

15 OCTOBER 2019 PLANNING COMMITTEE

6d PLAN/2019/0551

WARD: HO

LOCATION: Daydawn Nurseries, Milford Green, Chobham, Woking, Surrey, GU24 8AS

PROPOSAL: Erection of replacement barn following removal of existing barn.

APPLICANT: Mrs Jackie Barnett

OFFICER: Brooke Bournague

REASON FOR REFERRAL TO COMMITTEE

The proposal is for development which falls outside of the Scheme of Delegation.

PROPOSED DEVELOPMENT

Erection of replacement barn following removal of existing barn.

The existing barn to be removed is approximately 15m wide and 12.3m deep with a maximum height of approximately 7.7m. The barn is open sided and divided into three bays and is currently in a poor state of repair.

The proposed barn is sited approximately 94m to the south west of the existing barn to be removed. The proposed barn would be approximately 18.3m wide and 12.2m deep with a maximum height of approximately 6m. The building would be enclosed with openings in the north and south elevations and finished in green steel cladding with a grey roof. The building would be used for the potting of plants and storage of machinery and other equipment used in the existing nursery business.

PLANNING STATUS

- Thames Basin Heaths SPA ZoneB (400m-5km)
- Green Belt

RECOMMENDATION

Grant planning permission subject to conditions

SITE DESCRIPTION

The application site relates to two parcels of land within the Daydawn Nursery site. The site is located within the Green Belt and vehicular access to the site is achieved via Deep Pool Lane from the public highway of Station Road. The parcel of land that relates to the existing building is sited to the north of the Daydawn Nursery site and contains an open sided barn and the site of the proposed replacement barn is sited to the south west of the Daydawn Nursery site is currently used for the growing and storing of plants.

PLANNING HISTORY

Wider Daydawn Nurseries site:

PLAN/2016/0746 - Prior Approval for change of use of agricultural building to provide a single dwellinghouse (3 bed). Refused 19.08.2016.

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Allowed at appeal

PLAN/2009/0783 - Erection of a three stable block and tack room to be used in conjunction with the land for the keeping of horses for recreational use.

Permitted subject to conditions (03.12.2009)

PLAN/2007/1118 - Proposed hay barn for storage of hay and other foods to be used in conjunction with existing six stable block.

Permitted subject to conditions (13.12.2007)

PLAN/2005/1154 - Retention of existing timber stables for 6 horses in conjunction with use of land for the keeping of horses for recreational use.

Permitted subject to conditions (18.11.2005)

PLAN/2000/0794 - Extension to existing multi-span polytunnel.

Permitted subject to conditions (07.09.2000)

CONSULTATIONS

Contamination Officer: No objection subject to condition xx and xx

County Highway Authority: No objection

REPRESENTATIONS

1 letter raising the following points:

- What will happen to the land that has been vacated by the old barn. Will it be used for future development.

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (2019)

- Section 12 - Achieving well-designed places
- Section 13 - Protecting Green Belt land

Woking Core Strategy (2012)

- CS6 - Green Belt
- CS21 - Design

Development Management Policies DPD (2015):

- DM7 - Land contamination and hazards
- DM13 - Building in and adjacent to the Green Belt
- DM20 - Heritage Assets and their settings

Supplementary Planning Documents (SPD's)

- Design (2015)
- Outlook, Amenity, Privacy and Daylight (2008)
- Parking Standards (2016)

PLANNING ISSUES

Impact on the Green Belt

1. Daydawn Nurseries grows and supplies plants on a wholesale basis to garden centres and landscapers and specialises in hardy shrubs. At present there are a number of buildings and ploytunnels within the Daydawn Nurseries site. Daydawn Nurseries is currently in horticulture use, for the purposes of the Town and Country Act 1990 (as amended) the use falls within the definition of 'agriculture'. The definition of 'agriculture' under Section 336 of the Town and Country Act 1990 (as amended) includes '*horticulture, fruit growing, seed growing, the use of land asnursery ground.*'
2. The application site is located within the Green Belt. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraph 145 of the NPPF (2019) states '*a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are.....buildings for agriculture and forestry.....the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces*'.
3. Policy CS6 of the Woking Core Strategy (2012) and policy DM13 of DM Policies DPD (2016) reflects the National Planning Policy Framework (2012) regarding Green Belt. With regards to replacement buildings policy DM13 of DM Policies DPD (2016) requires that the replacement building '*is sited on or close to the position of the building it is replacing, except where an alternative siting within the curtilage demonstrably improves the openness of the Green Belt*'. The supporting text for policy DM13 of DM Policies DPD (2016) advises that when assessing whether a replacement building is materially larger than the one it replaces, the Council will compare the size to that proposed, taking account of siting, floorspace, bulk and height. As a general rule a replacement that is no more than 20-40% larger than the one it replaces will not usually be considered disproportionate, although this may not be appropriate for every site.

| | Footprint (m2) | Volume (m3) | Height |
|---------------------------|-----------------------|--------------------|---------------|
| Existing building | 184.5 | 1172.50 | 7.7 |
| Proposed building | 223.26 | 1119.53 | 6 |
| Reduction/Uplift % | 21% | -4.5% | -22% |

4. The proposed building is of a design, appearance and scale whereby it would be considered for the purposes of 'agriculture' as defined to include horticulture in by section 336 of the Town and Country Planning Act 1990 (as amended). Paragraph 145 of the NPPF (2019) states that new buildings for agriculture and forestry are appropriate development within the Green Belt and do not have to preserve openness.
5. The proposed building would remain within the same use as the existing building to be demolished and would be used in conjunction with the existing nursery business for the potting of plants and storage of machinery and other equipment. The proposed building would have a footprint of approximately 223.26m² and volume of approximately 1119.53m³ this would result in an uplift over and above the existing building footprint of approximately 21% and decrease in volume of approximately 4.5%. The maximum height of the proposed building would be approximately 22% lower than the existing building. The above figures indicate that the proposed building would not be materially larger than the existing building to be demolished. The proposed building would be sited approximately 94m south west of the existing building to be removed on an area of land currently used for the storage of potted plants sited approximately 8m to the east of existing polytunnels.

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6. The proposed building is considered to be a reasonably necessary building for agriculture. As the proposed building is for agriculture it is not considered inappropriate development in the Green Belt, regardless of its effect on the openness of the Green Belt, the purposes of the Green Belt and regardless of its size and location. However to ensure that the building remains in use for the purposes of agriculture condition 5 is recommended. The proposal is considered to accord with Policy CS6 of the Woking Core Strategy (2012), DM13 of the DM Policies DPD (2016) and the National Planning Policy Framework (2019).

Design and impact upon the character and appearance of the area

7. Section 12 of the NPPF (2019) states *'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents'*.
8. Policy CS21 'Design' of the Woking Core Strategy 2012 states that *'proposals for new development should... respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings'*.
9. The proposed building would be approximately 18.3m wide and 12.2m deep with a ridge height of approximately 6m. The building would be enclosed with an opening in the north and south elevation and has adopted a typical rural agricultural design and appearance which would be viewed in the context of the agricultural use of the land. The submitted plans indicate the building would be finished in green steel sheet cladding with a green fibre cement roof. Condition 3 is recommended to secure details of proposed material. The proposed building would be sited approximately 8m to the east of an existing polytunnel.
10. The proposed building would be sited within the Daydawn Nurseries site approximately 90m from Deep Pool Lane, it is considered the proposal would not have a detrimental impact on the character of the streetscene.
11. The applicant has advised that an existing building within the site will be demolished. Condition 4 is recommended to ensure that existing building to be demolished (as shown on the proposed site plan) is removed within two months of the occupation of the proposed building. the removal of the proposed building would reduce the proliferation of building n the site and improve the visual appearance of the site.
12. Overall the proposed building is considered to have an acceptable impact on the character of the surrounding area and accord with Policies CS21 and CS24 of the Woking Core Strategy (2012), Supplementary Planning Document 'Woking Design' (2015) and the NPPF (2019).

Impact on neighbours

13. Policy CS21 of the Woking Core Strategy 2012 states that *'proposals should...achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or outlook'*.
14. The proposed building would be sited approximately 46m from the rear garden of Salinas, Depp Pool Lane which is the nearest residential property. Due to the separation distance it is considered there would not be a detrimental impact on the amenities of neighbouring properties in terms of loss of daylight, loss of privacy or overbearing impact.

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15. Overall, it is considered the proposal accords with Policy CS21 of the Woking Core Strategy (2012), Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' (2008) and the policies in the NPPF (2019).

Impact on highway safety

16. The application site is accessed from Deep Pool Lane. The County Highway Authority have been consulted and raised no objection to the proposal. The applicant has advised that the proposed building would not increase the number of employees. It is considered the proposal would not have a detrimental impact on highways safety and capacity and would comply with Policy CS18 of the Woking Core Strategy (2012).

Contamination

17. Given the historic uses of the site, there is potential for ground contamination. The Council's Scientific Officer has been consulted and raises no objection subject to a condition requiring investigation and remediation of potential contamination and submission of an asbestos survey (Condition 6 and 7).
18. Overall, subject to recommended conditions it is considered that the application complies with Policy DM8 of the DM Policies DPD (2016), and the provisions of the National Planning Policy Framework (2019), in terms of land contamination.

LOCAL FINANCE CONSIDERATIONS

19. The proposed building is for agricultural use and therefore not liable for Community Infrastructure Levy (CIL).

CONCLUSION

20. The proposed building is reasonably required for agriculture and as buildings for agriculture comprise appropriate development in the Green Belt. The proposed building is not considered to result in any other harm to visual amenity including residential amenity, contamination and highway safety. The proposal therefore accords with Policies CS6, CS18, CS21 and CS24 of the Woking Core Strategy (2012), Policies DM2, DM7 and DM13 of the DM Policies DPD and the policies in the NPPF and is recommended for approval subject to conditions.

BACKGROUND PAPERS

Site visit photographs

RECOMMENDATION

It is recommended that planning permission be GRANTED subject to the following conditions:

1. The development hereby permitted shall be commenced not later than three years from the date of this permission.

Reason: To accord with the provisions of Section 91 (1) of The Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the approved plans listed below:

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Unnumbered plan showing a location plan received by the Local Planning Authority on 04/06/2019

1475/01 received by the Local Planning Authority on 05/07/2019

1475/02 received by the Local Planning Authority on 16/07/2019

19548 received by the Local Planning Authority on 05/07/2019

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

3. Notwithstanding the material details outlined on the approved plans, No above ground development associated with the development hereby permitted shall commence until details and/or samples and a written specification of the materials to be used in the external elevations, hard surfaced areas and boundary walls have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details unless otherwise agreed in writing by the local planning authority

Reason: To protect the visual amenities of the area.

4. The detached building shown to be removed on plan 1475/02 dated and received by the Local Planning Authority on 16.07.2019 shall be demolished within two months of the first occupation of any part of the building hereby approved.

Reason:

To ensure that the development remains appropriate within the Green Belt.

5. Notwithstanding the provisions of Article 3, Schedule 2, Part 3, Classes Q, R and S of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development falling within these Classes of development shall take place anywhere on the site without the prior written permission of the Local Planning Authority of any application made for that purpose.

Reason: In order to control the development on the site in the interests of the visual amenity of the site and the surrounding area.

6. Prior to the demolition of the detached building shown to be removed on plan 1475/02 dated and received by the Local Planning Authority on 16.07.2019 evidence that the building was built post 2000 or an intrusive pre-demolition asbestos survey in accordance with HSG264 shall be submitted to and approved in writing by the Local Planning Authority. The survey shall be undertaken and a report produced by a suitably qualified person and shall include any recommendations deemed necessary. The development shall then be undertaken in accordance with the approved details. Upon completion of demolition works, the applicant shall provide in writing to the Local Planning Authority suitably detailed confirmation that demolition works were carried out with regard to the aforementioned pre-demolition asbestos survey and recommendations contained therein.

Reason: To order to safeguard the environment, the surrounding areas and prospective occupiers of the site. This condition is required to be addressed prior to commencement in order that the ability to discharge its requirement is not prejudiced by the carrying out of building works or other operations on the site.

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7. If, prior to or during development, ground contamination is suspected or manifests itself then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until the developer has submitted an appropriate remediation strategy to the Local Planning Authority and the written approval of the Local Planning Authority has been received. The strategy should detail how the contamination shall be managed.

The remediation strategy shall be implemented in accordance with such details as may be approved and a remediation validation report shall be required to be submitted to Local Planning Authority to demonstrate the agreed strategy has been complied with.”

Reason: To ensure that a satisfactory strategy is put in place for addressing contaminated land, making the land suitable for the development hereby approved without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment.

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 2018.
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.
4. The applicant is advised that, under the Control of Pollution Act 1974, site works which will be audible at the site boundaries are restricted to the following hours:-
 - 08.00 – 18.00 Monday to Friday
 - 08.00 – 13.00 Saturday
 - and not at all on Sundays and Bank/Public Holidays.