

COMMITTEE REPORT

Committee: East Area
Date: 11 April 2007

Ward: Fulford
Parish: Fulford Parish Council

Reference: 06/02719/FUL
Application at: Forest Farm Lingcroft Lane To Crockey Hill York YO19 4RD
For: Change of use of 4 no. turkey sheds to B8 storage
(resubmission)
By: C W Foster And Sons
Application Type: Full Application
Target Date: 5 February 2007

1.0 PROPOSAL

1.1 The proposal is for the change of use of 4 redundant turkey sheds into B8 storage use as defined in the Use Classes Order (as amended 2005). All 4 buildings are identical in size and appearance and stand approx. 140 metres to the north east of Forest Farm House, a farm on the A19 just south of the Fulford interchange with the A64. Each building is approx. 18m x 79m offering approx. 5800sqm of space. The height to the ridge of each building is 5.5 metres. Each building can be described as a typical turkey shed in appearance and are constructed out of concrete block and boarded timber to the walls and sheets to the roof. There are large doors in the gable ends of all the buildings (3m x 3m) and each building has a large silo next to it. Internally, the buildings are open plan except for numerous timber props which hold the roof up. There are agricultural fields bordering the site on all sides.

1.2 Each building was used for the breeding and keeping of turkeys but have been unused since October 2005 following an alleged downturn in the poultry industry.

1.3 It is proposed to re-use the buildings in their present form for general B8 storage use with the storage of motor vehicles prior to their sale in local showrooms as the proposed use. No external alterations are proposed although two of the buildings would be sub-divided, thereby creating 6 potential units.

1.4 Access will be direct from the A19 and this already serves the existing farmhouse and a further range of former agricultural buildings adjacent to the road which have been converted into business use.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

DC Area Teams East Area (1) 0003

2.2 Policies:

CYGB1

Development within the Green Belt

CYGB3

Reuse of buildings

CYGB11

Employment devt outside settlement limits

CYGP4A

Sustainability

3.0 CONSULTATIONS

3.1 INTERNAL.

3.2 Highway Network Management.

This application is basically a re-submission of p.a. 06 / 414 / FUL, the highway response to which is re-printed above. This new application has the benefit of being accompanied by a detailed transport assessment including accident statistics and a Travel Plan Statement supplement.

Of the points raised at the initial planning application the following have been addressed either by inclusion within the TPA or elsewhere within the application: -

The total size of the sheds remains the same i.e. 5,800sqm

Staffing levels are now predicted to be around 10 persons (2 persons for "turkey shed" use)

Estimated daily traffic flows (all vehicles) of 73 - in; 71 out (TRICS) Estimated hourly max (all vehicles) of 14 - in; 4 - out (local estate agents)

Vehicle parking / turning now shown

Cycle storage included but not detailed

The metalling and widening of the internal access road has been extended but not as far as the application site nor including the public footpath

The existing RoW (Fulford No 16) extends from Forest Lane at White House Farm upto but not through Forest Farm. It is noted that, as part of the Travel Plan, the applicant is agreeable in principle to the conversion of this Public Footpath to a Public Bridleway and formally extending it upto the A19 through land in his ownership by way of a Section 25 agreement 1980 H/w Act.

The average daily (12 hourly) traffic volume for the A19 at the application site access is approximately 8,000 vehicles in each direction; normally there would need to be a nominal 5% increase in traffic volumes (400 vehicles in either direction) as a

consequence of an application to warrant consideration of further access improvements. The current access has only recently been built and it fully complies with major private access design criteria regarding features such as sightlines, kerb radii, width, layout and construction.

The only concern I have is the introduction of additional turning manoeuvres from/onto a busy road that is subject to the national speed limit of 60m.p.h., but as the recommended minimum sight lines of 215m in both directions are achievable at the access and as a forward sightline within the A19 then I do not consider that a refusal on highway safety grounds could be substantiated.

It is requested that conditions be attached to any permission granted to control the issues identified above.

The existing RoW (Fulford No 16) currently extending from Forest Lane at White House Farm upto but not through Forest Farm to be extended through land in the applicants ownership upto the A19 and converted to a public bridleway by way of a Section 25 agreement 1980 H/w Act.

Reason- To promote the use of cycles and thereby reduce congestion on the adjacent roads

3.3 City Development.

The site is in the Green Belt although generally the re-use of buildings within the green belt for employment use is acceptable. An assessment should be made in terms of the impact of this particular use in the green belt. The sustainability of the site should also be assessed in conjunction with Policy GP4a of the draft local plan.

3.4 EPU.

No objections and recommend that the hours of operation be restricted to the times as applied for in the application. These being 07.00 to 19.00 Mon to Sat and 07.00 - 17.00 Saturdays and Sundays.

3.5 EXTERNAL

3.6 Fulford Parish Council.

Concerned as it changes agricultural buildings that are appropriate within the green belt to a commercial and possibly light industrial usage. In the application the envisaged use of the buildings is not made clear. If the units are going to be let out the owner will not be able to control the sort of activities undertaken in the buildings. Also, no identifiable need for release of these sheds for the proposed use has been proven. There is a general presumption against inappropriate development in the green belt.

Acknowledge that farm diversification might mean the continued survival of the remaining agricultural activity. However, the sort of activity proposed here, seems to us not to be appropriate for this purpose. Also concerned as to whether any agricultural buildings will remain or whether all or the majority of the buildings on site will have been transformed from agricultural use. In that case it would not be a case of farm diversification but of the transformation of a farm to a business estate. The turkey sheds should be retained for agricultural use or alternatively for use that is specified within planning guidance as appropriate for a green belt location. York has a clearly formulated approach as to the location of commercial

developments. This sort of development should be redirected towards an existing settlement on a brown field site. Other sites are available within Greater York that are especially earmarked for commercial/storage/industrial enterprises such as this. To use a site within the green belt for this purpose is inappropriate. It will prejudice the purposes of the green belt. Amongst other reasons it will not safeguard the surrounding countryside from encroachment and it will not preserve the setting and special character of historic York and it will not recycle derelict or other urban land.

Acknowledge that other sites are nearby that are inappropriate for green belt. At Forest Farm itself conversion of existing agricultural buildings to an office, workshop and warehouse space was granted planning permission in 2004. As a result there are already 3 commercial and 8 office units at Forest Farm. If the current planning application is also granted, it will cumulatively undermine the character and openness of the green belt along the A19. Refer to Planning Appeal Decision APP/C2741/A/06/2023733 Assistance House, Malton Road, Hopgrove, York paragraph 10 where it is stated that the fact that a proposal might be relatively unobtrusive is not in itself a good argument as it could be repeated too often, thus cumulatively undermining the openness of the Green Belt. This paragraph is about an unobtrusive addition to an existing commercial building without any change of use envisaged. It would seem even more pertinent to the application at Forest Farm where the majority of buildings are still agricultural. Although a previous application for change of use at Forest Farm was allowed, cumulatively it undermines the character of the green belt in this locality too much. This is especially apparent by unavoidable aspects such as increased car parking, increased traffic generation, advertising signs and lighting. These combined will be detrimental to the existing character of this locality.

Object to the effect of commercial signage that will be visible from the A19. Signs on the A19 and advertising on the buildings would change the character and appearance of the green belt viewed from the A19 but also from the wider countryside. It would impact negatively on the appearance of York as a historic city when viewed from the surrounding countryside but also from an important access road to the City of York, the A19.

The additional traffic generation will compromise road safety on the A19. Worried that additional use will be made by cars of Forest Lane to avoid the often congested roundabouts at the A64/A19 junction. It proposes a condition that the only access route for motorised vehicles will be directly from the A19 and that no traffic except for cyclists and pedestrians will be allowed to use Forest Lane.

3.7 Third Parties.

No objections received.

4.0 APPRAISAL

4.1 The main planning issues are considered to be

- Green Belt and countryside issues
- amenity
- highways

Green Belt and countryside:

4.2 PPG2: Green Belts states that the re-use of buildings within the Green Belt is not inappropriate providing that it does not have a materially greater impact than the present use on the openness and purposes of including land within the Green Belt; that strict control is exercised over the extension of re-used buildings and associated uses of land; that the buildings are of permanent and substantial construction, and capable of conversion without major reconstruction; and form, bulk and general design is in keeping with their surroundings.

4.3 North Yorkshire Structure Plan policy E9 states that planning permission within Green Belt areas will normally only be granted for change of use or redevelopment which is in connection with agriculture and forestry, outdoor sport and recreation, cemeteries or institutions in extensive grounds and other uses appropriate in a rural area. Draft City of York Local Plan policies GB1, GB3 and GB11 largely reflect that advice in PPG2: Green Belts and the Structure Plan.

4.4 In terms of the impact on the Green Belt itself, the proposed re-use does relate to the conversion of the existing buildings on the site, with no extension or alterations to the existing buildings proposed. The roof of the building would also remain as existing. The form, bulk and design is considered to be in keeping with the surroundings. The buildings themselves are of permanent and substantial construction, and are perfectly capable and suitable for conversion and will look identical to existing. They are visible from the A19 although they are approx. 150 metres from it. The appearance of the site at this point and the buildings themselves will appear unaltered and therefore the impact on the openness of the Green Belt will be non-existent. The development is considered to accord with the provisions of Green Belt policy.

4.5 PPS7: Sustainable Development in Rural Areas states that the preference of re-use of buildings in the countryside is for economic development purposes, which is also reiterated in Draft Local Plan policy GB3. The development is considered to accord with policy advice in this respect. As relevant to this application, Structure Plan policy E9 states change of use of existing buildings would normally only be granted in connection with other uses appropriate in a rural area. Re-use for economic development purposes is considered to accord with this, bearing in the mind the advice in PPS7 on preference for economic development purposes. If approved, the permission would not allow for retail sales and would be restricted to B8 storage use only. The main use that has been identified by the applicant is the storage of cars prior to their sale at local showrooms although other similar storage uses would also be appropriate. It is recommended therefore that the use be restricted by condition within the Class B8 use class, allow no external storage and external alterations to the buildings. The layout and type of building largely self limits its future use anyway. It is a relatively low building at 5.5 metres with relatively small doors at either end. Internally the extensive number of piers which help to hold the roof up seriously limits the future use of the building logistically.

4.6 PPS7 also makes reference to a number of criteria that local planning policies should take account of. Issues in terms of the potential impact on the countryside and landscapes, and the suitability of the buildings have been discussed above. The

site in itself has some wildlife value given its close proximity to a large coppice of trees and a fishing lake. However, there are no extensions to the buildings proposed and no existing planting will be removed. The proposed use is therefore not expected to result in any impact on wildlife when compared to the established farm use. In relation to local economic/social needs, local planning policies do promote employment use, and in rural areas in particular the reuse of buildings. Such planning policies apply across the whole of rural areas of York, and do not restrict reuse for employment purposes in specific locations.

4.7 PPS7 also makes reference to settlement patterns and accessibility, which under Local Plan policy GB3 criteria is more tied to residential rather than employment uses. The vast majority of trips to the site would be vehicle based, given the nature of the proposed use. In sustainability terms it is acknowledged therefore that the site / proposed use would promote some additional vehicle movements although members will note that the Highways Authority are not objecting to this per se. Weighed against this is the re-use of buildings itself which accords with sustainability aims and objectives.

Amenity

4.8 The only house on the site is the 'farmhouse' and this is approx. 150 metres from the site of these buildings and is in the ownership of the applicant. Therefore it is well separated from the proposed re-use and any associated traffic movements although it is acknowledged that the access will pass to the rear of the property. However, given the other uses on the site and a condition restricting hours of operation this is not considered a problem by officers. There are no other dwellings within half a mile of the site.

Highways.

4.9 The detailed comments of the highways officers are at para. 3.2 of this report and they are raising no objections to the proposal. This follows on from the submission of a detailed transport assessment. The main entrance into the site has recently been upgraded, widened and tarmaced as a result of the previous conversion scheme on the brick outbuildings by the road. The access arrangements are therefore considered acceptable. The track down from the buildings eastwards towards White House Farm is also a public right of way although at this stage it does not extend through Forest Farm. As part of the proposal this PROW will be upgraded to a public bridleway and formally extending it up to the A19 through land in the applicant's ownership through a Section 25 agreement in the 1980 Highway Act. This is a move which officers welcome.

Parish Council comments.

4.10 The comments of the Parish Council at para. 3.6 are very detailed and the concerns are acknowledged. The issues regarding appropriate development in the Green Belt and commercial uses have been discussed above and officers have explained that it is not inappropriate given that the scheme involves the re-use of existing buildings rather than the erection of new buildings. It is acknowledged that the use proposed does further reduce the likely farming use of the land following on

from the previous conversion of the other buildings on the site next to the farmhouse and this is of some concern to officers. An agricultural storage building was approved in 2005 although this has not yet been implemented although it does suggest that the farming use is still viable to some extent although this type of building and layout is generally only suitable as a turkey shed. Officers have considered why some of the buildings subject of this application cannot be converted to this agricultural use although it is acknowledged that a typical poultry shed of this type does not lend itself to a normal agricultural storage type use due to its height, access and internal arrangement. Furthermore, some diversification of this sort can result in the future survival of the agricultural holding.

4.11 Issues such as signage would be controlled by other legislation or the advertisement regulations. The example they refer to at Assistance House on Malton Road is not the same as the case here as that application (dismissed on appeal) was for the erection of a new building rather than the re-use of buildings as in this case.

5.0 CONCLUSION

5.1 The principle of the re-use of the buildings for storage (B8) uses is considered in principle to accord with Green Belt and sustainable development in rural areas policies. There are no external alterations to the buildings would be in keeping, and be acceptable in relation to the Green Belt. The development would be acceptable in highways terms. The development would accord with national, structure and local planning policies.

6.0 RECOMMENDATION: Approve

1 TIME2

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

- 2005-6-70
- Proposed site layout.

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 HWAY10

4 HWAY22

5 HWAY36

6 The existing RoW (Fulford No 16) currently extending from Forest Lane at White House Farm upto but not through Forest Farm to be extended through

land in the applicants ownership upto the A19 and converted to a public
bridleway by way of a Section 25 agreement 1980 H/w Act prior to use hereby
approved commencing unless an alternative timescale is approved in writing
by the Local Planning Authority.

Reason- To promote the use of cycles and thereby reduce congestion on the
adjacent roads.

- 7 The use hereby permitted shall be confined to the following hours:

Monday to Friday 07:00 to 19:00
Saturday, Sundays 08:00 to 17:00

Reason. To protect the amenities of the occupiers of the Forest Farmhouse.

- 8 The development hereby approved does not allow for any storage of goods,
materials or refuse outside of the confines of the buildings hereby approved.

Reason. In the interests of protecting the Green Belt and amenity.

- 9 Details of any associated external lighting within the development hereby
approved shall only be implemented in accordance with details which have
been previously submitted to and approved in writing by the Local Planning
Authority.

Reason: To ensure the development has an acceptable effect on the Green
Belt and on the nearest residential properties to the site in terms of light
pollution.

- 10 The use shall not begin until details of foul and surface water drainage works
have been submitted to and approved in writing by the Local Planning
Authority, and carried out in accordance with these approved details.

Reason: So that the Local Planning Authority may be satisfied with these
details for the proper drainage of the site.

- 11 The use of the buildings shall be limited to B8 storage use only as defined in
the Town and Country Planning (Use Classes Order) 1987 (as amended 2005
or by any future order).

Reason. The buildings are considered unsuitable in terms of location and
appearance for any other use.

- 12 There shall be no external alterations to the buildings without the prior written
consent of the Local Planning Authority.

Reason. In the interests of protecting the Green Belt and amenity and in order
for the Local Planning Authority to control the future appearance and possible
use of the buildings.

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 the effect on the York Green Belt, visual amenity, sustainable development, residential amenity and highways issues. As such the proposal complies with Central Government Guidance, in particular PPG2: Green Belts and PPS7: Sustainable Development in Rural Areas, Policies E8, E8a and E9 of the North Yorkshire County Structure Plan (Alteration No.3 Adopted 1995) and Policies SP2, GB1, GB3, GB11, GP1 and GP4a, of the City of York Draft Local Plan incorporating the 4th set of changes approved April 2005.

Contact details:

Author: Matthew Parkinson Development Control Officer

Tel No: 01904 552405