

BOROUGH OF KETTERING

Committee	Full Planning Committee - 27/08/2013	Item No: 5.5
Report Originator	Fjola Stevens Development Officer	Application No: KET/2013/0351
Wards Affected	Slade	
Location	Whitehill Farm, Loddington Road, Cransley	
Proposal	Full Application: Change of use from Dairy to Micro Brewery	
Applicant	Mr J Church Church Brewing Company	

1. PURPOSE OF REPORT

- To describe the above proposals
- To identify and report on the issues arising from it
- To state a recommendation on the application

2. RECOMMENDATION

THE DEVELOPMENT CONTROL MANAGER RECOMMENDS that this application be APPROVED subject to the following Condition(s):-

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

2. The building shall be used only as a micro brewery and for no other purpose whatsoever (including any other purpose in Class B2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any statutory instrument revoking and re-enacting that Order with or without modification).

REASON: in the interests of protecting the amenities of neighbours and the wider area in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

3. Before the development hereby permitted is first occupied or used, space for the loading, unloading parking and manoeuvring of vehicles shall be provided within the site in accordance with the approved plans and shall thereafter be retained and kept available for such purposes.

REASON: In the interests of highway safety in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

4. No equipment, products, containers, waste or any other articles shall be stacked or stored on the site at any time except within the building.

REASON: In the interests of the appearance of the site and the visual amenities of the surrounding area in the interests of amenity in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

5. There shall be no external illumination on the site at any time other than in accordance with a detailed scheme which shall first have been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of the amenity of occupants of neighbouring properties in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

Officers Report for KET/2013/0351

3.0 Information

Relevant Planning History

None

Site Description

Officer's site inspection was carried out on 22nd July 2013.

The application building is situated within the White Hill Farm yard, although the farm house is a listed building this application relates to a modern building that is not curtilage listed. The building is constructed with blockwork with timber cladding to the elevations and profiled sheeting to the roof. The building is fully enclosed and in a good state of repair.

Proposed Development

This application seeks planning permission to change the use of the redundant dairy building to a micro brewery with associated alterations to the fenestration.

Any Constraints Affecting The Site

Conservation Area

Curtilage of Listed Building

4.0 Consultation and Customer Impact

Parish Council

No objection – Cransley Parish Council is concerned that the footpath which form the access to the site from Bridle Way is in a poor state of repair and it would ask that the applicant makes good this area to a commercial standard before brewing commences. It is also concerned that the visual display from the site onto Bridle Way is not sufficient for safe business use and is only in existence as it was the access to an agricultural yard which has lower thresholds for visual splay requirements.

Highway Authority

No objection

Environmental Health

No objection

Neighbours

1 letter of objection

- parking is already congested
- increase in traffic and noise from the lorries arriving/leaving premises
- overshadowing/overlooking

- concerns about safety as a result of increased volume of traffic

5.0 Planning Policy

National Planning Policy Framework

Core principles

- S. 3 Supporting a prosperous rural economy
- S. 7 Requiring good design
- S.12 Conserving and enhancing the historic environment

Development Plan Policies

North Northamptonshire Core Spatial Strategy

- P. 1 Strengthening the network of settlements
- P. 9 Distribution and location of development
- P. 13 General sustainable development principles
- P. 14 Energy efficiency and sustainable construction

Local Plan

- P. 7 Development in the open countryside

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle of development
2. Impact upon amenity
3. Impact upon heritage assets
4. Impact upon highways
5. Sustainability
6. Ecology

1. Principle of development

Policy 1 and 9 of the CSS direct new development to existing built up areas with Kettering being the most sustainable location for new development and policy 7 of the LP prevents unjustified development in the open countryside. However policy 1 of the CSS also states that where development does occur within the rural area it will take place within village boundaries and policy RA14 of the LP provides for the conversion of existing buildings in the rural area subject to the proposal being acceptable in terms of its design, impact upon wildlife and compatibility with the surrounding uses and properties. Section 3 of the NPPF supports small scale rural enterprises that will encourage a prosperous rural economy, and Section 2 of the NPPF does not require

the sequential approach to be taken by local planning authorities for small scale rural developments.

The proposed development would provide a gross floor area of 89.4 square metres to produce real ale, and the business operation includes supplying a local public house in Kettering. The building itself is a redundant farm building that previously operated as a dairy and it is in a good state of repair ensuring that only minimal alterations to the fenestration and doorways to the building are required in order for the proposed use to take place.

It is considered that the proposed development falls within the small scale type of rural enterprise that the NPPF supports in the rural area. Furthermore, the CSS does provide for rural development where it would be located within existing villages and the conversion of the building meets the criteria of policy RA14 of the LP, as explored in more detail below. The proposal is therefore in accordance with the development and the NPPF and as such is acceptable in principle.

2. Impact upon amenity

Policy 13(l) of the CSS states that new development should not have an unacceptable impact upon neighbours as a result of overlooking, loss of light, noise, light or other pollution.

The existing building is located approx. 35m north of the dwellings fronting Bridle Way and 34m from the dwellings fronting Loddington Road, and it is otherwise surrounding by existing agricultural buildings. It is therefore considered that the proposed amendments to the fenestration on the east elevation resulting in 2 doors and 2 windows in place of 3 existing doors would not result in overlooking of these properties. The Environmental Health Officer has considered the effects of the proposed brewing processes upon amenity and has advised that due to the scale of the proposed operation it would not have an adverse impact upon the occupiers of the neighbouring dwellings in terms of the generation of noise or odour. The proposal therefore accords with policy 13(n) of the CSS.

3. Impact upon heritage assets

S. 66 of the Planning (Listed Building and Conservation Areas) Act 1990 requires local planning authorities to have special regard to regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses and S. 72 requires local planning authorities to preserve and conserve the character and appearance of conservation areas. In addition, section 12 of the NPPF requires local planning authorities to take account of sustaining and enhancing the significance of heritage assets and Policy 13(o) states that new development should conserve and enhance designated built environmental assets.

The proposal does not include any alterations to the scale of the

building or significant changes to the appearance of the building. Furthermore, the building was previously in commercial use as a dairy on the farm. Although there is a footpath running through the farm yard to the east of the application building the site is not highly visible within the conservation area because it is screened by existing farm buildings and adjacent dwellings. It is therefore considered that due to the nature and scale of the proposal and the location of the building set back from the listed building and within an existing cluster of buildings that the proposal would not harm the setting or the significance of the nearby listed building and would not adversely impact upon the character and appearance of the conservation area. The proposal therefore accords with the NPPF and policy 13 of the CSS.

4. Impact upon highways

Policy 13(n) of the CSS states that new development should not have an adverse impact upon the highway network and should not prejudice highway safety.

The application site falls within an existing farm yard and the information submitted with the application demonstrates that the proposed change of use would result in less traffic movements than the number that occurred when the building was in use as a dairy. The type of commercial vehicle that would be used in connection with the proposed use would be similar to a transit size van and this would only be required at the site 1-2 times a week with total vehicular movements being 2-3 smaller vehicles per day. There will be parking available on site for 3 vehicles and sufficient space is available within the site for manoeuvring. The Highways Authority has advised that it has no objection to the proposed development.

Therefore the proposed traffic movements generated by the proposed use would not adversely affect the highway network and would they would not prejudice highway safety at the shared access. The proposal therefore accords with policy 13(n) of the CSS.

5. Sustainability

Policy 14 of the CSS and the Sustainable Design SPD require new development to reach the highest possible level of sustainability incorporating waste reduction/recycling and water efficiency/recycling. The Design and Access Statement and the completed Sustainable Design SPD Checklist demonstrate that all of the cooling equipment will be energy efficient and 'A' rated where applicable, the proposal will make use of an existing building and waste will be reused for cattle feed and in the local allotments. The proposal therefore accords with policy 14 of the CSS.

6. Ecology

Policy 13(o) requires new development to conserve and enhance biodiversity. The application building is in a good state of repair and there was no evidence on site to suggest that the building is, or would

be capable of, being used by bats, birds or other wildlife because of the design of the building. In addition the site is surrounded by older farm buildings that are open to the elements and therefore more likely to be used for nesting or roosting by birds and bats. The proposed development would not harm biodiversity and therefore the proposal accords with policy 13(o) in this respect.

Conclusion

The proposed development will make use of an existing redundant building with only small alterations to its fabric and by virtue of the size of the building the use will be a small scale commercial use supported by the NPPF and policy RA14 of the LP which allows for the conversion of existing buildings in the countryside. In addition the proposed development by virtue of the location of the site within the existing farmyard, the minor nature of the alterations to the building, and the scale of the proposed business operation would not have an adverse impact upon the setting of the adjacent listed building, the character and appearance of the conservation area or the amenities of neighbours. It is also considered that due to the small scale of the business the vehicular movements involved would not have an adverse impact upon the highway network and the existing access is adequate to accommodate the traffic generated by the development. The proposal therefore accords with national and local planning policy and as a result is recommended for approval.

Background Papers

Title of Document:

Date:

Contact Officer:

Previous Reports/Minutes

Ref:

Date:

Fjola Stevens, Development Officer on 01536 534316