

**Application Number**

P/2011/1358

**Site Address**Ash House  
Blythe Way  
Paignton  
Devon  
TQ4 7DD**Case Officer**

Mr John Burton

**Ward**

Blatchcombe

**Description**

Stationing of 20 number storage containers for storage use.

**Executive Summary/Key Outcomes**

The land is allocated in the Saved Adopted Torbay Local Plan for employment purposes (under policy E1.14), and this policy makes clear that B1 and B8 uses would be acceptable. The current proposal fits in with this. It also satisfies the terms of policy E6 which seeks to retain land used or zoned for employment purposes. So there are no overriding policy objections to the proposal. The proposal would generate very little traffic and the access road is an industrial estate road, so there are no highways concerns. Appearance wise the land would still retain an open uncramped feel, although given that the land is zoned for industrial purposes, this need not be an issue. The main issue is therefore the potential impact upon the neighbouring residential properties on Grampian Close. However, given the approved designation of the land and its potential uses, this application is considered to be one of the least harmful uses in terms of impact, visual amenity, noise and traffic.

**Recommendation**

Subject to a Member Site Visit; Conditional approval.

**Site Details**

The application land is a vacant site of approx. 288 sq. m. in size, not previously developed, but zoned for industrial (B class) purposes, within the Yalberton Industrial Estate. The site is reached off Blythe Way and is situated adjacent to the existing Austin Knapman site. The residential development at Grampian Close lies adjacent to the site's northern boundary occupying the area between Stoke Road, Totnes Road and Borough Road. Part of the site was landfilled in the 1960s and has a landfill gas monitoring system installed.

**Detailed Proposals**

Permission is sought for the siting of 20 painted steel storage containers, measuring approximately 2.4m (width), by 6m (length) and 2.6m (height). They

are shown arranged in an angled echelon formation towards the middle of the site on a rolled and compacted hardcore base. Access is shown off Blythe Way. An existing security fence has already been erected along the boundary with properties fronting Grampian Close to the north. A planting strip is proposed between these properties and the storage containers.

### **Summary Of Consultation Responses**

*Highways* : No objections.

### **Summary Of Representations**

Representations have been received so far from 3 separate addresses. The main concerns are as follows:-

- The boundary treatment with properties on Grampian Close
- Loss of amenity
- Loss of light
- Noise
- Overlooking
- Level of screen planting
- Eyesore
- Potential for stacking the units on top of each other

These are re-produced at Page P.200.

### **Relevant Planning History**

P/2011//0033            Formation of a 2.4 metre high security fence, Approved 7/4/2011.

P/2009/1080            Installation of concrete batching plant, site office, materials bays, security fencing and gates with vehicle access. Was recommended for approval to Development Management Committee in January 2010, but proposal was withdrawn by the applicant before determination.

### **Key Issues/Material Considerations**

#### **Principle and Planning Policy -**

The land is allocated in the Saved Adopted Torbay Local Plan for employment purposes (under policy E1.14), and this policy makes clear that B1 and B8 uses would be acceptable. Whilst a more traditional B1 use would generate more employment opportunities, the policy does allow for B8 (storage and warehousing uses). The current proposal fits in with this. The policy is clear that smaller sites under 2 hectares in size will not need to include measures for the provision of sustainable transport or travel plans, landscaping or environmental improvements as part of the development scheme. The proposal satisfies the terms of policy E6 which seeks to retain land used or zoned for employment

purposes. Whilst the proposal would not create many new jobs, the proposal does satisfy the terms of policy E1 of the Saved Adopted Local Plan, and therefore also meet the terms of [policy E6. So there are no policy objections to the proposal.

**Economy -**

This is not clear with the application, although it is unlikely to be significant. However, given that the proposal is in accordance with the terms and conditions of policy E1, it is not considered that a lack of employment opportunities could be a reason for refusal.

**Accessibility -**

The proposal would generate very little traffic, after the initial positioning of the containers. Other similar facilities in the bay, such as Dainton at Torre Station have many more storage containers and operate without known highways difficulties. The access road leading to the site (Blythe Way) is an established industrial estate road, and has been developed with industrial access in mind. The site layout would give plenty of room for the parking of vehicles and manoeuvring. There is really little point in having public transport access to such a facility, as most access would be the delivery or collection of goods to and from the storage units. There is an existing footpath along both sides of Blythe Way. So there are no highways concerns.

**Landscaping and visual amenity -**

This is primarily land within a collection of industrial uses within an industrial estate and so appearance and screening from within are not crucial. The residential properties on Grampian Close do deserve some screening to protect their views, privacy and general amenity. It is noted that a landscape screen is indicated, and it is felt that this could be successfully dealt with by way of a standard condition to safeguard the adjacent residential properties. In any event, it is a fact that this proposal will generate significantly less impact by reason of noise, lighting, activity, overlooking, and loss of amenity in general than could be the case for many other industrial proposals that policy E1 would allow on this site. In this regard, it should be noted that the designation of this land for industrial purposes predates the development of the residential properties, and so occupiers should have been made aware of the potential of the site before purchase.

**S106/CIL -**

It is unlikely that a proposal such as this would ever generate any reasonably identifiable impact upon public transportation provision, as most access and use of the site is inevitably going to be by private transportation. In any event, even if one applied the standard public transportation contribution as given in the adopted SPD (LDD6), this would be offset by the reduction in any amount due by virtue of job creation. None of the other standard categories are considered to

be appropriate, and therefore officers have concluded that the proposal should not be subject to a legal agreement seeking a Planning Obligation for financial payment as there would not be likely to be any costs arising from the proposal that would otherwise have to be met by the Council.

### **Conclusions**

The proposal meets the requirements of the policy considerations that govern the use of this land. The site has been vacant for many years and any appropriate and acceptable use should be encouraged. Officers are happy that conditions can be utilised to protect the amenities of the residential properties on the northern side of the site. The use would generate very little vehicular traffic, and although some vehicles attracted to the site could be large, the site is within an industrial estate where the road network has been provided to cater for such uses. There are no other interests of acknowledged importance that would prevent the application being determined positively.

### **Condition(s)/Reason(s)**

01. The containers used in association with the storage use hereby approved shall be at single level only (no stacking) and no higher, unless otherwise agreed in writing by the Local Planning Authority.

Reason To minimise the visual impact of the development, particularly upon those properties on Grampian Close, and to meet the criteria of Policy BES of the Saved Adopted Torbay Local Plan 1995 to 2011.

02. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development) whichever is the sooner, or at such other time as agreed by the Local Planning Authority in writing, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason In the interests of the amenities of the area, and to accord with policies BE1 and BE2 of the Saved Adopted Torbay Local Plan.

03. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.

Reason In the interests of the amenities of the area, particularly those residential properties on Grampian Close, and to accord with policies BE1 and BE2 of the Saved Adopted Torbay Local Plan.

**Relevant Policies**

- E1 New employment on identified sites
- E6 Retention of employment land
- E9 Layout, design and sustainability
- EP4 Noise
- EP5 Light pollution
- T25 Car parking in new development
- T26 Access from development on to the highway