
Site Address: Barn on land adjacent Old Manor Farm, 15 Lower Road,
Havant

Proposal: Change of use from agricultural building to a flexible use (within
classes A1, A2, A3, B1, B8, C1 or D2) subject to prior approval covering flooding,
highways and transport issues, noise impact and contamination risks on site.

Application No: APP/14/01019 Expiry Date: 24/11/2014

Applicant: Mr T Mason Team: Team 1

Agent: Mr B Hull Case Officer: Stephen Andrews

Henry Adams Planning

Ward: Bedhampton

Recommendation: **GRANT PERMISSION**

1 Site Description

The application site is located at the far western end of Lower Road, on the southern side, outside of the designated settlement area. The land is used for agriculture and houses a detached barn with a floor area of 403 square metres.

The land is bounded by mature tree planting and has its own vehicular access point on to Lower Road.

2 Planning History

None relevant to this application

3 Proposal

Prior approval is sought for a change of use of the existing agricultural barn to a flexible use allowed under Schedule 2, Part 3, Class M. The uses allowed under Class M include: A1, A2, A3, B1, B8, C1 and D2. However, the application indicates that the proposed use would be either B1 or B8 and these uses have been the basis for the transport assessment included with the submission.

With regard to the information submitted and the assessment made in respect of the proposal and in discussion and agreement with the applicant a condition would be attached to a grant of consent restricting first implementation of the new use of the barn to either B1 or B8.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011

CS11 (Protecting and Enhancing the Special Environment and Heritage of
Havant Borough)

DM11 (Planning for More Sustainable Travel)

DM14 (Car and Cycle Parking on Development (excluding residential))

DM9 (Development in the Coastal Zone)

Havant Borough Local Plan (Allocations) July 2014

DM23 (Sites for Brent Geese and Waders)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Development Engineer
Environmental Health Manager, Community Group
Hampshire Biodiversity Information Centre

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 13

Number of site notices: At least one site notice exists - check the number.

Statutory advertisement: Not applicable.

Number of representations received: 21

Summary:

Highway and Pedestrian Safety

On-site parking (visual amenity and sufficient provision)

Not accessible as pedestrian and cycle route links are unsafe due to poor visibility and highway use.

Lack of footpaths and connections

Impact on Conservation Area

Impact on Wildlife Habitat and Bird Life

Additional Noise and Disturbance

Comment:

Transport and highways impacts and noise disturbance are considered below under section 7

Impact on the Conservation Area and wildlife is not a consideration for this prior approval application. However, it is considered that a change of use of the barn to B1 or B8 would be relatively low impact with the associated works and use preserving the character, appearance and function of the Conservation Area and not resulting in unacceptable disturbance or impact on the habitat or local wildlife.

7 Planning Considerations

- 7.1 The change of use of the premises proposed is the subject of recent changes to the General Permitted Development Order (GPDO) which have given a general permitted development right for such changes to take place with only a 'prior approval' process to go through. Consequently the principle of the change of use is considered acceptable. Having regard to the relevant conditions of the GPDO it is considered that the main issues arising from this application are:

- (i) Transport and highways impacts of the development
- (ii) Noise impacts of the development
- (iii) Contamination risks on the site
- (iv) Flooding risks on the site

(i) Transport and highways impacts of development

- 7.2 The application has been submitted with the intention of changing the use of the agricultural barn to either B1 or B8. Section 3 of the submitted Transport Statement demonstrates that the proposed change of use could be implemented and meet with the required adopted parking standards for both uses. It is noted that it refers to a hardstanding area to the front of the barn, however at the officer visit this area was covered by tall grass. Notwithstanding this the area would be a logical place for hardstanding and would be directly related to the use and well screened. A condition would be attached to an approval requiring details of the proposed hardstanding area for parking and access.
- 7.3 The transport statement claims that the site is well accessed in respect of foot and cycle ways, however this is strongly opposed by local residents. At the officer site visit it was noted that along lower road there were areas of poor visibility and an absence in sections of public footways. Having discussed this issue with the highways engineer and considered the existing and proposed use it is considered that a B1 or B8 use would not result in an intensity in use that would prejudice either pedestrian or highways safety. It is acknowledged that a B1 use may be more intensive than a B8 use, however given the residential area that lies to the north of Lower Road and running to the east the additional use of this building would not be unacceptably harmful or result in an unacceptable highway safety risk. In fact the possible reduction in farm machinery could be a positive. It is unlikely that given the nature and character of Lower Road that the vehicles accessing the site would be HGV's.
- 7.4 On balance it is considered that a B1 and B8 use could be implemented in line with the purposes of Schedule 2, Part 3, Class M of the General Permitted Development Order without resulting in unacceptable transport and highways impacts.

(ii) Noise impacts of the development

- 7.5 It is not considered that the B1 or B8 use proposed would result in a level of use that would cause unacceptable noise disturbance. This is further supported by the fact that the nearest neighbour is some 55m from the site with mature tree planting between the barn and Lower Road.

(iii) Contamination risks on the site

- 7.6 The Council's Environmental Health Department has considered the contamination risks of the proposed development and advised that having regard to the current use and intended B1 or B8 use and confirmed that it would not pose an unacceptable risk in respect of ground contamination or air quality.

(iv) Flooding risks on the site

- 7.7 This application site is not within either Flood Zones 2 or 3 and as such there are no flooding risks associated with the development.

8 Conclusion

- 8.1 The change of use proposed, to B1 or B8 is supported by Schedule 2, Part 3, Class M of the General Permitted Development Order 2013. It is considered that the development would not result in unacceptable impacts relating to transport and highways impacts, noise impacts, contamination risks and flooding and as such Prior Approval should be granted.
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9 **RECOMMENDATION:**

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/14/01019 subject to the following conditions

- 1 Notwithstanding the use classes allowed by Class M of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013, the Prior Approval, hereby granted, permits first use of the agricultural building identified within the application for B1 or B8 use only. Once implemented as either a B1 or B8 use any subsequent change of use within Class M of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013 would be subject to the normal Prior Approval requirements of Class M.

Reason: The information supplied with the Prior Approval application has suitably demonstrated that a B1 and B8 use will not have an adverse impact on transport and highways; contamination and flood risk. No evidence has been provided to confirm that this would be the case for any of the other uses allowed by Class M. In the absence of such information the Council cannot reasonably accept that any of the other uses allowed by Class M would be acceptable in respect of impact on transport and highways; contamination and flood risk

- 2 Prior to the first implementation of either a B1 or B8 use, granted by this Prior Approval application, the applicant shall submit to the local planning authority a plan and details of the area of hardstanding and parking allocation for the intended use. The development shall hereafter be implemented in accordance with the approved details unless otherwise agreed in writing.

Reason: In the interests of highway safety in accordance with requirement (i) of Class M.