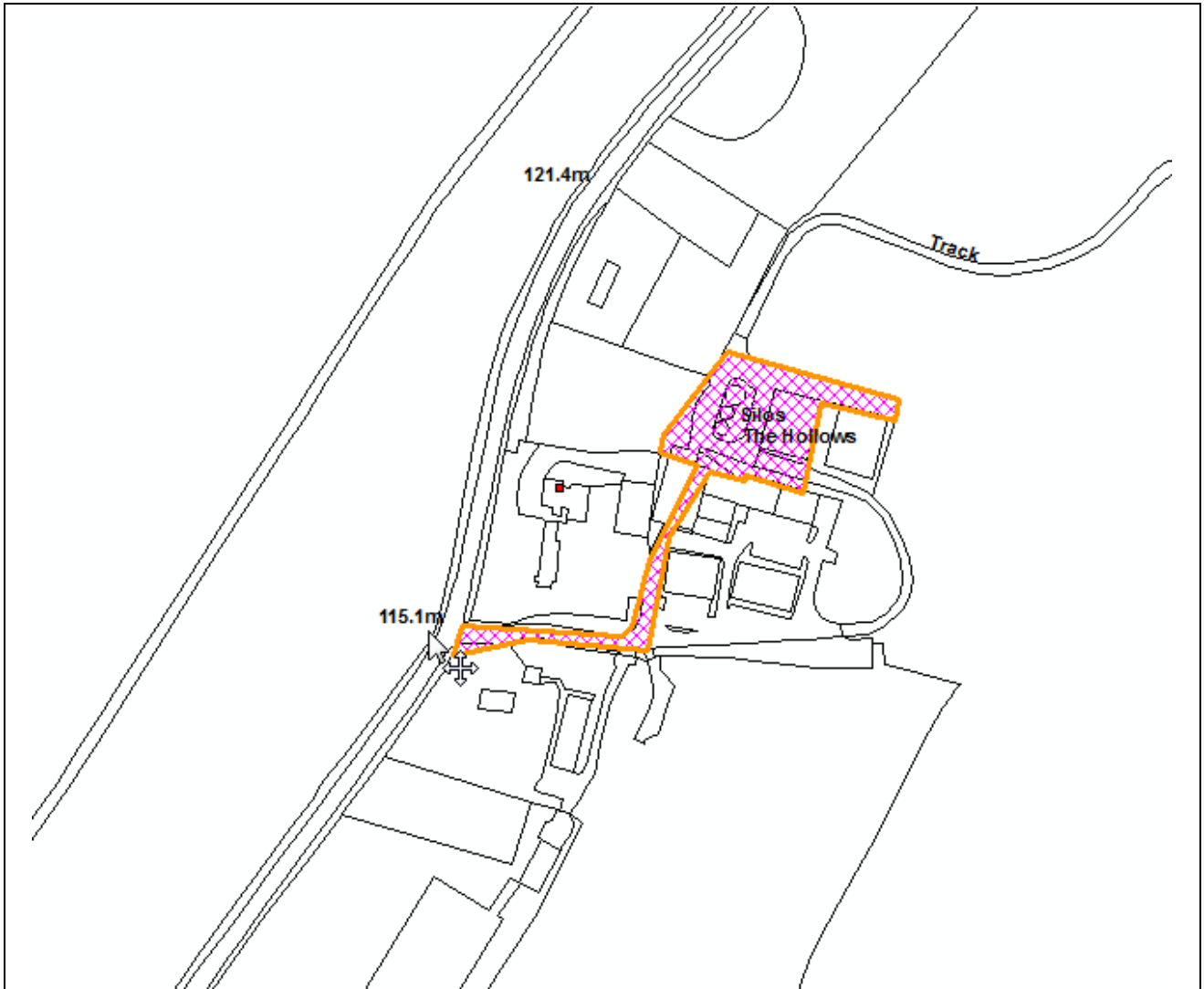


18/00751/APP



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REFERENCE NO	PARISH/WARD	DATE RECEIVED
18/00751/APP	LITTLE HORWOOD The Local Member(s) for this area is/are: -	08/03/18
CHANGE OF USE OF AN AGRICULTURAL BUILDING TO B1 & B8 USE (LIGHT INDUSTRIAL, STORAGE AND DISTRIBUTION) THE HOLLOWS, WINSLOW ROAD MK17 0PD	Councillor Sir Beville D Stanier Bt	
MR S HILL		
STREET ATLAS PAGE NO 55		

1.0 The Key Issues in determining this application are:-

- a) Principle of the development**
- b) Character and Appearance**
- c) Impact upon neighbouring amenity**
- d) Transport & Highways Impact**

The recommendation is that permission be **GRANTED**, subject to conditions

1.1 Conclusion

- 1.2 The proposal to change the use of the agricultural buildings is considered to accord with policy as the building is considered now only suitable for temporary storage not up to farm assurance standards, modern farming equipment and current policy. The location of the unit is in close proximity to the commercial aspect of the site therefore complementing the physical characteristics of the site and surroundings, it therefore accords with paragraph 28 and 55 of the NPPF, the first part of RA11 of AVDLP and policy GP35 of AVDLP.
- 1.3 The access road is in regularly use, the addition of this unit would not cause an increase in noise that would become unacceptable to what is already generated and the unit itself is situated a suitable distance away from residential dwellings. Therefore it is considered to comply with GP. 8 & GP35 of Aylesbury Vale District local Plan & the NPPF.
- 1.4 The existing access will be used which is of appropriate width and visibility that it is considered that there would be no adverse impact or concern of highway safety. There is acceptable provision for loading, unloading and manoeuvring of delivery vehicles, as well as parking provision. Therefore the scheme is considered to comply with policy GP. 24 of Aylesbury Vale District local Plan, the council's SPG Parking Guidelines & the NPPF.
- 1.5 It is therefore recommended that the application be **APPROVED** subject to the following conditions:
1. STC5 – Standard time condition
 2. US07 – Materials as shown

3. REH2 - No plant or machinery shall be operated on the site outside the hours of 06:30 am to 09:00 pm Mondays to Fridays, nor at any time on Sundays, Public or Bank Holidays.
4. REH4 - No deliveries shall be taken at or despatched from the site outside the hours of 06:30 am to 09:00 pm Mondays to Fridays, and at no time on Sundays, Public or Bank Holidays.
5. HG31 - The scheme for parking and manoeuvring indicated on the submitted plans shall be laid out prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.
6. REU3 - The premises shall only be used for B1 (Business) & B8 (Storage or distribution) purposes and for no other purpose [including Class C3 (Dwelling houses) of the Schedule to the Town and Country Planning (Use Classes) Order 1987, as amended, or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification].

Reasons

1. RE03 – To comply with Town and Country Planning Act and Section 51 of Planning an Compulsory Purchase Act
2. RE11 - To ensure a satisfactory appearance to the development and to comply with policy GP8 and GP35 of Aylesbury Vale District Local Plan and the National Planning Policy Framework.
3. RE30 - Reason: To safeguard the amenity of the area and to comply with GP8 of the AVDLP and the National Planning Policy Framework.
4. RE30 - Reason: To safeguard the amenity of the area and to comply with GP8 of the AVDLP and the National Planning Policy Framework.
5. RE52 - Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway and to comply with the National Planning Policy Framework.
6. RE28 - Reason: To ensure that inappropriate uses do not take place in this locality and to comply with the National Planning Policy Framework.

2.0 INTRODUCTION

- 2.1 The application needs to be determined by committee as the parish council has raised material planning objections and indicated that they would speak at Committee. Material objections are in regards to the increase in traffic, noise and concerns with Highway Safety. In response to their concerns, the access road is currently in regularly use in relation to the existing commercial units on site as well as the agricultural buildings. It is considered that the addition of this unit would not cause an increase in noise that would become unacceptable compared to what is already generated on site. The existing access will be used which is of appropriate width and visibility that it is considered that there would be no adverse impact or concern of safety, the Highways Authority have no objection.

3.0 SITE LOCATION AND DESCRIPTION

- 3.1 The site relates to an existing agricultural building to the north of a complex of former agricultural buildings which have been converted to B1 & B8 uses at the rear of the former farm house off from Winslow Road south of Little Horwood. The land falls gently from the road to the eastern rear of the site. The buildings are constructed from painted blockwork and brown corrugated sheet.
- 3.2 Access serving the site is taken off the Winslow Road.

4.0 PROPOSAL

- 4.1 The development would involve the change of use of the agricultural building to B1 and B8 use. It is not proposed to alter the existing footprint of the building, there would be new openings required for commercial use in the north and south elevations, of insulated brown powder coated steel roller shutter doors and personnel doors to match. The lower wall would be in-filled with painted blocks with profiled brown metal sheeting to match the existing commercial building adjacent. The roof would be retained as existing.
- 4.2 Tarmac access links would be provided from the existing track through the site, including the moving of three spaces associated with the adjacent unit for better access and with the provision of 13 parking spaces for the proposed unit. There is also a scheme of landscaping included with fencing, shrubs and trees.
- 4.3 Further justification was sought as to why the unit was no longer needed for agricultural purposes despite new agricultural units being constructed which is assessed below.

5.0 RELEVANT PLANNING HISTORY

- 5.1 00/02513/APP - Conversion of agricultural buildings to B1 and B8 - REFUSED
02/00098/AGN - Agricultural building – NOT PROCEEDED WITH
02/01221/AGN - Agricultural building – NO OBJECTION
95/00292/AGN - GRAIN BIN - NO OBJECTION
98/01615/AGN - AGRICULTURAL BUILDING – DETAILS REQUIRED
02/01905/AGN - Agricultural building – PROCEED WITH WORKS
04/01644/APP - Stable block comprising 4 loose boxes, tack room and store - APPROVED
04/02045/APP - Agricultural building - APPROVED
12/01591/AGN - Erection of grain store - NO OBJECTION
14/02017/APP - Change of use of agricultural building to mixed B1 and B8 use (light industrial, storage and distribution). - APPROVED
15/04304/APP - Erection of new agricultural building for the storage of grain. - APPROVED

6.0 PARISH/TOWN COUNCIL COMMENTS

- 6.1 Little Horwood Parish Council – Objects to the application. An industrial estate has been created by virtue of this type of application. The access has not been adopted or maintained and has a constant stream of traffic. Traffic and noise has caused many issues to the residents adjacent to the track. There would also be an increase in the likelihood of accidents at the point where the track meets the Winslow Road with increase vehicular movements. The postcode has not been changed from that of the neighbours causing miss-deliveries.

7.0 CONSULTATION RESPONSES

- 7.1 Bucks County Council Highways – No Objection subject to condition
7.2 Ecological Officer – No Objection
7.3 Environmental Health – No Objection with suggested condition on operating hours in line with other planning permissions on site.

8.0 REPRESENTATIONS

- 8.1 Two letters of representations have been received, raising the following material planning considerations;
- Objecting to the rural location of the development,

- Increase in traffic and highways safety as well as inadequate justification for the change of use.
- Historically new agricultural buildings have been erected and subsequently converted to light industrial units in this pattern.

9.0 EVALUATION

9.1 Principle of the development

- 9.2 The starting point for decision making is the development plan. In this case the Development Plan comprises the “saved” policies of AVDLP. S38(6) of the Planning and Compulsory Purchase Act 2004 requires that decisions should be made in accordance with the Development Plan unless material considerations indicate otherwise. The National Planning Policy Framework and the Planning Practice Guidance are both important material considerations in planning decisions. Neither change the statutory status of the Development Plan as the starting point for decision making but policies of the development plan need to be considered and applied in terms of their degree of consistency with the NPPF, PPG and other material considerations. Determination of any formal application would need to consider whether the proposal constitutes sustainable development having regard to Development Plan policy and the NPPF as a whole.
- 9.3 A number of general policies of the AVDLP are considered to be consistent with the NPPF and therefore up to date so full weight should be given to them. Consideration therefore needs to be given to whether the proposal is in accordance with or contrary to these policies. Those of relevance in this particular case are RA11, GP8, GP24, & GP35. They all seek to ensure that development meets the three dimensions of sustainable development and are otherwise consistent with the policies which seek to protect the intrinsic character and beauty of the countryside, to promote healthy communities and ensure necessary supporting infrastructure and facilities to serve those communities.
- 9.4 The application site is located in the open countryside, outside a defined settlement. Policy RA11 of the AVDLP advises that outside settlements, the Council will endorse the re-use of buildings subject to a number of criteria to form dwellings if a commercial re-use of the building is proven to be unviable or unsuccessful. However, this policy pre-dates the National Planning Policy Framework (the Framework) which does not require an economic use to be considered first before a residential use. Consequently, this aspect of Policy RA11 is not entirely consistent with the Framework.
- 9.5 Notwithstanding the above, Policy RA11 also requires that buildings to be converted are of permanent and substantial construction, do not involve major reconstruction or significant extensions and should respect the character of the building and its setting. These objectives closely align with the core planning principles of the Framework, to secure high quality design and recognise the intrinsic character and beauty of the countryside and should therefore be afforded material weight in the assessment of this application. Similarly, they are broadly consistent with one of the special circumstances cited in paragraph 55 of the Framework, that where development would re-use redundant or disused buildings and lead to: “*an enhancement to the immediate setting.*”
- 9.6 With regard to the requirement in Policy RA11 for a commercial use to be considered first, the proposal would comply with this requirement. Policy GP35 of AVDLP requires that new development should respect and complement the physical characteristics of the site and surroundings, existing development in the locality and the natural and historic features of

the site. The NPPF support applications that re-use redundant buildings in the countryside in this way, Paragraph 28 states that authorities should support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings.

- 9.7 The agricultural building subject to this permission was approved in 2002 under planning reference 02/01221/AGN. There is a new agricultural building approved under planning permission 15/04304/APP that has not yet been started north of the site which would separate the unit from open countryside and a recently completed agricultural building granted permission under reference 12/01951/AGN to the south-west in use as a grain store.
- 9.8 A key consideration of this application in applying paragraph 55 of the NPPF is the justification given that the use of the unit for agricultural purposes is no longer required. The previous agricultural building that has not been built was permitted due to the need for more storage after Agricultural Reform Policy 2015. At the time it was stated that other agricultural buildings were also at the 'end of their economic life'. The applicant has responded once asked for further information by stating that due to the Farm Assurance Scheme there is an imposed level of standards on cereal crop production and storage for quality and the building subject to this permission is now only suitable for temporary storage from harvest to 31st October in a given year. Therefore the temporary storage prevents the most efficient marketing and sale of produce for the rest of the year making it redundant. New agricultural units have also been sought due to the requirement to grown three crops needing more storage between 2012 and 2015 but this building is not up to farm assurance standards, modern farming equipment and current policy. With regard to the requirement in Policy RA11 for a commercial use to be considered first, the proposal would comply with this requirement. Therefore for the above reasons the principle of proposal is considered to accord with Paras 28 and 55 of the NPPF & the first part of RA11 of AVDLP.

9.9 **Character and Appearance**

- 10.0 Policy RA11 of Aylesbury Vale District Plan states that outside the built-up area of settlements, the Council endorses the conservation and re-use of buildings that are of permanent and substantial construction and generally in keeping with the rural surroundings, for non-residential purposes that fortify the rural economy. Policy GP35 of AVDLP requires that new development should respect and complement the physical characteristics of the site and surroundings, existing development in the locality and the natural and historic features of the site.
- 10.1 The proposal would not involve any extensions or alterations to this building nor would it involve major reconstruction . In terms of the character of the building and its setting, this is similar in appearance to other buildings in this group. A number of former agricultural buildings on the site have been converted to commercial use, the location of the unit is in close proximity to the commercial aspect of the site to the south and therefore the proposed use and location is considered acceptable. Due to the surrounding commercial use the proposal is considered to accord with policy GP35 & RA11 of AVDLP & the NPPF.

10.2 **Impact upon neighbouring amenity**

- 10.3 Policy GP8 notes that permission will not normally be granted where development would unreasonably harm any aspect of nearby residents, unless the benefits of the proposed outweigh any harm to amenity. To the north and south of the access are residential

dwelling. The access road is currently in regular use in relation to the existing commercial units on site and agricultural buildings. It is considered that the addition of this unit would not cause an increase in noise that would become unacceptable compared to what is already generated on site, subject to a reasonable restriction on hours. The unit itself is situated a suitable distance away from the dwellings of over 40 metres away that the general operations in line with the immediate area are not considered to have an unacceptable impact upon amenities. Therefore it is considered to comply with GP. 8 & GP35 of Aylesbury Vale District local Plan & the NPPF.

10.4 **Transport & Highways Impact**

10.5 AVDC parking guidelines requiring 1 space per 33m² gross floor area for B1 Use and less required for B8 use. The existing access will be used which is of appropriate width and visibility that it is considered that there would be no adverse impact or concern of safety, the Highways Authority have no objection. The unit is 445m² and has 13 proposed parking spaces with suitable turning areas and provision of accessible bays. This is considered acceptable provision, with one more space exceeding guidelines. There is also separate provision for loading, unloading and manoeuvring of delivery vehicles. Therefore the scheme is considered to comply with policy GP. 24 of Aylesbury Vale District local Plan, the council's SPG Parking Guidelines & the NPPF.

Case Officer: Mr Adam Thomas

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