

FN/22/07

PLANNING APPLICATION REPORT

DESCRIPTION/ ADDRESS	- Demolition of storage barn, workshop and two stables and erection of one 5.5 metres x 12.8 metres timber barn for use as a workshop for the repair and servicing of garden and horticultural machinery, The Vale Stables, Findon Road, Findon.
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THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	0.0144 hectares
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat.
TREES	Many on street frontage. Two small willows either side of entrance to site.
BOUNDARY TREATMENT	Trees and hedging forming good boundary treatment to roadside.
SITE CHARACTERISTICS	Site currently contains two stable blocks of timber construction for a number of horses. There is a gate to either end of the site, one for access into the site and one for access on to paddocks beyond. Car parking outside of the site.
CHARACTER OF LOCALITY	Semi-rural abutting A.24 Worthing to Findon road. Two storey flint, slate roof barns which have been converted to commercial use lie to the north of the site. To the north west of the site, further development of a large two storey brick construction is for commercial purposes.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
None		

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Findon Parish Council	The Council was unable to consider the above application because declarations of personal and prejudicial interest were made by three members.



FN/22/07

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Six letters of support	The applicant's business is an asset to all the gardeners of Findon Valley and Village. He has excellent friendly and very helpful staff. If he can't find a suitable location, this would mean the loss of his livelihood, plus the loss of two jobs. This is a local business. It has been operating in Findon for twelve years and now facing a situation having to move premises, I believe it is critical to support local businesses to preserve the character of the village. This business has always been operating within the Findon area. When it started, it occupied ground floor premises within the High Street. Local Businesses should be supported. The site is well screened by trees on the A24. I am a farmer with a couple of hundred acres and I regularly use the service and knowledge they offer. This is the sort of business you can expect to find in the rural setting of Findon and The Vale and I feel it is so important to encourage this sort of agricultural/garden based business. The existing buildings adjacent to The Vale Stables have been utilised for some small scale commercial activities, and this proposal will only marginally extend this permitted use. The visual impact of this proposal is negligible.
Three letters of objection	This small area is agricultural in nature and forms a barrier between Worthing Town and Findon Village. The buildings to the north of the site within The Vale are already in light industrial or non-residential use; any further urban or industrialisation would place a larger demand for safe vehicular movement on to the A.24. We are a neighbouring property and already suffer noise and increased vehicular movements above and beyond that stated in each successive change of use given to the surrounding buildings. At this time, however, this at least stops over the weekends. The proposed changes would highlight the weekend as the major day of working, and judging by the current and former facilities used by the gentlemen, placing the request would necessitate the storage or dumping of a large number of disembowelled machines on site with the associated oil and fuel pollution. This will be a change of use from agricultural to industrial. This is the only remaining green area between Findon and Findon Valley and has always been agricultural land, as racing stables and keeping of horses etc. Extra access has always been refused due to vehicles going in and out on to the stretch of the A24 road currently with a speed limit of 50 mph, therefore causing problems in the future. No orange planning notice is visible from the road.
Southdown Society	Although this application is a departure from Development Plan, we can find no reason to object. The adjacent converted buildings (B1 use) to the north are, in many ways, similar to what is proposed and dense screening from the road is an excellent safeguard from obtrusion.



FN/22/07

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
District Environmental Health	Suggest restriction of working hours to normal working hours, i.e. 8.00 a.m. to 6.00 p.m. weekdays; 8.00 a.m. to 1.00 p.m. Saturday. Nothing at all on Sundays or Bank Holidays. This is to restrict any potential noise nuisance.
Southern Water	Do not wish to comment on this application.
County Highways	No objection. The site has a number of existing uses which are all dependent upon a single point of access on to the A.24, which has, in this location, a speed limit of 50 mph. The site frontage has a wide, well maintained grass verge permitting good visibility to the north and south. Considering the low number of daily vehicles and movements proposed, no concerns are raised in respect of the minor intensification of use of the access.
South Downs Joint Committee	No objection provided that the permission is personal to the applicant or his business, and subject to conditions regarding materials and finishes and requiring the building to revert to stabling and ancillary storage, should the applicant cease to trade from the premises. I would also be in favour of a temporary permission for the applicant's use of the building if that was considered reasonable. Would be opposed to any applications to replace the stabling that would be lost as a consequence of this development.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Area of Outstanding Natural Beauty Outside the Built-up Area Boundary Class A Road Findon and Worthing Local Gap

DEVELOPMENT PLAN POLICIES

West Sussex Structure Plan : LOC2; CH1; CH2; DEV1 Arun District Local Plan : GEN2; GEN3; GEN7; GEN12; AREA9; AREA11

PLANNING POLICY GUIDANCE

PPS1	- Delivering sustainable development
PPG4	- Industrial and commercial development
PPS7	- Sustainable development in rural areas



FN/22/07

PLANNING POLICY GUIDANCE

PPG13 - Transport

POLICY COMMENTARY

The above Policies combine to describe the criteria against which this application will be assessed, in particular, with regard to the countryside and character.

COMMENT ON CONSULTATION RESPONSES

Responses noted.

COMMENT ON REPRESENTATIONS RECEIVED

Noted. Planning Officer posted Notice on site on signpost next to the A24 in accordance with our adopted procedures.

County Highways raise no highway objections to the proposal, nor do the District's Environmental Health, although they do suggest hours of operation, which could be a condition of any approval.

ASSESSMENT OF PROPOSAL**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 relevant Development Plan policies in that that site is located outside the built-up area boundary and does not relate to the needs of agriculture, forestry, etc.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background in that the use proposed will be a replacement to existing structure currently used for horses, which also is not related to agriculture or forestry and the use will be for a local business serving the local community.

CONCLUSIONS

The site is outside the built-up area boundary within an Area of Outstanding Natural Beauty and within a Local Gap where policies state that unless the proposal relates to needs of agriculture, forestry, etc., the proposal should be refused. However, in these circumstances, it is considered that the use will be acceptable in this location as the site is linked to an existing complex of buildings "The Vale", which contain B1 uses and commercial uses in Findon Court to the north west of the site. The nearest residential properties are further north



FN/22/07

CONCLUSIONS

at Vale Cottage and to the east side of the A24.

The proposed structure would appear as a rural building in the countryside, being made of timber and of the appearance of stables/rural workshop. Indeed, the applicant stated that should he leave the site, the building could be readily converted to stables.

There is an existing vehicular access to the complex of buildings to a car parking area and the site proper has a gated access and hard surface area. The site is also screened from the road by trees and shrubs, which form a natural rural landscaping buffer and will be retained.

The applicant has been operating his garden machinery repair servicing workshop for the repair and servicing of garden and horticultural machinery for some years, latterly within the Wyevale Garden Centre, who unfortunately now need the retail space, so the applicant has to relocate. The use would generate only three members of staff and the conditions required from Environmental Health regarding operating hours seem a reasonable condition within this location.

Therefore, given the above, it is considered that the use and the building proposed would not cause unacceptable harm within this location and can be tied by condition to restrict the hours of operation and the uses and it is therefore recommended that the application be approved, subject to the conditions set out overleaf.



REPORT UPDATE

Application No :	FN/22/07
Agenda Page No :	101-108
Reason for the Update/Changes ♦ Representations - One letter of support - Raising no new points to those already covered in the main Agenda	
Officer Comment : Noted	
Notes: Changes to recommendations, conditions and/or reasons for refusal will always be accompanied by a new replacement recommendation sheet.	

FINDON

FN/22/07/

Demolition of storage barn, workshop and two stables and erection of one 5.5m x 12.8m timber barn for use as a workshop for the repair and servicing of garden and horticultural machinery (This application is a departure from the development plan)

The Vale Stables
Findon Road
Findon

RECOMMENDATION

Approve Conditions

- 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 premises shall be used only for purposes as applied for and for no other purpose whatsoever.

Reason: To enable the Local Planning Authority to control the use of the premises in detail having regard to the character of the rural area and the amenities of nearby properties in order that the Local Planning Authority may regulate and control the use of the premises in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.
- 3 The use hereby permitted shall not be operated on Sundays or Public Holidays or at any time otherwise than between the hours of 0800 and 1800 on weekdays and 0800 and 1300 Saturdays.

Reason: To safeguard the amenities and character of the locality and nearby properties in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.
- 4 The existing trees/bushes/hedges along the site frontage adjacent to the A24 shall be retained and protected during the development of the site and shall not be damaged, destroyed, uprooted, felled, lopped or topped during that period without the previous written consent of the Local Planning Authority. Any trees removed without such consent or dying or being seriously damaged or becoming seriously diseased during that period shall be replaced in the following planting season with trees of such size and species as may be agreed with the Local Planning Authority.

Reason: To ensure the retention of vegetation important to the visual amenity and for the environment of the area in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

FINDON

FN/22/07/

- 5 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 rural locality in accordance with policies CH1, DEV1 of the West Sussex Structure Plan and GEN3, GEN7 of the Arun District Local Plan.

6 INFORMATIVE:

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

SUMMARY

This planning permission is granted because although it conflicts with the policies listed below in that the development is outside the built up area boundary and unrelated to agriculture or forestry it is considered that there are material considerations to warrant a decision otherwise than in accordance with the development plan and/or legislative background in that the use proposed will be a replacement to an existing structure currently used for horses, which also is not related to agriculture or forestry and the use will be for a local business serving the local community.

RELEVANT POLICIES

STRUCTURE PLAN: LOC2, CH1, CH2, DEV1

LOCAL PLAN: GEN3, GEN7, AREA9, AREA11

NATIONAL POLICIES: PPS1, PPS7

This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the Officer report.