

SECTION '2' – Applications meriting special consideration

**Application No :** 06/03582/FULL2

**Ward:**  
**Darwin**

**Address :** Highams Hill Farm Sheepbarn Lane  
Warlingham Surrey CR6 9PQ

**OS Grid Ref:** E: 540000 N: 161282

**Applicant :** P Johnson And Son Ltd

**Objections :** NO

**Description of Development:**

Change of use of three former poultry houses from agriculture into uses within Classes B1 B2 B8 [of the Town And Country Planning (Use Classes) order 1987 as amended] with ancillary parking.

**Proposal**

Retrospective planning permission is sought for the change of use of three poultry sheds from agricultural use to commercial use within Classes B1, B2 and B8.

The sheds are currently divided into commercial units and occupied as follows:

- Unit 1 - Hammonds Furniture Ltd – storage and distribution of bedroom furniture (12,000 sq ft)
- Unit 2 - Frontline Marketing Ltd – storage and fabrication of shop racking (12,000 sq ft)
- Unit 3 - Creator International Ltd – storage and fabrication of exhibition stands (12,000 sq ft)
- Unit 4 – Vacant (6,000 sq ft)
- Unit 5 – GlassEco Ltd – manufacturing products from recycled glass (6,000 sq ft)
- Unit 6 – Benchworks – storage of exhibition stands 6,000 sq ft)
- Unit 7 – Atomizer Ltd – storage and distribution of industrial sprayers (6,000 sq ft)
- Unit 8 – BPS Access Solutions – Storage and distribution of ladders (12,0000 sq ft)
- Studio – Vacant (5,000 sq ft converted control room)

The application is accompanied by an Evaluation of Options report by Kernon Countryside Consultants which concludes that the poultry units are no longer viable. The application is also accompanied by a Transport Statement.

The application has been the subject of delays due to negotiations regarding highways issues.

### **Location**

- Site occupied by 3 former poultry sheds each measuring approx 88m long (at the longest point) and approx. 21m wide with associated car parking
- site is designated Green Belt and is located towards the western edge of the borough between Biggin Hill and New Addington
- surrounding Green Belt land is predominantly rural in character and includes a number of Sites of Interest for Nature Conservation
- there is a travelling showpeople's site to the west.

### **Comments from Local Residents**

Nearby owners/occupiers were notified of the application and no representations were received.

### **Comments from Consultees**

- Highways – no objections
- Council's in-house drainage consultant - no objections
- Environment Agency - no objections.

### **Planning Considerations**

The proposal falls to be considered primarily with regard to the following policies:

UDP

- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T18 Road Safety
- G1 The Green Belt

London Plan

3D.9 Green Belt.

Policy G1 states that:

'The re-use of a building in the Green Belt will be inappropriate unless it meets all of the following criteria:

- (v) it will not have a materially greater impact than the present use on the open character of the land;
- (vi) use of the land surrounding the building and boundary treatments will not harm the openness of the land or conflict with the purposes of including land in the Green Belt;

- (vii) the building is of permanent construction and capable of conversion or re-use without extensive or complete reconstruction;
- (viii) the form, bulk and design of the building are in keeping with its surroundings;
- (ix) the proposed use does not entail external storage of materials, plant or machinery; and
- (x) the proposed use has no adverse effect on the recreational enjoyment or appearance of the countryside.'

## **Conclusions**

The main issues relating to the application are whether the re-use of the buildings is appropriate in the Green Belt, the effect of the proposal on the character of the area and the openness of the Green Belt, the impact on the residential amenities of nearby dwellings, and the highways implications of the proposal.

With regard to the criteria for the appropriate re-use of buildings within the Green Belt set out in Policy G1 it is considered that:

- The uses have potential for a greater amount of vehicle parking than the previous use, however the main area of hardstanding used for car parking has not increased in size and is screened from the south by a bund – given the impact of the sheds it may be considered that there is not a materially greater impact on the openness of the Green Belt from any additional car parking relating to the uses
- in that there is no external storage and all commercial activities other than loading and unloading take place within the buildings, the use of the land surrounding the sheds and the boundary treatments has not changed following the change of use
- buildings have been adapted without reconstruction
- the appearance of the buildings has not changed since their previous agricultural use, which was considered acceptable
- adequate storage space is available inside the buildings whilst access and parking provision has not changed since previous use
- there are no adverse impacts on the recreational enjoyment or appearance of the countryside.

The proposed use of the buildings can be considered to comply with the requirements of Policy G1 regarding re-use of buildings in the Green Belt. The change of use of the buildings involved the demolition of feed silos and the buildings have not been externally altered, therefore it can be considered in relation to the vehicle parking associated with the commercial use that the effect of the development on the openness of the Green Belt has been neutral.

The nearest residential dwellings are Highams Hill Cottages and Highams Hill Farmhouse, which are related to the farm. It may be considered that the current uses of the buildings result in less harm to residential amenities than an intensive poultry farming operation.

The applicant has agreed to a condition securing highway safety improvement measures to address highway safety concerns.

The change of use of the former poultry sheds is not considered to result in any undue harm in planning terms.

### **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- 1 A scheme of road safety measures to be paid for by the applicant and to include a 'slow' road marking and a 'road narrows' sign shall be submitted to and approved in writing by the Local Planning Authority and implemented by 31.08.11.

**Reason:** In the interests of highway safety and in order to comply with Policy T18 of the Unitary Development Plan.

- 2 A scheme to deal with the risks associated with contamination of the site shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented by 31.08.2011. That scheme shall include all of the following elements unless specifically excluded, in writing, by the Local Planning Authority:

(a) A desk study identifying:

- All previous uses
- Potential contaminants associated with those uses
- A conceptual model of the site indicating sources, pathways and receptors
- Potentially unacceptable risks arising from contamination at the site.

(b) A site investigation scheme, based on (1) to provide information for an assessment of the risk to all receptors that may be affected, including those off site.

(c) The results of the site investigation and risk assessment (2) and a method statement based on those results giving full details of the remediation measures required and how they are to be undertaken.

(d) A verification report on completion of the works set out in (3) confirming the remediation measures that have been undertaken in accordance with the method statement and setting out measures for maintenance, further monitoring and reporting.

Any changes to these agreed elements require the express consent of the Local Planning Authority.

**Reason:** To protect controlled waters.

- 3 Soakaways shall only be used in areas on site where they would not present a risk to groundwater. If any soakaways are proposed, details of their location shall be submitted and approved in writing by the Local Planning Authority, and any soakaways provided shall be in accordance with the approved details.

**Reason:** To prevent pollution of controlled waters.

## **Reasons for permission:**

In granting permission the Local Planning Authority had regard to the following policies of the Unitary Development Plan and the London Plan:

UDP

BE1 Design of New Development

T3 Parking

T18 Road Safety

G1 The Green Belt

London Plan

3D.9 Green Belt.

The proposal is considered to be satisfactory in relation to the following:

- (a) the impact of the proposal on the openness and visual amenities of the Metropolitan Green Belt
- (b) the impact on the amenities of the occupiers of nearby properties
- (c) the safety of pedestrians and motorists on the adjacent highway
- (d) the transport policies of the development plan

and having regard to all other matters raised.

## **INFORMATIVE(S)**

- 1 Under the terms of the Water resources Act 1991, the prior written consent of the Environment Agency is required for any discharge of sewage or trade effluent into controlled waters (e.g. watercourses and underground waters), and may be required for any discharge of surface water to such controlled waters or for any discharge of sewage or trade effluent from buildings or fixed plant into or onto ground or into waters which are not controlled waters. Such consent may be withheld. Contact Jodie Catchpole on 01276 454300 for further details.

Reference: 06/03582/FULL2

Address: Highams Hill Farm Layhams Road Keston BR2 6AR

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