
APPLICATION NO.	19/01730/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	08.08.2019
APPLICANT	Mr J Harvey
SITE	Greenwood, Woodington Road, East Wellow, SO51 6DQ, WELLOW
PROPOSAL	Change of use of land to accommodate expansion of existing employment site for the erection of an extension to existing building and provision of additional parking, and erection of palisade fencing.
AMENDMENTS	Amended plan received 25/10/19
CASE OFFICER	Mr Paul Goodman

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

1.1 The application is presented to Southern Area Planning Committee because it is contrary to the provisions of an approved or draft Development Plan or other statement of approved planning policy, adverse third party representations have been received- and the recommendation is for approval.

2.0 SITE LOCATION AND DESCRIPTION

2.1 The application site is situated to the eastern wide of Woodington Road and within the countryside area of Wellow Parish. The site was a former poultry farm latterly used as offices, storage and accommodation in associated with Chevron Traffic Management and most recently redeveloped for office/warehouse use by the current equestrian enterprise.

3.0 PROPOSAL

3.1 The application is made for change of use of land to accommodate expansion of existing employment site for the erection of an extension to existing building and provision of additional parking, and erection of palisade fencing.

3.2 The original submission referred only to the erection of the proposed extension. However it is apparent that the site has been extended into the countryside to the north of the building and about the access track resulting in the change of description and re-advertisement of the scheme.

4.0 HISTORY

4.1 17/01101/FULLS - Erection of office and warehouse and provision of septic tank, car parking and 2.4m high galvanised fence. Permission 14.08.2017.

4.2 15/02151/FULLS - Proposed stand by generator compound. Withdrawn 18.02.2016.

4.3 12/01530/FULLS - Retention of seven mobile homes for occupation by workers employed by Chevron Traffic Management at their depot. Permission 15.10.2012.

4.4 08/02514/FULLS - Retrospective use of land for the siting of twelve mobile homes for occupation by workers employed by Chevron Traffic Management Ltd at their depot at East Wellow. Temporary permission 17.02.2009.

5.0 **CONSULTATIONS**

5.1 **Planning & Building (Landscape)** – No objection.

5.2 **Planning & Building (Trees)** – No objection.

5.3 **Highways** – No objection.

5.4 **Ecology** – No objection, subject to informative.

5.5 **Housing & Environmental Health (Environmental Protection)** – No objection, subject to condition.

6.0 **REPRESENTATIONS** Expired 11.11.2019

6.1 **Wellow Parish Council** – Support.

6.2 **4 representations of Objection received to original submission;**

- Loss of trees to accommodate extension undertaken before the application was submitted.
- Concern that lack of turning space will result in further loss of woodland.
- Further woodland has been lost either side of the access.
- Woodland should not be sacrificed for warehousing.
- The surrounding area is sensitive for bat conservation and woodland should be preserved.
- Lighting should be kept to a minimum.
- Vehicle movements are in excess of those stated in the application and will increase as a result of the extension. Large vehicle movements are underrepresented.
- Detrimental to highways safety on the access track and at the unmarked crossroads.
- Lack of public transport facilities.
- Noise impact from building works combined with adjacent sites.

6.3 **1 representation of Objection received to amended submission;**

- The revised plan is inaccurate in showing the access being extended on only one side. The parking area was extended on both sides to form the current arrangement.
- Pressure on lorry manoeuvrability within the turning area will create the need for further space by intrusion into the wooded area which is an important habitat for protected wildlife.
- The palletized storage area on the plan was part of the woods before the application was submitted.

7.0 **POLICY**

7.1 **National Planning Policy Framework 2019**

7.2 **Test Valley Borough Local Plan 2016 – COM2** (Settlement Hierarchy), E1 (High Quality Development in the Borough), E2 (Protect, Conserve and Enhance the Landscape Character of the Borough), E5 (Biodiversity), E8 (Pollution), LHW4 (Amenity), T1 (Managing Movement), T2 (Parking Standard), LE10 (Retention of Employment Land and Strategic Employment Sites), LE17 (Employment Sites in the Countryside).

8.0 **PLANNING CONSIDERATIONS**

The main planning considerations are the principle for development, character of the area, highways, protected species & ecology and the amenities of neighbouring properties.

8.1 The application site is located within the designated countryside as outlined in the local plan. The proposal is therefore considered in relation to the countryside policy COM2. This policy sets out that development will only be permitted where there is an overriding need for a countryside location, or it is a type appropriate within the countryside as identified in the relevant policies.

8.2 Policy LE17 states that the redevelopment, extension of buildings or erection of new buildings on existing employment sites for employment use will be permitted provided that:

- a) it is contained within the lawful employment site; and
- b) the proposal is well related to any retained buildings; and
- c) it does not include outside storage where this could be visually intrusive.

8.3 The extent of the employment site has been extended into the countryside to the north of the existing building, on the site of part of the proposed extension and about the access track. Whilst the extension is not yet commenced the palisade fencing has been relocated and the parking area informally created about the access. As a result the proposals extend beyond the employment site established in the 2017 permission and do not comply with criterion A of Policy LE17. Whilst policy LE17 is referenced under policy COM2 (a) it does not specifically provide for the extension of employment sites within the main body of the policy. The development is therefore outside of the scope of development provided for by Policy LE17, notwithstanding whether the outside storage proposed would be visually intrusive in any event (Criterion C).

8.4 The supporting text of Policy LE17 states that “Proposal which involve the extension of the site boundary into the countryside would be considered on their individual merits. Open storage will only be permitted if it is not visually intrusive”. However as described above the proposals do not comply with the main body of policy LE17. As a result the proposals cannot comply with criterion a) of Policy COM2. Furthermore it is not considered that there is an essential need for the proposed storage/office use to be located in the countryside beyond the existing building being situated within that designation.

As a result the proposals are considered to be contrary to criterion b) of Policy COM2. In this case there are considered to be other material considerations weighing in favour of the development outlined below.

8.5 NPPF 2019

Paragraph 83 of the NPPF states that planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings.

8.6 Paragraph 84 also states that “Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.”

8.7 The wider site was formerly used as a poultry farm and latterly as offices, storage and accommodation in associated with Chevron Traffic Management who was undertaking improvement works on the M27. When this was no longer required, an application was submitted to redevelop the site (where the former buildings were located) with the office/storage building that is now on the site today (17/01101/FULLS). The red line for that application, and therefore the extent of the employment site previously approved, was drawn tightly around the buildings and access drive being proposed. As a result an area of approximately 8.5m by 40m to the north of the existing building is outside of the extent of the employment site established by the previous permissions. With regard to the access representations have stated that the submitted plan, which shows an extension to the west of the track, is incorrect and that the previous access was extended on both sides. It appears that this could be the case but, in any event, the extent of the proposal is dictated by the submitted red edge which reflects the current arrangement on the ground.

8.8 The current proposals, to extend the employment area beyond the permitted boundary are contrary to criterion a) of policy LE17 and by extension criterion a) of Policy COM2 as described above. However it is considered that in the light of the NPPF, the supporting text of policy LE17, the economic benefit of the proposal and the relevant material considerations detailed below that the proposals represent an acceptable departure from local plan policy.

8.9 **Character, Appearance and Landscape**

The application site is effectively screened from public views from Woodington Road by virtue of its set back (approximately 200m) and the existing mature woodland which surrounds the site. The site has no landscape designations and there are no public rights of way in close proximity to the site.

- 8.10 Whilst the proposed extension is of a substantial size it would remain screened from public vantage points. The extension would protrude into the area of woodland cleared to the north of the building, the remainder of which would be occupied by the proposed open storage area which would also be obscured. The previously approved palisade fencing on the boundary of the site has already been relocated to the edge of the applicants' ownership.
- 8.11 The Arboricultural Officer raised no objection to the application. Whilst it appears that the extension of the application site has resulted in the loss of some woodland the trees are not subject to preservation orders and no other consent would have been required. The cleared area, whilst substantial if considered in isolation, represents a small fraction of the overall woodland area. Concern has been raised with regard to the potential for further loss of the woodland and in relation to its management. However the wider woodland and its management are outside of the applicants' control. Any further expansion of the site would require specific planning permission and does not form part of the current application.
- 8.12 Given the rural location of the site there is potential for light spillage around the building which could have a detrimental impact on the character of the site. As a result a condition is imposed requiring the submission of details in relation to any external lighting.
- 8.13 Subject to the required conditions the proposed development would be effectively obscured from public views in the wider landscape and is considered to have no significant detrimental impact on the character and appearance of the site.
- 8.14 **Ecology**
The woodland adjacent to the site is lowland deciduous habitat, although it is neither a Site of Importance for Nature Conservation (SINC) or designated Ancient Woodland.
- 8.15 The Ecology Officer has raised no objection but has advised that the woodland may support species such as reptiles, badgers and other mammals which could cross the area of works during development. The Ecology Officer has therefore advised that an informative to avoid impacts to protected and notable species is added to any permission.
- 8.16 In permitting the previous application for the existing building it was identified that new developments in rural areas near woodland can adversely affect nocturnal wildlife such as bats where the development introduces new external lighting. New lighting could illuminate potential bat foraging habitat and as a result a condition was applied to secure details of any new external lighting to ensure that the surrounding woodland edge would not be illuminated either at levels over that currently experienced. That condition is therefore replicated on the current extension proposals.

- 8.17 Subject to the required condition and informative the application is considered to have no significant adverse impact on protected species and complies with policy E5.
- 8.18 **Amenities of neighbouring properties**
The nearest neighbouring dwellings are situated some 100m west and 200m southwest of the application site. Given the surrounding woodland two storey construction and the distances to neighbouring dwellings the proposal is considered to comply with policy LHW4 and is unlikely to have any significant detrimental impact on neighbouring amenity virtue of overlooking, overbearing or overshadowing impact.
- 8.19 In considering the previous application the Environmental Protection Officer advised that warehouse buildings have the potential to generate noise but has also noted that the layout and design of the building is good from a noise minimisation perspective. Residential dwellings to the south are protected largely because there would remain no service yard on the southern side of the building. To the north, the nearest homes are approximately 100 metres away to the north-west and the loading bay in the new extension is enclosed, with the opening facing to the north-east.
- 8.20 The previous permission was subject to conditions are applied to restrict noise generating uses on the site to further minimise the risk of amenity impact. Specifically controls on the hours of operation and deliveries are restricted. Those conditions are equally applicable to the extension and are reapplied. Subject to the required conditions the proposed development is considered to have no significant noise impact and complies with policy E8.
- 8.21 **Highways**
Representations have raised highways concerns in relation to the vehicle movement information provided by the applicant, the turning space within the site and the number and safety of vehicle movements along the access track and its junction with Woodington Road.
- 8.22 With regard to the information submitted by the applicants, this would be used to inform the consideration and the Council has no reason to disbelieve the submission. However the Highways Officers advice would be based on the use of the building rather than being limited to the current occupiers.
- 8.23 The Highways Officer has confirmed no objection to the proposed development and is satisfied that the proposal would not result in any material increase in traffic generation and sufficient manoeuvring space is provided for the operational requirements of the site. In addition the proposed parking provision would meet the required standard specified in Policy T2.
- 8.24 As a result the proposed development is not considered to result in any significant detrimental impact on highways or pedestrian safety and complies with policies T1 and T2.

9.0 **CONCLUSION**

9.1 In this instance considering the NPPF, the supporting text of policy LE17 and the economic benefit of the development the proposal to extend the existing employment site represent an acceptable departure from local plan policies COM2 and LE17.

9.2 As is provided for in the supporting text to policy LE17 the proposed development for open storage, when considered on its merits can be accommodated without detriment and as such would comply with criterion C of Policy LE17.

9.3 The development is considered to have no significant detrimental impact on the rural character of the site or visual character of the local gap. As such the proposed development is considered comply with the relevant TVBLP policies and is on balance acceptable.

10.0 **RECOMMENDATION**

PERMISSION subject to:

1. **The development hereby permitted shall be begun within three years from the date of this permission.
Reason: To comply with the provision of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.**
2. **The external materials to be used in the construction of all external surfaces of the development hereby permitted shall match in type, colour and texture those used in the existing building.
Reason: To ensure a satisfactory visual relationship of the new development with the existing in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.**
3. **The development shall not be occupied until space has been laid out and provided for the parking and manoeuvring of vehicles to enable them to enter and leave the site in a forward gear in accordance with the approved plan and this space shall thereafter be reserved for such purposes at all times.
Reason: In the interests of highway safety in accordance with Test Valley Borough Revised Local Plan (2016) Policy T1.**
4. **Details of any external lighting shall be submitted to and approved in writing by the local planning authority prior to first installing any such lighting before the building(s) is/are occupied. Development shall be carried out in accordance with the approved details.
Reason: To safeguard the amenities of the area and/or in the interests of road safety in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.**
5. **The premises shall be used for offices (Class B1) and storage and distribution (Class B8) and for no other purpose, including any purpose in Class B2 of the Schedule of 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 order that the Local Planning Authority can exercise control in the locality in the interest of the local amenities in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.

- 6. The external storage of goods and materials (excluding the storage within vehicles, the storage within closed storage containers and waste kept in suitable receptacles) shall not be permitted other than within the area identified and hatched blue on the approved site plan Ref PP Rev A unless otherwise agreed in writing by the Local Planning Authority.**

Reason: In the interest of the amenities and character of the area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E2 and E8.

- 7. Storage and distribution activities, including all HGV movements to and from site, all loading and unloading operations and all mechanical goods handling operations, shall be restricted to 0730 - 1830 hrs Weekdays and 0800 - 1300 hrs Saturday, with no such activities on Sundays or public holidays.**

Reason: In order that the Local Planning Authority can exercise control in the locality in the interest of the local amenities in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.

- 8. The site shall not be used for refrigerated storage and refrigerated lorries shall not be permitted to park on site between 2300 - 0700 hrs without prior written consent from the Local Planning Authority.**

Reason: In order that the Local Planning Authority can exercise control in the locality in the interest of the local amenities in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.

Notes to applicant:

- 1. The development hereby permitted shall be carried out and completed strictly in accordance with the submitted plans, specifications and written particulars for which permission is hereby granted or which are subsequently submitted to, and approved in writing by, the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.**
- 2. In reaching this decision Test Valley Borough Council (TVBC) has had regard to the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.**

- 3. The existing building is surrounded by woodland habitat. The woodland may support species such as reptiles, badgers and other mammals which could cross the area of works during development. The applicant is therefore advised that trenches should be checked before works start each day for any wildlife that could be trapped. Any reptiles revealed should be moved to adjacent retained rougher / boundary habitat or allowed to move off on their own accord. Sloping boards or steps should be provided to allow animals such as badger and hedgehogs to escape.**
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