

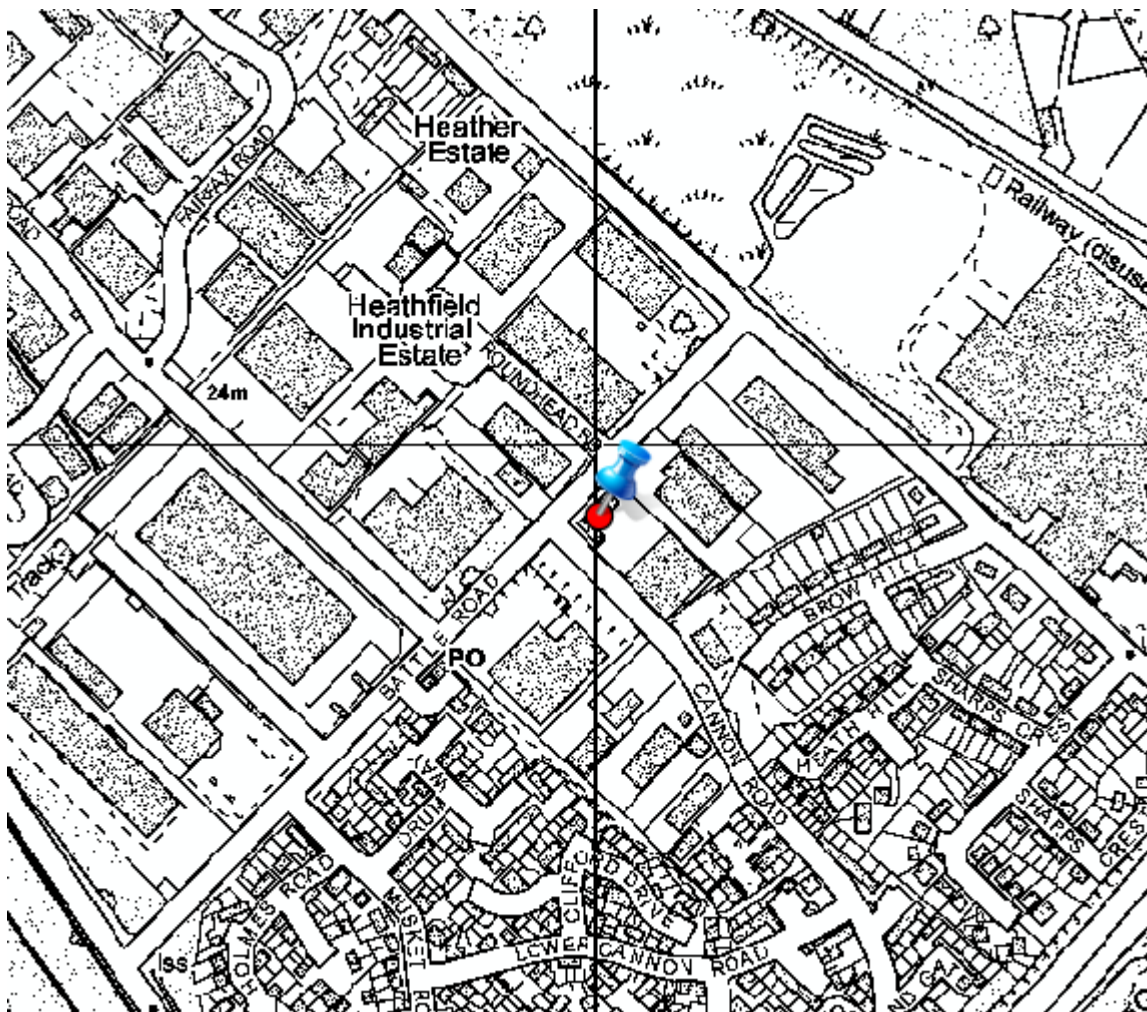
PLANNING COMMITTEE REPORT

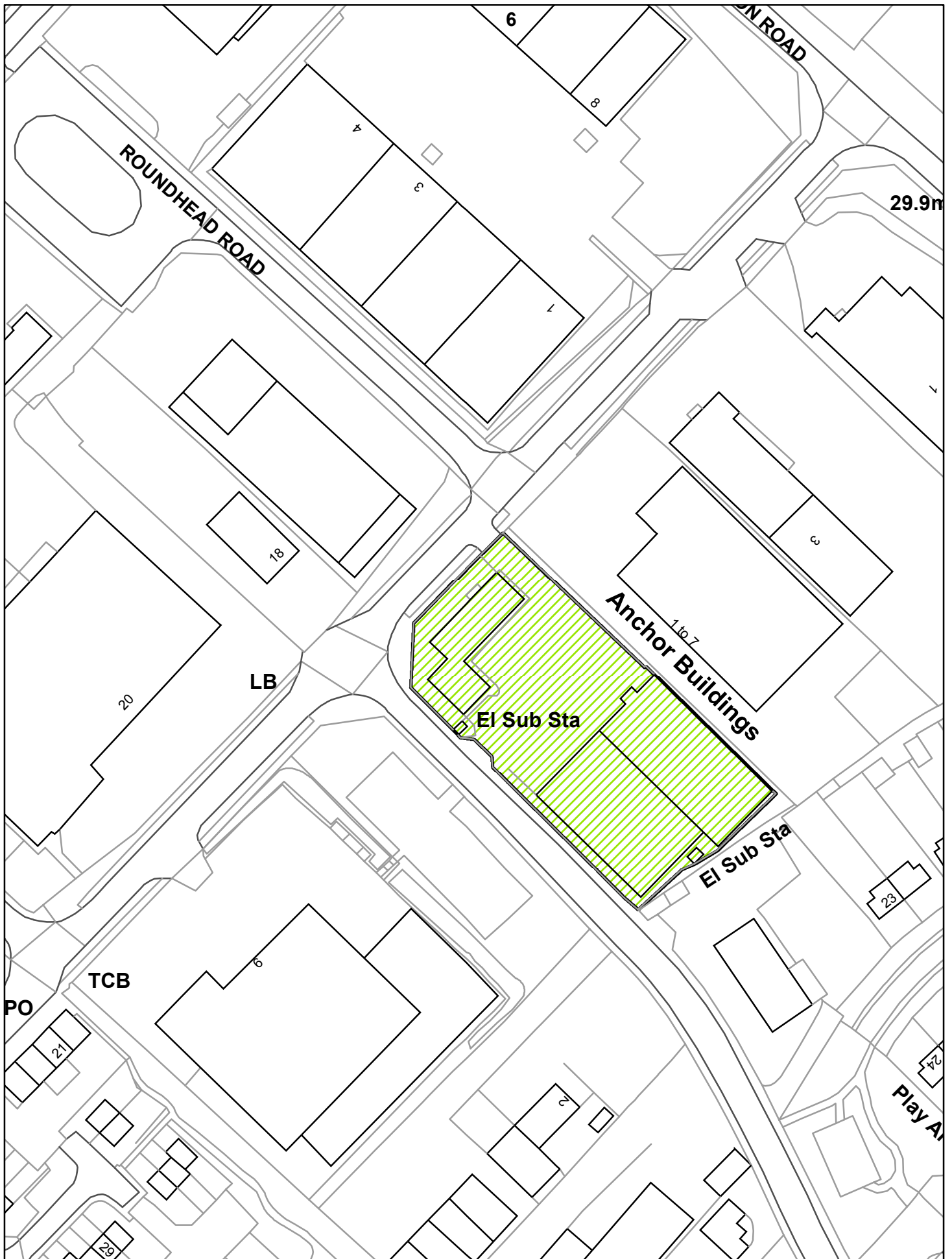
Tuesday 18 December 2018

CHAIRMAN: Cllr Dennis Smith



APPLICATION FOR CONSIDERATION:	BOVEY TRACEY - 18/01452/FUL - 7 Battle Road, Heathfield Industrial Estate - Construction of extension to main warehouse and new external freezer	
APPLICANT:	Mr T Cull	
CASE OFFICER	Guy Gibson/Claire Boobier	
WARD MEMBERS:	Councillor Gribble Councillor Kerswell Councillor Morgan	Bovey
VIEW PLANNING FILE:	https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&Refval=18/01452/FUL&MN	





1. REASON FOR REPORT

Councillor Kerswell has requested that this application be referred to Planning Committee for determination if the Case Officer is recommending approval. The reason given for this request is concerns about the potential loss of parking spaces as there are already on-street parking problems in the vicinity. Also there are already concerns about noise/smells emanating from this site which could be worsened.

2. RECOMMENDATION

PERMISSION BE GRANTED subject to the following conditions:

1. Standard 3 year time limit;
2. In accordance with approved plans;
3. Prior to first use of the new extension or external freezer an odour management plan to include on-going maintenance of proposed measures and detailing how fugitive odour and emissions arising from the premises will be prevented from causing a nuisance to nearby residential dwellings shall be submitted and approved by the Local Planning Authority. Once approved the measures shall be installed prior to first use of either the new extension or external freezer and thereafter shall be retained and maintained in accordance with the approved maintenance plan;
4. Noise levels arising from the installation of the new refrigeration unit and any other plant and equipment located within the new extension shall not exceed existing background noise levels experienced at nearby noise-sensitive dwellings.

3. DESCRIPTION

Site and Proposal

- 3.1 The site is at 7 Battle Road but also borders Cannon Road on the Heathfield Industrial Estate and consists of two separate block on the site.
- 3.2 The main warehouse block (floor area of approximately 2,493 square metres) comprises two portal frame units built at different times, which form the mixing, assembly, dispatch and administration office functions for Little & Cull Ltd. The secondary building is known as Pullman House and is offices and laboratories and is leased privately by Little & Cull Ltd.
- 3.3 The site is predominantly surrounded by industrial buildings although there are some residential properties to the south on Brow Hill.
- 3.4 Little & Cull Ltd are manufacturers of Sous Vide and prepared meals.
- 3.5 A new extension is proposed to the warehouse building located to the north west elevation of the block. This extension would have a footprint of 344 square metres and comprise 32 square metres for boxed meats; 131 square metres for dry stores; 12 square metres of circulation space, 85 square metres for mixes, 7 square metres for bin stores and 77 square metres for distribution.

- 3.6 The extension to the warehouse will be finished with grey Kingspan Microrib insulated cladding panels to match the existing external walls and mono-pitch roof. New emergency escape doors would be grey steel doors to match the existing and new service doors would be steel roller shutter doors to match the existing.
- 3.7 The proposed new external freezer would be located within the courtyard of the site, south east of Pullman House, and would have an approximate footprint of 145 metres squared with a height of 6.8 metres to match the height of the adjacent Pullman House.
- 3.8 The external freezer is proposed to be a steel-framed structure finished with Kingspan cladding panels and would have a pitched roof behind a parapet. The parapet would be finished to match the cladding at the top of the adjacent Pullman House.

Principle of Development

- 3.9 The site is located within the settlement limit where Policies S1A, S1 and S21A of the Teignbridge Local Plan 2013-2033 support development in principle where it is consistent with the provisions and policies of the Local Plan.
- 3.10 Furthermore, Policy EC1 (Business Development) of the Teignbridge Local Plan 2013-2033 supports extensions to existing buildings used for industrial purposes and storage and distribution within the settlement limit.
- 3.11 In principle, therefore there is support for the proposed development subject to the development being consistent with the relevant provisions and policies of the Local Plan.

Impact on the character of the area

- 3.12 The proposed extensions are proportionate with the scale of the building on the site and will not dominate the host property. The industrial character of the proposed extension and new freezer is consistent with the dominant industrial character of the Industrial Estate on which it is located. Furthermore, the materials proposed match those of the existing buildings on site. The proposal is therefore not assessed to adversely impact on the character and appearance of the site or wider area to justify a refusal on visual amenity grounds.

Impact on residential amenity

- 3.13 Concern has been raised in representations received about unacceptable noise and odour from the existing premises and concerns that the proposal will make this existing problem worse.
- 3.14 In response the applicants have submitted a noise impact assessment and Environmental Health have advised that they are satisfied on the basis of the noise impact assessment provided that the noise levels arising from the use of the freezer should not be sufficiently high to interfere with the nearby residential amenity. If minded to approve Environmental Health have recommended a condition to ensure that noise levels arising from the use of the new refrigeration unit should not exceed existing background noise levels currently being experienced at nearby noise-sensitive dwellings. Officers support this condition being applied if Members are

minded to approve and would recommend that this be extended to include any other plant and equipment installed. It is considered that with this condition in place noise impacts from the development can be adequately mitigated to ensure that harm is not caused to the residential amenity of neighbours.

- 3.15 Environmental Health have advised that any intensification of production resulting from this application should be accompanied by an odour management plan detailing how fugitive odour and emissions arising from the premises will be prevented from causing a nuisance to the occupiers of nearby residential dwellings. This is considered to be a reasonable request and will assist with addressing the concern raised about odour levels in the representations received.
- 3.16 It is recommended that if minded to approve a condition be applied for an odour management plan to be submitted prior to first use of the new extension or external freezer to include on-going maintenance of proposed measures and detailing how fugitive odour and emissions arising from the premises will be prevented from causing a nuisance to the occupiers of nearby residential dwellings. The condition should also ensure that once approved the approved measures shall be installed prior to first use of either the new extension or external freezer and thereafter shall be retained and maintained in accordance with the approved maintenance plan. It is considered with this condition in place odour impacts from the development can be adequately mitigated to ensure that harm is not caused to the residential amenity of neighbours.
- 3.17 With the recommended conditions applied if Members are minded to approve, Officers are satisfied that the conditions will ensure that no adverse harm is caused to the residential amenity of neighbours as a result of the proposed development.

Highway considerations

- 3.18 Concern is raised in the representations received from interested parties and the Ward Member about parking provision for the development and its impact on on-street parking in the area and also on pedestrian safety of pedestrians crossing the adjacent roads.
- 3.19 To address this concern a Travel Plan was submitted with the application and revised site plan received which shows that parking on site would be reduced to 21 spaces, which would be a loss of 9 parking spaces. The Travel Plan submitted also shows how the company would promote other modes of transport and how the number of parking spaces are adequate for the intended use.
- 3.20 Devon County Council Highways have been consulted and following receipt of the Travel Plan they raise no objection to the proposal on highway grounds.
- 3.21 Without an objection from the County Council as Highway Authority; Officers do not consider that a refusal on highway grounds would be justified and or an argument for impact on parking on the local road network or impact on pedestrians could be sustained at appeal.

Flood Risk

- 3.22 The application site is not in a high risk flood zone (flood zone 2 or 3) and therefore in flood control terms is a suitable site for development.

Conclusion

- 3.23 It is considered that with the recommended conditions in place to mitigate for noise and odour issues the development would accord with the relevant policies of the Teignbridge Local Plan and would be able to proceed without having an adverse impact on the character of the area, highway safety or residential amenity.
- 3.24 Officer recommendation is for conditional approval to be granted.

4. POLICY DOCUMENTS

Teignbridge Local Plan 2013-2033

S1A (Presumption in favour of Sustainable Development)

S1 (Sustainable Development Criteria)

S2 (Quality Development)

S21A (Settlement Limits)

EC1 (Business Development)

National Planning Policy Framework

National Planning Policy Guidance

5. CONSULTEES

Devon County Council Highways - Concern was originally raised by DCC Highways about the reduction of the internal parking that this would only exacerbate an already busy area for parking which would be contrary to the National Planning Policy Framework 2018 Section 109 as this cumulative impact on the highway network could be severe.

This was raised with the applicant and a travel plan was submitted in response as well as a revised site plan showing 21 spaces created.

Devon County Council on receipt have advised that the number of parking spaces will be reduced to 21 spaces as a result of this application which will be a loss of 9 parking spaces. The Travel Plan also shows how the company will promote other modes of transport and how this number of parking spaces are to be adequate for this use. Therefore, the Highway Authority has no objection to the proposal.

Environmental Health (Noise and Odour) - I have studied the noise impact assessment which accompanies this application and I am satisfied that the noise levels arising from its use should not be sufficiently high to interfere with the nearby residential amenity.

Should you be minded to grant I would be grateful if you would add a condition which states that the noise levels arising from the installation of a new refrigeration unit and any other plant and equipment should not exceed existing background noise levels currently being experienced at nearby noise sensitive dwellings.

Any intensification of production resulting from this application should be accompanied by an odour management plan detailing how fugitive odour and

emissions arising from the premises will be prevented from causing a nuisance to the occupiers of nearby residential dwellings.

6. REPRESENTATIONS

Four letters of objection received raising the following summarised concerns/objections:

1. Concern that current unacceptable noise and smell levels will become worse with a larger building and more fans running;
2. Concerns about lack of parking on and off site in the area and limited on-road parking next to the unit as well as increased risk to pedestrians trying to cross the road.

7. TOWN COUNCIL'S COMMENTS

No comment received

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