
Appeal Decisions

Hearing held on 25 April 2018

Site visits made on 9 January 2018 and 25 April 2018

by Robert Parker BSc (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 June 2018

Appeal A Ref: APP/Q1153/W/17/3180733

Land adjacent to Yelverton Business Park, Stoke Hill Lane, Crapstone, Devon PL20 7LS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Hill/Greeno/Hopkinson of Sol Komfort/Lubricants SW/Valves Online against the decision of West Devon Borough Council.
 - The application Ref 4005/16/FUL, dated 12 December 2016, was refused by notice dated 1 June 2017.
 - The development proposed is provide new expansion units for existing businesses trading from the Yelverton Business Park. Sol Komfort / Lubricants SW / Valves Online.
-

Appeal B Ref: APP/Q1153/W/17/3180732

Land adjacent to Yelverton Business Park, Stoke Hill Lane, Crapstone, Devon PL20 7LS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by The Trustees of the Compton Meeting Hall (The Plymouth Brethren) against the decision of West Devon Borough Council.
 - The application Ref 4006/16/FUL, dated 12 December 2016, was refused by notice dated 1 June 2017.
 - The development proposed is provide new meeting hall for The Plymouth Brethren Christian Church.
-

Decisions

1. **Appeal A is allowed** and planning permission is granted for three business units, 960sqm (1x 384sqm, 2x 288sqm (576sqm)) Use Class B1(business) / Use Class B2 (general industrial) / Use Class B8 (storage and distribution), together with associated access, parking and landscaping at Land adjacent to Yelverton Business Park, Stoke Hill Lane, Crapstone, Devon PL20 7LS in accordance with the terms of the application, Ref 4005/16/FUL, dated 12 December 2016, subject to the conditions set out in Schedule 1 attached.
2. **Appeal B is allowed** and planning permission is granted for meeting hall (152sqm – for Plymouth Brethren Christian Church) and associated access parking and landscaping at Land adjacent to Yelverton Business Park, Stoke Hill Lane, Crapstone, Devon PL20 7LS in accordance with the terms of the application, Ref 4006/16/FUL, dated 12 December 2016, subject to the conditions set out in Schedule 2 attached.

Procedural Matters

3. The descriptions of development set out in the banner heading are taken from the application forms. The Council registered the applications using a different wording which was agreed with the applicants. This version is more precise and no party would be prejudiced if I used it in my formal decisions. Following discussion at the hearing I have adjusted the description on Appeal A to refer to Use Class B1 rather than light industrial specifically.
4. The emerging Plymouth and South West Devon Joint Local Plan 2014-2034 has completed examination but I have seen nothing in writing from the Inspector to confirm that it is sound. I do not know whether there are unresolved objections to relevant policies. Despite this, the emerging plan is at an advanced stage and therefore I can attach some weight to its policies, but only insofar as they reflect the general thrust of the National Planning Policy Framework (the Framework).

Main Issues

5. The main issues common to both cases are:
 - a) whether the type and scale of development being proposed is appropriate, having regard to the location of the sites outside the settlement boundary and their accessibility by modes of transport other than the private car; and
 - b) the effect of the proposed developments on the landscape and scenic beauty of the Tamar Valley Area of Outstanding Natural Beauty and Dartmoor National Park.

Reasons

Site and policy background

6. The appeal sites together comprise an area of pasture extending to 2.2 ha situated on the south-eastern edge of the village of Crapstone and adjacent to the Yelverton Business Park. The land lies within the Tamar Valley Area of Outstanding Natural Beauty (AONB) and immediately outside of the Dartmoor National Park (DNP), the boundary to which is Stoke Hill Lane.
7. In policy terms, the sites fall outside of the settlement boundary for Crapstone. Saved Policy NE10 of the West Devon Borough Local Plan Review (2011) (LPR) explains that development within the countryside outside settlement limits or not otherwise in accordance with the policies in the Plan will not be permitted unless it meets certain requirements. Criterion (i) stipulates that development will only be acceptable where it provides an overriding economic or community benefit and cannot be reasonably located within an existing settlement. Criterion (ii) states that development should not cause unacceptable harm to the distinctive landscape character of the area and the important natural and made features that contribute to that character including views.
8. Strategic Policy 5 of the West Devon Core Strategy (2006-2026) (CS) sets out a spatial strategy for the borough which concentrates on the main towns of Okehampton and Tavistock. According to the policy, limited development in villages may be permitted where it will contribute to wider sustainability benefits for the area. Development in the countryside will be strictly controlled.
9. CS Policy SP17 states that the conservation and enhancement of AONBs will be given great weight and development not permitted where it would be

detrimental to the natural beauty and quiet enjoyment of the designated area. The policy further explains that on sites outside the DNP, particularly on the fringe areas, development will not be permitted where it would damage the natural beauty, character and special qualities of the National Park or prejudice achievement of its designated purposes.

10. The above policies are those cited on the decision notices. However, my attention has also been drawn to a number of other relevant development plan policies in relation to Appeal A. LPR Policy ED13 permits the enlargement of an existing employment site where, amongst other things, there is no significant adverse impact on landscape interests; on travel, access and highway safety and in relation to the size of the settlement. LPR Policy ED16 contains similar criteria in relation to the development of employment generating enterprises adjacent to rural settlements.

Whether the type and scale of development is appropriate

Appeal A

11. The Council's case relies in part upon the location of the site outside of the settlement boundary. However, as noted by the Inspector in the recent Abbey Meadows appeal decision¹, the settlement boundary was drawn to cater for development needs up to 2011. It is therefore somewhat dated. In any event, LPR Policy ED16 is permissive of employment development adjacent to rural settlements, which almost by definition will include greenfield sites. The supporting text explains that in the interests of sustaining economic activities in rural communities new employment opportunities should not be restricted solely to large settlements and that it may be appropriate to erect new buildings – subject to consideration of the detailed impacts and whether the scale of the development is appropriate to the size of the settlement in which it is proposed.
12. The Yelverton Business Park was originally built in the late 1980s on previously developed land comprising part of RAF Harrowbeer. The business park sits at the edge of the main built-up area of Crapstone and, notwithstanding its position outside of the settlement boundary, is well related to the village. The employment floorspace is generous for a village of the size of Crapstone, but the business park provides a range of jobs for the population of rural settlements in the surrounding area. That existing workers may commute from Plymouth does not remove the need to provide local employment opportunity.
13. It is argued that the site is unsustainable on the basis that it is not accessible by modes of transport other than the private car. However, there is a bus route connecting Crapstone to Yelverton and other neighbouring settlements. Despite suggestions to the contrary, the timings of this service would provide the option of using public transport for the journey to work. A number of settlements are also within easy cycling range. The absence of pavements means that most workers are unlikely to travel on foot. However, there is no reason why those living in Crapstone could not walk to the business park using a short section of virtual footway on Stoke Hill Lane. In my opinion, this route does not present an unacceptable pedestrian safety risk.
14. Notwithstanding the above, the appellants accepted that the majority of daily commutes would be undertaken by private car. Even in this scenario, the

¹ APP/Q1153/W/17/3177360

number of additional comings and goings would be modest and imperceptible in the context of existing traffic levels. There would be extra goods vehicle traffic but in all probability this is unlikely to be significant. I am not persuaded by the residents' argument that the development would turn into a distribution hub. Whilst I note the concerns regarding vehicle collisions with grazing animals and the recent death of a horse rider, I have no reason to disagree with the Highway Authority's assessment that the road network can accommodate the development without detriment to highway safety.

15. Residents contend that the schemes would double the size of the business park but in reality much of the land would be taken up with landscaping and drainage features. In my judgement, the proposals would represent a modest extension relative to the size of the existing business park and Crapstone as a whole. I therefore conclude that the type and scale of the proposed development would be appropriate to this location.

Appeal B

16. CS Strategic Policy 13 and LPR Policy H44 support the provision of new cultural facilities where they will contribute to the wellbeing of a community and improve accessibility to services. The policies require new facilities to be as well related as possible to the settlement with safe pedestrian and vehicular access and adequate parking.
17. The proposed meeting hall would be for the sole use of the Plymouth Brethren Christian Church. The church has a local congregation comprising 5 families in the Yelverton area and a further 2 families who are due to move into the area. These families would be the primary users of the hall.
18. Church services are held thrice weekly, with a further service every alternate Sunday. The timings are such that public transport would not be an option. However, Brethren assemblies tend to comprise family groups who travel together. This would constitute car sharing which falls within the definition of sustainable transport modes in Annex 2: Glossary to the Framework. Overall trip generation would be low, with the majority of vehicle movements taking place at times when the road network is quiet.
19. I acknowledge that the new facility would not benefit many of the residents living in Crapstone. Despite the fact that the hall would not be bookable for parties and other events, certain Brethren gatherings would be open to visitors. It would still qualify as a facility which would satisfy the cultural needs of a particular section of the community.
20. Drawing matters together, the proposed development would be well related to Crapstone and the amount of land required would be limited. The building would be modest in size and its day-to-day use would be quiet and low key, with most users making use of sustainable transport modes. I have seen no convincing evidence to demonstrate that the facility could be reasonably located elsewhere within an existing settlement. Given this, and the overriding community benefits brought by the scheme, I conclude that the type and scale of development would be acceptable.

Tamar Valley Area of Outstanding Natural Beauty

21. The appeal sites are bounded to the east by established vegetation, with a row of trees heavily filtering the views from Stoke Hill Lane. The southern boundary

- is open and marked by a post and rail fence which separates the land from pony paddocks and a public footpath beyond. This footpath facilitates views of the business park and the proposed development sites adjacent. The visual envelope extends further southwards to Green Lane from where there are longer range (circa 1 km) elevated views from residential properties and field gateways.
22. Paragraph 115 of the Framework explains that great weight should be given to conserving landscape and scenic beauty in National Parks and AONBs, which have the highest status of protection in relation to these matters. Paragraph 116 of the same document states that planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest.
23. The two appeal schemes, when combined, would exceed the minimum size thresholds for "major development" set out in Article 2(1) of The Town and Country Planning (Development Management Procedure) (England) Order 2015. However, it would not be appropriate to import a definition from regulations dealing with procedural matters into a policy document. The Framework does not define what constitutes major development and thus it for the decision-maker to judge on the facts of the case whether a particular scheme falls into that category.
24. The Tamar Valley AONB Management Plan 2014-2019 confirms (p.58) that this is the correct approach. It sets out some key indicators that would suggest that a development is likely to be major in its effect on the landscape quality. The document has been prepared following extensive consultation and therefore I attach its provisions considerable weight.
25. The first criterion relates to whether the scale of development is likely to have a detrimental visual impact that harms the scenic quality of the AONB. The quantum of land taken up by buildings and hard surfacing would be relatively modest. A significant proportion of the land area would be taken up with landscape planting and there would be scope to increase this further along the southern edge of the access road. The proposed buildings would be noticeable from the public footpath and those dwellings fronting onto it, and at a distance from Green Lane, but in all cases they would be read in the context of the existing business park.
26. The new business units would be slightly taller than adjoining buildings on the business park but their visibility in the landscape would be no greater. This would be due in part to the use of timber external wall cladding and the dark coloration of the roofs. Any adverse visual impacts would be mitigated by new woodland planting. A condition could also be imposed to control external lighting and thereby minimise light pollution. Whilst I acknowledge that the landscaping would take a period of years to establish, this is not a good reason to withhold planning permission for a scheme which would cause no long term harm.
27. The second criterion relates to whether or not the location of the development would erode the special qualities and features of the area of the AONB where the development is proposed. The site does not contain any significant landscape, biodiversity or cultural features. There would be a modest increase in traffic and the potential for some additional noise, but given the adjacent uses in the business park this is unlikely to erode the overall tranquillity of the AONB.

28. The third criterion requires consideration of whether the type of development is directly compatible with its surroundings. Given the relationship of the appeal sites to Yelverton Business Park, I cannot agree that the proposed business units would be incompatible with their surroundings. The meeting hall would be similar in appearance to neighbouring commercial premises and consequently it would not appear out of keeping in this location.
29. The fourth criterion relates to whether the proposed development would conflict with the economic and social needs of local communities and with the AONB's guiding principles of sustainable development. The Council does not dispute the economic and social benefits that would accrue from the commercial units and meeting hall respectively. Although residents do not perceive there to be an essential local need for either development, they would serve Crapstone and the wider network of settlements surrounding it. Accordingly, I find that there would be no conflict with the fourth criterion.
30. Based on the above analysis, I am content that the proposals do not constitute major development for the purposes of paragraph 116 of the Framework. The Council does not dispute this finding. However, it maintains that there would be harm to the natural beauty and quiet enjoyment of the AONB contrary to CS Policy SP17 and that this conflict should be accorded great weight in accordance with paragraph 115 of the Framework.
31. Whilst I appreciate that the character of the appeal sites would change from an agricultural field to urban development, the landscape and visual impacts would be localised and there would be no significant harm to the AONB taken as a whole. Any residual harm is capable of being mitigated. I have taken account of the potential for cumulative impacts with the Abbey Meadows development but am not persuaded that these would be significant, given that there would be little or no overlap between the visual envelopes for the two schemes.
32. Accordingly, I conclude that the proposals would conserve the landscape and scenic beauty of the AONB in accordance with CS Policy SP17. Notwithstanding the loss of rural character on the site itself, the sites are visually well contained and there would be no significant adverse effects on landscape interests or the setting of the settlement. There would be compliance with LPR Policy ED16 in this regard. Given that the schemes are acceptable in combination there has been no need to assess them individually.

Dartmoor National Park

33. Both appeal schemes would fall within the setting of the DNP. However, there would be no significant intervisibility between the sites and the moorland to the north-east and neither development would have a material adverse effect on the manner in which the moorland is experienced.
34. The Council's main concern is in relation to the effect of additional traffic on tranquillity, given that the main access route to the A386 runs through the National Park. I have concluded above that the car movements associated with the meeting hall would be low. The proposed business units would have the potential to generate a modest increase in vehicle activity but, notwithstanding the uncertainties over which companies might occupy the units in future, I do not consider that it would be on such a scale as to have a perceptible effect on the tranquillity of the moorland.

35. I therefore conclude that the proposals would not cause material harm to the special qualities of the Dartmoor National Park. There would be no conflict with CS Policy SP17 or paragraph 115 of the Framework in this regard.

Other considerations

36. My attention was drawn at the hearing to other sites which it was contended were better located for business units. It was argued on behalf of the appellants that these sites were not available, either because they had already been matched up with occupiers or because there were constraints to bringing the sites forward. The evidence is inconclusive. However, LPR Policy NE10 does not expressly require consideration of alternatives where proposals accord with the policies in the plan. Proposals outside of settlement limits would be permissible where they comply with the criteria of LPR Policies ED13 or ED16.
37. Both decision notices make reference to conflicts with the emerging Buckland Monachorum Neighbourhood Plan (NP). This plan has been submitted to the Council. The Planning Practice Guidance makes clear that refusal of planning permission on the grounds of prematurity will seldom be justified before the end of the local planning authority publicity period. The main parties are agreed that the NP should carry very limited weight at present. Nonetheless, I have given it some weight in my decision.
38. Residents at the hearing raised concern regarding the potential for noise from the proposed business units. The nearest residential property is located some distance from the site and based on my experience of the existing business park, disturbance is unlikely. Nevertheless, I consider that it is reasonable to impose the Council's suggested condition to ensure that the operation of the development is compatible with its rural environs.
39. The appeal sites were identified as an Area of Employment Opportunity under Policy OP19 of 'Our Plan'. This draft policy document was withdrawn after the Council decided to cooperate with neighbouring authorities to prepare a joint local plan. It no longer has status as an emerging development plan document and as such I have not attached any weight to its provisions.
40. Residents have drawn my attention to a dismissed appeal for a proposed scheme of 3 dwellings on Green Lane². The Inspector in that case found unacceptable harm to the AONB. There are clearly some similarities with the present appeals in that new buildings were being proposed on an undeveloped site. However, the Green Lane site is more open in landscape terms. It does not have the level of visual containment of the appeal sites, the context of the existing business park or the potential for structural planting on its boundaries. Whilst I have given full consideration to the previous appeal decision, the cases are not directly comparable. I have determined the appeals before me on their own merits, as indeed I am required to do.

Planning balance

Appeal A

41. The proposal would meet the identified needs of a number of established companies who either wish to expand or consolidate their operations onto a single site. The scheme would bring significant economic benefits which are

² PINS Ref APP/Q1153/W/16/3145211

consistent with the objectives of national and local planning policy – adopted and emerging – to support economic growth in rural areas in order to create jobs and prosperity. This attracts considerable weight in the planning balance.

42. The proposal would not represent major development in the AONB and there is no conflict with paragraph 116 of the Framework. I have given great weight to the need to conserve landscape and scenic beauty, but am content that the sites are capable of accommodating the modest development being proposed, without material detriment to the special qualities of the AONB and DNP.
43. Notwithstanding its location outside of the settlement limits, the proposal would accord with the main provisions of LPR Policies ED13 and ED16. It would comply with the development plan as a whole and there are no material considerations to indicate a decision otherwise in accordance with the development plan.

Appeal B

44. The proposal would comply with development plan policy insofar as it supports the provision of new facilities to meet the cultural needs of the Plymouth Brethren. The meeting hall would be modest in scale and accessible to the community it is intended to serve. There would not be significant levels of noise or traffic arising from its use. Neither would the development cause any harm to the landscape or scenic qualities of the AONB or DNP, notwithstanding its location on a greenfield site. The proposal complies with the development plan as a whole and there are no significant adverse impacts to outweigh the benefits.

Conditions

45. The Council has provided a list of suggested conditions for each appeal. These were discussed at the hearing, together with a number of additional conditions. I have considered each against the six tests set out in paragraph 206 of the Framework and advice within the Planning Practice Guidance. Where necessary I have amended the wording to improve precision and enforceability.
46. I shall start by considering those conditions which are common to both appeal schemes. To ensure certainty it is necessary to impose a condition detailing the approved plans. Conditions are required to secure details of external materials in the interests of the character and appearance of the area.
47. To conserve the scenic qualities of the AONB a condition is necessary to require the submission, prior to commencement of the development, of a revised landscaping scheme which specifies additional tree planting along the southern boundary of the developed area. The scheme will need to be accompanied by a landscape management plan to ensure that the planting is properly maintained whilst it establishes.
48. In the interests of highway safety I have attached a condition requiring the submission of details of the access road, parking and turning areas and loading/unloading areas (for the business units). These aspects of the scheme will need to be provided prior to first occupation of the buildings. There are no proposals to install street lighting on the site. However, to minimise light pollution a condition is necessary to control external lighting.
49. The proposal is to dispose of surface water in accordance with sustainable drainage principles, in order to protect adjoining land from flooding. I have therefore imposed conditions to require the submission of a permanent

drainage scheme and details of a temporary drainage solution during the construction phase. The former will need to be compatible with the approved landscaping scheme and it should give consideration to an open drainage feature such as a pond to enhance the site's wildlife potential.

50. The location of both sites within the former boundary of a military airfield means that there is some potential for ground contamination and/or unexploded ordnance. Conditions are therefore necessary to secure a risk assessment, ground investigation and remediation measures where necessary, together with a verification report. In the interests of enhancing biodiversity, a further condition is needed to secure the implementation of the recommendations of the submitted ecological report.
51. Both schemes were considered on the basis of the specific uses being proposed. It is therefore reasonable to impose conditions restricting the use of the developments to those particular uses. The parties agreed that there is no reason to restrict the B1 uses to light industrial and I have amended the condition accordingly.
52. A number of additional conditions have been suggested in relation to Appeal A. The parties have jointly suggested a noise condition to protect the living conditions of local residents and the tranquillity of the AONB and DNP. Such a condition would pass the relevant Framework tests. With noise controls in place a restriction on the hours of occupation for the business units would be unnecessary. However, it is reasonable to control delivery hours in order to safeguard the general amenities of the area.
53. At the hearing residents expressed their fears about the insertion of first floors into the business units. I concur with the appellants that the proposal should be considered on its merits as a single-storey development. To ensure that any future proposal for additional internal floorspace receives proper scrutiny, it is reasonable to impose a condition preventing the installation of mezzanine floors.

Conclusion

54. For the reasons given above, and having regard to all other matters raised, I conclude that both appeals should succeed.

Robert Parker

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Nigel Passmore	Unit Build
Nicole Stacey	PCL Planning
John Shephard	J & J Design

FOR THE LOCAL PLANNING AUTHORITY:

Matt Jones	Senior Planning Officer
Alex Whish	Landscape Officer

INTERESTED PARTIES:

Colin Bannon	Local resident
Mike Boxall	Local resident
Sally Challiss	Local resident
Ric Cheadle	Chair of Buckland Monachorum Parish Council Planning Committee and Coordinator of Neighbourhood Plan
Jan Hughes	Local resident
Sue Mackenzie	Local resident
Derek Mahoney	Local resident
Jane Scott	Local resident
Rachel Smith	Local resident
Peter Stevens	Local resident
Lesley Thomson	Local resident
Michael Wood	Representing Crapstone local residents
Susan Woollacott	Local resident and parish councillor

DOCUMENTS SUBMITTED AT THE HEARING

1. Site location plan and site framework plan for Abbey Meadows scheme
2. Plans for 00727/2015 – Land adjacent to The White House, Green Lane
3. Extract (p.58) from Tamar Valley AONB Management Plan 2014-2019
4. Residents' written statement

SCHEDULE 1

Appeal A Ref APP/Q1153/W/17/3180733

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing nos. 980-201, 980-A-300 Rev. A, 980-A-301 Rev. N, 980-410, 980-411, 980-412, 980-510, 980-511 Rev. A, 980-512 Rev. A, UB/YBP2/01 Rev. C and C161168/C/100 Rev. H.
- 3) Notwithstanding the submitted plans, details of the materials to be used for the external roofs and walls of the buildings hereby permitted (including paint colours for the render and finishes for the timber cladding) shall be submitted to and approved in writing by the local planning authority prior to these materials being incorporated into the development. Development shall be carried out in accordance with the approved details.
- 4) Notwithstanding the submitted plans, no development shall commence until a revised soft landscaping scheme has been submitted to and approved in writing by the local planning authority. The submitted details shall include a landscape management plan which shall make provision for the replacement of any tree or shrub that is removed or for whatever reason fails to establish within a period of 10 years from planting. The approved landscaping scheme shall be implemented in the first planting season following completion or first occupation of the development (whichever is sooner) and thereafter maintained in accordance with approved landscape management plan.
- 5) No development shall commence until the following components of a scheme to deal with the risks associated with contamination of the site have been 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.
- 6) No development shall commence until a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation has been 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.
 - 7) 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.
 - 8) Notwithstanding the submitted plans, no development shall commence until the detailed design of a permanent surface water drainage management system has been submitted to and approved in writing by the local planning authority. The buildings shall not be occupied until drainage works have been carried out in accordance with the approved details and the water management system shall be retained as approved.
 - 9) No development shall commence until the detailed design of the 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. 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. Development shall be carried out in accordance with the approved details.
 - 10) No building shall be occupied until the access road, parking facilities, commercial vehicle loading/unloading areas, turning area and access drainage have been provided in accordance with details that shall have been first submitted to and approved in writing by the local planning authority. These areas shall be maintained in accordance with the approved details and kept available for their designated purpose at all times thereafter.
 - 11) No part of the development shall be occupied until a noise impact assessment in accordance with BS4142:2014 has been undertaken and a report submitted to the local planning authority. The assessment shall detail the current background noise levels, and stipulate both day time and night time noise ratings 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.

- 12) 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.
- 13) 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.
- 14) The business units hereby approved shall be used for purposes within Use Class B1 (business), Use Class B2 (general industrial) and Use Class B8 (storage or distribution) and for no other purpose.
- 15) Notwithstanding the provisions of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking, re-enacting or further amending that Order), no external lighting shall be installed on the site unless details of its design (including the type, position, orientation and luminance of the fitting to be used, and any timer/sensor to turn the lighting off when not needed) has been submitted to and approved in writing by the local planning authority. The lighting shall be installed in accordance with the details approved by the local planning authority and maintained in its approved form thereafter.
- 16) There shall be no internal mezzanine floors installed within the buildings hereby permitted without a further grant of planning permission.

SCHEDULE 2

Appeal B Ref APP/Q1153/W/17/3180732

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing nos. 980-202, 980-413, 980-513, 980-514, UB/YBP2/01 Rev. C, C161168/C/201 Rev. A, 980-B-300 Rev. A and 980-B-301 Rev. N.
- 3) Notwithstanding the submitted plans, details of the materials to be used for the external roofs and walls of the building hereby permitted (including paint colour for the render) shall be submitted to and approved in writing by the local planning authority prior to these materials being incorporated into the development. Development shall be carried out in accordance with the approved details.
- 4) Notwithstanding the submitted plans, no development shall commence until a revised soft landscaping scheme has been submitted to and approved in writing by the local planning authority. The submitted details shall include a landscape management plan which shall make provision for the replacement of any tree or shrub that is removed or for whatever reason fails to establish within a period of 10 years from planting. The approved landscaping scheme shall be implemented in the first planting season following completion or first occupation of the development (whichever is sooner) and thereafter maintained in accordance with approved landscape management plan.
- 5) No development shall commence until the following components of a scheme to deal with the risks associated with contamination of the site have been 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.
- 6) No development shall commence until a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation has been 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.
 - 7) 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.
 - 8) Notwithstanding the submitted plans, no development shall commence until the detailed design of a permanent surface water drainage management system has been submitted to and approved in writing by the local planning authority. The building shall not be occupied until drainage works have been carried out in accordance with the approved details and the water management system shall be retained as approved.
 - 9) No development shall commence until the detailed design of the 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. 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. Development shall be carried out in accordance with the approved details.
 - 10) The building shall not be occupied until the access road, parking facilities, turning area and access drainage have been provided in accordance with details that shall have been first submitted to and approved in writing by the local planning authority. These areas shall be maintained in accordance with the approved details and kept available for their designated purpose at all times thereafter.
 - 11) 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.

- 12) The building hereby approved shall only be used as a place of worship and religious instruction (including limited equipment storage for the Rapid Relief Team) and for no other purpose, including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification.
- 13) Notwithstanding the provisions of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking, re-enacting or further amending that Order), no external lighting shall be installed on the site unless details of its design (including the type, position, orientation and luminance of the fitting to be used, and any timer/sensor to turn the lighting off when not needed) has been submitted to and approved in writing by the local planning authority. The lighting shall be installed in accordance with the details approved by the local planning authority and maintained in its approved form thereafter.