

APPLICATION NO	PA/2009/1104
APPLICANT	Mr J Wilby
DEVELOPMENT	Planning permission to retain use of buildings 2, 3, 4, 5, 6 and 7 from Class B8 storage and distribution to Class B2 general industrial, including access to the site and the provision of parking areas (resubmission of PA/2009/0369)
LOCATION	Buildings 2, 3, 4, 5, 6 and 7 Brickhills Farm, Brickhills, Broughton
PARISH	BROUGHTON
WARD	Broughton and Appleby
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Broughton Town Council
POLICIES	<p>Regional Spatial Strategy for Yorkshire and the Humber: No specific policies apply.</p> <p>North Lincolnshire Local Plan: Policy ST3 (Development Limits) states that development outside development boundaries will be considered as development in the open countryside and will only be permitted if it is essential for the purposes of agriculture, forestry or to meet a special need associated with the countryside.</p> <p>Policy RD2 (Development in the Open Countryside) states that development in the open countryside will be strictly controlled and will only be granted where it is essential to agriculture or forestry; employment-related development appropriate to the open countryside; for the re-use and adaptation of existing rural buildings; or for the diversification of an existing rural business. This is provided that the countryside is the only appropriate location; the development accords with other appropriate local plan policies; and would not be detrimental to the character of the open countryside or highway safety.</p> <p>Policy RD6 (Re-use and/or Adaptation of Rural Buildings for Industrial and Commercial Uses in the Open Countryside) states that such proposals will be permitted provided that the building is of substantial and permanent</p>

construction and is capable of conversion without major alteration; it will not create the need for new buildings to house the displaced activities; it does not affect settlement vitality; the general design of the conversion is in keeping with the existing buildings and there will be no loss of wildlife habitat.

DS1 (General Requirements) sets out the overall design criteria expected for developments both in the built-up area and the countryside.

CONSULTATIONS

Highways: No objections subject to conditions.

TOWN COUNCIL

Objects on the following grounds:

- road access is inadequate for the increase in traffic
- pedestrian safety from St George's residential home will be put at risk
- potential fire hazard for the residential home
- increased noise pollution due to extra traffic and opening times
- existing drainage system inadequate to cope with the development
- environmental impact on pond and wildlife in the area
- a site visit should be carried out to ascertain that what is currently taking place on the site is authorised

PUBLICITY

Neighbouring properties have been notified and a site notice posted. Two letters of objection have been received raising the following issues:

- the access is inadequate for the increase in traffic
- drainage is inadequate and the site is prone to flooding with the risk of increase in pollution
- the parking layout would create a fire risk and limited manoeuvring space between vehicles
- waste oil tanks adjacent to buildings 1 and 6 are not bonded to the relevant standards
- the staff parking spaces are insufficient

- the site is in the open countryside and contrary to policy
- a committee site visit is requested
- the proposal will create a hazard and health and safety risk to elderly clients at the residential home

ASSESSMENT

Planning permission was approved in 2000 (PA/2000/118) to change the use of this group of buildings from a storage and distribution centre to include a bus depot and watchman's accommodation. There were a number of buildings on the site numbered 1-9, and the application included a parking area for buses. Buildings 2, 3 and 5 were specifically excluded from the application as the applicant specified that they were empty. However, since the application was approved, the uses on the site have changed, and the empty buildings have been utilised without planning permission. The current application seeks to obtain planning permission for the unauthorised changes to the site. The site is in the open countryside and is adjacent to private residential properties, including a residential home for the elderly.

The main issues in determining this application are whether the proposed uses are appropriate to this countryside location; whether there is a detrimental impact on highway safety; and whether there is an adverse impact on residential amenities.

As referred to above, planning permission was approved on this site in 2000 to use part of the site as a bus depot with associated outside parking areas. The site also included the storage of mini buses, oil and fuel store, storage buildings, offices and watchman's accommodation. The site has therefore been used, and has permission for, a number of commercial activities. Policies in the North Lincolnshire Local Plan, as referred to above, support the conversion of buildings in the open countryside to commercial and industrial uses. The main issue is whether the use has a detrimental impact on the character of the area.

The main changes that have taken place since planning permission was given in 2000, are that the site now includes uses in buildings 2, 3 and 5 (which were excluded from the original permission) for making tarpaulins and repairing chicken cages, a bus and lorry maintenance workshop, and a car maintenance workshop. The outside parking area for buses is the same as that originally approved. The watchman's

accommodation has not been brought into use and is identified now as a derelict building.

The existing uses on the site are very similar to those that were authorised in 2000. Therefore, it would be difficult to argue that the uses were out of keeping with the character of the area. The use of the site has increased with the introduction of additional businesses, however it is not considered that the intensification of the use is of such a scale that has a detrimental impact on the character of the area. In terms of highway safety and increase in vehicular movements, the highways department is satisfied that the proposal is acceptable. The council's Environmental Protection team have been consulted on the application and no objections have been raised subject to conditions limiting hours of operation and outside working. The submitted plans show a more regularised arrangement for the parking of vehicles as opposed to the ad hoc appearance of the site at present.

There are currently a number of vehicles parked on the site in various states of repair. They are parked outside the application site and are unauthorised. The applicant has been approached regarding this element of the site and work is in progress to have these vehicles removed from the site.

The current application is a resubmission of PA/2009/0369 which was refused on the grounds that it was considered that the changes of use had an adverse impact on the character of the countryside and due to lack of information regarding vehicular movements and the impact on the highway network. However, the application that was refused included the whole of the site owned by the applicant, which extends beyond the curtilage of the existing buildings and outside the area given permission in 2000. The current resubmission shows a much smaller site area, and reflects that given permission in 2000. Therefore it is considered that the current proposal is more acceptable than that previously refused.

Broughton Town Council has objected to the application and a letter has been received from the adjacent residential home and also from a neighbouring bus company that operates from another part of the site. All raise similar issues including highway safety, pollution, noise, drainage, impact on wildlife, lack of parking, fire hazard.

In relation to highway safety, as referred to above, the highways department has no objections to the scheme. Additional information has been submitted with the application at the request of the highways department, and it is considered that the increase in traffic is at an acceptable level that will not impact on the highway network or reduce highway safety. It is also considered that the parking arrangements are satisfactory and that there is sufficient space within the site for manoeuvring of vehicles. There is no evidence to suggest that there are protected species on or near the site or that habitats will be affected. The site does not extend beyond that which already has planning permission and the uses take place within an established, active commercial yard.

The council's Environmental Protection team have commented on the application and, subject to conditions, have not indicated that the uses will create a noise nuisance to nearby residential properties.

It is considered, therefore, that the current application will not have a significant impact on the character of the countryside or on the amenities of neighbouring properties over and above the current authorised uses. This revised application site does not extend further into open countryside than the original application and, as such, should have no additional detrimental impact on amenity.

RECOMMENDATION

Grant permission subject to the following conditions:

1.

No maintenance work shall take place on coaches/buses before 8am or after 6pm Monday to Saturday, nor at any time on Sundays or Public Holidays.

Reason

For the avoidance of doubt and in the interests of the amenity of the area in accordance with policy DS1 of the North Lincolnshire Local Plan.

2.

No maintenance or other repair work to coaches/buses shall take place in the open at any time.

Reason

For the avoidance of doubt and in the interests of the amenity of the area in accordance with policy DS1 of the North Lincolnshire Local Plan.

3.

Steam and pressure washing of vehicles shall only take place outdoors between the hours of 8am and 6pm Monday to Saturday and not at any time on Sundays or Public Holidays.

Reason

For the avoidance of doubt and in the interests of the amenity of the area in accordance with policy DS1 of the North Lincolnshire Local Plan.

4.

The development hereby permitted shall be carried out in accordance with the following approved plans: 20/380/03, 20/380/04.

Reason

For the avoidance of doubt and in the interests of proper planning.



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Highways and Planning Service

**Service Director,
G Pople**

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