

PLANNING APPLICATION REPORT

REF NO: CM/4/11/

LOCATION: The Old Piggery
The Street
Climping

PROPOSAL: Renewal of unimplemented planning permission CM/1/08 for change of use of Piggery (and building conversion works) from agriculture to offices, laundry, stores/archives, toilets & associated facilities. (Departure from the Development Plan)

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The planning application is for the conversion of a redundant 390 square metres piggery from agricultural use to use for offices, stores, toilets, laundry and associated facilities in connection with Bairds farmshop.

In the original application (CM/1/08) the applicant's agent indicated that the piggery proposal is intended to provide a solution to the farmshop's needs and lead to the removal of portabin off-site and the other relocated to the rear car park of the farmshop as somewhere for staff to change.

The change of use involves retaining existing walling on three sides and enclosing the remaining open fronted side elevation by brick/glass/blocks/cladding and replacing the corrugated asbestos roof with suitably coloured and similarly pitched roof materials as existing. The piggery lies within the existing farm complex of buildings and parking will be formed from the existing hardstanding. The same farm access will be used as currently exists. 6 car parking spaces have been allowed for on the basis that 4 staff will work in the building.

Accompanying the original planning application was a Structural Appraisal. The Applicant's Structural Appraisal indicated the pig sty building could be converted into office use without major demolition or rebuilding.

SITE AREA

0.39 Hectare

RESIDENTIAL DEVELOPMENT DEN

N/A

TOPOGRAPHY

Predominantly flat

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT	Open boundaries to the north and east. Hedging along the western boundary.
SITE CHARACTERISTICS	The building is of brick/stone construction with a corrugated roof. The location of building is at the edge of the farm complex of buildings known as Hobbs Farm.
CHARACTER OF LOCALITY	The piggery building lies within the existing farm complex of buildings. Along Climping Street there are two-storey dwellings whilst to north is the farm shop.

RELEVANT SITE HISTORY

CM/11/07/	Change of use from agriculture to fishing tackle shop	Approve Cond 15-08-2007
CM/25/07/	Change of use to craft retail.	Approve Cond 12-12-2007
CM/1/08/	Change of use of Piggery (and building conversion works) from agriculture to offices, laundry, stores/archives, toilets & associated facilities. (Departure from the Development Plan)	Approve Cond 23-06-2008

CM/1/08

The portacabin at the farmshop has been investigated by compliance.

REPRESENTATIONS

Representations received:

Climping Parish Council

No objection

Comments on Representations received:

None

CONSULTATIONS

WSSC Local Development Divis.

Environmental Health

Consultations responses received:

County Highways: No concerns raised

Environmental Health: No comment

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

Outside Built Up Area Boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN3	Protection of the Countryside
	GEN7	The Form of New Development
	GEN30	Protection of Species
	DEV1	Conversion of Rural Buildings for Industrial or Business Use
	AREA10	Strategic Gaps

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
PPS4	Planning for Sustainable Economic Growth
PPS7	Sustainable development in rural areas
PPG13	Transport

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to conflict with the relevant Development Plan policies permitting the conversion of rural buildings for business use in that rebuilding of the piggery is necessary to accommodate the business use. There are other considerations that contained in PPS7 that would allow permission. PPS7 is supportive of replacement of existing buildings of permanent design and construction in the Countryside for economic development purposes. Furthermore the proposal is not considered to have a materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

The application site lies within an area of countryside and Strategic Gap between Middleton and Littlehampton. Policies for the countryside allow for the conversion of rural buildings to employment use but not proposals involving rebuilding. Policy DEV1 indicates though that the building must be structurally sound, of permanent construction and capable of conversion without rebuilding or significant alteration or extension. The submitted structural survey does indicate that the building is structurally sound in terms of existing walling but together with the submitted plans indicates that a new roof and new walling for the open bay of the building is necessary. The new roof also involves new part gable walling at the two ends of the building. It is therefore considered that the proposal is contrary to the Development Plan as the local plan policy DEV1 indicates that the building should be capable of conversion without rebuilding or significant alteration or

extension.

However PPS7 indicates that the Government is supportive of the replacement of suitably located, existing buildings of permanent design and construction in the countryside for economic development purposes. The statement also indicates that the replacement of buildings should be favoured where this would result in a more acceptable and sustainable development than might be achieved through conversion, for example, where the replacement building would bring about an environmental improvement in terms of the impact of development on its surroundings and the landscape. In this case it is considered that the rebuilding is justified given the need put forward on economic development grounds. The applicant has indicated that the farmshop has a lack of floor space to house the laundry and also office staff as the business has grown together with the requirements of modern health and hygiene regulations and the increased paperwork associated, with produce delivered daily. On this basis there is considered a justified need for the rebuilding of the piggery.

Visually the rebuilding and associated alterations are not considered to affect the character and the appearance of the area. The applicant amended the plans to minimise the number of new openings and give the building a more rural appearance. Furthermore no new areas of hardstanding are being created to cater for car parking. It is not considered that there will be any significant adverse impact on neighbour's amenities. There will be noise and activity associated with the new use but this is not considered significant especially given that the previous lawful farm use, a piggery, no doubt had associated noise and disturbance with this. The converted building and external areas are considered to be sufficient distance from the nearest neighbouring properties to avoid significant impact. The building and external areas are a minimum distance of 40 metres from 1 Langmead Close to the east and separated by a field. To the south west, 1 and 2 Hobbs Cottages are approximately 10-15 metres distant from the hardstanding areas associated with the use and separated from the site from another farm building within the complex and the field referred to. There is not considered to be an impact on the Strategic Gap because the building is already existing and the use therefore is not considered to affect significantly the gap.

Accompanying the original planning application was a Bat and Owl Survey which indicated that it is unlikely that bats have used or are likely to use these buildings and there is no evidence of use by Barn Owls.

It is therefore recommended that the planning application be approved subject to the following conditions.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plan 265/DPA02 rev 04.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 No development shall be carried out unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external roofs of the proposed building and part rebuild gables have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 4 No development shall take place unless and until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping/hard and soft/, which shall include indication of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.

Reason: In the interests of amenity and of the environment of the development in accordance with policy GEN7 of the Arun District Local Plan.

- 5 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development in accordance with policy GEN7 of the Arun District Local Plan.

- 6 Before the use of this building hereby permitted commences, details of the type and siting of external floodlighting/security lighting shall be submitted and approved in writing by the local planning authority. The approved lighting shall be erected in accordance with the approved details.

Reason: To safeguard the amenities of neighbouring amenities of neighbouring properties and their occupiers in accordance with policy GEN7 of the Arun District Council.

- 7 No raw materials, finished or unfinished products or parts, crates, packing materials or waste shall be stacked or stored on the site except within the buildings or storage areas at any time approved by the Local Planning Authority.

Reason: To safeguard the amenities of neighbouring properties in accordance with policy GEN7 of the Arun District Local Plan.

- 8 No plant, machinery, equipment or storage associated with the use hereby permitted shall take place any where on the site except within the subject building.

Reason: In the interests of the amenities of the locality in accordance with policy GEN7 of the Arun District Local Plan.

9 INFORMATIVE:

Summary of Reasons for Grant Article 22(1) General Development Procedure Order 1995

SUMMARY

This planning permission was granted because, although the proposed development does not comply with the policy in the Development Plan listed below in that the policy allows for the conversion of rural buildings for business use but not rebuilding. There are material considerations which indicate that it can be granted. These material considerations are that PPS7 is supportive of replacement of buildings in the Countryside for economic development purposes. Furthermore the proposal is not considered to have a materially adverse effect on the visual amenities of the locality or the residential amenities of neighbouring properties nor would it have an impact upon the established character of the surrounding area..

RELEVANT POLICIES

LOCAL PLAN: DEV1, GEN3, GEN7, GEN30, AREA10

NATIONAL POLICIES: PPS1, PPS4, PPS7, PPG13

This paragraph is to comply with Article 22 General Development Procedure Order 1995