporting the rural economy

DEV19 Provisions for local employment and skills

DEV20 Place shaping and the quality of the built environment

DEV24 Landscape character

DEV27 Nationally protected landscapes

DEV28 Protecting and enhancing biodiversity and geological conservation

DEV30 Trees, woodlands and hedgerows

DEV34 Delivering low carbon development

DEV35 Renewable and low carbon energy (including heat)

DEV37 Managing flood risk and Water Quality Impacts

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.

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To comply with Section 91 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall in all respects accord strictly with drawing numbers

980-201 existing site plan

980-A-301 Rev. N Proposed layout
980-410 – area 1 proposed floor plan roof plan and elevations
980-411 elevations & ground floor plan
980-412– area 3 proposed floor plan roof plan and elevations
980-510 Illustrative view
980-511 Illustrative view 2
980-512 Illustrative view 3
UB/YBP2/01 Rev. C Landscape proposals
C161168/C/200 Levels & Drainage Layout
received by the Local Planning Authority on 13/12/2016
and drawing numbers 980-A-300 Rev. A Red lined application site plan received by the Local Planning Authority on 19/01/2017.

Reason: To ensure that the proposed development is carried out in accordance with the drawings forming part of the application to which this approval relates.

3. Prior to their installation details of facing materials, and of roofing materials to be used in the construction of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with those samples as approved.

Reason: In the interests of visual amenity.

4. The building work shall not be implemented except in full accordance with the landscaping scheme that has been submitted and approved by the Local Planning Authority. The scheme submitted shall be fully implemented in the planting season following the completion of the development and the plants shall be protected, maintained and replaced as necessary for a minimum period of five years following the date of the completion of the planting.

Reason: In the interest of visual amenity in order to protect and enhance the amenities of the site and locality.

5. No part of the development hereby approved shall be brought into its intended use until the industrial estate street, access, parking facilities, commercial vehicle loading/ unloading area, turning area and access drainage have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times.

Reason: To ensure that adequate facilities are available for the traffic attracted to the site.

6. Prior to the commencement of development, the following components of a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved, in writing, by the Local Planning Authority. That scheme shall include all of the following elements unless specifically excluded, in writing, by the Local Planning Authority.
 1. A preliminary risk assessment/desk study identifying:
 - 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
 2. A site investigation scheme, based on (1) to provide information for an assessment of the risk to all receptors that may be affected, including those off site.
 3. The site investigation results and the detailed risk assessment (2) 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.
 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any

requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these agreed elements require the written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: There is a need for further assessment in regards to the potential risk of UXO's on site. The condition covers the full range of measures that may be needed depending on the level of risk at the site. If the LPA is satisfied with the information submitted with the application they can decide to delete any of elements 1 to 4 no longer required. The LPA may still decide to use the whole condition as this would allow them to declare the information no longer satisfactory and require more or better quality information if any problems are encountered in future.

7. Prior to commencement of development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met. It shall also include, where relevant, a plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action and for the reporting of this to the local planning authority.

Reason: Without this condition, the proposed development on the site may pose an unacceptable risk to the environment. This is listed as a separate condition as it gives the LPA the option to choose a later control point: i.e. prior to occupation, rather than commencement of the development for the main phase of the remedial works.

8. 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 amended investigation and risk assessment and, where necessary, a[n amended] remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with. Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority.

Reason: No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately.

9. The recommendations, mitigation and enhancement measures of the Ecological Report, by Eco Logic on 13/12/2016, shall be fully implemented prior to the commencement of the use hereby approved and adhered to at all times. In the event that it is not possible to do so all work shall immediately cease and not recommence until such time as an alternative strategy has been agreed in writing with the local planning authority.

Reason: To safeguard the interests of protected species

10. Prior to occupation of any part of the development a noise impact assessment in accordance with BS4142:2014 shall be undertaken, this assessment shall detail the current background noise levels, and stipulate a noise rating which future activities at the site shall not exceed. This limit once agreed with the local planning authority shall not be exceeded by activities on

site without reasonable cause.

11. Goods shall not be dispatched or delivered to any of the premises hereby approved except between the hours of 07:00 to 20:00 Monday to Saturday. There shall be no dispatch or deliveries on Sundays or bank holidays.

Reason: To safeguard the residential amenities of adjoining residential properties.

12. The buildings shall not be used outside the hours of 07:00 to 20:00 on any day.

Reason: To safeguard the residential amenities of adjoining residential properties.

13. No part of the development hereby permitted shall be commenced until the detailed design of the proposed surface water drainage management system which will serve the development site for the full period of its construction has been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. This temporary surface water drainage management system must satisfactorily address both the rates and volumes, and quality, of the surface water runoff from the construction site.

Reason: To ensure that surface water runoff from the construction site is appropriately managed so as to not increase the flood risk, or pose water quality issues, to the surrounding area.

14. Notwithstanding the provisions of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any Order revoking, re-enacting or further amending that Order), the commercial premises hereby approved shall only be used for purposes within use classes Class B1 (c) light industrial / Use Class B2 (general industrial) / Use Class B8 (Storage & Distribution).

Reason: To protect the commercial function of the existing business Yelverton Park.