

Planning Statement

In support of

Application for full planning permission for change of use of an agricultural building for Class E(g) and Class B8, and associated operational works.

at

Ivy House Farm, Bilstone Road, Congerstone, Nuneaton CV13 6LW

Applicant

Mr T Sinnott

Agent

Justin Stevenson BSc MRICS FAAV

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Application Summary	
Description	Planning Statement in support of: Application for change of use of an agricultural building ('Barn 4') for Class E(g) and Class B8 uses, and associated operational works.
Site address	Ivy House Farm, Bilstone Road,, Congerstone, Nuneaton, CV13 6LW
Applicant	Mr T Sinnott
Local Planning Authority	Hinckley and Bosworth Borough Council
Planning portal reference	PP-12382350
Job reference number	J008458
Agent details	The Rural Planning Co, The Farm Office, Millridge Farm, Parsons Lane, Hartlebury, Nr Kidderminster, Worcestershire, DY11 7YQ. Telephone: 01299 667344 Email: team@theruralplanningco.co.uk
Documents submitted	Planning Statement Location Plan Existing Block Plan Proposed Block Plan Existing Plans and Elevations Proposed Plans and Elevations

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1.0 Introduction

- 1.1 The Rural Planning Co has been instructed by Mr Tim Sinnott ('the applicant') to submit an application for full planning permission to Hinckley and Bosworth Borough Council ('HBBC') for the change of use of an agricultural building at Ivy House Farm, Congerstone to Class E(g) and Class B8, together with associated operational works.
- 1.2 This statement provides an assessment of the proposed development, and sets out how the application complies with relevant policies of the Development Plan and national planning policy.

2.0 Site and Surrounding Area

- 2.1 The planning application relates to an agricultural building (known as Building 4) at Ivy House Farm, Bilstone Road, Congerstone, Nuneaton. The applicant's agricultural land ownership at Ivy House Farm extends to circa 161 hectares (398 acres).
- 2.2 In winter 2021 the farm's dairy herd was sold. Although the applicant is proposing to continue with arable farming on the landholding, many of the buildings and land on the farm are now either surplus to agricultural requirements or are no longer used to capacity. The applicant is therefore seeking to diversify and repurpose these (in full or part) for alternative uses that can generate an additional commercial revenue stream for the farm.

Building 4

- 2.3 Building 4 is a 440 sqm modern, part open-sided steel portal frame shed that has been used for the storage of machinery, hay and straw.
 - 2.4 Building 4 is adjoined by two other units – to the south by Building 5 and to the west by Building 1. Earlier this year, permission was secured under Class R to use part of Building 5 for Class B8 storage (see planning history below), with the balance of Building 5 continuing in agricultural use.
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Fig 2: Eastern elevation of Building 4



Fig 3: Northern elevation of Building 4

Relevant Site Planning History

- 2.5 In respect to farm diversification, full planning permission was granted in July 2021 for the siting of storage containers (Class B8) on land to the east of the farm building cluster (20/00997/FUL). This proposal required, amongst other things, the access arrangements into Ivy House Farm from Bilstone Road to be amended, including the widening of the existing access road to 3.5m and laying out of a passing bay to increase the width to 5.5m at that point. The storage facility has been constructed and is now operational, and the works to the access road have been completed.
- 2.6 On 30 May 2023, approval was granted under Part 3, Class R of the Town and Country Planning (General Permitted Development) Order 2015 for the change of use of Building 5 from agricultural use to Class B8 storage (23/00371/P3CR).
- 2.7 Planning permission has also recently been granted (22/01174/FUL) for the change of use of an existing barn to a holiday let (Class C1), including partial reconstruction, refurbishment, and provision of ancillary hardstanding. That barn is to the south of the principal building cluster at Ivy House Farm.
- 2.8 The majority of other records for Ivy House Farm on HBBC's online register relate to a range of agricultural development and engineering operations prior to the sale of the dairy herd.
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3.0 Proposed Development

- 3.1 The application seeks full planning permission for the change of use of an existing agricultural building (Building 4) to Class E(g) and Class B8. This will allow a flexibility of uses that prospective tenants could undertake in the building. For example, there has been a recent enquiry from a prospective tenant who wished to use building 5 to store cabinetry and other furniture, before loading it for delivery to event sites, but also required space for the assembly of the furniture which technically could be outside the permitted storage use for that unit.
- 3.2 Permission is also sought for associated operational works which include the erection of cladding on the currently open-sided northern and eastern elevations. The cladding would be grey to match the existing material and colour palette of adjacent units. No changes to the roof are proposed.
- 3.3 Vehicular access would be from the main driveway serving Ivy House Farm from Bilstone Road. Loading and unloading of items would be via Building 4's eastern elevation which is already used continually by existing large farm vehicles.

4.0 Planning Policy Context

Local Planning Policy

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 4.2 The adopted Development Plan is the Local Plan 2006 to 2026. The relevant parts of the Local Plan in the determination of this planning application are the Core Strategy DPD, adopted December 2009 ('the CS'), and the Site Allocations and Development Management Policies DPD, adopted July 2016 ('the SADMP').

Relevant Designations

- 4.3 HBBC's interactive policies map identifies that the site is outside the settlement boundary of the village of Congerstone, and is in Flood Zone 1 (at the lowest risk of flooding).
- 4.4 Ivy House Farm does not contain any designated or non-designated heritage assets. The nearest designated heritage asset to the site is understood to be the Congerstone Conservation Area which at its nearest point is over 70m to the north of Building 4 (measured from the curtilage of the Horse and Jockey Public House).
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National Planning Policy Framework

- 4.5 The National Planning Policy Framework ('the NPPF') sets out the Government's planning policies for England and how these should be applied. The NPPF is a material consideration in the determination of planning applications.
- 4.6 The NPPF identifies that the purpose of the planning system is to contribute to the achievement of 'sustainable development' (Paragraph 7). Achieving this means that the planning system has three overarching objectives - economic, social and environmental - which are interdependent and need to be pursued in mutually supportive ways so that opportunities can be taken to secure net gains across each of the different objectives (Paragraph 8).
- 4.7 These objectives should be delivered through the preparation and implementation of plans and the application of the policies in the NPPF, but are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. (Paragraph 9).
- 4.8 The NPPF states that plans and decisions should apply a presumption in favour of sustainable development (paragraph 11). For decision-taking this means approving development proposals which accord with an up-to-date development plan without delay.

5.0 Principle of Development

- 5.1 The site is outside the settlement boundary of Congerstone and does not form part of an existing employment site allocation in the Development Plan. Policy DM4 of the SADMP therefore applies which allows for sustainable development within the countryside providing it meets certain criteria. In land-use terms, the criterion relevant to this commercial use would be:
- 'c) it significantly contributes to economic growth, job creation **and/or** diversification of rural businesses' [our emphasis].
- 5.2 Additionally, Paragraph 84 of the NPPF states that planning policies and decisions should enable (inter alia): a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; and b) the development and diversification of agricultural and other land-based rural businesses.
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- 5.3 As identified in the introductory section of the statement, the dairy herd has been sold and some of the buildings, including Building 4, are now surplus to operational agricultural requirements. The letting out of the unit for uses within Class E(g) and Class B8 would generate an additional income stream for the farm, and as such constitutes a rural diversification project for which there is in principle support under both Policy DM4 the SADMP and the NPPF.
- 5.4 Policy DM4 also identifies other factors which should be considered as part of this proposal in terms of design and impact on the countryside. These are considered below, together with compliance with other development management-related policies and associated paragraphs of the NPPF.

6.0 Design and Impact on Character of the Area

- 6.1 Policy DM4 of the SADMP also requires that development in the countryside 'does not have an adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside'.
- 6.2 Policy DM10(d) of the SADMP seeks to ensure that the use and application of building materials 'respects the materials of existing, adjoining/neighbouring buildings and the local area generally'.
- 6.3 Policy 17 of the CS states that employment facilities adjacent to the settlement boundary will be permitted subject to criteria which includes that the development is 'of a scale and design which fully respects the character of the settlement concerned and the level of need identified'.
- 6.4 In terms of heritage impacts, Policy DM12 of the SADMP states that development proposals should ensure the significance of conservation areas and their settings is 'preserved and enhanced'.
- 6.5 The proposed operational development does not include any extensions to the building, and is limited to the cladding of the currently open-sided northern and eastern elevations, and insertion of loading and pedestrian doors. The cladding would be grey to complement the existing colour and material palette of adjacent buildings at Ivy House Farm. The size and number of openings are proportionate to the function and scale of the existing building, and similar to adjacent units.
- 6.6 The design is entirely consistent with the existing agricultural appearance and character of the farm complex and wider area, and accordingly would also not lead to harm to the significance of Congerstone Conservation Area and its setting.
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- 6.7 Accordingly, the proposed development should be considered to comply with Policies DM4, DM10, and DM12 of the SADMP and Policy 17 of the CS in respect to design and conservation.

7.0 Highways and Access

- 7.1 Paragraph 111 of the NPPF specifies that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. These requirements are amplified by Policy DM17 of the SADMP.
- 7.2 As part of the full planning permission for the Class B8 open storage use on land to the south-east of Building 4 (20/00997/FUL), the width of the access road that serves existing development at Ivy House Farm has been increased to 3.5 metres and a passing bay created which increases the width to 5.5 metres at that point. It is considered that the increases in width already implemented are sufficient to safely accommodate all road users, including existing vehicles and those vehicles associated with the proposed Class B8 use of Building 4, and pedestrians utilising the PROW which runs the entire length of the main access road.
- 7.3 In the context of the NPPF tests, it is also considered that the vehicle movements associated with the proposed Class E(g)/B8 use of Building 4 would not lead to a severe detrimental impact on the local road network, nor would there be a requirement for the existing visibility splays to the east and west at the junction with Bilstone Road to be increased.
- 7.4 Within the farm complex, vehicle access/loading would be via the existing opening on Building 4's eastern elevation which has been used continually by existing large farm vehicles to load and unload items for storage. It is considered that these arrangements remain suitable for the type of vehicles proposed for Class E(g) and Class B8 uses, and there would continue to be ample space for parking and vehicle manoeuvring.
- 7.5 It is therefore considered that the proposed development complies with all relevant highways-related policies and guidance, including Policy DM17 of the SADMP and paragraph 111 of the NPPF.
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8.0 Impact on Neighbouring Amenity

- 8.1 Policy DM10 of the SADMP requires that new development does not have a significant adverse effect on the privacy or amenity of nearby residents and occupiers of adjacent buildings, and that the amenity of the occupiers of the proposed development would not be adversely affected by activities within the vicinity of the site.
- 8.2 Building 4, together with surrounding barns and structures in the farm complex, have been used for agricultural purposes for many years, and as such there is already noise generated by farm operations, including the use and manoeuvring of large farm vehicles and machinery. The commercial operations associated with the use of the adjacent container storage facility also form part of the baseline noise level.
- 8.3 When assessed in this context, it is considered that the change of use of Building 4 from agriculture to Class E(g) and Class B8 uses would not lead to a detrimental noise impact for either existing occupiers or neighbours, and therefore the proposed development complies with Policy DM10 of the SADMP.

9.0 Other Environmental Factors

- 9.1 Policy DM7 of the SADMP seeks to ensure that adverse impacts from pollution and flooding are prevented.
- 9.2 The building has been used for agricultural storage and has an existing hard surface floor. There are no known cases of spills or leaks which would give rise to contamination concerns.
- 9.3 As shown at Figure 4 below, the site is outside any areas at risk of flooding from rivers and seas, reservoirs or surface water as designated by the Environment Agency, and no known flooding issues have occurred on the site.
- 9.4 Therefore, the proposed development is considered to comply with Policy DM7 of the SADMP.
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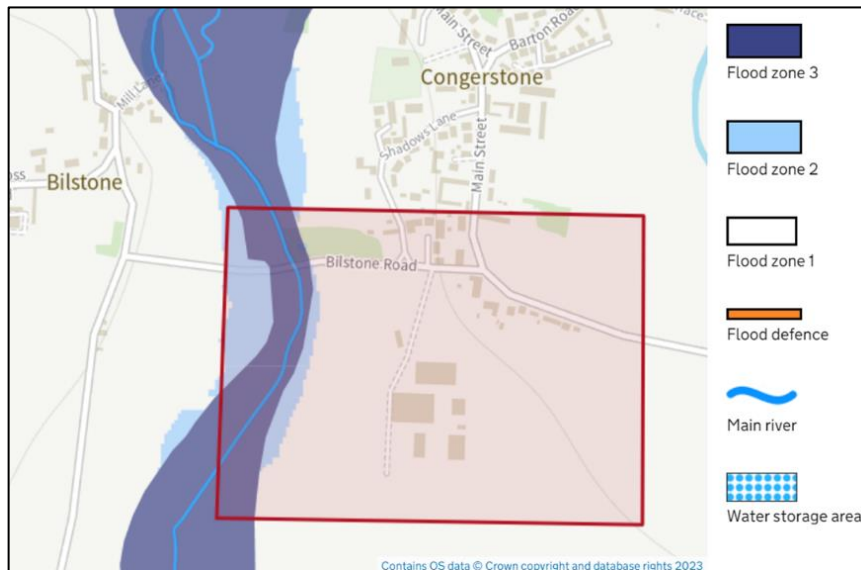


Fig 4: Extract from Environment Agency's online *Flood Map for Planning*

10.0 Conclusion

- 10.1 This application is for the change of use of an existing agricultural building to Class E(g) and Class B8 storage uses. The letting out of the unit would generate an additional income stream for the farm, and constitutes a rural diversification project that is supported by existing planning policy at the local and national levels.
- 10.2 It has also been demonstrated that the proposal complies with all other relevant policies in the SADMP and associated provisions of the NPPF in respect of highways, design and environmental matters. Officers are therefore respectfully asked to approve this application without delay.

Justin Stevenson, BSc MRICS FAAV

August 2023