

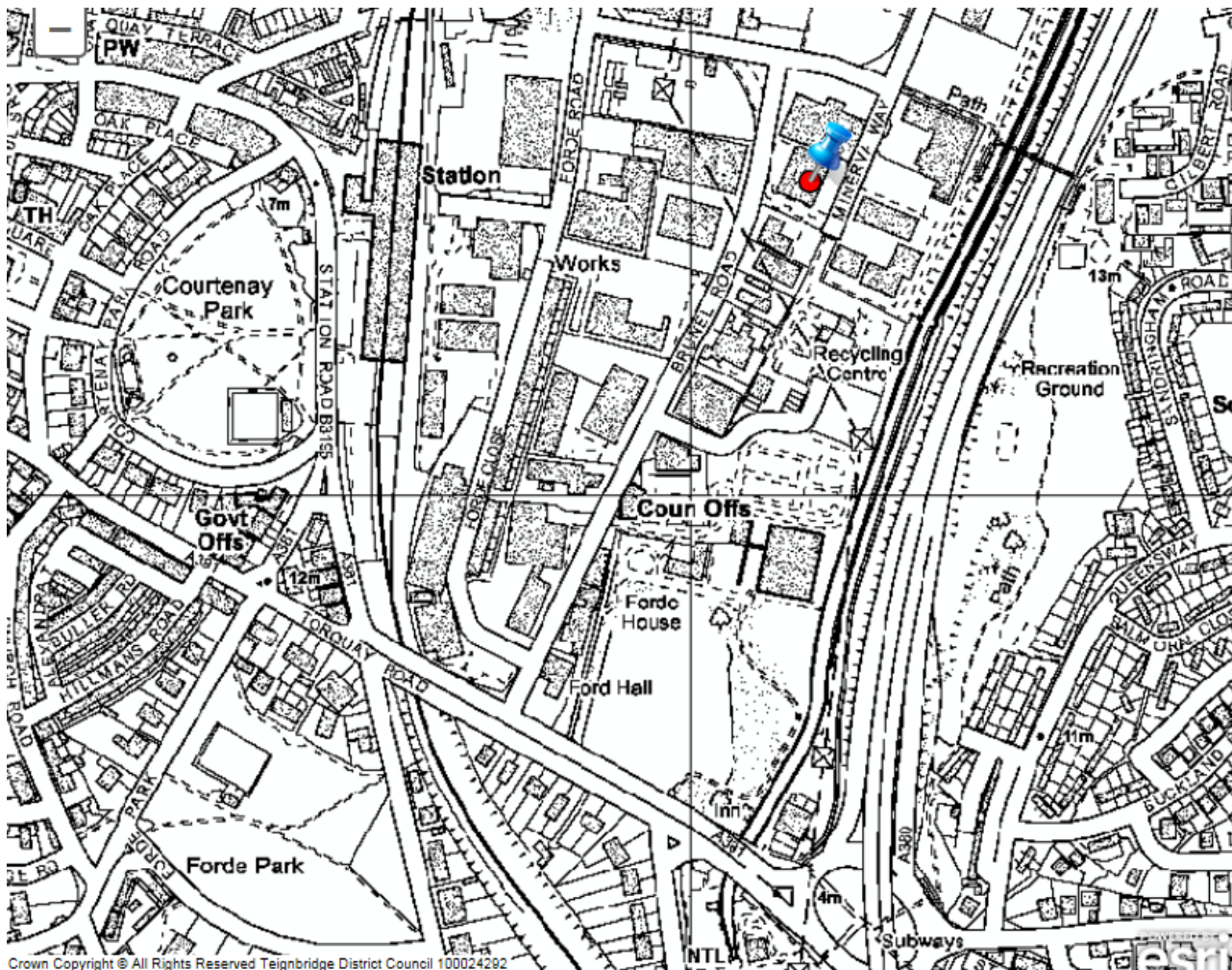
PLANNING COMMITTEE REPORT

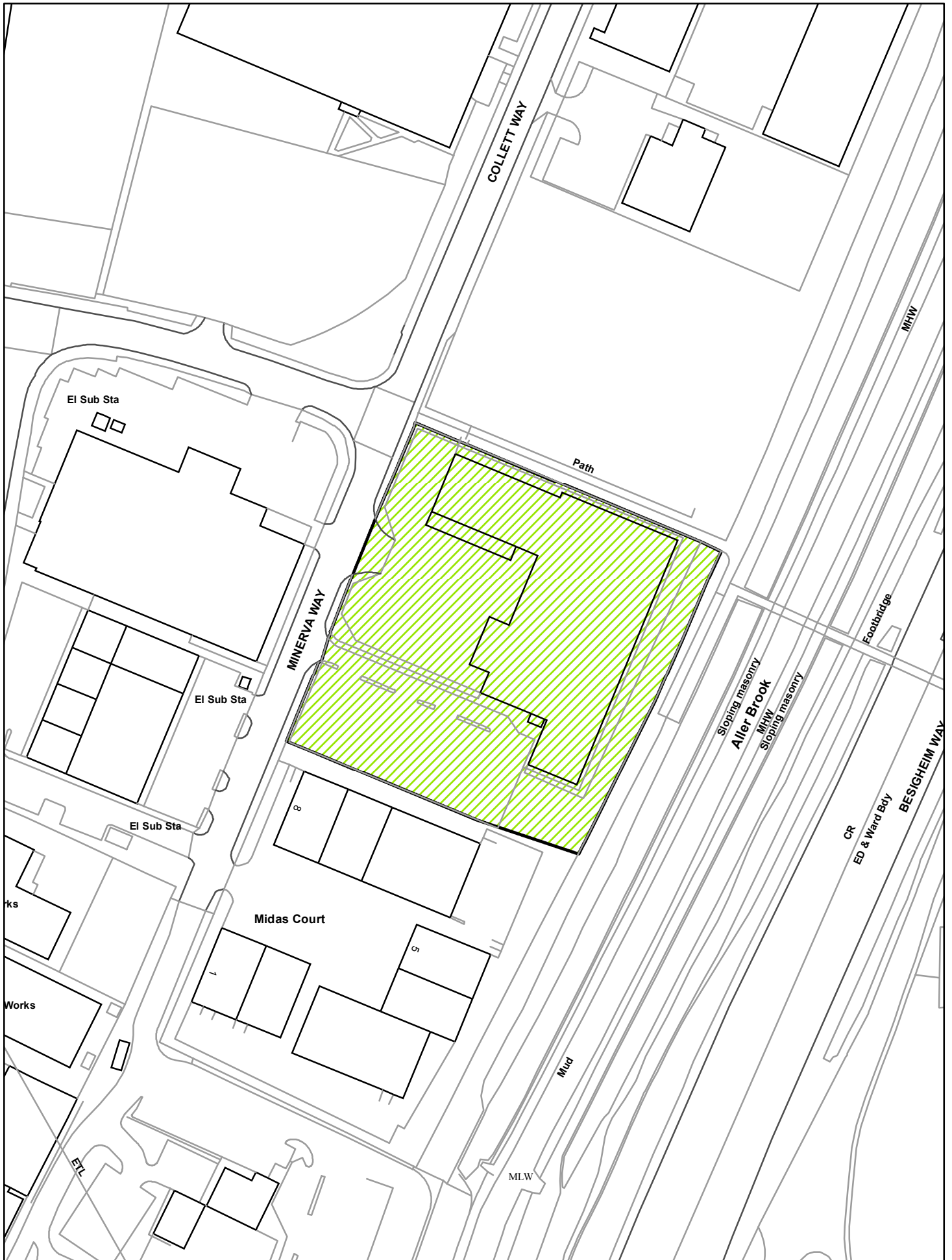
3 JULY 2018

CHAIRMAN: Cllr Dennis Smith



APPLICATION FOR CONSIDERATION:	NEWTON ABBOT - 18/01054/FUL - The Minerva Building, Minerva Way - Construct portal framed extension including demolition of small loading bay section and new 2.4 metres high palisade fence around office car park	
APPLICANT:	Teignbridge District Council	
CASE OFFICER	Angharad Williams	
WARD MEMBERS:	Councillor J Hook Councillor Hayes	Bushell
VIEW PLANNING FILE:	https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&Refval=18/01054/FUL&MN	





1. REASON FOR REPORT

The application is brought to the Planning Committee because part of the site is on Teignbridge District Council-owned land.

2. RECOMMENDATION

PERMISSION BE GRANTED subject to the following conditions:

1. Standard three year time-limit for commencement
2. Development to be carried out in accordance with the approved plans
3. Submission of a scheme of on and/or off-site landscaping for approval
4. Parking to be provided and retained in accordance with the approved plans

3. DESCRIPTION

3.1 The Application Site

3.2 The application site lies within an active industrial area, situated at the far north eastern tip of Minerva Way, which is accessed off Brunel Road. The site is approximately 0.72 hectares in size and lies immediately adjacent to Aller Brook, which runs alongside the eastern boundary, with the A380 beyond.

3.3 The site currently accommodates a substantially-sized building, with the remainder laid to hard standing. It is understood that the building is presently unoccupied. The site is also occupied by a small number of trees, that somewhat break up the industrial character of the area.

3.4 In terms of planning policy, the site falls wholly inside the settlement boundary and within flood zones 2 and 3.

3.5 The Application

3.6 The application seeks full planning permission for the construction of a portal framed extension to the existing building, including the demolition of a small loading bay section and the erection of a new 2.4 metres high palisade fence around the office car park. It is understood that such alterations are necessary to accommodate the future occupier.

3.7 The proposed portal framed extension will measure approximately 37 metres long by 19 metres wide and will be approximately 6.1 metres high at the highest point. The extension has been designed to somewhat mirror the existing warehouse and will be developed over the existing loading bay.

3.8 The development will also include the formalisation of car parking spaces on the site, providing up to 81 car parking spaces.

3.9 As part of the development, a small number of trees will be removed from the centre of the site to make way for the proposed extension. In order to compensate for the loss of these trees, there is a proposal for a landscaped area and new trees to be planted at the immediate western end of the extension. A number of existing trees will remain along the western boundary. A condition is recommended to ensure a suitable scheme of landscaping on-site, although it is accepted that there

will be limited opportunities for any meaningful tree-planting within the site. The condition will therefore allow for the exploration of opportunities to mitigate the impact of the development through off-site planting on land within Council ownership.

3.10 With regards to materials, the proposed extension has been designed to match the existing, to maintain the industrial character of the building. The proposed fencing will be galvanized steel, 2.4 metres in height.

3.11 Planning History

3.12 The site has the following planning history:

- 88/04151/FUL – New factory with associated offices. Approved: 3 June 1989
- 94/03470/FUL – Extension to building to provide covered dispatch area. Approved: 1 March 1995
- 09/00996/FUL – Three conservatories and a garage to form product show area. Approved: 18 May 2009

3.13 There are also a number of planning applications relating to minor matters on the site including advertisements and the provision of new doors and windows.

3.14 Key considerations

3.15 The application seeks full planning permission for the construction of a portal framed extension including demolition of a small loading bay, together with the erection of a new 2.4 metres high palisade fence.

3.16 The key issues in the consideration of the application are therefore:

- The principle of the development/sustainability;
- Impact of the development upon the character and visual amenity of the area;
- Impact of the development on the residential amenity of the occupiers of surrounding properties;
- Impact of the development on biodiversity;
- Flood and drainage impact of the development;
- Highways impact of the development.

3.17 The principle of the development/sustainability

3.18 The site falls within the settlement limits of Newton Abbot, where the principle of development is acceptable subject to compliance with other policies and provisions of the Local Plan.

3.19 Policy EC1 looks specifically at business development and outlines that, to support additional job creation within settlements, extensions to existing buildings for office and general industrial use will be acceptable in principle.

3.20 As such, the principle of development is considered to be acceptable.

3.21 Impact of the development upon the character and visual amenity of the area

- 3.22 The application site does not fall within an Area of Great Landscape Value and is sited within an existing industrial estate. Typically, the surrounding uses therefore lend themselves to business and light industrial uses, with the existing buildings reflecting this character.
- 3.23 The proposed development is therefore not considered to cause a significant visual impact on either the character or visual amenity of the area. The site occupies a corner position and already features a large warehouse building. The proposed extension has been considered carefully and its design will identify with the existing structure, reflecting the materials and roofline.
- 3.24 Whilst there will be the loss of some trees to the south of the existing building to make way for the extension, it is proposed to have planting at the front of the extension as a compensation, which in time will assist in further screening the development. Furthermore, the Council's Arboricultural Officer has commented on the application and advised that he does not consider the loss of the trees to be a significant impact, but has requested that a condition be associated with the application which requires a soft landscaping plan to be submitted for the southern boundary of the site. Preferably this would include proposals for container-grown trees to soften the appearance of the car park.
- 3.25 With regard to the fencing, this is considered to work with the nature and character of the site and the surrounding land uses. It is not considered to have a significant impact.
- 3.26 Impact of the development on the residential amenity of the occupiers of surrounding properties
- 3.27 As the site is located within an industrial area, there are no residential houses within the immediate vicinity.
- 3.28 The closest residential properties lie to the east of the site, across from Aller Brook and the A380. Such residential properties are approximately 120 metres from the nearest point of the existing building which is considered to be suitable distance from the building that any operations carried out inside it will not impact on the amenity of these occupiers.
- 3.29 It should be noted that a request from the Environmental Health team has been received for a condition to be associated with any grant of planning permission for a noise report and to ensure that noise does not go above a certain level given concerns about the occupiers of neighbouring properties.
- 3.30 The neighbouring properties are further industrial buildings, which are likely to be emitting noise levels of a similar nature. It is therefore considered to be unreasonable to apply a condition of this nature to the application, as it is not considered to meet the 6 tests of planning conditions as set out the National Planning Policy Framework.
- 3.31 This is also considered to be the same for the request about the external lighting of the building. Given that the nearest residential property is located approximately 120 metres from the site, the external lighting of the building is not considered to have an impact on the occupiers of these properties.

3.32 Impact of the development on biodiversity

3.33 The site falls within the following Council designations:

- Cirl Bunting Winter Zone;
- Great Crested Newt Consultation Zone;

3.34 It should be noted that Aller Brook is also a County Wildlife Site.

3.35 Notwithstanding these designations, the scale of development proposed here is not considered to impact on biodiversity. The extension will be built on an existing area of hardstanding and will not interfere with the County Wildlife Site.

3.36 Flood and drainage impact of the development

3.37 The site falls within Flood Zone 2 and 3 in accordance with the Environment Agency flood maps. However, the proposal constitutes a proposed extension to an existing building, and does not require provision of a whole new building.

3.38 The application is accompanied by a Flood Risk Assessment (FRA) which outlines that the existing ground floor level is 4.19 metres AOD. It is understood that this level will be taken as a datum for the proposed development, which is understood to be in line with the recommendations of the Environment Agency. However, since submitting this report, a more comprehensive FRA is being prepared and will be submitted in due course.

3.39 The drainage, foul and surface, will be fitted with a back-flow stop valve, which will automatically close when water or sewage flows back through the drain system during flood conditions.

3.40 A response from the Council's Drainage Officer is awaited and this will be given as part of an update before Committee. Subject to the Drainage Officer's comments, the proposed development is considered to be acceptable.

3.41 Highways impact of the development.

3.42 The application is supported by a Transport Statement, which assesses the potential impact of the development on the highway network.

3.43 Given that the proposed development predominately constitutes an extension to an existing industrial building, the principle of traffic flows to and from the site have already been established.

3.44 The application also proposes to formalise the car parking area, creating more car parking spaces for up to 81 cars.

3.45 The proposed development does not change the access or egress of the site, and a turning radius is clearly illustrated on the plans showing how cars and larger vehicles will turn on the site.

3.46 Therefore the proposed development is not considered to have a significant impact upon the highway network.

4. POLICY DOCUMENTS

Teignbridge Local Plan 2013-2033

STRATEGY POLICIES

S1A (Presumption in favour of Sustainable Development)

S1 (Sustainable Development Criteria)

S2 (Quality Development)

STRATEGY PLACES

S21A (Settlement Limits)

PROSPEROUS ECONOMY

EC1 (Business Development)

QUALITY ENVIRONMENT

EN2A (Landscape Protection and Enhancement)

EN4 (Flood Risk)

EN11 (Legally Protected and Priority Species)

EN12 (Woodlands, Trees and Hedgerows)

5. CONSULTEES

Arboricultural Officer - No objections to the application. Notes the loss of trees along the southern edge of the existing building and requests that a condition be associated with any grant of planning permission which requires a soft landscaping plan for the southern boundary of the site.

Drainage Officer - Awaited. An update will be provided to Members prior to, or at, the Planning Committee.

Environmental Health - No objections to the proposed development. Suggests that a report should be provided clearly demonstrating the methods to be employed to stop noise, vibration and odour problems. The sound level of the systems should be designed to operate at 5dba below the background sound level at the time of the systems use, when measured at the façade of the neighbouring property. The noise survey method, British Standard: BS 4142:2014 method for rating industrial noise affecting mixed residential and industrial areas, should be used. A request to control the external lighting of the building has also been made.

It was requested by the Officer that such works be prior to determination of the application. However, and as outlined in the body of the report, the application site is located within an existing industrial estate where nearby buildings are operating in a similar nature. It is therefore considered unreasonable to apply such conditions.

Wales and West Utilities - Advise they have assets within the area and ask that should the application be approved then the promoter of the works should contact Wales and West directly. No pipes should be built on or over.

6. REPRESENTATIONS

None received.

7. TOWN COUNCIL'S COMMENTS

The Town Council have no objection to the proposed development.

8. COMMUNITY INFRASTRUCTURE LEVY

The CIL liability for this development is Nil as the CIL rate for this type of development is Nil and therefore no CIL is payable.

9. ENVIRONMENTAL IMPACT ASSESSMENT

Due to its scale, nature and location this development will not have significant effects on the environment and therefore is not considered to be EIA Development.

Business Manager – Strategic Place