

Application No: 20/5014N

Location: FORMER AGRICULTURAL UNIT WRENBURY HALL FARM,
WRENBURY HALL DRIVE, WRENBURY, CW5 8EJ

Proposal: Retrospective change of use of land and agricultural building

Applicant: Premier Development

Expiry Date: 28-Apr-2021

SUMMARY

The proposal is considered to be acceptable in principle in terms of being capable for conversion in the open countryside and in the context of layout, scale and design, would not have an adverse impact on existing visual or residential amenities, design, highway safety, ecology, trees or flooding. The proposal is also supported in terms of rural economy and diversification.

The proposed development complies with the Development Plan as a whole and is recommended for approval.

RECOMMENDATION

APPROVE with conditions

REASON FOR DEFERRAL

This application was deferred at the Southern Planning Committee meeting on 26th May to allow for Members to undertake a site visit.

REASON FOR REFERRAL

This application is referred to Southern Planning Committee at the request of Cllr Davies for the following reason;

I would like to call this application in as I feel the access to the property is unsuitable for any quantity of vehicles. It is also in close proximity to a youth leisure facility which allows disabled children to have holidays in a quiet countryside location, if this site was approved then this peace and quiet would be gone.

DESCRIPTION OF SITE AND CONTEXT

The site and building were in previous agricultural use and are sited in a small cluster of buildings off Wrenbury Hall Drive.

This cluster of buildings consists of a residential property to the east and Wrenbury Hall a wedding venue to the south. There are also some residential properties further to the south off the shared access road, as well as some commercial uses in the form of care home and leisure facility for children.

The applicant also owns the attached building to the west and south which is in connection with a wider commercial and agricultural use.

Vehicular access is taken off Nantwich Road.

The site lies within the open countryside.

DETAILS OF PROPOSAL

The application seeks consent retrospectively for the change of use of land and agricultural buildings for mixed use E(g) (Light Industrial) & B8 (Warehouse) to create 9 storage units and associated external alterations.

The supporting information advises that present occupants include dog food company, Cheshire Hot Tubs, two joiners and professional car restorer.

The floor area of the units varies from 61.5m² to 63m².

RELEVANT HISTORY

20/4183N – Prior change of use of agricultural building to B1 (Light Industrial) storage (8 storage units) – Withdrawn 19-Oct-2020

P03/0752 – Conversion of Former Farm Buildings to Residential Use – Approved 19-Aug-2003

P03/0121 - Conversion of Farm Buildings to Residential Use – Withdrawn 30-Apr-2003

POLICIES

National Policy

National Planning Policy Framework (NPPF)

Local Policy

Cheshire East Local Plan Strategy – Adopted Version (CELP)

The following are considered relevant material considerations as indications of the emerging strategy:

Policy MP1 – Presumption in Favour of Sustainable Development

Policy PG 1 – Overall Development Strategy
Policy PG 6 – Open Countryside
Policy SD 1 – Sustainable Development in Cheshire East
Policy SD2 – Sustainable Development Principles
Policy SE 1 – Design
Policy SE 4 – The Landscape
Policy EG1 – Economic Prosperity
Policy EG2 – Rural Economy

It should be noted that the Cheshire East Local Plan Strategy was formally adopted on 27th July 2017. There are however policies within the legacy Local Plan that still apply and have not yet been replaced. These policies are set out below.

Crewe and Nantwich Local Plan (CNLP)

NE.20 Flood Prevention
BE.1 Amenity
BE.3 Access and Parking
BE.4 Drainage, Utilities and Resources
BE.6 Development on Potentially Contaminated Land
NE.5 Nature Conservation and Habitats
NE.9 Protected Species
NE.13 Rural Diversification
NE.15 Re-Use and Adaptation of a Rural Building for a Commercial, Industrial or Recreational Use

Wrenbury Neighbourhood Plan (WNP)

Policy LC1 – Character and Design
Policy LC2 – Landscape Character
Policy LC3 – Natural Environment and Biodiversity
Policy TR3 – Vehicular Access to and through the parish
Policy LEC1 – Local Economy

CONSIDERATIONS (External to Planning)

CEC Environmental Health (Cheshire East) – No objection subject to licencing informative

CEC Highways – No objection

View of the Parish/Town Council

Wrenbury Parish Council - Object on the following grounds (full comments available on the Councils website):

- Outside of settlement boundary and thus inappropriate development and does not relate to an existing business so does not meet this exception
- Proposed use should be located in a Principal Town
- Extent of B1 use has not been clarified
- No parking shown on the plans

- Access over historic bridge is inappropriate and may damage the bridge
- No details of material have been given
- Site is located within the open countryside with views from many directions
- Lacking information regarding the use of the site
- Detrimental Impact on the local economy
- How will water and waste be disposed of
- How will waste be collected
- No employees proposed so no employment benefit
- No opening hours proposed
- Noise from current use
- Impact of the use of existing business

Other Representations

16 letters of objection have been received which raise the following points;

- Will increase vehicular movements to and from the site
- Roadway inappropriate for increased movements
- Unsustainable location
- No details of parking areas
- Noise from existing use/harm to living conditions
- Odours/light pollution
- Criminal behaviour on the site
- Out of character with the rural area
- Asbestos in existing buildings
- No idea on waste collection
- Harm to existing business
- Applicants website advises that it proposed 54 units for B2 use and car smashing
- Inefficient publicity of the application
- Power supply to existing properties
- Contrary to PG6 as extensive alterations carried out
- Contrary to EG2 as noted in principal town
- Contrary to NE15 given traffic impacts
- No opening hours given
- Wear and tear on existing road
- No right of way exists over the private unadopted road
- Retrospective nature suggests the applicant would not comply with any approval
- The site has not been solely used for Agricultural purposes for in excess of 10 years and was in fact granted planning permission for commercial to residential use P03/0121 during 2003

OFFICER APPRAISAL

Principle of Development

The site lies largely in the Open Countryside as designated by the Adopted Cheshire East Local Plan, where policy PG6 states that within the Open Countryside only development that is essential for the purposes of agriculture, forestry, outdoor recreation, public infrastructure, essential works undertaken

by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted. This policy however also lists some exceptions, the most relevant here being:

- For the re-use of existing rural buildings where the building is permanent, substantial and would not require extensive alteration, rebuilding or extension
- For development that is essential for the expansion or redevelopment of an existing business

Policy LEC1 of the Wrenbury Neighbourhood Plan also *'encourages the retention and expansion of existing businesses, including through the sympathetic conversion of existing buildings'*.

Essential for the expansion or redevelopment of an existing business

The retrospective nature of the proposal is noted and thus it cannot be argued that the proposal relates to an existing business. However the supporting statement advises that some of the occupiers of the units themselves are existing businesses from the local area that have re-located to the site, although no detail has been given to advise why it is essential for the business to re-locate to this location.

Re-use of rural buildings

Usually to demonstrate that a building is both permanent and substantial a structural survey is recommended to assess whether or not the structure is able to accommodate the proposed conversion works.

In this instance no structural survey has been provided. However given that the building has already accommodated the proposed changes, it must be considered to both permanent and substantial for the purposes of this policy.

Next the extent of the changes needs to be considered. In this instance no extensions or re-building has been undertaken. Therefore, it is just the alterations that need to be considered. The supporting statement provides some commentary regarding the construction of the existing building and details what works have taken place, these include:

As existing the building was constructed as follows:

- Steel Portal Frame
- GRP Fibre cement roof with roof lights
- Concrete Floor
- Power and Lights connected

The proposed structure (alterations undertaken to allow for the change of use):

- Steel Portal Frame (retained as existing)
- Block Wall Construction with profile cladding sheets above
- GRP Fibre cement roof with roof lights (retained as existing)
- Concrete Floor (retained as existing)
- Power and Lights connected (retained as existing)
- Openings - The proposed requires inclusion of roller shutter doors.
- Internal arrangement will be created through block partition.

The main changes therefore appear to be the infilling of the frame with blocks and profile cladding sheets to the walls, openings to form windows and roller shutter doors and internal arrangements through addition of partition walls.

There is nothing in the policy to advise what works would be considered “extensive” and the works undertaken are generally in line with those changes permitted for conversion of rural buildings under the prior approval process and also in line with decisions allowed at appeal.

As a result, the proposal complies with PG6 as the building is considered to be permanent and substantial and has not result in extensive alterations, re-build or extension.

Character and Appearance

The proposal seeks to convert the existing agricultural building. The main changes are the infilling of the frame with blocks and profile cladding sheets to the walls, openings to form windows and roller shutter doors and internal arrangements through addition of partition walls.

These changes involve re-using the shell of the existing building and would not result in the building being extended or any increase in the bulk or height of the building. To this extent the impact of the building on the wider setting would remain largely unaltered.

The main change therefore would be the introduction of a number of openings to accommodate the proposed use. Whilst these changes would alter the visual appearance of this existing rural building to a more commercial appearance, this is an inevitable consequence of the overall policy support for the re-use of the rural building. The proposal also seeks to introduce some local brickwork to assimilate with the local area and the use of mixed steel sheeting and timber cladding is not untypical of rural buildings. There are some sections where the works appear incomplete as the steel cladding has not been finished however this could be secured by condition to ensure a consistent visual appearance.

Finally, it is also accepted that the proposed car parking area would also result in some visual harm as it would see more vehicles parked at the site, however as noted above this is an inevitable

consequence of the policy support for the re-use of rural buildings. There would also have been some existing vehicle/machinery storage associated with the previous agricultural use. To this extent the visual harm is not considered to be significant.

Therefore, no significant harm to the overall character/appearance of the area.

Rural Economy

Policy EG1 (Economic Prosperity) advises that proposals for employment development on non-allocated employment sites will be supported where they are in the right location and support the strategy, role and function of the town, as identified in Settlement Hierarchy, Spatial Distribution of Development and in any future plans, including Neighbourhood Plans, where applicable.

Policy EG2 (Rural Economy) advises that proposals that provide opportunities for local rural employment development that supports the vitality of rural settlements and encourage the retention and expansion of existing businesses, particularly through the conversion of existing buildings and farm diversification will be supported provided it supports the rural economy, would not undermine employment allocations, and could not reasonably be expected to locate within a designated centre, no harm to open countryside/appearance of the area and has adequate infrastructure.

The proposal clearly has some conflict with these policies as it is not sited within a designated employment area and there appears to be no reason why the use has to be located in this countryside location by reason of the products sold. It does however also have some compliance with these policies as it seeks to retain existing businesses (those businesses who have relocated to the site) through the conversion of an existing building. The supporting statement also advises that the use would also allow diversification of the farm as the buildings have been deemed surplus to requirements by the farmer who has still been able to farm the surrounding land owned by him without this building.

It is also appreciated that there is also conflict between Local Plan Policies in this regard, with the support given to conversion/re-use of existing buildings as contained within Policy PG6 of the CELP, NE.13 and NE.15 of the C&NLP and LEC1 of the WNP. There is also a strong emphasis in support of the conversion of rural buildings within the NPPF and paragraph 83a which states that planning decisions should enable *'the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings'*.

Residential Amenity

The nearest neighboring property is sited 28m away to the east and there are further properties sited to the south off the shared access road. Given that the proposal seeks to re-use the existing shell it is not considered that the proposal would cause any harm to living conditions by reason of overbearing/overshadowing impact or loss of privacy.

In terms of noise/disturbance, the Councils Environmental Health Team have been consulted and have not raised any objections in this regard. They note that generally B1 uses are much less noise intensive than say B2 uses and advise that condition could be used to control working hours to prevent potential disturbance during unsocial hours and also condition which prevents any outdoor working/storage to further limit noise disturbance. They also advise that despite the retrospective

nature of the proposal, no noise complaints have been received for the site suggesting that the use has been operating without such concerns.

By their very definition B1 uses are uses which can be carried out in a residential area without detriment to its amenity.

The use with the most potential to create noise would appear to be that for the restoration of cars. However the supporting statement advises that the occupant does not do body modifications etc and specialises in engine repairs, and his equipment is only smaller type stuff which are able to run off a normal 240V 3 pin socket power outlet. It also confirms that the site does not have 3 phase or commercial type power supplies to the units, which naturally limits the amount, size and scope of machinery allowed to be used within any unit. To this extent Environmental Health Officers are happy that subject to condition preventing any outdoor working that noise would be contained within the building.

It is also worth noting that the existing agricultural use would also have resulted in some noise, odour, and disturbance from both the use and vehicular movements.

As a result, subject to the suggested conditions, it is not expected that the proposal would cause any significant harm to living conditions of neighboring properties.

Access and Parking

Site description and current application proposal

The site is currently an agricultural building which would be converted to light industrial and storage, with adjacent hardstanding for parking. The building floor area is approximately 780sqm.

It would be accessed off Wrenbury Hall Drive which is a private access off Nantwich Road. The access serves a number of other uses including Wrenbury Hall, nursing home, and a small leisure facility for disabled children.

Safe and suitable access

The application site is small and is unlikely to generate more than half dozen vehicle trips during the busiest hour.

The site is accessed from Wrenbury Hall Drive which in turn is accessed from Nantwich Road. Wrenbury Hall Drive is narrow but there are informal passing places along its length. The access point off Nantwich Road is wide enough to allow 2 vehicles to pass each other if required and reversing onto Nantwich Road will not occur. The existing site could already potentially generate vehicle trips, now or in the future, including those from large agricultural vehicles. There have also been no recorded accidents at the access over the past 3 years.

There is sufficient hardstanding adjacent to the building to allow for parking.

Highways Conclusion

Given the small scale of the proposal, the existing use, the developments that already use Wrenbury Hall Lane together with there being no existing safety concern, the proposal is considered acceptable.

Therefore, given the above and the no objection from the Councils Highways Engineer, it is not considered that the proposal would cause any severe highway impacts.

Ecology

The Councils Ecologist has been consulted and has not raised any objection on Ecology grounds. Therefore, it is not expected that the proposal would have any significant ecology impacts.

Drainage/Flood Risk

The application site is located within a Flood Zone 1 and as such does not require submission of a Flood Risk Assessment.

In this regard given that the proposal seeks a change of use of an existing building there would be no increased flood risk issues from the use of the building. Similarly, the car parking would take place on an existing graveled area and thus should not pose any increased drainage issues.

As a result, the proposals will not cause any significant issues from a flooding/drainage perspective.

CONCLUSIONS AND REASONS(S) FOR THE DECISION

The proposal is considered to be acceptable in principle in terms of being capable for conversion in the open countryside and in the context of layout, scale and design, would not have an adverse impact on existing visual or residential amenities, design, highway safety, ecology, trees or flooding. The proposal is also supported in terms of rural economy and diversification.

The proposed development complies with the Development Plan as a whole and is recommended for approval.

RECOMMENDATIONS

APPROVE subject to the following conditions

1. **Cladding work to finish within 3 months of decision**
2. **Retained to the approved plans**
3. **Operational hours 830am-530pm Monday to Friday and 9am-2pm Saturdays and not at all Sundays/Bank Holidays**
4. **Parking area to be provided within 3 months of decision**
5. **No outdoor working/storage**
6. **Use restricted to B8 and E(g)**
7. **No amalgamation of the units hereby approved without the submission and approval of a separate planning application.**

In order to give proper effect to the Board`s/Committee`s intent and without changing the substance of its decision, authority is delegated to the Head of Planning (Regulation) in

consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice.

