DELEGATED REPORT

Recommendation Made: 16 June 2011

Reference:- 11/00331/COU **Parish:- Witherley Parish Council**

Applicant:- P O Simpson
Drayton Grange Farm
Drayton Lane
Fenny Drayton
Nuneaton

Location:- Livestock Building Drayton Lane Fenny Drayton Leicestershire

Proposal:- CHANGE OF USE OF REDUNDANT AGRICULTURAL BUILDINGS TO SELF STORAGE ACCOMMODATION INCLUDING ALTERATIONS TO THE EXTERIOR OF THE BUILDINGS.

Introduction:-

This application is for a change of use of two redundant agricultural buildings to provide self storage accommodation on land off Drayton Lane, Fenny Drayton.

The buildings in question have recently been acquired by the adjacent farm, Drayton Grange Farm, which operates as a mixed use site, part being arable farm, and part providing self storage accommodation.

The agent has confirmed that the buildings in question were erected approximately 10 years ago with the intention of being used to accommodate a new dairy farm. This operation never commenced due to the outbreak of foot and mouth, and the buildings have since been redundant.

A Design and Access Statement has been submitted in support of the application, this concludes that:-, this is a farm diversification proposal to use existing redundant agricultural buildings to expand the existing self storage business at Drayton Grange Farm. That business has operated for the last five years without any adverse visual, environmental or traffic impact upon the surrounding area. The proposal is completely different in every respect to the 2005 refusal for B2 industrial use on the same site, because it overcomes every one of the concerns associated with that earlier scheme.

Relevant Planning History: -

05/00741/COU	Change of use of livestock building and Dutch Barn to B2 use with ancillary office accommodation	Refused	6.9.05

Consultations:-

Head of Community Services (Land Drainage) have requested that the access drive and hard standing proposed be finished in permeable material.

Director of Environment and Transport (Highways) raises no objections subject to conditions

Director of Environment and Transport (Rights of Way) has no objections

Witherely Parish Council have raised a query in respect of whether or not security fencing is to be erected around the site, and whether this would require permission.

At the time of writing the report no comments have been received from: -
Ward Members
Neighbours

Development Plan Policies:-

National Policy

Planning Policy Statement 7 - Sustainable Development in Rural Areas

Adopted Core Strategy

None relevant

Adopted Local Plan

The site is situated within the open countryside as defined in the adopted Hinckley and Bosworth Local Plan.

Policy BE1 - Design and Siting of the Development

Policy BE20 – Reuse and adaptation of rural buildings

NE5 – Development in the countryside

T5 – Highways

Appraisal:-

The main considerations in respect of this application are the principle of development, the impact of the proposed extension on the character and appearance of the countryside, impacts of the proposal on the amenity of surrounding residential properties, Highway Safety and other issues.

The Principle of Development

In respect of the change of use of agricultural buildings within the open countryside to commercial uses, PPS7 is supportive of such where they would be for farm diversification and would provide employment opportunities and would improve the local economy, subject to appropriate siting and design.
Policy NE5 of the Local Plan protects the countryside for its own sake and restricts the type of development that can take place. For development to be acceptable it must meet one of the following criteria:-

a) be important for the local economy,
b) be for the change of use or reuse or extension of existing buildings
c) for sport or recreation purposes; and subsequently should:-
i) not have an adverse effect on the appearance or character of the landscape;
ii) be in keeping with the scale and character of the existing buildings and surrounds;
iii) if necessary be screened by landscaping
iv) not generate traffic that would exceed the capacity of the highway or impair road safety

In this instance, the development would contribute towards the diversification of Drayton Fields Farm, would improve the economy within the local area and would involve the re-use of an existing agricultural building. Accordingly the criterion b) is met and thus in principle the change of use of the buildings is considered acceptable.

For the proposal to be acceptable, criteria within the second part of policy NE5 now need to be considered:-

Character and Appearance of the Countryside

Due to the limited screening along the front boundary and the size of the buildings, they appear visually prominent within the landscape. This said, as only minor elevational alterations are proposed (being the removal and creation of openings), suitable materials are to be agreed with the Local Planning Authority and further landscaping is planned, there are considered to be no additional impacts on the character or appearance of the surrounding countryside. The proposed use could result in external storage, which would be harmful to the appearance of the area. Accordingly a condition is considered justified to prevent such from occurring.

Highways

In considering the highway implications of the proposed use, the Director of Environment and Transport (Highways) has reviewed the traffic assessment submitted by the applicant. Based upon this it is considered, on balance that although the site is situated in a remote, un-sustainable transport location, the number of trips generated by the proposed use would not have a materially adverse impact on the local highway network. In addition there is adequate space on site to provide the required off road parking and the access can be upgraded to the required standard. Accordingly conditional approval has been suggested.

Residential Amenity

The nearest residential properties are those on the edge of Fenny Drayton, to the east of the site. However as these properties are in excess of 180m away, there are considered to be no adverse impacts on their amenity in terms of noise or disturbance from the proposed use. Hours of operation have been proposed by the applicant however as the adjacent farm has an unrestricted use and due to the distance of the proposal from surrounding residential properties, it is considered unreasonable in this instance to impose an house restriction. Accordingly, in terms of residential amenity the proposal is considered acceptable.

Other Issues

In respect of the query raised by Witherely Parish Council, it can be confirmed that permission is not sought for security fencing to be erected around the site, and that if the applicant wished to erect such fencing, subject to it being temporary, planning permission would not be required.

Conclusion

The use proposed will result in further farm diversification, to the benefit of the local economy, through the re-use of an existing agricultural building. The external alterations proposed are minimal and thus will have no material impacts on the character of the surrounding countryside, and the additional traffic generated will have no material impacts in terms of highway safety. Accordingly the proposal is considered acceptable and compliant with the intentions of PPS7 and Local Plan Policies BE1, BE20, NE5 and T5.

RECOMMENDATION:- Permit subject to the following conditions:-

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below, it is considered that subject to compliance with the conditions attached to this permission, the proposed development by virtue of its use, scale, design and landscaping proposed would not detrimentally impact the character of the surrounding countryside, residential amenity or highway safety. Therefore the proposal is considered acceptable.
Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1, BE20, NE5, T5

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

2 Before any development commences, representative samples of the types and colours of materials to be used on the external elevations of the proposed buildings shall be deposited with and approved in writing by the Local Planning Authority, and the scheme shall be implemented in accordance with those approved materials.

3 The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows: Drg nos:- 995/05/28; 995/05/27; 995/05/24 received by the Local Planning Authority on the 28/04/11

4 There shall be no storage of any description on the open area of the application site.

5 Before development commences full details of the provision to be made for landscaping of the site and an implementation programme shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

6 The soft landscaping scheme shall be maintained for a period of five years from the date of planting. During this period any trees or shrubs which die or are damaged, removed, or seriously diseased shall be replaced by trees or shrubs of a similar size and species to those originally planted at which time shall be specified in writing by the Local Planning Authority.

7 Before the first use of the premises hereby approved, the access drive shall be re-surfaced with a hard bound porous material, shall have a minimum width of 5.5 metres for a distance of at least 10 metres behind the Highway boundary with 6 metres control radii at its junction with Drayton Lane. The access drive once provided shall be maintained as approved at all times thereafter.

8 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order) the premises shall be used only for the purposes specified in application Ref 11/00331/COU and for no other purposes whatsoever.

Reasons :-

1 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2 To ensure that the development has a satisfactory external appearance to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.

3 For the avoidance of doubt and in the interests of proper planning

4 To ensure that the development does not have an adverse impact on the character of the surrounding countryside, to accord with policy NE5 of the adopted local plan.

5 To enhance the appearance of the development to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.

6 To ensure that the work is carried out within a reasonable period and thereafter maintained to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.

7 To ensure that vehicles entering and leaving the site may pass each other clear of the highway and not cause problems or dangers within the highway to comply with policy T5 of the Local Plan.

8 The proposal has been considered on the basis of the use falling within a specific use class. The use of the building for any other purpose within a different use class, as permitted by the Use Class Order, would require further consideration of the Borough Planning Authority. To comply with Policy BE1 of the adopted Hinckley and Bosworth Local Plan.

Notes to Applicant:-

1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3 As from 6 April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

4 All works within the limits of the Highway with regard to the access shall be carried out to the

satisfaction of the Southern Area Manager (0116 3052202).

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