



PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Head of Development

DATE: 5 June 2018

DEVELOPMENT: Proposed change of use of existing hardstanding from Class B1 to Class B1 /B8 for the storage of full and empty skips and for overnight parking of vehicles in connection with the use.

SITE: Stonehouse Farm Handcross Road Plummers Plain Horsham West Sussex RH13 6NZ

WARD: Nuthurst

APPLICATION: DC/18/0109

APPLICANT: **Name:** Mr Gayne Cooper **Address:** Stonehouse Farm Handcross Road Plummers Plain Horsham West Sussex RH13 6NZ

REASON FOR INCLUSION ON THE AGENDA: - Eight persons in different households have made a written representation, which disclose material considerations, are within the consultation period and are inconsistent with the officer's recommendation.

- Requested to be considered by the Planning Committee by the Parish Council and wish to speak.

RECOMMENDATION: To grant Planning Permission subject to appropriate conditions.

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The application seeks the temporary change of use of the hardstanding area to the north east of the existing Dairy Building (B1). The proposal is for the use of the area for the storage of full and empty skips and for overnight parking of vehicles in connection with that use. The scheme is retrospective as the use is currently taking place. A temporary consent is sought until the 24th June 2019. This ties in with the temporary permission granted for an agricultural store for Class B1 until 24th June 2019 granted under DC/16/0702.
- 1.2 The total area relating to this application is 1,600sq meters or 0.16 ha excluding access and excluding the common access shared by the farm and other users. The Planning Statement advises that the company operating from this site is Alpha Rubbish Clearance who operate Alpha skips.
- 1.3 The site is for the overnight parking of vehicles and plant associated with the business only. The proposal includes the following:

- A. One HGV skip transporter
- B. two caged 3.5 tonne vehicles.
- C. One Transit
- D. Private staff cars

- Estimated current vehicle movements is less than 18 per day
- 5 full time people are employed including the director and company secretary
- The business specialises in small operations clearing private residential property and providing skips to building contractors.
- All goods are transported to licenced waste transfer stations for sorting
- No waste transfers occur on site
- Container on site is for storage on spares and maintenance equipment
- The supporting statement states that the business is a small start-up company looking to provide a good efficient service to private households and other small businesses in the area. As such it requires a site with short term commitment at reasonable cost and this facility fits its needs.

DESCRIPTION OF THE SITE

- 1.4 The application site forms part of an existing holding and comprises 41 hectares of land used for grazing of the applicant's dairy herd. The site was purchased in 2002 and comprises the original Stonehouse Farm land fronting onto Handcross Road (the southern part of the holding) plus the land previously known as Jacksons Farm fronting onto Hammerpond Road (the northern part of the holding). The whole site is now called Stonehouse Farm.
- 1.5 The application site is located in open countryside between Mannings Heath and Handcross and is situated between Hammerpond Road to the north and Handcross Road to the south. Stonehouse Farm now comprises two historic farm holdings. The south part of the holding is the original Stonehouse Farm with buildings fronting onto the Handcross Road. The land to the north was previously known as Jacksons Farm and has buildings fronting onto Hammerpond Road. The combined site area is 41 hectares (101 acres) and was purchased by the owner in 2002. The wider area is generally characterised by open fields with mature tree boundaries. The area of hard standing subject to this application is 0.16 hectares (1600sqm). The site lies to the east of the original farm dairy building, and beyond the site boundaries further north east, is open grassland separated by a post and stock wire fence.
- 1.6 The land is within the Mannings Heath Open Ridge and Valley Farmlands Landscape Character Area and forms part of this undulating landscape with a watercourse at the valley bottom in the middle of the site, the land sloping down to this from the north and south. A public footpath (FP1708) crosses the farm between Handcross Road and Hammerpond Road. The land to the north of Hammerpond Road and south of Handcross Road is within the High Weald Area of Outstanding Natural Beauty.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

The following Policies are considered to be relevant to the assessment of this application:

National Planning Policy Framework

Horsham District Planning Framework (HDPF 2015)

Policy 1 - Strategic Policy: Sustainable Development
 Policy 2 - Strategic Policy: Strategic Development
 Policy 7 - Strategic Policy: Economic Growth
 Policy 10 - Rural Economic Development
 Policy 24 - Strategic Policy: Environmental Protection
 Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
 Policy 26 - Strategic Policy: Countryside Protection
 Policy 32 - Strategic Policy: The Quality of New Development
 Policy 33 - Development Principles
 Policy 40 - Sustainable Transport
 Policy 41 - Parking
 Policy 42 - Strategic Policy: Inclusive Communities

RELEVANT NEIGHBOURHOOD PLAN

The Parish of Lower Beeding has been designated as a Neighbourhood Development Plan Area. There is currently no 'Made' plan.

PLANNING HISTORY AND RELEVANT APPLICATIONS

LB/19/02	Removal of agricultural occupancy restriction (lb/17/85)	Application Permitted on 02.07.2002
DC/15/1831	Construction of dairy parlour to be served by farm track (to include resurfacing and widening) to be accessed from Handscross Road	Application Permitted on 02.06.2017
DC/16/0381	Retrospective change of use on agricultural barn to B1 light industry in a residential area	Application Permitted on 05.05.2016
DC/16/0454	Change of Use from slab making (Sui Generis) to B1 offices, with retention of existing parking	Application Permitted on 05.05.2016
DC/16/0702	Temporary change of use for a three year period of an agricultural store and dairy processing plant to B1 use	Application Permitted on 28.06.2016
DC/16/1224	Prior Notification for Change of Use of Agricultural Building to a Dwelling House	Prior Approval Required and PERMITTED on 27.07.2016

3. OUTCOME OF CONSULTATIONS

- 3.1 Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

INTERNAL CONSULTATIONS

HDC Environmental Health: Comment. Should Planning Permission be granted conditions to be imposed as recommended.

OUTSIDE AGENCIES

WSCC Highways: No Objection

WSSC Planning Services: Comment. The site does not meet the requirements to be classed as waste depot facility.

Environment Agency: No comments received.

PUBLIC CONSULTATIONS

- 3.2 8 representations have been received objecting to the application on the following grounds:
- Waste storage – Concerns regarding environmental impact
 - Activities in breach of previously granted time limited permission for B1 use until 2019
 - Traffic and highways safety
 - Site now more industrial than agricultural
 - Inappropriate development
 - Landscaping for existing development not yet completed
 - Parking of HGVs
- 3.3 **Lower Beeding Parish Council:** Object. The Parish see an overdeveloped site that flouts waste transfer and previous permitted use approvals. The current proposal is out of scale with the development and over bearing. Members requested the decision to be determined by the Planning Committee.

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

- 4.1 Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application, Consideration of Human rights forms part of the planning assessment below.

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

- 5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

6. PLANNING ASSESSMENTS

- 6.1 The main issues in the determination of this proposal are as follows:

- The principle of the use of the hardstanding for a temporary period for Class B1 /B8 use for the storage of full and empty skips and for overnight parking of vehicles
- The impact of the proposed temporary use on the character and appearance of the area
- The impact of the proposal on amenities of the occupiers of adjoining properties
- The impact on existing parking and traffic conditions

Principle

- 6.2 Policy 10, Rural Economic Development, of the HDPF states that development in the countryside should be appropriate to the countryside location and contribute to the diverse and sustainable farming enterprises within the district or, in the case of other countryside-based enterprises and activities, contribute to the wider rural economy and/or promote recreation in, and the enjoyment of, the countryside. Policy 26, Countryside Protection, of the HDPF states that any proposal (in the countryside) must be essential to its countryside location and either support the needs of agriculture or forestry; provide for quiet informal recreational use; or, ensure the sustainable development of rural areas. The strategy for Rural Economic Development reinforces the government's commitment to encouraging

sustainable rural business whilst maintaining the quality and special character of the countryside as set out in Paragraph 28 of the National Planning Policy Framework.

- 6.3 The application seeks the temporary change of use of the hardstanding area to the north east of the existing Dairy Building (B1). The proposal is for the use of the area for the storage of full and empty skips and for overnight parking of vehicles in connection with the approved B1 use. The NPPF and HDPF actively promote and encourage a sustainable economy which supports opportunities for growth; whilst respecting and taking into account the conservation and enhancement of the natural environment as well as the vibrancy, health and character of existing settlements and communities within them. A balanced approach must be taken when considering the merits of the proposed development against any impact to the wider setting.
6. The site has an extensive planning history and planning permission was previously approved under reference DC/16/0702 for the temporary change of use for a three year period of an agricultural store and dairy processing plant to B1 use. A temporary permission was sought at this time due to the decreasing revenue from milk sales as a result of an unsustainable milk price, alternative income streams were therefore required to support the dairy enterprise at Stonehouse farm. Advice submitted by Savills at the time of the application advised that in order to maximise alternative revenue streams to maintain the viability of the core enterprise, short term consent for B1 use of the dairy processing building is applied for to provide an income from the investment in the building to date. This was considered a reasonable approach to take in the short term and complied with HDPF policy 10 Rural Economic Development.
6. The current proposal will tie in with the temporary permission granted under DC/16/0702 for Class B1 use. The temporary B1 use is currently in place and is operated by Alpha Rubbish Clearance who operate Alpha skips. It has been clarified by the applicants that the storage of waste shall at all times be contained within the skips and that the waste shall not be stored on the ground within the application site area. It has been advised that all materials unrelated to the storage of skips (both empty and full) that were observed during the Council's site visits will be removed by the site owner.
- 6.6 WSCC Planning Services have commented that the basic test for a waste transfer facility is whether the waste 'hits the ground'. It has been confirmed by the applicant that this is not the case in the application proposals (and that all unrelated waste currently on the ground will be removed by the owner of the site). It is therefore considered that no waste processing would be taking place as the proposal does not involve separating the waste into recyclables, or bulking the waste (e.g. combining skip loads of waste into larger amounts for export off site). It has also been confirmed by the applicant that the proposal is limited to the overnight parking of HGV vehicles and storage of skips (both full and empty).
- 6.7 It is considered that the proposed use constitutes a B1 / B8 use for purposes as set out in the description of development and would satisfy the requirements of HDPF Policy 10. The proposal is contained within the existing boundaries of the estate and would support the existing economic activity on site. On a temporary basis, the use of the hardstanding is considered appropriate. The existing hardstanding can already be used for parking in association with the consented B1 use and the current proposal would not significantly alter the use or appearance of this commercial site. Additionally, having regard to the existing use, the proposal would not result in a substantial increase in the level of activity on the site. It is therefore considered that the proposal would not be significantly detrimental to the rural character of the area and would support economic development in accordance with Policies 7, 9, 10 & 26 of the HDPF.

Design and Appearance:

- 6.8 Policies 32 and 33 seek to ensure high quality and inclusive design for all development in the district and ensures that it will; complement locally distinctive characters and heritage

and that the scale, massing and appearance of the development is of a high standard of design and layout and where relevant relates sympathetically with the built surroundings, is locally distinctive in character, respects the character of the surrounding area, and uses high standards of building materials, and finishes.

- 6.9 The area of hardstanding is set to the north of the existing agricultural building set within the centre of the site. Sited to the northern part of the site the parking area would not be readily visible from Handcross Road. To the north of the site there are existing ponds and open countryside. There are no public rights of way or roads directly to the north of the site which would allow views of the hardstanding area. A public footpath lies to the east of the site. This footpath is set a sufficient distance from the proposed hardstanding. Views from the footpath would not be significantly affected by this proposal.
- 6.10 Waste will be stored within the skips and will not be stored on the ground. The applicant has also agreed to remove all other unrelated debris and materials surrounding the site. This will give the site a more tidy appearance. Given the commercial nature of this site and the existing use of the hardstanding for parking, it is considered that this temporary proposal would not result in a significant impact on the character and appearance of the area or the setting of the High Weald AONB.

Amenity Impact:

- 6.11 In terms of impact on amenity, the nearest residential properties are to the east of the site at Meadowcroft and Stonehouse Farm. These properties are separated from the hardstanding area by existing buildings. Other residential properties lies a significant distance from the site to the east and west.
- 6.12 The proposal would result in an increase in activities on site which would result in some noise impact. However, given the existing use of the site, it is considered that the activities do not result in any significant or appreciable levels of harm to the private amenities of nearby occupiers. Should temporary permission be granted, this would allow the Council to monitor the use of the site and any impacts on private and visual amenity over the temporary period.
- 6.13 Environmental Health have been consulted on this application and they have advised that whilst they do not object to the hardstanding areas being used for B1/B8 purposes, they have concerns that the site will be used for waste transfer or waste storage and that it appears that the site is currently being used for these purposes. Environmental Health have been advised of the advice given by WSCC regarding the proposed use and have therefore requested conditions be imposed should planning permission be granted. Given the temporary nature of this permission for another year any Environmental Health complaints can be closely monitored.

Highways Impacts

- 6.14 WSCC Highways have commented that, on balance, it would not be anticipated that the principle of the application will result in a 'severe' impact on the operation of the highway network and that there are no transport grounds to resist the proposal. It is generally accepted that B8 uses generate fewer vehicular movements when compared to a B1 development. Additionally, no highways concerns are raised to the access of the site which includes appropriate visibility splays for access and egress from the site
- 6.15 The applicant has submitted information to demonstrate what vehicular activity the site generates with a mixed B1/B8 use class as set out in paragraph 1.3 above. It is estimated current vehicle movements is less than 18 per day. Furthermore, given that the existing use of the site covers the same site area it is considered that a mixed B1/B8 use would likely generate less traffic than a pure B1 use. Materially, this proposal is not therefore anticipated to result in any significant intensification of use of the site beyond that which

could already result and the impact upon the local highway network would not be considered as 'severe' It is therefore considered that the use of the site in this rural area is considered to support sustainable economic growth towards balanced living and working communities in accordance with policy criteria.

Conclusion

- 6.16 It is considered that the use of the application site for the proposed change of use of existing hardstanding from Class B1 to Class B1 /B8 for the storage of full and empty skips and for overnight parking of vehicles in connection with the use is acceptable for a temporary period. The proposal would support the economic function of the site and is appropriate in relation to its impact on the appearance of the surrounding area, the amenity of adjacent properties and highway safety.
- 6.17 It is therefore recommended that the application be approved, subject to the below conditions, for the remaining period of the existing temporary permission relating to the former dairy /agricultural store building granted under DC/16/0702 (which is itself to remain B1) until the 24 June 2019 when the permission expires.

7. RECOMMENDATIONS

- 7.1 That planning permission be granted, subject to the following conditions:

Conditions:

- 2 **Temporary Time Condition:** The B1 / B8 use hereby permitted for the storage of full and empty skips and for the parking of vehicles associated with the use shall be discontinued and the land shall be restored to its former condition on or before 24 June 2019.

Reason: The proposed development is not considered satisfactory as a permanent measure in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 3 **Regulatory Condition:** The use of the hardstanding hereby permitted shall be used solely in connection with the B1 use granted under DC/16/0702.

Reason: In the interests of amenity of nearby occupiers on site and to ensure the use of the site does not have a harmful environmental effect and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 4 **Regulatory Condition:** No storage of waste materials (with the exception of site derived waste) shall be stored on site other than in the skips. There shall be no storage of waste materials on the ground areas within the site.

Reason: In the interests of amenity of nearby occupiers both on and off site and to ensure the use of the site does not have a harmful environmental effect and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 5 **Regulatory Condition:** No works associated with the development hereby approved shall take place outside of 06.30 hours to 18:30 hours Mondays to Fridays and 06.30 hours to 14:00 hours on Saturdays and not at all on Sundays and Bank Holidays

Reason: To safeguard the amenities of nearby occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 6 **Regulatory Condition:** No external lighting or floodlighting shall be installed other than those agreed in accordance with details submitted on the 23rd April 2018 for the installation of 2

no PIR switched units. Any external lighting that is installed with the permission of the Local Planning Authority shall be maintained in accordance with the approved details.

Reason: In the interests of the amenities of the locality and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/18/0109
DC/16/0702