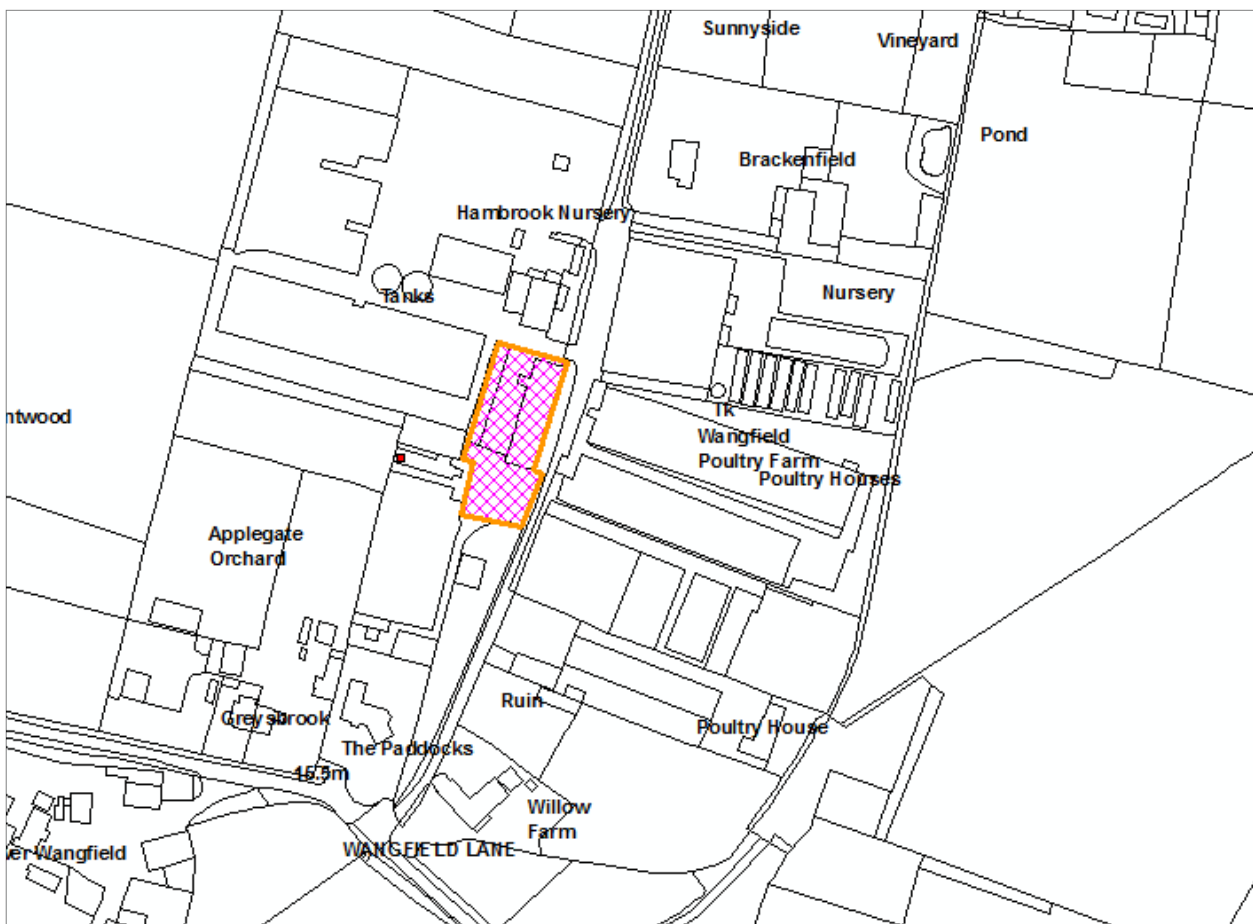


Case No: 18/01662/FUL
Proposal Description: Change of use of from civil engineering contractor's yard and engineering workshop to a mixed use comprising 2.no workshops (Use Class B1c) and 1.no office (Use Class B1a); alterations to existing building; associated parking and landscaping
Address: Able Piling And Construction Main Build Engineering Ltd
Wangfield Nursery Wangfield Lane Curdridge
Parish, or Ward if within Winchester City: Curdridge
Applicants Name: Mr Phipps
Case Officer: Liz Marsden
Date Valid: 9 July 2018

Recommendation: Application Permitted



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General Comments

Application is reported to Committee due to the number of comments received contrary to the officer recommendation.

Site Description

The site comprises an area of 0.19ha of level land contained within a subdivided compound. The southern part of the site has a concrete surface, used for parking and to the north of this area, separated by a close boarded fence and double timber gates, there is a single, long, low building, with a further area of hardstanding along its length. The rear (eastern) side of the building forms the boundary with the adjacent access track leading from Wangfield Lane to the south and which extends beyond the site to a commercial nursery and a few residential properties. The site is secured at its southern entrance by gates, with the northern boundary defined by a wire fence and a belt of tall evergreen trees along the western boundary.

The site is located in the countryside, but there are a number of businesses in its immediate vicinity, including Hambrook Nursery to the north and Wangfield Poultry Farm to the west, the buildings of which are close by, effectively enclosing the site on three sides. A further area to the west of the southern part of the site, previously been used for parking is shown as in the control of the applicants but is not included within the application site. To the south the land is more open, with open fields/paddocks, separating the site from the residential properties adjacent to Wangfield Lane.

The access track from Wangfield Lane is also a designated public right of way, extending from south of Wangfield Lane and northwards past the site and across open fields to Durley Mill Farm.

Proposal

The proposal is for the change of use of the existing buildings from its authorised use as a civil engineering and workshop to a B1a office use and two workshops falling within class B1c. This would include the internal subdivision of the building to provide separate offices and facilities for the staff.

There are limited external alterations, the primary changes being the removal of an existing projecting store building, the addition of an entrance porch and increased glazing in the southern elevation and the provision of a further access in the western elevation to serve one of the workshops.

The plans show marked parking spaces in the areas already surfaced with concrete and the existing access is to be retained.

Relevant Planning History

It is apparent from the planning history of the site that it has been in use for a number of years for industrial purposes.

86/00515/OLD – Temporary use of barn for light engineering

- appeal allowed 21.01.1988 (5 year period).

97/03354/OLD - Continued use of former agricultural building for industrial use and use of

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site of adjacent greenhouse for parking and landscaping

- permitted for temporary period until 28.02.2000.

97/01806/FUL - Removal of Condition 01 of Planning Permission W03826/21 (permission granted for a limited period).

- Permitted 12.06.1998

05/01111/FUL - Change of use of site to civil engineering contractor's yard and engineering workshop; alterations to parking and landscaping (Retrospective)

- Permitted 08.08.2005

Consultations

WCC Engineers: Drainage:

- comments awaited

WCC Engineers: Highways:

There was a Transport Assessment submitted with the application which estimates that the proposal will result in an additional 17 vehicular movements per day. It also states that the existing use as a Piling Contractors Yard would involve the necessity of larger vehicles using the local access roads. It is considered that the proposed increased in traffic is relatively small and can be safely accommodated and the removal of the larger vehicles represents a highway benefit. No objection subject to conditions

Head of Environmental Protection:

In general B1 uses should have a lower impact in terms of noise generation than the authorised B2 use of the site. No objection subject to conditions.

Representations:

Curdridge Parish Council

- Resolved to object but, if WCC minded to permit, it should be subject to a condition that noise and light will be regularly monitored.
- Concerned that traffic should be restricted on this heavily used and unadopted lane, which is also a public footpath.
- Concerned about reference to 1 office when there appear to be several.
- Main office large and capable of accommodating a large number of workers.
- Site should not be further sub-divided

11 letters received, from 10 households, objecting to the application for the following reasons:

- Lights from vehicles shine into nearby properties
- Noise from traffic already bad and increase in vehicles will make it worse
- Dust and chicken manure from vehicles using the site encroaches onto nearby properties
- Drainage inadequate and site prone to flooding
- Intensification of industrial use of site through sub-division
- Site now empty and personal permission for Able Piling should be revoked
- Access is inadequate for the vehicles that already use it.
- Wangfield Lane is narrow and dangerous and with new development on

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Maddoxford Lane the traffic is likely to get worse with associated risk to pedestrians, cyclists and horse riders. Transport assessment does not mention an incident when a pedestrian was hit by a car near the access to Wangfield Lane

- Disagree with the supporting statement that more small workshops are required, what is needed is more agricultural use.
- Already a number of small affordable industrial units in the area
- Able Piling have not been operating at an intensity from the site since 2016 and not at all since March 2018. Traffic situation has improved considerably without the large vehicles associated with that business and it will only be made worse again by the proposed use.
- The yard of the site subject to flooding.
- If this is allowed, other buildings in the vicinity should also be allowed to change to industrial.
- Litter from increase in construction traffic
- No outside lighting should be allowed to cause light pollution.

1 neutral letter raising concern that the access to the site is not adequate for large delivery lorries.

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy (LPP1)
MTRA4, CP8, CP9, CP10, CP17

Winchester Local Plan Part 2 – Development Management and Site Allocations (LPP2)
DM1, DM15, DM18, DM19, DM20, DM23,

National Planning Policy Guidance/Statements:
National Planning Policy Framework 2018

Supplementary Planning Guidance
Curdrige Village Design Statement

Planning Considerations

Principle of development

The NPPF and Policy MTRA4 of LPP1 allow for the reuse and redevelopment of existing buildings for employment uses. In this case the building has been used for industrial purposes for a number of years and the change of the type of employment use would not, in principle, be contrary to Policy MTRA4.

Policy CP8 supports the development of land based industries as an important factor in the rural economy and Policy CP9 of LPP1 encourages the retention of employment land and premises, particularly for uses falling within Classes B1, B2 or B8, unless there are site specific reasons that an alternative use would be preferable. These include access and environmental considerations. The building is currently unoccupied (the last use falling with Class B2) and the proposed B1 uses would accord with this policy.

Design/layout

There are few alterations to the exterior of the building, with a minor reduction in the overall size of its footprint, and the proposal will not therefore result in any increased

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impact on the visual amenities of the area. A more formal entrance area will serve the main office unit, together with a larger glazed section in the southern elevation, but these are insufficient to have a material impact on the appearance of the building, which remains rural in character. The car parking is shown to be on the areas of existing hardstanding, currently used for that purpose, and the access to the site has not been altered.

With regard to the internal layout of the building, concern has been expressed that the level of office accommodation is greater than that suggested in the supporting statement and that this would result in the potential for more cars. Whilst there are additional areas marked as offices in the workshop units, these are relatively small and ancillary spaces (approximately 30 sq.m) which combine facilities for workers with a space for administration, rather than being specific office spaces. The internal and external alterations to the building are considered to be proportionate to the uses that are sought.

Impact on character of area and neighbouring property

As specified above, the physical alterations to the building are minor in nature and will not result in a development that is significantly different or out of keeping with the adjacent commercial buildings in the immediate vicinity. The proposal will not therefore have an adverse impact on the character and appearance of the area as a whole, nor have an increased visual impact on the outlook from neighbouring residential properties, the nearest of which is located around 80m away.

Neither is it considered that the proposed use of building will have an increased or detrimental impact on the amenity of neighbouring properties through noise and disturbance. The building has been used for a variety of industrial uses for around 30 years and the currently authorised use is as a civil engineering contractor's yard and engineering workshop, which falls within Class B2, general industrial. This type of use is generally recognised as involving a level of noise and disturbance from production methods that would be undesirable if located adjacent to residential properties. However, the proposed uses fall within Class B1a (offices) and B1c, which is defined as an industrial process that can be carried out in any residential area without causing detriment to the amenity of the area. Whilst there are no details of any potential occupants, a condition restricting the use of these units will provide future control over the type of activities that are able to occupy the building.

The applicants have submitted a noise impact assessment which concludes that the noise impact associated with the operations will be low at all times at the nearest residential properties to the site. Further clarification is being sought with regard to some of the details that have been provided, but the Environmental Protection officer has raised no objection to the proposal, subject to a number of conditions which are designed to safeguard local amenity. It is possible that, with the additional details that have been requested, it may be possible to remove some of these and this will be included in the update to committee.

It is acknowledged that the permission for Able Piling in 2005 was subject to a condition restricting it to use by that company, the reason for which was *'to enable the Local Authority to retain control of the site which is not considered suitable for other types of industrial use'*. This condition did not preclude the Council from allowing other industrial uses, but rather ensured that there was an opportunity to assess the impact from

alternatives. Where, as in the current case, it is considered that the proposed uses can be accommodated without undue adverse impact on neighbouring amenity through noise, smell, dust or other forms of pollution, there is no justification for a refusal on this basis.

Highways/Parking

The primary concern that has been expressed about the proposal is due to the access to the site. This not only includes the unadopted track leading from Wangfield Lane but Wangfield Lane itself, which is a narrow, unlit, rural road. The letters refer to the high level of traffic that uses the access, which leads past the site to other businesses, and the problems that are caused by these vehicles. A number of the letters of objection have also confirmed that the previous use of the application site generated a significant amount of traffic, with large vehicles that were unsuited to the narrow access. It is also stated that there has been a noticeable improvement in the period since the premises have not been occupied.

It should be noted that, whilst the premises are currently vacant, the site has an authorised use for a B8 use and has been continuously used for that purpose for many years. In the event of a company with similar industrial processes to Able Piling, applying to use the site it would be difficult to justify a refusal, or sustain it at appeal, on grounds of adverse impact or highways considerations, with the result that the traffic along the access would revert to the previous levels.

The Highways Statement submitted in support of the application, concludes that whilst the proposed uses may generate a slightly larger number of vehicle movements (estimated as an additional 18 movements per day) these would be made primarily by smaller cars and vans, with the incidence of heavy vehicles significantly reduced. It is not considered that this increase in level would have so adverse an impact on the highways network in the area so as to justify a refusal on this basis.

Other Matters

Flooding. A number of comments have referred to the fact that the site is prone to surface water flooding and this is evidence by photographs of the car parking area and shown on the Environment Agency flood risk from surface water map. However, this primarily affects the car park, which is not considered to be a vulnerable use and a reason for refusal could not be sustained on this basis. Furthermore, the proposal does not increase areas of building or hard surfaces that would result in the loss of permeable ground and will not therefore increase the risk of flood to adjacent sites.

Recommendation

Permission subject to the following condition(s):

Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be used for uses within Class B1(a) and B1(c) only and for no other purpose (including any other purpose in Class B of the

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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: In the interests of local amenity and highway safety.

3. Notwithstanding the provisions of the Town and Country Planning (General Development Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development permitted by Classes F and H of part 7 of Schedule 2 of that Order shall be undertaken without the prior written consent of the local planning authority.

Reason: To enable the local planning authority to retain adequate control of the future nature and intensity of the use of the site.

4. No machinery shall be operated, no process shall be carried out and no deliveries taken at or dispatched from the site except between the hours of 0700 and 1800 Monday to Friday and 0800 and 1300 on Saturdays and at no time on Sundays and recognised public holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of the occupiers of nearby properties.

5. Before telecommunications/air conditioning/refrigeration/compressing equipment is installed and operated on the premises, a full acoustic report (with a scheme of attenuation measures) shall be submitted and approved in writing by the Local Planning Authority. The equipment shall be installed and maintained in accordance with the approved scheme.

Reason: To protect the amenities of the occupiers of nearby properties.

6. No works shall take place outside the buildings.

Reason: To protect the amenities of the occupiers of nearby properties.

7. No paint spraying shall be carried out except in a properly constructed part of the building, to which filtration equipment has been fitted in accordance with details submitted to and approved in writing by the Local Planning Authority. Such equipment shall thereafter be maintained and operated in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to prevent a nuisance to nearby occupiers

8. Details of any external lighting of the site shall be submitted to, and approved in writing by the Local Planning Authority prior to the commencement of the development. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area, the environment and local residents from light pollution

9. No materials shall be burnt on site, unless agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of occupiers of nearby premises and in the interest of public health.

10. All windows and doors in the workshops (B1c class use) shall not be left open.

Reason: To protect the amenities of the occupiers of nearby properties.

11. The car park shall be marked out in accordance with the approved plan before the development hereby permitted is brought into operation. That area shall not thereafter be used for any purpose other than the parking and turning of vehicles.

Reason: To ensure that adequate on-site parking and turning facilities are made available.

12. The development shall be carried out in accordance with the following approved plan:

101 – Proposed plans and elevations.

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

Informatives:

1. In accordance with paragraph 38 of the NPPF, Winchester City Council (WCC) take a positive and proactive approach to development proposals, working with applicants and agents to achieve the best solution. To this end WCC:
 - offer a pre-application advice service and,
 - update applicants/agents of any issues that may arise in the processing of their application, where possible suggesting alternative solutions.In this instance there was a meeting on site with the applicants agents who have been kept informed about the progress of the application.
2. The Local Planning Authority has taken account of the following development plan policies and proposals:-
 - Local Plan Part 1 - Joint Core Strategy: MTRA4, CP8, CP9, CP10, CP17
 - Local Plan Part 2 - Development Management and Site Allocations: DM1, DM15, DM18, DM19, DM20, DM23,
3. This permission is granted for the following reasons:
The development is in accordance with the Policies and Proposals of the Development Plan set out above, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section

38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

4. All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800 hrs Monday to Friday and 0800 and 1300 hrs Saturday and at no time on Sundays or recognised public holidays. Where allegations of noise from such works are substantiated by the Environmental Protection Team, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.
5. During Construction, no materials should be burnt on site. Where allegations of statutory nuisance are substantiated by the Environmental Protection Team, an Abatement Notice may be served under The Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through the burning of materials is a direct offence under The Clean Air Act 1993.