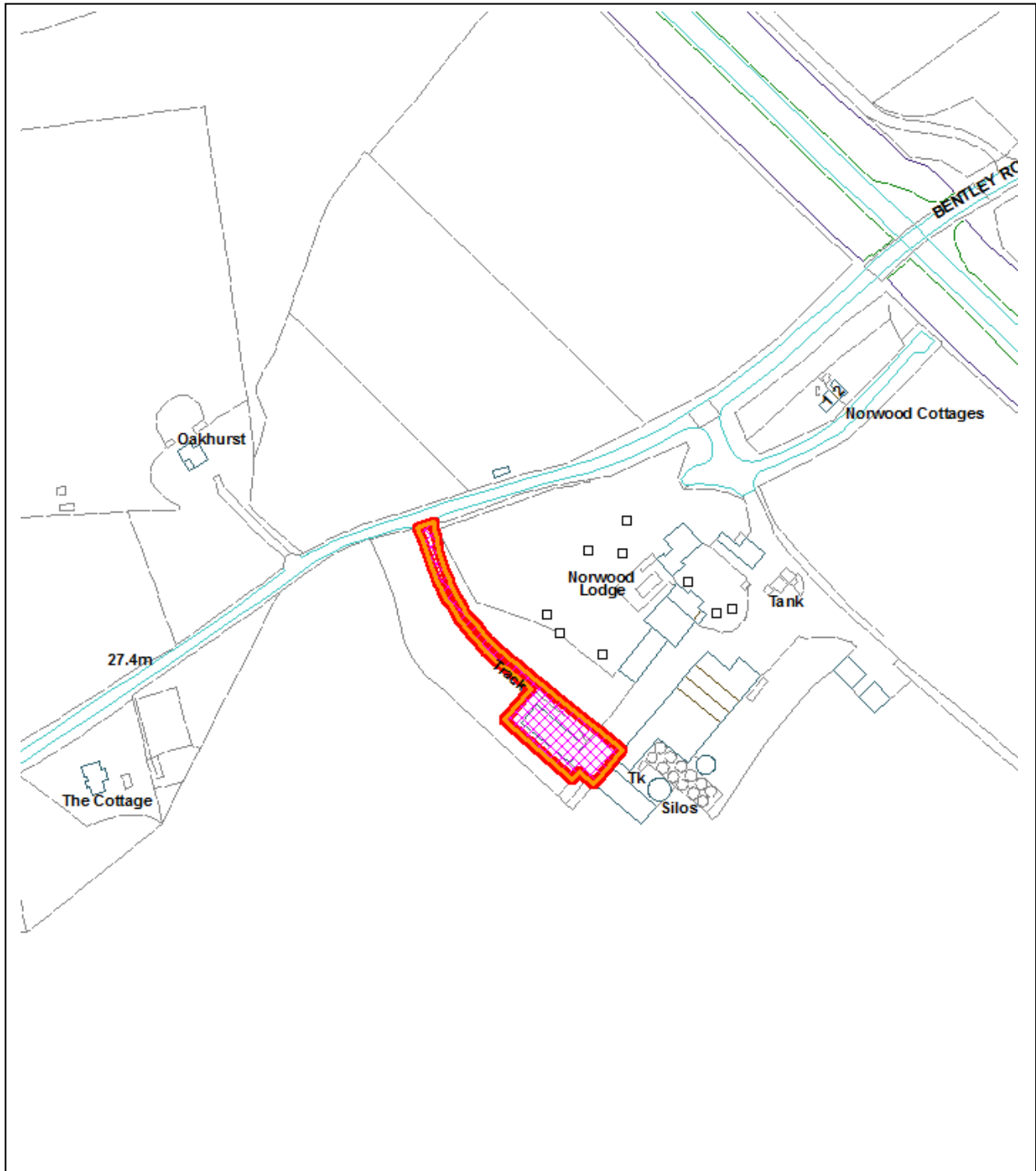


PLANNING COMMITTEE

16 MAY 2017

REPORT OF THE HEAD OF PLANNING

**A.1 PLANNING APPLICATION - 17/00377/FUL - UNIT 1 NORWOOD LODGE,
BENTLEY ROAD, WEELEY, CO16 9BX**



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Application:	17/00377/FUL	Town / Parish: St Osyth Parish Council
Applicant:	Mr Alan Green - Greenspeed Autostylists	
Address:	Unit 1 Norwood Lodge Bentley Road Weeley CO16 9BX	
Development:	Change of use of B8 storage unit to vehicle body repairs and paint spraying (use class B2).	

1. Executive Summary

- 1.1 This application is referred to Planning Committee alongside application 17/00381/OUT for demolition of the applicant's existing dwelling and vehicle body repair workshops and redevelopment for 3 dwellings. This application provides a new premises for the business enabling it to expand, and providing justification for 17/00381/OUT in terms of retaining the employment use within the District.
- 1.2 The proposal involves change of use of an existing Nissan hut in B8 storage use located within an originally agricultural farmyard, to vehicle body repairs and paint spraying (use class B2). It is proposed that there will be 5 full time and 1 part time employee. External changes relate only to two new doors. Staff parking and vehicle storage is proposed between the building and an existing dense conifer screen.
- 1.3 The closest dwelling is Norwood Lodge which is 87 metres away behind intervening buildings.
- 1.4 The proposal is considered to result in no material harm to visual or residential amenity, or highway safety and is recommended for approval subject to confirmation of no objection from Environmental Health in relation to potential noise or odour concerns. Consideration of application 17/00381/OUT should have no bearing on this decision as it is in accordance with national and local planning policy for supporting the rural economy.

Recommendation: Approve subject to confirmation of no objection from Environmental Health

Conditions:

1. 3 year time limit
2. Approved plans condition
3. No parking or external storage outside of the approved area
4. Conifer screen as shown on plans to be retained at minimum 3 metre height, or to be replanted if dies within 5 years
5. Details of any external lighting

2. **Planning Policy**

NPPF National Planning Policy Framework

Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development.

To promote a strong rural economy, local and neighbourhood plans 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

National Planning Practice Guidance

Tendring District Local Plan 2007

- QL9 Design of New Development
- QL10 Designing New Development to Meet Functional Needs
- QL11 Environmental Impacts and Compatibility of Uses
- ER3 Protection of Employment Land
- ER7 Business, Industrial and Warehouse Proposals
- ER11 Conversion and Re-Use of Rural Buildings
- EN1 Landscape Character
- TR1A Development Affecting Highways
- TR7 Vehicle Parking at New Development

Tendring District Local Plan 2013-2033 and Beyond Preferred Options Consultation Document (July 2016)

- SP1 Presumption in Favour of Sustainable Development
- SP3 Providing for Employment
- SPL3 Sustainable Design
- PP13 The Rural Economy
- PPL3 The Rural Landscape

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan, despite some of its policies being out of date. Paragraph 215 of the NPPF allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 216 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. As of 14th July 2016, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Preferred Options Consultation Document. As this plan is currently at an early stage of preparation, some of its policies can only be given limited weight in the determination of planning applications, but the weight to be given to emerging policies will increase as the plan progresses through the later stages of the process. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 216 of the

NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

3. Relevant Planning History

04/01639/FUL	Change of use to storage and ancillary office accommodation.	Approved	24.11.2004
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4. Consultations

Regeneration	Having worked with the company assisting them in finding an alternate site for them to relocate to, The Regeneration Team supports this application as not only will it facilitate the opportunity for the business to grow, it could also provide a number of new jobs.
Environmental Health	None received at time of writing report
ECC Highways Dept	The Highway Authority has assessed the details of this application and having regard to the existing storage use does not wish to raise any objections

5. Representations

- 5.1 Parish Council: No objections
- 5.2 One neighbour letter of objection:
- 5.3 Unit situated too close to our home, will cause noise and fumes which comes from this type of business. The building is a single skinned corrugated building which will not block the noise. This is a farm yard not an industrial estate.

6. Assessment

The main planning considerations are: Principle of development; Impact on residential amenity and landscape impact

Site location

- 6.1 The existing Nissan hut is located within a cluster of previously agricultural buildings set back around 100 metres from Bentley Road. To the immediate rear lies another Nissan hut of the same size, with larger agricultural buildings to the north and north east. To the south beyond a dense conifer hedge lies open agricultural land.
- 6.2 The closest dwelling is Norwood Lodge which is 87 metres away behind intervening buildings.

Principle of development

- 6.3 Application 04/01639/FUL approved the change of use of this Nissan hut (unit 1) and 4 other buildings to B8 storage use with ancillary offices. The proposal therefore involves change of use from B8 Storage and Distribution to B2 general industrial for vehicle body repairs and paint spray. B2 uses are uses for industrial processes other than those falling within class B1, so includes uses which generate noise, odour, dust etc which would not be appropriate within a residential area.

- 6.4 Saved Policy ER7 Business, Industrial and Warehouse Proposals supports the industrial change of use subject to a number of criteria of which the following are relevant to this proposal: a) that the scale and nature of the use is appropriate to the locality, including its relationship with adjacent uses. The unit lies within a cluster of buildings benefitting from B8 storage and distribution use and is set well back from the highway, benefiting from existing conifer screening. The scale of the use is limited by the size of the building and use of the external areas would be controlled by condition to prevent external storage or parking outside approved areas in order to preserve the rural character of the area.
- 6.5 ER7 b) requires no unacceptable impact in terms of appearance, noise, smell, dirt or other pollution. The external changes to the building relate only to additional doors and result in no material harm. The closest dwelling is Norwood Lodge which is 87 metres away behind intervening buildings. The use for paint spray and vehicle repairs raises potential concern in terms of noise or smells. Environmental Health have been consulted and their comments will be updated at the meeting.
- 6.6 ER7 c) requires satisfactory vehicular access and car parking to be provided. No alterations are proposed to the existing access which serves the wider site with permission for B8 storage and therefore likely to generate larger vehicles than the current proposal. There is ample parking available with customer parking shown along the north side of the building and staff parking and vehicle storage to the south side. The Highway Authority have no objection having regard to the existing storage use.
- 6.7 ER7 e) confirms that the open storage of goods or waste will not be allowed where such activity is considered visually intrusive. The submitted plans show customer, staff and vehicle storage areas which are either screened by the existing building or by the existing dense conifer screen. Conditions are recommended to ensure retention of the conifer screen and to restrict parking and storage to these areas only in order to preserve the rural character of the area.
- 6.8 The change of use from B8 storage and distribution to vehicle body repairs and paint spraying (use class B2) is therefore considered acceptable in principle, subject to no objections in relation to noise or odour to be confirmed by Environmental Health.

Impact on residential amenity

- 6.9 The closest dwelling is Norwood Lodge which is 87 metres away behind intervening buildings. The proposal must be considered in relation to the existing B8 storage and distribution use which also includes buildings within 40 metres of that dwelling and utilising a vehicular access 25 metres from the dwelling. Conditions were imposed on that permission (04/01639/FUL) to protect the amenities of Norwood Lodge in terms of 02 no external storage; 03 no external flood or security lighting; 04 no loading/unloading, use of forklift or movement of goods externally outside the hours of 7am-6pm Monday to Friday, 7am-1pm Saturdays or at any time of Sundays or Public Holidays; and 05 no forklift to be fitted with audible alarms.
- 6.10 The forklift related concerns will no longer be relevant to this non storage use, however the external storage and lighting concerns remain and are recommended as conditions. Hours of opening are proposed to be 7.30am-7pm Monday to Friday and 7.30am-1pm on Saturdays with no working on Sundays or Public Holidays. Advice will be sought from Environmental Health regarding the need to restrict hours of working.

Landscape Impact

- 6.11 The external changes to the building are very minor with one additional roller door and one personnel door. The site is not overly prominent in public views being set back around 100

metres from Bentley Road and within a cluster of larger buildings and screened to open countryside beyond by the dense conifer hedge. The proposal is therefore considered to result in no material harm to the character of the surrounding countryside subject to the recommended conditions controlling external storage, parking and lighting.

Conclusion

- 6.12 The proposal for change of use of an existing Nissan hut from B8 storage and distribution to vehicle body repairs and paint spray (use class B2) is considered to result in no material harm to visual amenity or highway safety. Subject to confirmation from Environmental Health in relation to noise and odour issues the application is therefore recommended for approval. This recommendation stands regardless of consideration of application 17/00381/OUT for residential redevelopment of the applicant's existing premises, as this recommendation is in accordance with local and national planning policy to support the rural economy.

Background Papers

None