

Application No: 11/3076N

Location: LONG LANE FARM, LONG LANE, BRINDLEY, NANTWICH, CHESHIRE, CW5 8NE

Proposal: Change of Use of Agricultural Building to Joinery Workshop.
Resubmission of 11/1184N

Applicant: Mr N Bulkeley

Expiry Date: 03-Oct-2011

SUMMARY RECOMMENDATION:

Refuse

MAIN ISSUES:

- Principle of development
- Design, character and appearance
- Impact on residential amenity
- Highways and parking
- Public rights of way

1. REASON FOR REFERRAL

This application has been called in to Southern Planning Committee by Cllr Davies for the following reasons:

"I wish the committee to take regard of supporting small business in the rural area."

2. DESCRIPTION OF SITE AND CONTEXT

The application site relates to part of a farm complex at Long Lane Farm. Access is via a long track from Long Lane. To the north is an existing barn with permission to convert to two residential units which was commenced in 2009 according to the Design and Access Statement.

3. DETAILS OF PROPOSAL

This application seeks full planning permission for change of use of an existing agricultural building to a joinery workshop.

4. RELEVANT HISTORY

- P04/1088 Conversion of barn from agricultural use to residential, creating 2 no. dwellings and 2 garage blocks.
Approved 1st November 2004.
- P08/0661 Removal of condition 8 of planning application P04/1088.
Refused 23rd July 2008.
- 11/1184N Change of use of agricultural building to joinery workshop.
Withdrawn 22nd July 2011.

The 2008 application (P08/0661) proposed the removal of condition 8 of P04/1088 which required an existing farm building to be removed prior to the commencement of development. The intention was then to use this building as a light industrial workshop and agricultural machinery store. The 2008 application was refused for three reasons, firstly it was considered the building was unsuitable for conversion to a workshop being a modern agricultural building lacking a degree of permanency, contrary to NE.15; secondly it was considered the amenity value of the countryside would be harmed by the need to provide additional hardstanding in an adjoining field for parking and turning facilities contrary to policy NE.2; and thirdly the proximity of the building to the brick barn to be converted to residential use was considered unacceptable as the development would result in noise and disturbance of future occupiers.

The 2011 application (11/1184N) was identical to the application now under consideration. This was withdrawn following discussions between the case officer and the applicant's agent where the view was expressed that this building is not suitable for conversion and the proposed works required for noise insulation and building up of the front elevation would represent substantial alterations, and therefore it was not in accordance with local plan policy. This reflected advice given at the pre-application stage.

5. POLICIES

Regional Spatial Strategy

- DP1 Spatial Principles
- DP2 Promote Sustainable Communities
- DP4 Making the Best Use of Existing Resources and Infrastructure
- DP7 Promote Environmental Quality

Local Plan Policy

- BE.1 (Amenity)
- BE.2 (Design Standards)
- BE.3 (Access and Parking)
- NE.2 (Open Countryside)
- NE.15 (Re-use and Adaptation of a Rural Building for Commercial, Industrial or Recreational Use)
- RT.9 (Footpaths and Bridleways)

Other Material Considerations

- PPS1: Delivering Sustainable Development
- Planning Policy Statement: Planning and Climate Change Supplement to PPS1
- PPS4: Planning for Sustainable Economic Growth

6. CONSULTATIONS (External to Planning)

Environmental Health: Make the following comments:

1. The agricultural buildings have planning permission to be converted into residential dwellings (P04/1088). As stated in the Design and Access Statement, the applicant plans to occupy Unit 1 if planning permission for the joinery workshop is granted. Therefore if the applicant moves from Unit 1 and it is sold in the future for residential use, the joinery workshop should cease operation. This is to protect the amenity of the residents living in the barn conversions.
2. Hours of operation for the site shall be restricted to 8am – 5pm Monday to Friday, in order to safeguard the amenity of local residents.
3. Prior to the use commencing details of any external lighting shall be submitted to and approved in writing by the borough council. Development shall be carried out in accordance with the approved details. To ensure that the lighting does not intrude upon issues of amenity or highway safety.

Environmental Health Advisory Note:

Construction hours (and associated deliveries to the site) shall be restricted to 08:00 to 18:00 hours Monday to Friday, 09:00 to 14:00 hours Saturday, with no working Sundays or Bank Holidays to safeguard the amenity of local residents.

The following comments have been made in relation to Contaminated Land:

The application area has a history of agricultural use and therefore the land may be contaminated. As such, and in accordance with PPS23, this section recommends that the following conditions, reasons and notes be attached should planning permission be granted:

As the site is currently a farm, there is the potential for contamination. As such, should any adverse ground conditions be encountered during the excavation works, all works in that area should cease and this department contacted for further advice.

NOTE

The applicant is advised that they have a duty to adhere to the regulations of Part IIA of the Environmental Protection Act 1990, the Town and Country Planning Act 1990 and the current Building Control Regulations with regards to contaminated land. If any unforeseen contamination is encountered during the development, the Local Planning Authority (LPA) should be informed immediately. Any investigation / remedial / protective works carried out in relation to this application shall be carried out to agreed timescales and approved by the LPA in writing. The responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.

This section has used all reasonable endeavours to recommend the most appropriate measures regarding potential contamination risks. However, this recommendation should not be taken to imply that the land is safe or otherwise suitable for this or any other development.

Public Rights of Way

These comments are awaited and will be reported as an update.

7. VIEWS OF THE PARISH COUNCIL:

Burland Parish Council supports this development. An employment unit will be created in the rural area by utilising an existing building, the outward appearance of which will remain unchanged.

8. OTHER REPRESENTATIONS:

The consultation period ended on 12th October 2011. No representations have been received at the time of writing the report.

9. APPLICANT'S SUPPORTING INFORMATION:

A Design and Access Statement has been provided the salient points being:

- The proposal is to upgrade the building without prejudicing its essential rural quality;
- The acoustic performance of the building would be upgraded by providing an internal wall and would achieve a minimum of 40Db sound reduction;
- The doors to the workshop would be on the east elevation to ensure no perforations in the acoustic barrier;
- Trail holes before construction would need to establish if the existing concrete slab can carry the additional weight. The perimeter may need to be underpinned;
- The thermal performance would be improved with cavity wall batts giving an overall U Value of external walls not less than 0.35 W/m²K;
- Yorkshire boarding would be lined internally with a breathable membrane;
- A suspended ceiling would be provided below the steel roof;
- The applicant will occupy unit 1 of the barn conversion and would accept a condition that the use ceases upon sale of the property;
- The proposed use would involve manufacture of bespoke joinery for the domestic market and would not involve large machinery use.
- There would be no element of sales;
- No more than 5 clients are expected to visit over the course of a year;
- There would be an average of 1 delivery per month by a 10 or 18 ton fixed bed lorry.

10. OFFICER APPRAISAL

Principle of Development

Policy NE.2 of the Local Plan states that

Within open countryside only development which is essential for the purposes of agriculture, forestry, outdoor recreation, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted.

As the proposed new use would be light industrial and not agriculture, it will be necessary to assess whether such a use is appropriate to a rural area.

PPS4 notes that the re-use of buildings in the countryside for economic development will usually be preferable [over other uses] and is broadly supportive of such development.

Policy NE.15 of the Local Plan is also supportive of business re-use provided that the following criteria can be met:

- *The building is of substantial, sound and permanent construction;*
- *The use of the building would not lead to the dispersal of activity on such a scale as to prejudice the vitality of a nearby town or village;*
- *The form, bulk and general design of the building is in keeping with its surroundings;*
- *Any conversion work respects local building styles and materials;*
- *The traffic to be generated by the new use can be safely accommodated by the site access and the local road system;*
- *The proposed use will not harm the local environment through the creation of noise, dust, smoke, fumes, grit, vibration or any form of water, soil or air pollution;*
- *There is sufficient room in the curtilage of the building to park the vehicles of those who will work or visit there and also to service its use, all without detriment to the visual amenity of the countryside;*
- *No commercial, industrial or recreational activity or storage of raw materials or finished goods is to take place outside the building; and*
- *No new fences, walls or other structures associated with the use of the building or the definition of its curtilage or any sub-division of it will be erected if they would harm the visual amenity of the countryside.*

This proposal is for the conversion of a modern agricultural building. The retention of redundant traditional brick built agricultural buildings is desirable as they are important buildings which contribute to the distinctiveness and character of the countryside. Additionally the conversion of rural buildings for employment uses is encouraged in this regard and can also help to diversify the rural economy and promote sustainable development. However modern agricultural buildings are designed specifically for agricultural use which makes their conversion to other uses difficult without substantial alteration. In addition their construction also lacks a degree of permanency which traditional brick built buildings have. In this case the building would require alterations including the addition of an internal skin and building up of the front elevation. The proposal is to build a concrete blockwork internal skin within the existing building in order to attenuate noise, the Yorkshire boarding would be lined internally with a breathable membrane and a suspended ceiling provided below the existing steel roof. The front (south) elevation is currently open and the proposal is to build up the front consisting of 2.1 metre high blockwork and Yorkshire boarding above. This elevation would contain two windows and an 1800mm wide door. There is also a question mark regarding the existing concrete slabs, and subject to trial holes prior to construction, the perimeter may need underpinning.

Given the extent of the works needed to convert this building it is not considered suitable for conversion, being tantamount to the construction of a new building internally and requiring significant alteration, albeit preserving an existing external appearance to three facades. The front (south) elevation however would be completely altered and would change the character of the building.

For the reasons described above it is considered that this building is not of substantial, sound and permanent construction as required by Policy NE.15 and is therefore not suitable for conversion.

Design, character and appearance

The external elevations of the building will be concrete panel and Yorkshire boarding which is common for agricultural buildings. Whilst the building up of the front elevation would enclose what is currently an open shed, its design and appearance would be appropriate to the rural locality and would not harm the character of the countryside or its openness. Moreover parking and turning can take place within the existing hardstanding to the rear of the building and therefore the development can be contained within the existing development on the site.

Impact on Residential Amenity

An existing barn sits approximately 8 metres from the subject building. This barn has permission for conversion to two residential units (reference P04/1088). The existing farmhouse is approximately 40 metres away from the subject building. Given the proposed end use of the building as a joinery workshop has potential to cause noise and disturbance, the impact on amenities of these properties is an important consideration. The adjacent barn is yet to be converted however the applicant has stated the development has been commenced and the permission is still extant. The Design and Access Statement states that the internal blockwork wall would achieve a minimum of 40Db sound reduction. The applicant has stated his intention to occupy unit 1 of the converted barns and would welcome a condition restricting the use of the workshop to the occupier of that unit and that the use should cease upon sale of the property. The Environmental Health department have raised no objections subject to a condition of that effect and a condition restricting hours of operation to 8am to 5pm Monday to Friday.

Highways and Parking

There are no issues regarding the point of access off Long Lane given the scale of the proposed use and that it currently serves an existing farm business which is likely to generate more vehicle movements than the use the subject of this permission.

It is possible for a parking and turning area to be provided within the existing courtyard to the rear of the building.

Public Rights of Way

Burland Foot path 9 runs across the south of the site, directly in front of the application building. The implications of this may well be a need to apply to divert the public footpath so the workshop use does not interfere with the operation of the public footpath. However at the time of writing the committee report comments are still awaited from the Public Rights of Way Unit. These comments will be reported as an update.

11. CONCLUSIONS

The existing building is designed for agricultural purposes and lacks a degree of permanency. Substantial alterations to the front elevation and internal building works are required to convert the building to its proposed end use and provide necessary acoustic and thermal insulation. In this regard the building is not considered suitable for conversion, as it is not of substantial, sound and permanent construction as required by Policy NE.15.

12. RECOMMENDATIONS

REFUSE for the following reasons:-

1. The existing building is a modern agricultural building designed for agricultural purposes which lacks a degree of permanency in both its construction and appearance. It would require substantial alterations and building works to convert it to a joinery workshop and the building is therefore unsuitable for conversion and re-use as proposed. The proposal is therefore contrary to Policy NE.15 (Re-use and Adaptation of a Rural Building for Commercial, Industrial or Recreational Use) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

