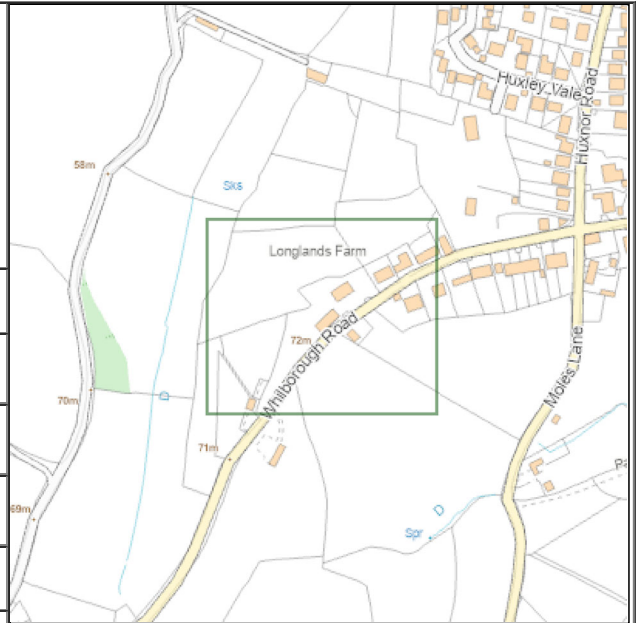


Planning Committee Report

Chairman: Cllr Colin Parker

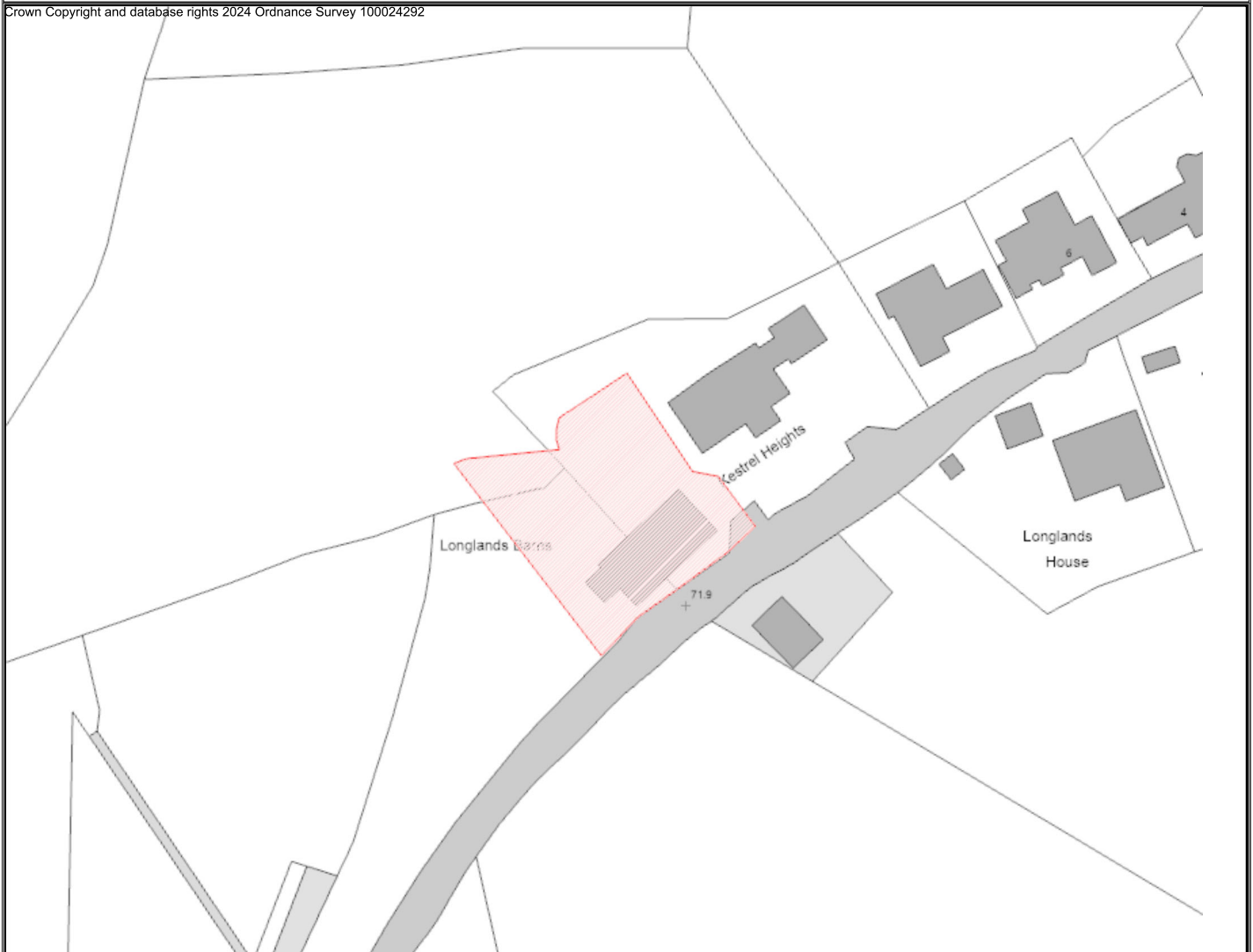
Date	19 March 2024
Case Officer	Darren Roberts
Location	Longlands Barns Whilborough Road Kingskerswell Devon TQ12 5DY
Proposal	Extension to offices, with addition of 6 car parking spaces (arranged in tandem)
Applicant	Mr P & Mrs C Bushby
Ward	Kerswell-with-Combe
Member(s)	Cllr John Radford, Cllr Jane Taylor
Reference	23/01439/FUL



[Online Details and Documents](#)

RECOMMENDATION: PERMISSION GRANTED

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1. REASON FOR REPORT

This has been called in by the Ward Member and Parish Council for the following reasons: outside the building line, not allocated in the local plan; other business premises are available.

2. RECOMMENDATION

Planning Permission be granted subject to the following conditions:

1. The development hereby permitted shall be begun before the expiry of three years from the date of this permission

REASON: In accordance 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 permitted shall be carried out in accordance with the application form and the following approved plans/documents:

- Location Plan AL0 01 REV A
- Block Plan AL0 01 REV A
- Proposed Plans AL 0 04 REV D

REASON: In order to ensure compliance with the approved drawings.

3. Notwithstanding the provisions of the Town Country Planning (Use Classes) Order 1987 (or any Order revoking or re-enacting that Order with or without modification) the unit shall only be occupied by businesses operating within Classes E(g)(i) of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.

REASON: To be in keeping with the existing use and to protect the amenity of the area.

4. Materials and finishes shall match those existing that are adjacent to the area of works unless otherwise specified on the approved drawings.

REASON: In the interests of minimising harm to the building to preserve the character of the area

5. The extension hereby permitted shall not be occupied until the parking, cycle parking, turning and circulation areas, as shown on the approved drawings, have been completed. They shall thereafter be so retained and maintained.

REASON: In the interests of sustainable development and in order to provide safe access and parking.

Additional Informative:

Teignbridge District Council has declared a Climate and Ecological Emergency and, in association with a range of public, private and voluntary organisations from across Devon, endorse the principles of the Devon Climate Declaration <https://www.devonclimateemergency.org.uk/devon-climate-declaration/>.

Therefore, the Council would strongly encourage you to include measures to reduce the carbon footprint of your development, such as higher levels of insulation, energy efficiency measures and low water usage fixtures and fittings, and to consider capturing rainwater from the roof for use in the garden. The Council would also strongly encourage you to incorporate biodiversity enhancement measures at your premises, such as bat roosting features, bird nesting boxes, hedgehog holes and insect houses, as well as flowering and fruiting trees and shrubs.

3. DESCRIPTION

The Application Site

- 3.1. The site is on Whilborough Road, on the edge of Kingskerswell towards the village of North Whilborough. There is an existing building on the north side of the road; this was originally a barn but was converted to offices some ten years ago. This building is single storey and rectangular (18 metres x 9 metres) with a small lean-to extension of 4.5 metres x 2.75 metres.
- 3.2. The building is shown to have 13 car parking spaces and has grassed areas used for outdoor seating.

The Proposal

- 3.3. This application seeks permission for removal of the small lean-to extension and provision of a larger extension to provide for further office accommodation and a meeting room. The extension is proposed to measure 11.7 metres x 7.1 metres and would therefore entail an additional 71 square metres of accommodation when considering the removal of the existing extension.
- 3.4. An additional 6 parking spaces will also be created, and these will include the provision of a disabled space and two EV charging bays. A cycle rack is also proposed.
- 3.5. The proposed building would be single storey and at the same height as the existing building (4.7 metres). It is proposed to use the same materials which comprise stonework, timber boarding and smooth render, with metal sheeting roofs.

Site History

- 3.6 07/00320/COU Change of use of barn to business use (class B1) including external alterations – REFUSED; ALLOWED ON APPEAL

07/4972/COU Change of use of barn to offices including alterations to elevations (revised scheme) – APPROVED 16.05.2008

10/02099/COU Change of use of barn to business use (class B1) including external alterations (extension of time for implementation) – APPROVED 01.09.2010

12/03281/COU Change of use of barn to business use (Use Class B1) including external alterations – APPROVED 20.12.2012

Principle of the development/ sustainability

- 3.7 The site lies just outside the settlement limit for Kingskerswell, which incorporates the majority of the residential dwellings along Whilborough Road. Policy EC3 (Rural Employment) states that in open countryside the following uses will be acceptable in principle:
- a) extensions or expansions of an existing business or employment site.
 - b) diversification of a farm
 - c) change of use or conversion of a permanent and soundly constructed building.
 - d) sites adjoining a defined settlement; and
 - e) uses with a strong functional link to local agriculture, forestry or other existing rural activity.
- 3.8 The proposal meets criteria a) and also d) above. EC3 gives a number of caveats to the above, including the scale of employment being appropriate to the accessibility of the site and improving the balance of jobs in the vicinity; respecting the character of the area; and conforming to other policies within the local plan.
- 3.9 The site is less than 1 mile from the facilities within Kingskerswell village and will provide for an additional 6 jobs within the area. This is an edge of settlement location and whilst acknowledged that most trips to the site will be by car, it will be possible to walk or cycle to the site from Kingskerswell.
- 3.10 The Parish Council in their objection refer to policy EC1. This refers to proposals within settlement limits. It does not state that only proposals within settlement limits will be acceptable; EC3 clarifies the situation in the countryside, i.e. outside of settlement limits.
- 3.11 The proposal therefore meets the policy requirement of the local plan and it is considered that the principle of development is acceptable.

Impact upon the character and visual amenity of the area

- 3.12 The design is intended to match the existing office building which includes natural stone, timber boarding and some render. The scale and materials are in keeping with the immediate area and it is not therefore considered that there is an objection raised in terms of visual/ design terms to the proposal.

Impact on residential amenity of surrounding properties

- 3.13 The proposal is single storey and situated away from any nearby residential properties, with the exception of Kestrel Heights, which is also in control of the applicant. The extension is situated on the other side of the existing premises. It will therefore have no impact on surrounding residential properties.

Highway Matters

- 3.14 It is proposed to increase the number of parking spaces by 6, by extending the existing spaces. This would entail the provision of tandem parking spaces, which is not ideal, but given that the premises will be within the same interest this can be controlled and would result in a minimal increase in the size of the parking area. It is proposed to provide a space for disabled parking, two spaces where electric vehicles can be charged, and a bicycle parking stand.
- 3.15 The existing access is suitable for the additional vehicles and no concerns have been raised from the highway authority.
- 3.16 Therefore there are no highway, parking or access objections to the proposal, subject to the parking plan as submitted being approved.

Other matters

- 3.17 Representations state that there are other businesses within the area which are vacant, and these should be used in preference to a new extension to existing premises. These businesses are not in the control of the applicant, and it is considered reasonable to permit expansion of existing premises which allow for additional employment in rural areas.

4. POLICY DOCUMENTS

4.1. Teignbridge Local Plan 2013-2033

S1A Presumption in Favour of Sustainable Development

S1 Sustainable Development Criteria

S2 Quality Development

S9 Sustainable Transport

S22 Countryside

EC3 Rural Employment

4.2 National Planning Policy Framework

4.3 National Planning Practice Guidance

5. CONSULTEES

County Highways Officer

5.1 Received 6th September 2023

There is no change in the existing access arrangements.

The Highway Authority has no objections in principle.

6. REPRESENTATIONS

None Received

7. PARISH COUNCIL/ WARD MEMBER'S COMMENTS

- 7.1. Kingskerswell Parish Council Planning Committee object to the proposal which against Policy EC1: Business Development of the Teignbridge Local Plan 2020-2040 and if recommended for approval, request that it be 'called in'.
- 7.2. Councillor Jane Taylor: "I would like to call this in to planning if you are recommending approval. This is situated in a village lane of fields and residential houses. I am unsure how (this) ever got given permission for a business premises, which they then converted to residential and built further business premises on agricultural land! It is outside the building line and further business premises in this area are not on the local plan. If they wish to expand there is the Oak Tree Business Park literally around the corner. There is planning for business parks at both Langford Bridge and Kerswell Gardens. A site visit would be useful."

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.

10. CARBON/CLIMATE IMPACT

This is a small extension and whilst it is acknowledged that there will be an increase of vehicle movements in a rural area this proposal would also secure local jobs, and measures negotiated during the application including the provision of EV charging points and cycle parking will encourage sustainable travel. Whilst not a requirement, it will be encouraged that the new extension could provide opportunities for bat and bird boxes given the location within the landscape connectivity zone.

11 HUMAN RIGHTS ACT

The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests/the Development Plan and Central Government Guidance.

Head of Place and Commercial Services