

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Winchester City
Council
Planning Department
Development Control

TEAM MANAGER
SIGN OFF SHEET

Committee Decision

Case No:	06/02940/FUL	Valid Date	21 September 2006
W No:	11109/07	Recommendation Date	27 October 2006
Case Officer:	Mr Tom Patchell	8 Week Date	16 November 2006
		Committee date	11 January 2007
Recommendation:	Application Refused	Decision:	Committee Decision

Proposal: (AMENDED DESCRIPTION) Change of use of farm storage building for storage, supply, servicing and hire of trailers with ancillary sales (RETROSPECTIVE) (RE-SUBMISSION)

Site: TrailerTek The Old Grain Store Warren Farm Andover Road Micheldever Station

Open Space Y/N	Legal Agreement	S.O.S	Objections	EIA Development	Monitoring Code	Previous Developed Land
N	N	N	N	N	N	Y

COMMITTEE ITEM SIGN OFF		
APPROVE Subject to the condition(s) listed	REFUSE for the reason(s) listed	
	Signature	Date
CASE OFFICER		
TEAM MANAGER		

AMENDED PLANS DATE:-

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Item No: 04
Case No: 06/02940/FUL / W11109/07
Proposal Description: (AMENDED DESCRIPTION) Change of use of farm storage building for storage, supply, servicing and hire of trailers with ancillary sales (RETROSPECTIVE) (RE-SUBMISSION)
Address: TrailerTek, The Old Grain Store, Warren Farm, Andover Road, Micheldever Station
Parish/Ward: Micheldever
Applicants Name: Mr R Edan
Case Officer: Mr Tom Patchell
Date Valid: 21 September 2006
Site Factors: Within 50m of Listed Building
Recommendation: Application Refused

At the Committee meeting on 16 November 2006 Members voted not to accept the officer recommendation to refuse the application and it was subsequently deferred to: (1) investigate if there was sufficient planning justification not to apply the adopted policies of the Winchester District Local Plan Review and (2) if there was sufficient justification to investigate if conditions could be applied to a planning approval to prevent an unfettered retail use in the countryside.

Planning law states that a local planning authority should apply development plan policy unless there are material planning reasons to indicate otherwise.

Since 16 November Committee officers have held a meeting with the applicant's agent, Councillor Lipscomb and the Council Solicitor. In addition, further information has been received from the applicant relating to the business activities at the site which is appended to the report. In summary the additional information supplied to officers is as follows:

- The applicant has said that he has not been able to provide a break-down of customers to show that the trade is predominantly local rather than from further afield. However the applicant reiterates that a significant proportion of regular custom is from the local area.
- The applicants have been unable to provide a business plan which might have indicated their future intentions for the site.
- Some trailers do need full assembly on site, others only require part assembly. A breakdown in the proportion of either has not been provided.
- A plan has been provided of the building indicating the areas that are used for the different activities associated with the business. (see attached)
- The outside of the building is not used for storage or business purposes.
- It is not planned to expand the business in the future.
- Estimated break down of business:
 - Parts sold to customers visiting TrailerTek – 5%
 - Parts sold mail order – 15%
 - Trailer hire – 14%
 - Trailer repairs and service, including spare parts – 32%
 - Supply of trailers – 26%
 - Tow bar fitting (sub-contracted to a mobile tow bar company) – 8%

It can be seen from the additional information (particularly the TrailerTek floor plan) that some of the space in the building is used for the display of trailers and for the storage of trailers for hire. A not insignificant area is used for storage and service/repair/assembly/packing, which can be defined as falling within use classes B1(c) (light industrial) and B8 (storage and distribution).

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In considering whether to make an exception to policy Members need to be satisfied that TrailerTek's customers are mainly from the local area; that a limited number of trips take place to and from the site and that only a limited part of the premises is used for retail use.

If they are satisfied in this regard the following conditions have been drafted, which Members are advised to attach if they are minded to approve the application:

1. The use hereby permitted shall be carried on only by Mr K Edan and shall not enure for the benefit of the land. When the premises cease to be occupied by Mr K Edan the use hereby permitted shall cease and all materials and equipment brought onto the site in connection with the use shall be removed.

Reason: It has been demonstrated that the existing business operated by the current owners mainly serves the local rural community and is therefore of benefit to the local economy. It is possible that another owner might operate the business in a less sustainable way and attract customers from further afield which would increase journeys by private vehicle on the road network, which would be contrary to planning policy.

2. The development hereby permitted shall be used for sale, assembly, maintenance, storage and hire of trailers and ancillary items and for no other purpose; including any other purpose falling within Class A1 and/or Class B1 and/or Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order with or without modification.

Reason: To restrict the use of the premises as an unfettered retail use in this location would be contrary to the policies of the adopted Winchester District Local Plan Review.

3. The areas within the building as indicated on the submitted coloured *TrailerTek floor plan* shall only be used for the following:

Grey – shelving for spare parts and ancillary items only.

Blue – Fully assembled trailers for display purposes only

Green – Storage of trailers for hire and collection by customers. No trailers within this area shall be displayed for retail purposes.

Purple – Service, repair, assembly and packing of trailers and spare parts.

Reason: In order to ensure that the predominant activity within the building is not a retail use but includes also the storage, distribution, servicing and maintenance of trailers.

4. There shall be no storage of trailers, parts or ancillary items outside of the building.

Reason: In order to protect the amenities of the locality.

5. The use hereby permitted shall not be open to customers outside the following times:

Monday to Friday 08:30 hours - 17:00 hours, Saturday 08:30 hours - 13:00 hours and at no time on a Sunday or recognised Bank Holiday.

Reason: To protect the amenities of the occupiers of nearby properties and to limit the opportunity of private vehicles travelling to and from the site.

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Conclusion

It is still the Officer view that the application should be refused for the justification given in the previous report to committee. (see appendix). In the light of the additional information received and a review of the policies, the reason for refusal has been adjusted to read as follows:

Reason for refusal

1 The proposed change of use of the former agricultural building to a use for the sale, hire and assembly of trailers and trailer parts represents an unacceptable development by virtue of its location within the countryside away from the centres of population. The location of the business is considered to be unsustainable and results in increased vehicle traffic movements. The development in this location is therefore contrary to Policies SF.1 and T.1 of the adopted Winchester District Local Plan Review.

Appendixes

16 November 2006 Committee Officer Report and supplementary information submitted by applicant.