DELEGATED DECISION REPORT

FLEX/2016/0001 **Valid 24/10/2016**	**MEGCROFT FARM** **ONECOTE ROAD** **IPSTONES**	**CHANGE OF USE OF AGRICULTURAL BUILDING INTO A B1 LIGHT INDUSTRIAL USE.** **(FLEXIBLE CHANGE OF USE NOTIFICATIONS)**

MAIN ISSUES

- Whether or not the proposal can be determined via the Prior Approval process (i.e. whether or not it meets the criteria for applying for a "flexible change of use" under Part 3 of the GPDO).
- Impact on highways, flooding, contamination and noise

DESCRIPTION OF SITE

The site is in the open countryside a short distance to the north of the village of Ipstones. It comprises a modern agricultural building built of concrete blocks and metal sheeting. It lies adjacent to the farmhouse. Access is from Onecote Lane, B5053 classified road, which lies to the east.

PROPOSAL

The application is a 'Prior Approval' application for the change of use of the building to an industrial use. Such changes of use in some circumstances do not require planning permission under Part 3 (Changes of Use) of the General Permitted Development Order 2015. In this case, it is Class R of Part 3 which allows the change of use of agricultural buildings into flexible uses which include a range of commercial uses including offices and "light industry" (under the 'B1' use class). However, a "Prior Approval" application is still required to be submitted and the Council must firstly determine whether or not the proposal is acceptable in terms of highways, contamination, flooding and noise impacts.

The applicants want to use the building for a woodworking business (relocated from an industrial unit on an industrial estate in Chapel, Derbyshire) which specialises in the storing and cutting of exotic hardwood which after the process is distributed for further manufacture of wood-based products. Machinery would be used for the cutting of the wood into the required sizes and this includes band saws and sanding machines.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

N/A

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2003/1347: Agricultural building. Approved but with a condition requiring the removal of the building if agricultural uses of the building ceases.

CONSULTATIONS

Publicity

Site Notice expiry date: 14.12.16
Neighbour consultation period ends: N/A
Press Advert: N/A

Public Comments

None.

Town / Parish Comments

None.

Staffordshire County Council Highways

No objection subject to standard conditions.

Environmental Health

The machinery involved in this type of operation can generate significant noise so it would be important that all reasonable noise reduction measures are used in the construction and operation of the premises. There are conditions requiring noise control measures to be used in the operation of the permission." The conditions recommended include a condition requiring sound insulation of the building, noise restrictions for machinery and an 'hours of operation' condition.

OFFICER COMMENTS

The GPDO (2015) allows the change of use of agricultural buildings into a number of other uses which include 'light industry' uses (a B1 use in the Use Classes Order 2015) without the need for planning permission but this is subject to the submission of a Notification of Prior Approval application which must be assessed by the Council in terms of the impacts listed above in this report. This is the purpose of this application, from the site owners who wish to introduce their wood-cutting business into the building.

However, due to the use of a number of items of machinery, which the Council's Environmental Health Officer considers would lead to significant noise and disturbance (especially if the site was located in a residential area), the proposed use cannot be deemed to be a 'light' industrial use and appears, from the information provided by the applicant, to be a "General Industrial" use falling under a "B2" use

class. The GPDO does not allow the change of use of agricultural buildings into general industrial uses without planning permission. There is no explanation given by the applicants as to why they consider it would fall under a B1 Light Industrial use. The applicants sought pre-app advice (ref: PAD/2016/0033) and it was advised that a full planning application would be needed for a change of use due to the 'general industrial' nature of the intended use.

Conclusion

A full planning application will be required for the proposed change of use.

OFFICER RECOMMENDATION : REFUSE

Case Officer: Chris Johnston
Recommendation Date: 16.12.16

X

Signed by: Jane Colley

On behalf of Staffordshire Moorlands District Council