

## 25 JUNE 2019 PLANNING COMMITTEE

6b 19/0233 Reg'd: 04.03.19 Expires: 27.06.19 Ward: HE  
Nei. 01.04.19 BVPI Change of Use Number of 17/17 On Yes  
Con. Target Weeks on Target?  
Exp: Cttee' Day:

**LOCATION:** The Barn, Egley Road, Woking, Surrey

**PROPOSAL:** Change of use of barn to gymnastics club (Use Class D2) and addition of four heat exchangers for a temporary period of three years.

**TYPE:** FULL (Change of Use)

**APPLICANT:** Mr Lionel Smith-Gordon

**OFFICER:** Barry Curran

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### **REASON FOR REFERRAL TO COMMITTEE**

The application has been called to Planning Committee at the request of Cllr Ashall due to the potential harm to the Green Belt arising from the temporary change of use.

### **SUMMARY OF PROPOSED DEVELOPMENT**

This application seeks planning permission for the change of use of an existing agricultural barn to a gymnastics club (Use Class D2) and installation of 4 heat exchangers for a temporary period of three years.

### **PLANNING STATUS**

- Green Belt
- Tree Preservation Order area
- Thames Basin Heaths SPA Zone B (400M – 5KM)

### **RECOMMENDATION**

GRANT planning permission subject to conditions.

### **SITE DESCRIPTION**

The application site is a slender parcel of land comprising of an access route and agricultural barn accessed off the western side of Egley Road sharing an ingress/egress point with the recently constructed Hoe Valley School. Hardstanding, in association with the school, leads towards the South of the school building and parking area where separate access to the application site is gained with similar hardstanding leading up to the barn.

The site is located within the defined Green Belt with a garden centre and Egley Road to the East, open fields to the South and West bound by the adjacent railway line and a heavy band of trees with the Hoe Valley School sited to the North of the application site.

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### **PLANNING HISTORY**

PLAN/2015/0703 - Demolition of existing barn and erection of replacement barn (including temporary provision of three storage containers); engineering works to alter site levels; formation of new access to Egley Road and improvement of existing field access to provide emergency vehicle access; erection of three storey building for use as school and leisure centre; formation of 8-lane athletics track; formation of 2 x grass football pitches, 3 x 5-aside football pitches and 2 x multi-use games areas (MUGAs); formation of car park including bus / coach drop-off area; erection of sports amenity lighting; hard and soft landscaping and ancillary works including ancillary structures and fencing/gates (additional information and additional/amended plans submitted) – Permitted 22.12.2015

### **PROPOSED DEVELOPMENT**

Planning consent is sought to change the use of a vacant agricultural building to a gymnastics club (Use Class D2) and install 4 heat exchangers for a temporary period of 3 years.

### **CONSULTATIONS**

Highways Authority: Recommend conditions relating to the layout of the parking spaces as per the submitted plans and seek to secure cycle parking within the development site prior to the first opening of the facility (26.04.19)

Environmental Health Team – No objection raised (13.03.19)

Surrey Wildlife Trust – No implications relating to ecology on the application site (27.02.19)

### **REPRESENTATIONS**

There have been 45 third party letters of representation received in relation to the application. 15 of these letters are objections while 30 letter demonstrates support for the scheme.

The material planning issues raised in the objection letters are summarised as follows;

#### Green Belt

- The proposal is inappropriate development in the Green Belt and contrary to NPPF provisions
- Inconsistencies in the Planning Statement

#### Highway Safety and Parking

- No assessment provided on parking availability or capacity
- Highway Safety issues linked to the increased number of visitors to the site
- Risk to pupils of Hoe Valley School due to increased traffic
- Increased risk to off-site parking
- Inadequate parking provision provided on-site

#### Impact on Neighbouring Properties

- Potential increase in the level of noise from the change of use and heat exchangers

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- Light pollution from the building
- Detrimental impact on neighbours due to increase in road traffic

### Other Issues

- No assessment of alternative sites
- The proposed gymnastic club does not include adequate facilities such as changing rooms or viewing podiums
- Impact on the ecology of the site
- No evidence demonstrated that the Ten Acre site has been accelerated to accommodate the proposed gymnastic club
- Danger of precedent being set for the change of use of the site

### **RELEVANT PLANNING POLICIES**

#### National Planning Policy Framework 2019

Section 6 – Building a strong, competitive economy

Section 12 – Achieving well-designed places

Section 13 – Protecting Green Belt land

#### Core Strategy Publication Document 2012

CS1 – A spatial strategy for Woking Borough

CS6 – Green Belt

CS18 – Transport and Accessibility

CS21 – Design

#### Development Management Policies DPD

DM3 – Facilities for Outdoor Sport and Outdoor Recreation

DM7 – Noise and Light Pollution

DM13 - Buildings in and Adjacent to the Green Belt

#### Supplementary Planning Guidance

Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008

Supplementary Planning Document 'Design' 2015

Supplementary Planning Document 'Parking Provisions' 2018

### **PLANNING ISSUES**

1. The planning issues to be addressed in the determination of this application are; impact on the Green Belt and its openness, impact on the character of the surrounding area, impact on neighbour amenities, impact on parking/highway safety and impact on ecology.

#### Impact on Green Belt/Openness of Green Belt

2. The application site lies within the designated Green Belt. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. As identified within Paragraph 134 of the National Planning Policy Framework (NPPF), the Green Belt also serves 5 purposes which include assisting in safeguarding the countryside from encroachment. The NPPF seeks to control development within Green Belts and also sets out a general presumption against inappropriate development. Policy CS6 of the Woking Core Strategy 2012 seeks to prevent inappropriate development in the Green Belt while Paragraph 143 of the NPPF identifies that inappropriate development

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is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

3. It is proposed to convert the existing agricultural barn on site, which measures 31 metres in length, 15 metres in width and stands at a maximum height of 7.7 metres incorporating a dual-pitched roof, to serve as a gymnastic club for a temporary period of 3 years. Paragraph 146 of the NPPF states that *“the re-use of buildings provided that the buildings are of permanent and substantial construction”* is not considered to be inappropriate development in the Green Belt. Policy DM13 of the Development Management Policies DPD 2016 indicates that, subject to other Development Plan Policies;

*“The re-use of buildings within the Green Belt (outside Mayford Village or the Major Developed Sites) for industrial, commercial, community or residential purposes where:*

*(i) the proposal preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;*

*(ii) the buildings are of permanent and substantial construction, are structurally sound and capable of re-use without major alterations, adaptations or reconstruction;*

*(iii) the proposed use can be wholly or substantially contained within the building identified for re-use; and*

*(iv) the proposal is not likely to result in the need to construct additional agricultural buildings, unless it can be demonstrated that the building to be re-used is no longer suitable for an agricultural use.”*

Will not be considered inappropriate within the Green Belt.

4. The reasoned justification for this policy is amplified at paragraph 5.45 of the DPD 2015 where it goes on to state that *“The re-use of redundant agricultural or rural buildings provides opportunity for the diversification of the rural economy and contributes to the economic growth of the area. It can also contribute towards the reduction in demand for new buildings in the Green Belt and can be a means of conserving traditional buildings which are a distinctive feature within the Borough’s rural landscape.”* The existing building appears to be solidly constructed and in good condition and there is no evidence to the contrary. Under PLAN/2015/0703 an agricultural storage barn was demolished to facilitate the provision of the development on the Hoe Valley School site and the provision of the replacement barn for agricultural related storage was approved. Also under this application, 3no. temporary storage containers were approved as an interim storage measure on the site. It was found in that report that if an application came forward for a replacement barn in isolation then this form of development would be found as appropriate development, referencing the NPPF Paragraph 89 of the 2012 edition which states that buildings for agriculture is an exception to inappropriate development in the Green Belt. Its ancillary use was secured by way of condition.
5. The application site forms part of Site GB7 in the draft Site Allocations DPD 2018 allocated for mixed use development including residential and recreation/open space. The agricultural holding, to which the barn related to, has been significantly reduced given the development of the Hoe Valley School

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and Sportsbox site and considering the draft Site Allocation DPD (which is afforded substantive weight) which safeguards the northern end of the site as open/recreational land and the area to the South to be developed as mixed use residential and recreational, this holding reduces further. It is considered that the overall size of the holding would fall below a level where the erection of a storage barn could be reasonably justified. Notwithstanding the above, it has to be borne in mind that this application is for a temporary change of use of the barn from agricultural to Use Class D2 (Assembly and Leisure) for a maximum period of 3 years and in the event of an approval, the lawful use (agricultural as secured by Condition 59 and 62 of PLAN/2015/0703) would be restored following cessation of any approved temporary time period. Nevertheless, the current need for the agricultural barn is, therefore, unlikely to be required considering the reduction in the agricultural activities on the site considering its reduced size.

6. Concern has been raised with regards to the change of use of the barn and the potential need/requirement of a further barn to offset the loss of this storage facility linked to the agricultural holding. The requirement of a further barn would be assessed on its individual merits should an application be submitted and this will include an assessment of the current planning application as well as the history of the site. However, given the above and considering the significant reduction in the previous agricultural land as existing and the potential future development of the remaining land allocated through the Site Allocations DPD 2018, it is unlikely that the agricultural use of the land would require a further storage barn and may fail to meet the requirements of Schedule 2 Part 6 of the General Permitted Development Order 2015 (as amended). The conversion of the building is therefore considered to adhere to provisions outlined in the NPPF and Policy DM13 of the Development Management Policies DPD 2016 and would comply with Section 13 of the NPPF which is explored in more detail below. It is considered the proposal would not result in inappropriate development in the Green Belt.
7. It is considered that the development would be in accordance with the provisions and aims of Sections 6 and 13 of the National Planning Policy Framework, Policies CS1 and CS6 of the Woking Core Strategy 2012 and Policy DM13 of the Development Management Policies DPD 2016 and the change of use, economic growth in a rural location and the creation of jobs, associated with the dog day care is supported.

### Impact on Character of Surrounding Area

8. Paragraph 127 of the National Planning Policy Framework points out that development should be guided by and sympathetic to local character and landscape setting. The application site is within the defined Green Belt and on an open area of agricultural land flanked by a Wyevale Garden Centre and Egleby Road to the East, How Valley School to the North, a dense cluster of trees and properties which front onto Hook Hill Lane to the South and the adjacent railway line to the West.
9. As outlined in Paragraph 3 above, Policy DM13 of the Development Management Policies DPD 2016 states that the re-use of buildings within the Green Belt is an exception to inappropriate development in the Green Belt where the buildings are of permanent and substantial construction, are structurally sound and capable of re-use without major alterations, adaptations or reconstruction, which this building appears to be. The appearance and

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openness of the Green Belt is, therefore, not considered to be materially affected as a result of the change of use of the building on site.

10. The application site is located between a number of developments including a school, garden centre and residential properties enclosing the site on 3 sides. It is acknowledged that the proposed temporary use as a gymnastics club would introduce some additional traffic flow to and from the site but it has to be borne in mind that the application site would utilize the same entrance point off Egley Road as the Hoe Valley School with an existing un-adopted roadway serving the barn. This school, and indeed the Wyevale Garden Centre to the East and south-east of the application site, brings an increased level of activity to this area. The application site and surrounding area, whilst still within the defined Green Belt, experiences a large amount of traffic flow similar to that of an urban location. As such, the proposed temporary change of use is not considered to result in a situation which would have a significantly different impact to the character of the area above and beyond that of surrounding Use Classes.
11. A number of heat exchangers are proposed to be installed as part of the change of use. These heat exchangers (2 each side) would be located on the northern and southern elevations of the existing barn and sit up against the elevations measuring approximately 0.9 metres in width, 0.8 metres in depth and standing on stilted platforms at approximately 2 metres above ground level. These external heat exchangers would form typical building paraphernalia one would expect to see on such buildings and whilst not typical agricultural paraphernalia, their modest scale, siting, with the barn itself forming a backdrop, and temporary nature are not deemed to contribute to a detrimental impact on the character of the area.
12. With regards to the above, it is considered that the change of use does not cause harm to the character and appearance of the wider area given the re-use of existing building and proposed nature of the D2 Use which is not considered to be radically different to the existing Use Classes surrounding the site. The development, therefore accords with provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012, Policy DM13 of the Development Management Policies DPD 2016 and Supplementary Planning Document 'Design' 2015.

### Impact on Neighbour Amenities

13. Policy CS21 of the Woking Core Strategy 2012 states that new developments should *"be designed to avoid significant harm to the environment and general amenity, resulting from noise, dust, vibrations, light or other releases"*. This provision is echoed in Policy DM7 of the Development Management Policies DPD 2016 where it states that in assessing a scheme for noise-generating development *"account will be taken of:*
  - *The location, design, and layout of the proposed development; and*
  - *Existing levels of background noise; and*
  - *Measures to reduce or contain generated noise; and*
  - *Hours of operation and servicing."*

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14. The application site is in a semi-rural location with dwellinghouses to the South and on the adjacent side of Egley Road. Concern has been raised with regards to noise and disturbance associated with the change of use of the barn and heat exchangers as well as increased level of highway usage which could lead to highway safety. It is acknowledged that the change of use from a barn on agricultural land to a gymnastics club carries the potential for an increased level of noise, but the Council's Environmental Health Team have raised no objection and it has to be noted that the proposed opening hours of the centre are not considered unreasonable. An addendum has been provided outlining class timetables which primarily range between 16:00/17:00 and 20.30. It has been noted, however, that a small number of club members may be required to use the facilities outside of these hours. Considering the location of the barn along a busy A Road as well as the neighbouring school and garden centre, the proposed opening hours are not considered unreasonable, opening at 08.30 and closing at 22.00 Monday-Friday. These hours can be secured by way of planning condition (Condition 3).
15. The nearest neighbours to the application site are those which front onto Hook Hill Lane and back onto a dense cluster of trees separating the application site at a distance in excess of 120 metres. This distance along with the natural screening and acoustic buffer of the dense group of trees would mitigate excess levels of noise emanating from this building. Whilst it is appreciated that there would be an increase in the level of noise due to activities from the converted barn, the proposal would be a relatively small operation and opening hours and intensity of use could be controlled by way of conditions (Conditions 3 and 7). The make and model of the proposed heat exchangers is included as part of the application. No objection was raised by the Council's Environmental Health Team following a review of the specifications of these models (Daikin RZQ200C7Y1B). Neighbours to the South of the application site are located in excess of 120 metres with a natural tree buffer between them and the application site and neighbours on the adjacent side of Egley Road are located in excess of 150 metres from the application site where noise associated with school activities as well as the busy A320 Road (Egley Road) result in a consistent hum from the highway. As such, considering the sound level of 78 decibels of the proposed heat exchangers and significant separation distance to neighbours, the proposed temporary change of use is not deemed to have a significant detrimental impact on their amenities. Furthermore, the proposed change of use would be limited only to the restricted operating hours of the business between 08:30 and 22:00, which are not considered to be unreasonable opening hours in this area considering the separation distances to nearby residential properties.
16. It is acknowledged that local residents will be able to see the existing floodlights attached to the barn during the darker hours but this itself does not result in specific harm to nearby residential dwellings. Given that the floodlights are an existing feature on the barn and considering the proposed opening hours of the gymnastics club, there would be limited light spill beyond the boundary of the site which would be detrimental to the amenities of neighbours. The details of the proposed lighting for the site will be controlled by Condition 4 which would require all external lights attached to the barn to be switched off outside the hours of opening. In these circumstances it is not considered that the proposed artificial lighting would be detrimental to the amenities of nearby residential occupiers and the proposed development would comply with Policy CS21 of the Woking Core Strategy and the relevant policies in the NPPF.

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17. It is indicated in a supporting document and again restated in an addendum (Briefing Document dated 04.04.19) that the maximum number of people (gymnasts, coaches and staff) at the site at any one time would be capped at 25. It has to be noted that the proposed gymnastic club is not to act as a substitute to the existing club at Kingfield but rather to serve a supplementary facility to accommodate elite athletes from the club. This would result in a relatively small number of vehicle trips per day and this is not considered to lead to a situation which would be cause an inordinate amount of trips to and from the site particularly since there is no restriction to the agricultural use of the site.
18. Consequently the development is not considered to result in significant detrimental harm on the amenities enjoyed by surrounding neighbours and is therefore considered to be in accordance with guidance outlined in the National planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012 and Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008.

### Impact on Parking/Highway Safety

19. The site will be accessed off Egley Road using an existing access point which also serves the Hoe Valley School with an existing un-adopted track and area of hardstanding to the front of the existing building to be used in connection with the proposed temporary use to facilitate parking.
20. The NPPF at Paragraph 111 advises that developments which generate a significant amount of movement should be supported by a Transport Assessment and Travel Plan. The applicant has outlined in supporting documentation, as indicated in Paragraph 17 above, that the maximum number of gymnasts, coaches and staff on site at any one time would be capped at 25. This maximum is not considered a significant number considering the arterial route (A320 Egley Road) serving the application site and accessibility of the site. Furthermore, the site will be served by a new junction off Egley Road which was constructed in line with PLAN/2015/0703 which includes a right turn filter lane for vehicles turning right into the site. This junction has been designed and found to be acceptable under PLAN/2015/0703 to facilitate 967 vehicle trips daily as per the Transport Assessment carried out by Gyoury Self Partnership ref: H18149/3.2a. It would, therefore, not be considered unreasonable to assume that the additional traffic associated with the temporary change of use of the barn could be accommodated without highway safety or capacity concerns.
21. The Council's Supplementary Planning Document 'Parking Standards' 2018 states that D2 Use Class health clubs/leisure centres require individual assessment/justification. It is proposed to use the existing area of hardstanding to the front of the barn to provide up to 8 car parking spaces to serve the gymnastics club. While the proposed vehicular movements are unknown, a condition is recommended which will restrict the number of users on site to a maximum of 25 which offers a degree of control over vehicular movements which currently doesn't exist with the agricultural use (Condition 7). The County Highway Authority have been consulted on the proposed temporary change of use and consider that the level of parking is appropriate in this location. The gymnastics sessions would be 4 hours long and considering the age of the gymnasts, many of them are too young to drive, would be dropped off/picked

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up. It is unlikely that a car will be parked within these spaces for the duration of these sessions with a continuous turnaround of people visiting the site. The County Highway Authority have recommended a number of conditions to ensure the spaces are laid out in accordance with the approved plans in a clear manner and secure cycle parking is provided prior to the first opening of the facility (Conditions 5 and 6).

22. Considering the above, it has been demonstrated that the existing access/egress point off Egley Road is capable of facilitating the proposed temporary change of use without giving rise to potential highway safety issues. The proposed parking provision is also considered to be acceptable with adequate space for vehicles to enter, turn and leave the site in a forward gear. There is no objection raised with regards to the on-site parking provision considering the proposed maximum number of students at the facility at any one time. The development is, therefore, seen to comply with provision outlined within the National Planning Policy Framework, Policy CS18 of the Woking Core Strategy 2012 and Supplementary Planning Document 'Parking Standards' 2018.

### Conclusion

23. Overall, the temporary change of use of the land and existing building are not considered inappropriate development in the Green Belt and does not conflict with the purposes of including land within it. Furthermore, considering there are only minor additions to the external appearance of the existing barn in the form of heat exchangers, the impact to the character of the area is not deemed to be significantly different. The impact on neighbour amenities and highway safety has also been addressed and is found to have an acceptable impact on both matters considering the separation distances to neighbouring properties, the proposed business model, with regard to maximum participants in the facility and allocated parking on site.
24. The proposal, therefore, is considered to adhere to provisions outlined within the National Planning Policy Framework, Policies CS1, CS6, CS18 and CS21 of the Woking Core Strategy 2012, Policies DM3, DM7 and DM13 of the Development Management Policies DPD 2016 as well as Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' 2008, 'Design' 2015 and 'Parking Provisions' 2018 and is accordingly recommended for approval subject to the attached conditions.

### **BACKGROUND PAPERS**

1. Site visit photographs
2. Responses from Highway Authority (26.04.19)
3. Response from Environmental Health Officer (13.03.19)
4. Surrey Wildlife Trust submission (27.02.19)

### **RECOMMENDATION**

It is recommended that planning permission be Granted subject to the following Conditions:

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1. The use hereby permitted shall be discontinued on or before 3 years of the date of this permission. At the end of this 3 year period the barn and the land shall be restored to their condition immediately prior to the development commencing.

Reason:

To safeguard the visual amenities of the surrounding area and Green Belt.

2. The development hereby permitted shall be carried out in accordance with approved plans;
  - Drawing No. 00003
  - Drawing No. 00005

Reason:

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

3. The gymnastics club hereby approved shall not be open to customers between the hours of 22.00 and 08:30 Mondays to Friday inclusive and not at all on Saturdays, Sundays and Bank/Public Holidays.

Reason:

In the interests of the character and appearance of the site, to safeguard the amenities of nearby occupiers.

4. The external flood-lights attached to the barn shall only be illuminated during the opening hours of the premises to which it relates

Reason:

To protect the amenities of the occupants of neighbouring properties.

5. The development hereby approved shall not be first opened for trading unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

Reason:

To ensure that the development should not prejudice highway safety nor cause inconvenience to other highway users.

6. The development hereby approved shall not be first opened for trading unless and until the following facilities have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for:

(a) The secure parking of bicycles within the development site, and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

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Reason:

In recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2019.

7. There shall be no more than 25 persons on the site at any one time.

Reason:

To safeguard the residential amenities of neighbouring properties.

### **Informatives:**

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of the National Planning Policy Framework 2019.
2. You are advised that Council officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.
3. The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within his/her ownership.