

## COMMITTEE REPORT

**Committee:** West & City Centre Area    **Ward:** Rural West York  
**Date:** 15 February 2007    **Parish:** Parish Of Rufforth With Knapton

**Reference:** 06/02637/FUL  
**Application at:** Oakwood Farm Northfield Lane Upper Poppleton York YO26 6QF  
**For:** Change of use to Class B1 (Business Use) and Class B8 (Storage and Distribution Use) (resubmission)  
**By:** D Lancaster Esq  
**Application Type:** Full Application  
**Target Date:** 26 January 2007

### 1.0 PROPOSAL

- 1.1 Planning permission is sought for the change of use of an existing pair of barns to B1/B8 (storage and distribution) and the creation of a hardstanding parking area. The proposal relates to the change of use of the barns only. No internal or external works are proposed. The agent states that it is envisaged that the building will be used by small businesses in a similar manner to the other buildings on site which have been accommodated to create low-key business units without harm to any interest of acknowledged importance in the area.
- 1.1.1 The workforce is anticipated to be 10 persons on site at any one time, as indicated within the planning application. The agent states further that whilst the specific levels of traffic are unknown, it is likely that it will be similar to the levels of traffic generated by the adjacent buildings on site. The applicants further state that there will be approximately 1 heavy goods vehicle visiting the site each week and approximately 2 - 3 other vehicles visiting the site each week. The barns are enclosed within fencing and a key card is needed to enter the site. Access to the site is via Northfield Lane, and not directly onto the A1237 and adequate parking and turning areas would be provided.
- 1.1.2 This proposal is a re-submitted scheme. Previously a planning application 06/02238/FUL was submitted however this was withdrawn on 07/12/2006 prior to a decision being reached. This application is similar in context to the previous application. Previously however the proposal only included 1 of the existing barns. Due to the applicant already using both barns for storage of caravans and motorhomes, the Council advised that it would be more appropriate to withdraw the planning application and re-submit an application including both barns.

## 1.2 SITE

- 1.2.1 The site is adjacent the A1237 to the east and adjacent North Minster Business Park to the west. The site is located within the open countryside in an area designated as green belt.
- 1.2.2 The buildings are located to the middle part of the site, adjacent to a similar building which was granted planning permission for the change of use to B1 and B8 in February 2005 and other adjacent buildings which also have the same use. The building is in the region of 37.00 m by 30.00 m in plan and is currently being used for the storage of caravans and motorhomes.
- 1.2.3 A mature hedge bounds the majority of the site. In particular it is highlighted within the supporting letter (accompanying the application) that the site is well screened from the York ring road and other public points of view.

## 1.3 PLANNING HISTORY

- 1.3.1 The application site forms part of a larger site, to which separate planning consents have been granted at various times. Planning consents have been granted for consent for business (B1) and storage and distribution (B8). A chronology of the history of the site is listed below.
- 1.3.2 02/02837/FUL - Change of use of an agricultural building to self-storage unit (use class B8) - Approved - 19.12.2002. The applicant sought to change the use of some of the existing farm buildings into self-storage units. Plans submitted indicated the buildings which were to be changed to the self-storage units.
- 1.3.3 03/01823/FUL - Change of use of part of self-storage unit to milk distribution depot - Approved - 26.08.2003. The applicant sought permission for change of use of the previously approved planning application (02/02837/FUL) to a milk distribution depot. The application included proposals for a milk tanker and a number of milk floats to deliver and collect milk.
- 1.3.4 04/02170/FUL - Change of use of an existing building to form B8 Storage or Distribution to B1 Business Use (this application covered approximately one third of the building) - Approved 27/07/2004. The other two thirds had already received permission to become firstly storage and then a milk distribution depot. The proposal sought to provide business accommodation for small commercial enterprises to use the building (a saddler and upholsterer were mentioned).
- 1.3.5 04/04040/FUL - Change of use from an agricultural building to B1 business use and B8 storage use - Approved at Committee 17/02/2005. A site visit was conducted on the 16/02/2005 by members of the planning committee, planning officers and the applicants agent.
- 1.3.6 05/02371/FUL Change the use of from agriculture to business (B1) and storage (B8) - Approved on 24/05/2006.

- 1.3.7 06/02238/FUL - Change of use of an agricultural building from agricultural to B1 (business use) and B8 (storage and distribution). This application was withdrawn in November 2006. The application only covered part of a larger building. The Council advised that an application should be submitted which included all of the building due to the applicant using all of it for the proposed use.

## **2.0 POLICY CONTEXT**

### 2.1 Development Plan Allocation:

Air safeguarding Air Field safeguarding 0175

City Boundary York City Boundary 0001

DC Area Teams West Area 0004

### 2.2 Policies:

CYSP2

The York Green Belt

CYGB1

Development within the Green Belt

CYGB3

Reuse of buildings

CYGB11

Employment devt outside settlement limits

CYSP6

Location strategy

## **3.0 CONSULTATIONS**

### 3.1 INTERNAL

#### 3.1.1 HIGHWAYS

#### 3.1.2 No objections

#### 3.1.3 CITY DEVELOPMENT

3.1.4 City Development commented that any such development should benefit the rural economy and local residential workforce and that the reuse does not have a materially greater impact upon the Green Belt than the existing use.

## 3.2 EXTERNAL

### 3.2.1 BISHOPTHORPE PARISH COUNCIL

3.2.2 No comment

### 3.2.3 NEIGHBOUR RESPONSES

3.2.4 The following concerns/issues were previously raised regarding planning application 06/02238/FUL. The objector contacted the Council and stated that these issues were still relevant and wished them to be considered with regard to this application:-

- (i) The development of Oakwood Farm should be considered in a co-ordinated way to avoid the farm and associated curtilage becoming a sub-standard industrial estate by default;
- (ii) In total this proposal would bring the total amount of small commercial units at Oakwood Farm to approximately 2141 m<sup>2</sup> in addition to the 23,000 square feet which has been approved previously;
- (iii) There has been no transport assessment or highways contribution. A transport assessment should be sought by the LPA;
- (iv) The applicant is claiming that the barn is redundant but has erected another agricultural barn approximately 400 m away; and
- (v) An overall scheme of development for the farm should be agreed to prevent piecemeal development and the creation of business park approximately a third of Northminster Business Park.

## 4.0 APPRAISAL

### 4.1 POLICY

4.1.1 The relevant City of York Council Draft Deposit Local Plan Policies are GB1 and GB3. Policy GB1 states that planning permission will only be permitted within the Green Belt where the scale, location and design would not detract from the open character of the Green Belt; where it would not conflict with the purpose of including land within the Green Belt; where it would not prejudice the setting or special character of York. Policy GB3 states that outside defined settlement limited permission will be granted for the reuse of buildings within the Green Belt provided the reuse does not have a materially greater impact than the present use on the openness; the buildings are of permanent construction; the reuse will take place within the fabric of the existing building; the buildings are in keeping with their surroundings.

4.1.2 GB11 'Employment Development Outside Settlement Limits' - requires that proposals of this nature are only acceptable where it involves the re-use or

adaption of an existing building and it provides a direct benefit to the rural economy and to the local residential workforce.

- 4.1.3 Policy SP2 'The York Green Belt' states that the primary purpose of the York Green Belt is to safeguard the setting and historic character of the City of York and is defined on the Proposals Map. Although the rural part of the Local Plan area is predominantly open countryside and protected for its own sake, virtually all land outside the main settlements is designated as Green Belt in this Local Plan. Whilst separate national planning guidance exists for both the open countryside (Countryside - Environmental Quality and Economic and Social Development (PPS7) and Green Belts (PPG2), a general presumption against unnecessary or inappropriate development runs through both sets of guidance, combined with the objective of redirecting this development towards existing settlements.
- 4.1.4 Policy SP6 'Location Strategy' states that outside defined settlement limits, planning permission will only be given for development appropriate to the Green Belt or the Open Countryside.
- 4.1.5 PPS1: Planning for Sustainable Development aims to protect the quality of the natural and historic environment. 'The Planning System: General Principles', the companion document to PPS1, advises of the importance of amenity as an issue.
- 4.1.6 PPG2 Green Belts. This PPG outlines the history and extent of Green Belts and explains their purposes. It describes how Green Belts are designated and their land safeguarded. Green Belt land-use objectives are outlined and the presumption against inappropriate development is set out. Visual amenity factors are described and policies regarding new building and re-use of old buildings are summarised.
- 4.1.7 Planning Policy Statement 7: Sustainable Development in Rural Areas states that new building development in the open countryside away from existing settlements, or outside areas allocated for development in development plans, should be strictly controlled; the Government's overall aim is to protect the countryside for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, the wealth of its natural resources and so it may be enjoyed by all.
- 4.2 The main issues are:
- Principle of development;
  - Visual impact on surrounding area (green belt); and
  - Parking and traffic generation.

#### 4.3 PRINCIPLE OF DEVELOPMENT

- 4.3.1 The principle of a storage and distribution and alternative employment uses on the site has been established by the granting of previous permissions. The principle of diversification and finding suitable alternative uses within the open countryside/green belt is supported by the Council's Green Belt policy national planning guidance contained within PPS7. PPS7 states 'recognising that diversification into non-agricultural activities is vital to the continuing viability of many farm enterprises, local planning authorities should be supportive of well-conceived farm diversification schemes for business purposes that contribute to sustainable development objectives and help to sustain the agricultural enterprise, and are consistent in their scale with their rural location.' It is further stated in this document that planning authorities should encourage the re-use or replacement of existing buildings where feasible, for economic purposes, and should be particularly supportive where the buildings are adjacent or closely related to country towns or villages.
- 4.3.2 The applicant has stated that the construction of the York ring road had a dramatic impact upon his agricultural activities. To compensate for this he is renting and investing in additional land to the west of the ring road. As a consequence of this and changing methods of farming, the barns have become redundant in terms of their original use/purpose. The applicant has therefore carried out a programme of diversification and reuse of buildings on this site. Due to the continued diversification of his site these two agricultural buildings have been used (for some time) to accommodate the more expensive caravans and motor homes which are stored on land to the south west.
- 4.3.3 The applicant has also verbally stated that he has a barn sited to the west of the site which is more convenient for storage of his agricultural equipment, etc. As such the existing building is surplus to his requirements.
- 4.3.4 It is considered that the re-use of the building accords with Council policy and Government Guidance as laid out in PPS7. The re-use would not appear to have a greater impact upon the green belt than the previous use and the principle of farm diversification within this location has previously been established.

#### 4.4 VISUAL IMPACT ON SURROUNDING AREA

- 4.4.1 It is considered that the building is capable of conversion without any significant works. Indeed this is confirmed by the agent within his supporting letter which accompanies the planning application. It is noted that this application pertains to change of use only. Any works to alter the fabric of the building would, most likely, require additional consent. A large concrete hardstanding area is present to the front of the building which would provide adequate space for the parking and turning of vehicles and which is well screened from outside of the site. Furthermore, the conversion would not appear to have any greater impact upon the openness of the green belt than the existing building and use does. Condition restricting the type of storage allowable, as in previous applications, could be attached and restrictive working hours would reduce any potential noise disturbance from arising.

#### 4.5 PARKING AND TRAFFIC GENERATION

4.5.1 Adequate vehicle parking spaces are provided and there is sufficient turning and manoeuvring space for the vehicles. Minor additional details are required, however it is considered that these can be suitably conditioned. The increase in traffic generated by the development would be unlikely to have a significant harmful effect on highway safety or the wider area. The highways department have raised no objections.

#### 4.6 OTHER ISSUES

4.6.1 Due to the nature of the site and the fact that planning applications have been submitted separately over a number of years, a development brief has not been produced for this site. The applicant has submitted applications at various times, as he has continued to diversify this part of his farm/holding. Taking into consideration the development of the site which has taken place so far, it is considered that a development brief for the site would be ineffective. As previously highlighted planning permissions have been granted for all the other existing buildings on site and appropriate conditions have been accordingly attached. As a consequence, it is considered that adequate measures exist to control the uses/activities on the site.

4.6.2 The scale of the current proposal does not warrant a highway a transport assessment or highways contribution.

#### 5.0 CONCLUSION

5.1 The principle of development has been established through previous planning permissions granted. Consequently the central issue in considering this application is whether this would have a materially greater impact on the environment and on openness of the green belt. In all respects the scheme is similar to those previously approved (adjacent) and it is considered acceptable subject to the imposition of appropriate conditions.

#### 6.0 RECOMMENDATION: Approve

1 The development shall be begun not later than the expiration of the three years from the date of this permission.

Reason: To ensure compliance with Sections 91 to 93 and Section 56 of the Town and Country Planning Act 1990 as amended by section 51 of the Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out only in accordance with the following plans:-

- (1) Site Plan date stamped 01/12/2006; and
- (2) General layout - date stamped 01/12/2006

or any plans or details subsequently agreed in writing by the Local Planning Authority as amendment to the approved plans.

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

- 3 No development shall take place until the applicant, or their agents, or successors in title has agreed in writing with the local Planning Authority the sub-division of the original barns. Furthermore the barns shall be used for storage and distribution purposes directly relating to the agreed sub-divided units and not for any other purpose which falls within Class B8 in the Schedule of the Town and Country Planning (Use Classes) Order 2005 or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order.

Reason : So that the Local Planning Authority may assess the acceptability, in terms of traffic generation and residential amenity, of alternative uses which, without this condition, may have been carried on without planning permission by virtue of Article 3 of the Town and Country Planning (Use Classes) Order 2005.

- 4 There shall be no external storage of goods or materials within the application site, other than that shown on the approved plan relating to the continuing agricultural use associated with the surrounding buildings, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity, and to protect parking and manoeuvring areas.

- 5 Details of all internal and external alterations and sub-divisions of the building shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the unit.

Reason: In order for the Local Planning Authority to be satisfied that the change of use does not have any greater impact upon the open character of the green belt than the existing use

- 6 No vehicle associated with the storage use hereby approved shall enter or leave the site via the junction with the A1237 trunk road, unless otherwise previously agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety.

- 7 The hereby approved uses shall be restricted to 08:00 to 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays with no work on Sundays or Bank Holidays

Reason: In the interest of the amenities of nearby residential properties.



- 8 There shall be no ancillary retail sales from the hereby approved change of use

Reason: In order to protect the amenity of nearby residential properties and to achieve an acceptable use within the green belt.

**7.0 INFORMATIVES:  
Notes to Applicant**

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to impact upon the green belt. As such the proposal complies with policies SP2, SP6, GB1, GB3 and GB11 of the City of York Local Plan Deposit Draft and also PPG2 and PPS7.

**Contact details:**

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