



Planning Committee
10th January 2023

Application No	:	22/01747/FUL Full Application
Location	:	Tinsley Farm Blind Lane West Hanningfield Chelmsford CM2 8UF
Proposal	:	Retrospective change of use of agricultural buildings to commercial storage (B8)
Applicant	:	MR J Stacey P J Stacey and Son
Agent	:	Mrs Melanie Bingham-Wallis
Date Valid	:	20th September 2022

Appendix 1 Consultations
Appendix 2 Drawings

1. Executive summary

- 1.1. This application is referred to the Planning Committee at the request of a local ward member who has raised concerns that the proposed development would have a detrimental impact on highway safety.
- 1.2. The application seeks retrospective permission for the change of use of two agricultural buildings to commercial storage (B8).
- 1.3. The proposal is an appropriate form of development in the Green Belt.
- 1.4. Blind Lane is already well used by heavy farm vehicles which travel to and from Tinsley Farm. The storage use subject to this application generates minimal vehicle movements to and from Tinsley Farm, typically vans and 7.5 tonne lorries. The conversion to commercial storage would therefore not materially increase the level of traffic movements along Blind Lane or cause additional traffic which would cause harm to highway safety.
- 1.5. The use of the building for storage purposes is considered acceptable has caused no adverse impacts to highway safety or neighbouring residential amenity.
- 1.6. Approval is recommended.

2. Description of site

- 2.1. The application site is located in the Green Belt and is surrounded by open and undeveloped farmland which provides a character of prevailing rurality.
- 2.2. Tinsley Farm is located to the northeast of West Hanningfield and is accessed from Blind Lane. It comprises an established farmyard which includes a mixture of modern steel box profile buildings and older brick-built barns.
- 2.3. The site is an established farmyard within a rural location and is surrounded by arable fields and woodland. There are residential properties located along Blind Lane, but these are located some distance from the farmyard itself.

3. Details of the proposal

- 3.1. This application has been submitted retrospectively and seeks permission for the change of use of two agricultural buildings to commercial storage (B8).

4. Other relevant applications

22/00961/FUL - Approved 12th July 2022

Retrospective application for the change of use of an agricultural building to use as a storage unit (Class B8).

21/01311/AG - Prior Approval Not Required 13th July 2021

Alteration of existing road or highway for agricultural use.

20/01183/FUL - Approved 14th October 2020

Construction of a purpose designed agricultural storage building for grain/fertiliser and straw

75/0996 – Approved 30th September 1975
Proposed farm building

79/0860 – Approved 25th July 1979
Erection of 90 by 60 grainstore for agricultural use

5. Summary of consultations

5.1. Public Health and Protection Services:

No comments.

5.2. Essex County Council Highways:

The proposal is acceptable to the Local Highway Authority subject to conditions relating to the parking of vehicles.

5.3. West Hanningfield Parish Council:

Object to the proposal on the following grounds:

- Noise and disturbance caused by vehicular traffic is harmful to the amenities of the area.
- Blind Lane is not suitable for the type and frequency of traffic that this use generates.
- Large vehicle movements cause danger to road users and pedestrians.

5.4. Local Residents:

14 objections received. Concerns raised:

- Increase in large vehicle movements causes danger to road users, horse riders and pedestrians.
- Blind Lane is a narrow, single-track road unsuitable for large commercial vehicles.
- New commercial buildings use heavy goods vehicles for deliveries.
- No footway provision for pedestrians.

5.5. Ramblers Association:

No response.

6. Planning considerations

6.1. The application seeks retrospective planning permission for the change of use of two buildings at Tinsley Farm from their former agricultural use to a B8 storage use. The buildings are located in the north-west corner of the farm holding. Another building within the farmyard benefits from a planning permission (22/00961/FUL) granted to convert its use to B8 storage. The farmyard contains a mix of uses.

Green Belt

6.2. The application site is located in the Green Belt and is surrounded by open and undeveloped farmland.

- 6.3. Whilst the National Planning Policy Framework 2021 (NPPF) is restrictive on new buildings in the Green Belt, which are to be considered inappropriate development, Paragraph 150 sets out that some forms of development are not inappropriate in the Green Belt provided that they preserve its openness and do not conflict with the purpose of including land within it. One such exception includes the re-use of buildings provided that the buildings are of permanent and substantial construction.
- 6.4. At a local level, Policy DM10 of the Chelmsford Local Plan concerns the change of use of land and buildings. Section (A) of the Policy concerns building in the Green Belt and sets out that planning permission will be granted for the change of use of a building where:
- i. the building is of permanent and substantial construction, and works to convert the building would not result in substantial reconstruction; and
 - ii. the building is in keeping with its surroundings, and any alterations or extensions are proportionate in size in relation to the existing building and do not harm its original character; and
 - iii. the use of land within the curtilage of the building, and which is to be used in association with that building, would not result in harm to the openness of the Green Belt; and
 - iv. where the building was constructed less than ten years ago for the purposes of agriculture, but it can be demonstrated that it is no longer required for agriculture.
- 6.5. Assessing each bullet point in turn; the buildings are of permanent and substantial construction. The application, as retrospective, does not seek any amendment to the form of the buildings and the applicant has confirmed that no works have been undertaken or are required to convert the buildings to B8 use. The buildings meet the test of substance and permanence set out in the NPPF and Policy DM10.
- 6.6. The appearance of the buildings is unaltered from their previous agricultural use and, as such, the proposal is considered in keeping with its surroundings. The proposed use would rely on the existing areas of hardstanding on site to support it whilst no part of the buildings would encroach beyond their existing form or the grouping of buildings nearby. There would be no harm to the openness of the Green Belt from the use of the curtilage of the buildings.
- 6.7. Finally, records of the site indicate that the buildings have been present in excess of ten years thus satisfies the last criteria of the Policy (planning applications 75/0996 and 79/0860 refer). It is concluded that the proposal is acceptable form of development in the Green Belt and would not harm the openness nor purposes of including land within it. The proposal complies with Policy DM10 of the Chelmsford Local Plan and Paragraph 150 of the NPPF.

Highway Safety and Neighbour Amenity

- 6.8. Policy DM29 of the Chelmsford Local Plan states that planning permission will be granted for development proposals provided the development:
- i. safeguards the living environment of the occupiers of any nearby residential property by ensuring that the development is not overbearing and does not result in unacceptable overlooking or overshadowing. The development shall also not result in excessive noise, activity or vehicle movements; and
 - ii. is compatible with neighbouring or existing uses in the vicinity of the development by ensuring that the development avoids unacceptable levels of polluting emissions by reason

of noise, light, smell, fumes, vibrations or other issues, unless appropriate mitigation measures can be put in place and permanently maintained.

6.9. The NPPF sets out at paragraph 111, that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

6.10 The objections received from local residents express concern that the conversion of the former agricultural buildings to B8 has led to an increase in large vehicles (lorries and heavy goods vehicles) accessing the site. The objections cite that this increase in large vehicle movements is causing highway safety issues on Blind Lane as it is a narrow, single track rural lane which is unsuitable for large commercial vehicles.

6.11 The applicant has been engaged through the lifetime of the planning application and has provided additional information regarding large vehicle movements. The additional information submitted in support of the application provides a description of the use of each of the converted buildings and also the vehicle movements associated with each business operating from the two buildings.

6.12 Building One, the western building which has been converted, is occupied by a toy company, to store toys for distribution or sale. The use of the building has been consistent since 2019. The movements generated from the use of this building include a small van twice a week. The applicant advises that there are no large vehicle movements associated with this building.

6.13 Building Two, the eastern building, is used for the long-term storage of furniture. Vehicle movements associated with this use comprise between one and two movements monthly. The applicant advises that the existing tenant uses a 7.5 tonne small lorry to move furniture, once or twice a month, to and from the site.

6.14 It is also important to assess the vehicle movements in association with the converted building, approved under 22/00961/FUL, to understand the cumulative impact of the commercial uses within Tinsley Farm. The commercial storage building already granted consent generates one car movement per week and one 7.5 tonne small lorry movement every three months. The combined movements generated from the commercial development at Tinsley Farm are set out in the table below for clarity.

Application Reference	Vehicle Type	Number	Frequency	Month total movements
22/01747/FUL	Small van (post office)	1	2x weekly/3x weekly	8 minimum 12 maximum
22/01747/FUL	7.5 tonne lorry	1	1x monthly/2x monthly	1 minimum 2 maximum
22/01747/FUL	Transit Van	1 or 2	1 weekly/1 fortnightly	2 minimum, up to 8 maximum
22/00961/FUL	Car	2	1 weekly/1 fortnightly	2 minimum 4 maximum
22/00961/FUL	7.5 tonne lorry	1	1 every 3 months/1 every 4 months	3 per year minimum 4 per year maximum

6.15 The neighbour objections relate to heavy goods vehicles and other large vehicles accessing the site. This is not disputed by the applicant. Tinsley Farm operates a modern agricultural enterprise and requires many tractor and heavy goods vehicle movements with its associated activities both to access land surrounding the farm and to move grain and straw away. The farm produces over 4000 tonnes of grain which is sent to mills and grain merchants using 29 tonne lorries. This equates to 180 heavy goods vehicle movements per year. The farm also receives manure deliveries and sells straw which equates to an additional 30 heavy goods vehicle movements per year.

6.16 Based on the above information, Blind Lane is already well used by heavy farm vehicles which travel to and from Tinsley Farm, and the other farms, along the road. The storage uses subject to this application, due to their size and use, generate minimal vehicle movements to and from Tinsley Farm, typically vans and 7.5 tonne lorries. The conversion to commercial storage has not materially increased the level of traffic movements along Blind Lane. Overall, Blind Lane is considered capable of carrying any vehicles associated with the storage uses.

6.17 The change of use of the buildings to storage has caused no adverse impacts to highway safety.

6.18 The concerns of local residents about the traffic use of Blind Lane are noted as are the low levels of traffic generated by the existing occupiers of the barns. It is not unreasonable in this case to restrict the occupation of the two barns to the current storage uses as different uses could result in different levels and types of traffic generation which could be detrimental to highway safety. Subject to the imposition of planning conditions, the proposal is in compliance with Policy DM29 of the Chelmsford Local Plan.

7 Community Infrastructure Levy (CIL)

7.10 The proposal is not CIL liable.

RECOMMENDATION

The Application be APPROVED subject to the following conditions:-

Condition 1

Building 1 identified on drawing no. JS01 shall only be used for children's toy storage and for no other purpose (including any other purpose in Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason:

The use of the building for other purposes could generate a level of traffic using Blind Lane which could be detrimental to highway safety.

Condition 2

Building 2 identified on drawing no. JS01 shall only be used for furniture storage and for no other purpose (including any other purpose in Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason :

The use of the building for other purposes could generate a level of traffic using Blind Lane which could be detrimental to highway safety.

Positive and proactive statement

The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework to promote the delivery of sustainable development and to approach decision taking in a positive way.

Public Health & Protection Services

Comments
12.10.2022 - No PH&PS comments with regard to this application

Essex County Council Highways

Comments
<p>16.11.2022 - Your Ref: 22/01747/FUL</p> <p>Our Ref: CO/EGD/SD/RM/CHL/22/1747/30189</p> <p>Date:- 16th November 2022</p> <p>' The change of use replaces the agricultural use for the two agricultural storage buildings. Each building has capacity to store 1000 tonnes of grain:</p> <ul style="list-style-type: none"> o This grain is sent for processing using 29 tonne HGV's (heavy goods vehicles). o This requires up to 4no. 29tonne HGV two way trips per week. o The change of use would remove these regular 29 tonne HGV movements from Blind Lane. <p>' The change of use for each building results in the use of smaller vehicles:</p> <ul style="list-style-type: none"> o For building 1, Royal Mail vans for one building up to three times a month o For building 2, 7.5 tonne small lorries up to twice a month. <p>From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following conditions:</p> <p>1. The 7no. vehicle parking spaces shown in the Parking and Vehicle Access Plan, drawing no. 557 JS01 and associated turning area, shall be retained and shall not be used for any purpose other than the parking of vehicles that are related to the use of the development.</p> <p>Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8.</p>

2. The 3no. cycle and 2no. powered two wheeler parking, shall be retained as shown in principle in the Parking and Vehicle Access Plan, drawing no. 557 JS01 and shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and retained at all times.

Reason: To ensure appropriate cycle / powered two wheeler parking is provided in the interest of highway safety and amenity in accordance with Policy DM8.

The above conditions are to ensure that the proposal conforms to the relevant policies contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

Ramblers Association

Comments

No response received

West Hanningfield Parish Council

Comments

18.11.2022 - West Hanningfield Parish Council OBJECT to this application and comment as follows:

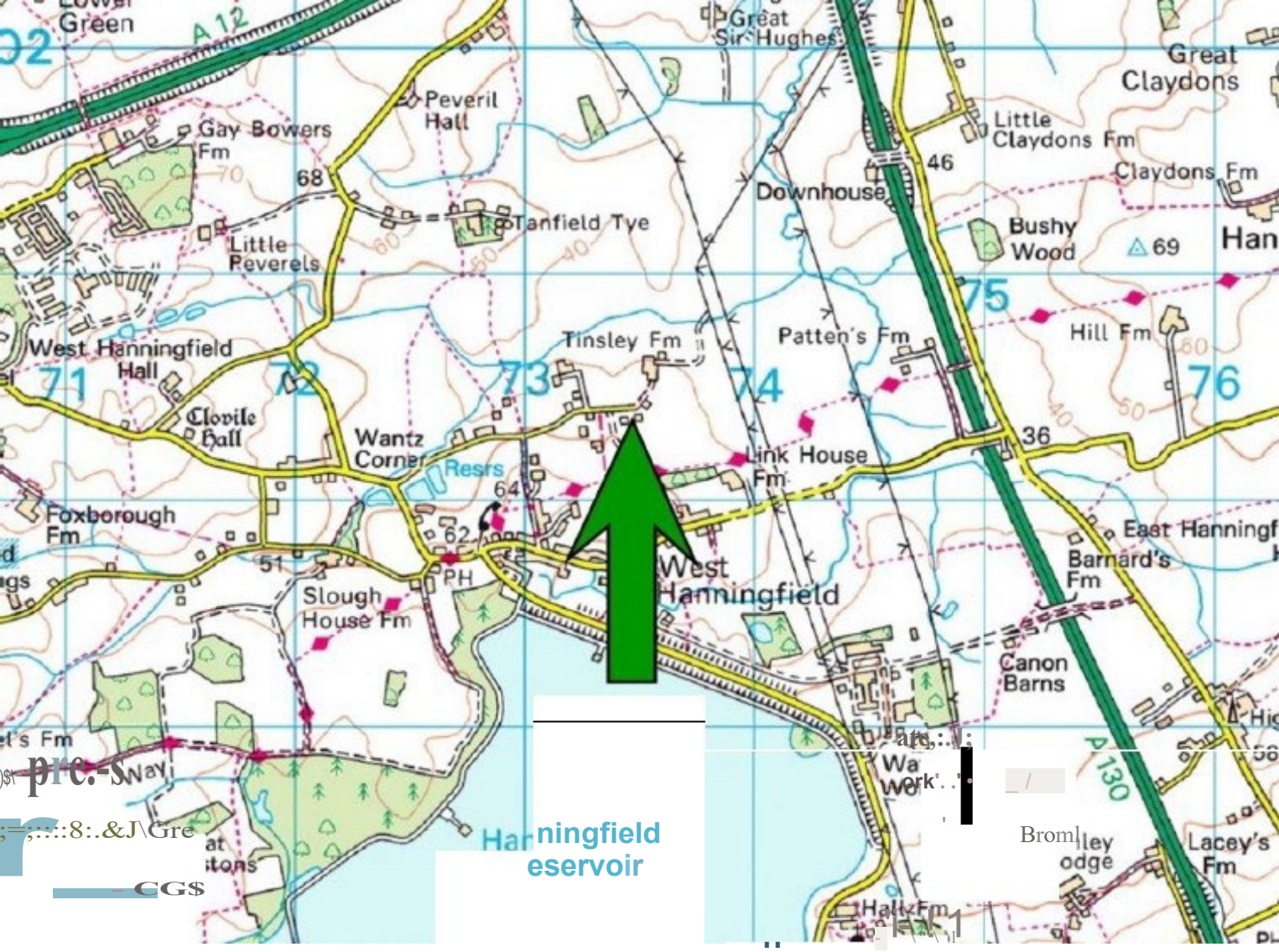
The development is contrary to policy in as much as it is detrimental to the amenities of the area, particularly by reason of the noise and disturbance created by vehicular traffic. The road hierarchy serving the site is not suitable for the type and frequency of traffic the use has currently generated.

The traffic movements generated have had a detrimental effect on local amenities; the use and traffic movements create nuisance and danger to other road users. The site does not have satisfactory linkages with the road hierarchy and the use does not conserve or enhance the appearance of the countryside.

The application should be REFUSED.

Local Residents

Comments
<p>14 objections received. Concerns raised:</p> <ul style="list-style-type: none">- Increase in large vehicle movements causes danger to road users, horse riders and pedestrians.- Blind Lane is a narrow, single-track road unsuitable for large commercial vehicles.- New commercial buildings use heavy goods vehicles for deliveries.- No footway provision for pedestrians.



Hanningfield Reservoir

CGS

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pic. - Sway

et's Fm

Foxborough Fm

West Hanningfield Hall

West Hanningfield Hall

Little Reverels

Gay Bowers Fm

Lower Green

Gay Bowers Fm

Little Reverels

West Hanningfield Hall

Foxborough Fm

Slough House Fm

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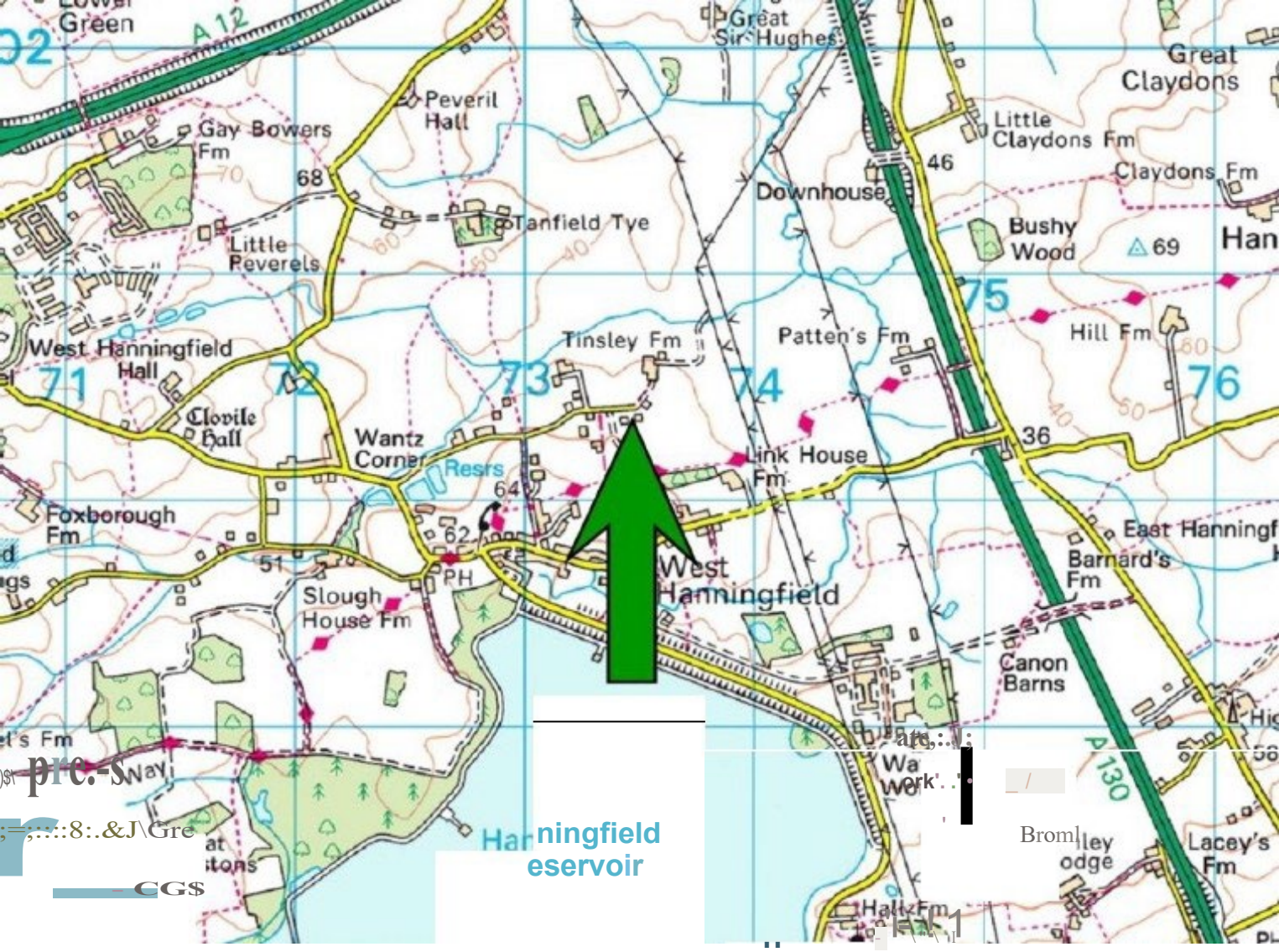
West Hanningfield Hall

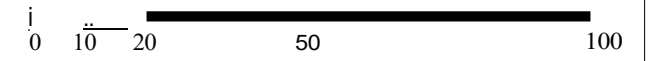
Foxborough Fm

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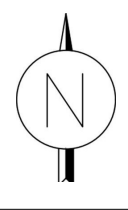




SCALE BAR 1:500

DIMENSIONS ARE IN MILLIMETERS UNLESS STATED OTHERWISE

THIS DRAWING IS FOR PLANNING AND AESTHETIC PURPOSES ONLY



B1 RETROSPECTIVE CHANGE OF USE BUILDING

B2 RETROSPECTIVE CHANGE OF USE BUILDING

2 Disabled Parking Spaces

7 Parking Spaces

LUCB

3 Cycle and 2 PTW Spaces

Do

Pond

ACCESS

Tinsley Farm

ACCESS

Tinsley Farm Bungalow

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BLIND LANE



FOXES RURAL LTD
BULLBANKS FARM, HALSTEAD ROAD,
EIGHT ASH GREEN, COLCHESTER,
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CLIENT NAME: STACEY

PROJECT NO: 557

TITLE: PARKING AND VEHICLE ACCESS PLAN

ADDRESS: CM2 SUF

DATE: 13 SEPT 22	SCALE: 1:500@AI	SHEET: JS01
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