

Report to	Planning Committee
Date	26 April 2017
By	Director of Planning
Local Authority	Chichester District Council
Application Number	SDNP/16/05104/FUL
Applicant	R C Langmead Ltd
Application	Continuation of use of former grain building for the assembly, testing, packing, storage and distribution of centrifuges.
Address	Church Farm Wildham Lane Stoughton PO18 9JL

Recommendation: That the application be approved for the reasons and subject to the conditions set out in paragraph 10 of this report.

Executive Summary

RED CARD (Cllr Tassell) - When there is an exceptional level of public interest

The application is for retrospective planning permission to use the former agricultural buildings for B1(c) and B8 purposes in conjunction with the tenants existing administrative occupation of the adjacent buildings, namely the assembly, testing, packing, storage and distribution of centrifuges. The use of the barns for such purposes is supported by both local and national planning policies in terms of both the economic and environmental sustainability dimensions of the NPPF. It is considered that the activities associated with the use physically maintain the functional character and setting of the buildings that help define this part of the conservation area and furthermore would not have a harmful effect on the setting of nearby listed buildings. The local highway network is considered capable of absorbing traffic activity associated with this use and it is considered to operate at a level that does not materially harm the living conditions of nearby residents.

1 Site Description

1.1 The application site is located within the South Downs National Park, within the rural area and within the Stoughton Conservation Area. The site is also considered to be in the curtilage of the Grade II listed Church Farm House. The application buildings form part of a wider complex of agricultural buildings, a number of which are already in B1 and B8 use situated on the western approach to the village.

1.2 The buildings subject to this application comprise a group of portal-framed agricultural buildings formerly in use as a grain store that are clad in profiled cement fibre sheeting which are in turn attached to a traditionally constructed flint, slate roofed barn. An open-sided 'lean-to' is attached to the north elevation of the portal-framed building. Immediately to the east of the buildings is an expanse of hardstanding, which serves as a parking and turning area for the present commercial activities. Historically, this area of hardstanding has been used in connection with the agricultural activities of the farm, although the applicant has confirmed that this has recently been resurfaced.

1.3 A small group of single storey farm buildings immediately to the north of the application buildings have been converted to B1 office use and service the administrative function of the applicant's tenant (Centurion Scientific).

1.4 The buildings are set back from the highway and the intervening area informally laid to grass. A number of semi-mature trees filter views of the building group from the highway.

1.5 Access to the buildings and the parking area is via a single track lane to the east of the buildings. This also serves a number of existing dwellings to the east and north of the site, as well as the parish church.

2 Proposal

2.1 The application seeks retrospective planning permission for the change of use of the buildings for the assembly, testing, packing, storage and distribution of centrifuges. There have been no external changes to the buildings to facilitate the use and internally the only works that have taken place involve the fitting out with work benches, storage racks and lightweight partitioning. The roof and walls of the portal-framed buildings have at some point been insulated with sprayed on foam. However, none of these works constitute development.

3 Relevant Planning History

SO/09/03243/FUL - Change of use of barn to B1 (business) use, provision of car parking and retention of associated internal and external works to the building PERMIT 28.10.2009

SDNP/14/02094/FUL - Proposed change of use from existing inadequate and unsuitable open agricultural storage building to 1 no. open plan office. PERMIT 10.07.2014

SDNP/16/05595/FUL - Retrospective amendments to planning permission SDNP/14/02094/FUL to include additional window and side extension to provide 2 no. wc's. PERMIT 23.12.2016

***NOTE the above history relates to the adjacent barns immediately to the north but now used by the applicant's tenant and therefore relevant**

4 Consultations

WSCC Highways - CDC

In accordance with appendix "b" of the Guidance on Transport Assessments produced by the Department for Transport, a development of this nature with a GFA of less than 1500m² is not considered to generate to generate a significant level of traffic (ref NPPF para 32), and requires neither a Transport Statement or Transport Assessment to be submitted in support of the application.

Access

The former grain building is located centrally within the village of Stoughton. Access to the site is provided via an existing access onto Stoughton Green, a 'D' classification road connecting to 'C' classification Wildham Lane. Having observed the site, it is apparent that HGV vehicles already use the access. No modification to the access is proposed.

Trip Generation

No trip generation information has been provided by the Applicant. The LHA have derived the number of movements that would typically be expected from a development of this nature, based on the characteristics of the area, from the Trip Rate Information Computer System (TRICS). In summary, it is anticipated that the development could generate 1 or 2 HGV journeys per day (HGV being classed as a vehicle in excess of 3.5t gross laden weight). Such a level of movement would be commensurate with a former agricultural use. Therefore, it is not considered that the proposed use would result in a severe (NPPF para 32) impact on the local network. The

assessment indicates that circa 30 non-HGV movements would be expected from such a use during the course of a working day.

Comments dated 03.01.2017 following receipt of further information

Thank you for the provision of the additional information. Whilst the additional spaces do not supply sufficient demand to cater for the anticipated demand derived from TRICS, the shortfall is such that it would only result in an infrequent occurrence that the parking would be occupied at 100% of the capacity. There does appear to be some room at the end of the parking area where this could be accommodated informally on such occasions - I do not consider the impact to be severe (para 32, NPPF). No objection is raised.

Should permission be granted I would recommend a condition requiring the provision of the car parking in accordance with the site plan

The Environment Agency - CDC

The Environment Agency has no comments to make on the above proposal.

Parish Council Consultee

The Parish Council generally accepts the principle of farm diversification, where new uses can be satisfactorily and appropriately housed in structurally sound existing buildings which are no longer required for agricultural use. However, in this instance the Parish Council is aware that some local concerns have been expressed about this particular use, notably in terms of the nature (large delivery lorries) and apparent frequency of the commercial vehicle traffic servicing the use, and the amount of regular car parking associated with it. This is in the context of the site being within a Conservation Area, and in the centre of the fairly remote and generally down land village of Stoughton (and therefore also close to houses), within the South Downs National Park. There is no public transport to the village, so generally speaking all employees on the site will come to work by car. Particular care is therefore required on the part of the planning authority, in weighing up these apparent disadvantages and adverse effects on amenity, against any benefits from continuation of current use.

5 Representations

23 third party objections

Industrial use incompatible with this Downland village
Noise and disturbance through increased traffic movements
Road network inadequate
Impact on character and appearance of CA
Not sustainable development
Site prone to flooding

1 third party support

Appropriate diversification
Lorries and machinery associated with previous use as grain store
Already other frequent delivery/courier services to village - nobody complains
No noticeable change in traffic movement
Should support rural businesses

Agents supporting information

Tenant has had a presence on the site since 2009 - office operation from converted barn immediately to north of application building.
Commercial advantages in having whole operation on a single site. Employs a total of 15 people in the assembly and dispatch building.
Positive policy support for re-use and rural diversification.
Assembly/production operations virtually silent - also use electric forklift in dispatch area
Working hours limited to 08:00-16:15 Mon-Thur and 08:00-16:00 Fri and no weekends/bank holidays

Delivery/collection times 08:00-15:30 Mon-Thur and 09:00-15:00 Fri and no weekends/bank holidays.

Size of delivery/collection vehicles limited to 2.5-3.0 tonne vehicles with occasional 7.5 tonne lorry. Informal log of delivery movements for three separate months (October 2016, Feb and Mar 2017) demonstrate number of vehicle movements range between 1-3 per day with an average of 1.4/day. These were mainly long wheel-based vans.

Hardstanding has been in situ for many years - has been recently top-dressed

Parking on historic area of hardstanding not harmful to character of conservation area - also used at weekends by others

Relevant to note that amount of activity and noise significantly less than previous agricultural use as grain store and grain drier operations - often operated at unsocial hours .

The character and appearance of the Stoughton Conservation Area and the wider National Park are preserved, if not enhanced due to the significant reduction in traffic movements.

6 Planning Policy Context

Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the **Chichester Local Plan First Review (1999)** and the following additional plan(s):

- SDNPA Partnership Management Plan 2014
- South Downs National Park Local Plan - Preferred Options September 2015

The relevant policies to this application are set out in section 7, below.

National Park Purposes

The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage,
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well-being of the local community in pursuit of these purposes.

7 Planning Policy

Relevant Government Planning Policy and Guidance

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued and came into effect on 27 March 2012. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 115 that great weight should be given to conserving landscape and scenic beauty in the national parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks.

National Planning Policy Framework (NPPF)

The following National Planning Policy Framework documents have been considered in the assessment of this application:

- NPPF - Building a strong, competitive economy
- NPPF - Supporting a prosperous rural economy
- NPPF - Conserving and enhancing the natural environment
- NPPF - Conserving and enhancing the historic environment

The following paragraphs of the NPPF are considered relevant to the determination of this application:

7,14, 17, 18, 28, 56, 61, 115, 128, 129, 132, 134.

It is also necessary to have regard to the statutory duties set out at sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.

The following policies of the **Chichester Local Plan First Review (1999)** are relevant to this application:

RE1 - Development in the Rural Area Generally
RE12 - Rural Diversification
RE14 - Conversions in the Rural Area
BE4 - Buildings of Architectural or Historic Merit
BE6 - Conservation Areas
BE11 - New Development

The following policies of the **SDNPA Partnership Management Plan 2014** are relevant to this application:

General Policy 1
General Policy 9
General Policy 48
General Policy 50

The following policies of the **South Downs National Park Local Plan - Preferred Options September 2015** are relevant to this application:

SD5 – Landscape character
SD8 – Relative tranquillity
SD11 – Historic environment
SD27 – Sustaining the rural economy
SD39 – Conservation Areas
SD43 – Public realm and highway design
SD47 – Farm diversification
SD49 – Conversion of redundant agricultural buildings

The South Downs Local Plan: Preferred Options was approved for consultation by the National Park Authority on 16th July 2015 to go out for public consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The consultation period ran from 2nd September to 28th October 2015. The responses received are being considered by the Authority. The next stage in the plan preparation will be the publication and then submission of the Local Plan for independent examination. Until this time, the Preferred Options Local Plan is a material consideration in the assessment of this planning application in accordance with paragraph 216 of the National Planning Policy Framework, which confirms that weight can be given to policies in emerging plans following publication. Based on the early stage of preparation the policies within the Preferred Options Local Plan are currently afforded limited weight and are not relied upon in the consideration of this application.

8 Planning Assessment

8.1 The main issues are considered to be the effect of the introduction of a commercial re-use of these farm buildings on the character and appearance of the conservation area, the setting of nearby listed buildings and the living conditions of nearby residents through activity and traffic generation associated with the use.

Principle of re-use of buildings

8.2 The re-use of the buildings for purposes other than agriculture is supported by Policy RE14 of the Local Plan and national planning policy at paragraph 28, where the objective is support for the rural economy through diversification of agricultural and land-based businesses. However, it is acknowledged that this must be balanced against other environmental considerations, as set out above.

Effect on the character and appearance of the conservation area and residents' living conditions

8.3 The use of the assembly, testing, storage and distribution of high quality centrifuges itself is carried on wholly within the buildings. The centrifuges are largely hand-assembled using bespoke tools and components, with testing of the product carried out electronically in a dedicated area of the traditional barn. Storage of the finished products takes place in the largest of the barn group prior to dispatch. These activities are relatively low-key and do not result in any quantifiable disturbance. Therefore it is considered that the actual use does not have an adverse impact on the surroundings in terms of visual impact or relative tranquillity.

8.4 The main external impact is considered to be the activity associated with the use in terms of delivery movements to and from the buildings along staff parking and the capacity of the local road network to handle traffic. It is this element that has generated most concern locally. The previous agricultural use of these buildings focussed on the storage of grain, grain drying and most recently for storage - for example fertilizer. Therefore it is in context of this type of agricultural use that the present use should have regard to.

8.5 WSCC Highways has advised that the development could generate 1 or 2 HGV journeys per day (HGV being classed as a vehicle in excess of 3.5t gross laden weight). Importantly it is further advised that such a level of movement would be commensurate with a former agricultural use. WSCC Highways went on to conclude that it is not considered that the proposed use would result in a severe (NPPF para 32) impact on the local network. Informal dispatch/delivery logs provided by the applicant for three separate months (October 2016, Feb and Mar 2017) indicate that such movements are limited to between 1 and 3 movements per day and the majority are long-based vans typically used by TNT, UPS and DHL.

8.6 The level of parking has been adjusted to account for the advice of WSCC Highways and has been further refined to incorporate a proportion of the parking requirement within the lean-to section of the barn group, thereby reducing the use of the hardstanding area for such purposes. The proposed parking layout is shown on Drawing 3B. WSCC Highways does not raise objection to this arrangement.

8.7 The use of the hardstanding area for surface parking to the east of the barn group will increase the perception of additional activity being carried on in this part of the conservation area, but it is considered that this must be assessed in the context of the nature of the former agricultural use carried on at the farm and the historic use of the hardstanding for the parking and turning of vehicles as a working farm. The visual impact of the parking is filtered to some extent by existing trees at the eastern end of the hardstanding and on the grassed area to the south. Further, discrete tree planting has been proposed on the southern margin of the hardstanding in order to strengthen the diffusing effect of views of this part of the site from the public realm.

8.8 Again, the effect of the use of this hardstanding for parking of vehicles should be assessed in the context of the fact that other areas of informal car parking are equally visible to public view elsewhere within the conservation area; for example, the area immediately to the east between the junction of a minor lane and the highway, on-street parking and PH car park, which is immediately adjacent to the highway. It is considered that this is part of the accepted character of the village and that the use of this part of the application site for this purpose does not demonstrably harm that character. Therefore - and bearing in mind its function in connection with the agricultural activities previously carried on here - it is considered to have a neutral effect on the character and appearance of the conservation area.

Setting of listed buildings

8.9 Church Farm house and the former garage to Old Parsonage are situated to the west and east of the application site respectively. The setting of Church Farmhouse is in part defined by the presence of the buildings as a farm group, although the immediate setting of the building is more residential in character and is to a degree separated physically from the application building group by enclosing/retaining walls. There is no change to the physical relationship or appearance of the buildings as a result of the use carried on and the level of use is considered to be relatively low-key. It should be noted that the re-use of farm buildings for commercial purposes has previously been accepted here (SO/09/03243/FUL)

8.10 The setting of the garage to Old Parsonage is defined by its relationship with Old Parsonage itself and its siting adjacent to the informal grassed area to the south of it due to a degree of physical separation from the application site through the presence of intervening vegetation and the access lane serving other residential properties to the north west. The use of the application site retains the historic functional character of the buildings and so it is considered that the relationship remains unaltered.

Other matters

Part of the existing barn group and hardstanding area lies within Flood zone 2 of the River Ems, which flows parallel to and adjacent to the highway. The use takes place within the existing buildings and there is no enclosure of the present open area to the east of the buildings. Therefore there is no reduction to the present capacity of the flood plain as a result of this proposal and no increased risk to life. The Environment Agency have been consulted and responded to say that it has no comment to make on the proposal.

9 Conclusion

9.1 It is concluded that the use of the building for B1 and B8 purposes is supported by both local and national planning policies. The present use operates at a relatively low key and the functional character and setting of the buildings that help define this part of the conservation area would be preserved. The local highway network is capable of absorbing the activity associated with this use and it has been shown to operate at a level that does not materially harm the living conditions of nearby residents. Subject to conditions limiting the use of the buildings to those presently carried on, hours of use, provision of car parking and landscaping, the application may be recommended for approval.

10 Reason for Recommendation and Conditions

It is recommended that the application be approved for the reasons and subject to the conditions set out below.

1. Approved Plans

The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interests of proper planning.

2. Hours of use

The premises shall not be used except between the hours of 08:00 to 16:15 Monday to Friday and at no time Saturday, Sunday, bank and other public holidays without the prior agreement in writing of the Local Planning Authority.

Reason: To safeguard the amenities of neighbouring properties.

3. Delivery hours

No deliveries shall be taken to or despatched from the site outside of the hours of 08:00 and 15:30 Monday to Friday nor at any time on Saturdays, Sundays, Bank or Public Holidays.

Reason: To safeguard the amenities of the neighbouring properties.

4. Car parking provision

Within two months of the date of this permission, the car parking has been provided in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use

5. Additional planting

In the first planting season following the grant of this permission, trees and shrubs of species to be approved by the Local Planning Authority have been planted along the southern margin of the hardstanding. In the event that any such trees or shrubs die or become seriously damaged or diseased within a period of five years following planting they shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of the amenities of the locality.

6. Use limitation

The building shall be used for the assembly, testing, packing, storage and distribution of centrifuges and for no other purpose (including any other purpose in Classes B1 or B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005 or in any provision equivalent to that Class in any other statutory instrument revoking and re-enacting that Order).

Reason: To ensure the use of the building does not have a harmful environmental effect in the interests of amenity.

11. Crime and Disorder Implications

11.1 It is considered that the proposal does not raise any crime and disorder implications.

12. Human Rights Implications

12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13. Equality Act 2010

13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

14. Proactive Working

14.1 In reaching this decision the SDNPA has worked with the applicant in a positive and proactive way, in line with the NPPF.

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Appendices Appendix 1 - Site Location Map
Appendix 2 – Plans Referred to in Consideration of this Application

SDNPA Consultees

Background Documents Relevant planning history, CDLPFR 1999, South Downs Management Plan, Draft South Downs Local Plan 2015, NPPF, NPPG

Appendix 1

Site Location Map



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Appendix 2 – Plans Referred to in Consideration of this Application

The application has been assessed and recommendation is made on the basis of the following plans and documents submitted:

Plan Type	Reference	Version	Date on Plan	Status
Plans - Location plan	1A		22.12.2016	Superseded
Plans - Block plan	2A		22.12.2016	Superseded
Plans - Proposed site plan	3A		22.12.2016	Superseded
Plans - Location plan	1		12.10.2016	Superseded
Plans - Block plan	2		12.10.2016	Superseded
Plans - Proposed site plan	3		12.10.2016	Superseded
Plans - Floor plan	4		12.10.2016	Approved
Plans - Location plan	1	B	24.03.2017	Approved
Plans - Block plan	2	B	24.03.2017	Approved
Plans - Proposed site plan	3	B	24.03.2017	Approved

Reasons: For the avoidance of doubt and in the interests of proper planning.