

Committee Report

Item No: 7D

Reference: DC/21/02116

Case Officer: Mahsa Kavyani

Ward: Fressingfield.

Ward Member/s: Cllr Lavinia Hadingham.

RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS

Description of Development

Planning Application - Change of Use of the Granary, Wingfield Barns, from occasional residential use to Use Class E.

Location

Wingfield Barns, Church Road, Wingfield, Suffolk IP21 5RA

Expiry Date: 20/08/2021

Application Type: FUL - Full Planning Application

Development Type: Change of Use

Applicant: Mr Andrew Robinson

Parish: Wingfield

Details of Previous Committee / Resolutions and any member site visit: None

Has a Committee Call In request been received from a Council Member (Appendix 1): No

Has the application been subject to Pre-Application Advice: No

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason:

- This site is in the ownership of Mid Suffolk District Council.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

CL08 - Protecting wildlife habitats

CS02- Development in the Countryside

CS05 - Mid Suffolk's Environment

E06 - Retention of use within existing industrial/commercial areas

E09 - Location of new businesses
E11 - Re-use and adaptation of agricultural and other rural buildings
E12 - General principles for location, design and layout
FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
FC03 - Supply Of Employment Land
GP01 - Design and layout of development
HB01 - Protection of historic buildings
H16: Protecting existing residential amenity
T10 - Highway Considerations in Development
NPPF - National Planning Policy Framework
NPPG-National Planning Policy Guidance

Neighbourhood Plan Status

This application is not within a Neighbourhood Plan Area.

Consultations and Representations

During the course of the application Consultation and Representations from third parties have been received. These are summarised below.

A: Summary of Consultations

Town/Parish Council (Appendix 3)

Wingfield Parish Council - No comments were provided

National Consultee (Appendix 4)

Historic England – Do not wish to offer comments

County Council Responses (Appendix 5)

SCC Fire and Rescue – Advisory guidance

SCC Archaeology – We have looked at this proposal. In our opinion there would be no significant impact on known archaeological sites or areas with archaeological potential. We have no objection to the development and do not believe any archaeological mitigation is required.

SCC Highways - The current proposal would not have a detrimental impact on the highway network at this location.

Internal Consultee Responses (Appendix 6)

Environmental Health - Noise/Odour/Light/Smoke- Having visited the site and following correspondence received from the agent in relation to which parts of class E use is required on site I have no objections in principle. However, I would recommend that the following are controlled by way of condition to ensure future use of the Granary is restricted to those uses that are unlikely to cause a detrimental effect to nearby premises, both residential and other onsite commercial units.

- The Use of the Granary shall be limited to class of use: E (c) (i), E (c) (ii), E(f) and E(g) (i) only
- No external plant (e.g. chillers, condensers etc) shall be installed to any external facades or the roof of the building

Reason - To minimise detriment to nearby residential and general amenity by controlling the use and plant installed

OFFICER COMMENT – by way of clarification, the different parts of Class E referred to above are:

- (c) (i): Financial Services;
- (c) (ii): Professional services (other than health or medical);
- (f): Creche, day nursery or day centre (not including a residential use);
- (g) (i): Offices to carry out any operational or administrative functions

B: Representations

None received.

PLANNING HISTORY

| | | |
|-------------------------|--|------------------------------------|
| REF: DC/18/03949 | Application for Listed Building Consent - Erection of masonry buttress to provide support to existing leaning wall. | DECISION: GTD 06.12.2018 |
| REF: DC/18/04000 | Planning Application. Erection of masonry buttress to provide support to existing leaning wall. | DECISION: GTD 06.12.2018 |
| REF: DC/19/00733 | Planning Application - Minor alterations to the Granary and change of use to (D1) to create a Day nursery. | DECISION: GTD 25.04.2019 |
| REF: DC/19/00734 | Listed Building Consent Application. Alterations to curtilage listed building including insertion of new internal staircase. | DECISION: GTD 25.04.2019 |
| REF: DC/21/00782 | Planning Application - Change of Use of Performance Studio to Office (Use Class E) | DECISION: PCO |
| REF: DC/21/02116 | Planning Application - Change of Use of the Granary, Wingfield Barns, from occasional residential use to Use Class E. | DECISION: PCO |

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| REF: 0339/15 | Energy efficiency / renewable measures. | DECISION: REC |
| REF: 4017/14 | Repair holes in boarding caused by jetwashing. | DECISION: REC |
| REF: 0059/13 | Development of Wingfield Barns - please see 0306/07 and 2829/09 | DECISION: REC |
| REF: 0993/12 | Wingfield Barns and a recent green efficiency | DECISION: REC |
| REF: 1839/10 | Proposed signage. | DECISION: REC |
| REF: 1934/09 | Premises Licence application notification | DECISION: REC |
| REF: 0634/09/EQ | Erection of sign | DECISION: REC |
| REF: 0153/88 | Conversion of redundant granary to dwelling, with provision of septic tank/treatment plant drainage | DECISION: GTD 18.04.1988 |
| REF: 0259/88/OL | Conversion of redundant farm buildings to a centre for the visual and performing arts. | DECISION: GTD 03.02.1994 |
| REF: 0024/88/LB | Conversion of redundant barn to dwelling | DECISION: GTD 01.07.1988 |
| REF: 0306/07/EQ | PRE-APP : The Arts Centre is no longer in operation pending review by the Arts Council. | DECISION: REC |

Agents have been instructed to advise upon re-use potential. Refer also to Countryside Section regarding further study information.

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|------------------------|---|------------------------------------|
| REF: 0108/96/OL | CONVERSION OF REDUNDANT FARM BUILDINGS TO A CENTRE FOR THE VISUAL AND PERFORMING ARTS INCLUDING ARTISTS IN RESIDENCE ACCOMMODATION (PREVIOUSLY PERMITTED BY OL/259/88). | DECISION: GTD 03.07.1998 |
| REF: 0583/98/ | CONVERSION OF REDUNDANT FARM BUILDINGS TO A CENTRE FOR THE VISUAL AND PERFORMING ARTS (SUBMISSION OF DETAILS UNDER OUTLINE PLANNING PERMISSION OL/108/96.) | DECISION: GTD 25.02.1999 |
| REF: 0973/00/ | USE OF LAND FOR GARDEN AND ERECTION OF DETACHED OUTBUILDING FOR DOMESTIC USE. | DECISION: GTD 31.10.2000 |
| REF: 0219/97/LB | REPAIR, IMPROVEMENTS AND ADAPTATION OF WINGFIELD COLLEGE FARM BUILDINGS FOR ARTS USE | DECISION: GTD 09.01.1998 |

PART THREE – ASSESSMENT OF APPLICATION

1.0 The Site and Surroundings

- 1.1. Wingfield Barns is a complex of former farm buildings that were converted to form a visual and performing arts centre in the late 1990s. Previously part of Wingfield College to the immediate north, a Grade II* listed building and now a residential property, the barns are deemed to be curtilage listed with the exception of the large barn which is Grade II listed in its own right. The barns are located within mature grounds with established trees, including along the site boundaries. A gravel driveway off Church Road leads to the barns, providing vehicular access for staff and a limited number of visitors requiring disabled parking and pedestrian access. To the southwest of the barns and on a separate parcel of land is the visitor car park. The site is in the Wingfield Conservation Area and is also located within the countryside for planning purposes. Beyond Wingfield College to the north is the Grade I listed St Andrew's Church and to the east of the site is a residential property known as Windwoods. The subject granary is situated to the east of the site and within close proximity of the main barn. The granary is not listed in its own right; however, given its proximity, it is deemed to be curtilage listed.

- 1.2. The granary is a traditional timber-framed agricultural building built off a brick plinth with a pitched pantiled roof. Walls are weatherboarded. The current use of granary is for A day nursery which was approved under DC/19/00733.

2.0 The Proposal

- 2.1. The proposal consists of; "Change of Use of the Granary, Wingfield Barns, from occasional residential use to Use Class E."
- 2.2. The building (granary) was originally converted to provide accommodation for visiting artists. And later approved as a day nursery.

3.0 The Principle Of Development

- 3.1. The determination of the planning application shall have regard to the material harm caused as a result of the proposed development. The 'tests' here are whether the material harm caused by such development is significant enough to cause adverse impact on the character and setting of the area, residential amenity enjoyed by occupants of neighbouring property as well as non-domestic uses of land and buildings nearby, highways access and parking, and finally environmental risk / harm arising (ecology, flood risk, trees, archaeology etc).
- 3.2. The application site is outside of any defined settlement boundary and is therefore classed as "Countryside" in policy CS2 of the Core Strategy. Development is normally resisted within countryside locations. However, Wingfield Barns is an existing employment site, and the proposal is for change of use of an existing business.
- 3.3. The proposed change of use would continue the employment use of the site. The principle of proposal is therefore supportable.

4.0 Proposed change of use

- 4.1. Local development policies, RT16, E09, E11 & E12, together with guidance within the NPPF support expansion of commercial centres, as long as associated activities would not adversely impact the highway safety, environment, residential amenity, and character of the locality.
- 4.2. Use Class E of the Use Classes Order 1987 (as amended) was introduced on 1st September 2020 and covers the former use classes of A1 (shops), A2 (financial and professional), A3 (restaurants and cafes) as well as parts of D1 (non-residential institutions) and D2 (assembly and leisure) and puts them all into one new use class, Class E. This includes Commercial, Business and Service uses. As evident, recent changes to Class E are broad and cover a wide range of activities. Changes of use will be considered on their merits having regard to access, traffic generation, and any adverse impact on existing industrial or commercial operations, environmental or nearby residential amenity.
- 4.2. The Wingfield Barns site was the subject of a change of use under application 0108/96/OL for conversion of redundant farm buildings to a centre for the visual and performing arts including artists in residence accommodation (previously permitted by OL/259/88). The permission is accompanied by a s106 agreement, which limits the future use. The Third Schedule of the s106 under 0108/96/OL outlines that the subject granary can only be used as artist in residence accommodation...and for no other purpose (including any other purpose in Class D2 of the Town and Country Planning (Use Classes) Order 1987. Please note below extract from s106 agreement.

maximum permitted audience of 180;

- (2) studio facilities for the visual arts;
- (3) administration storage toilet catering sales car parking and similar facilities appropriate to the Centre's activities as described in (1) and (2) above and to its outreach programme;

(4) artists in residence accommodation;

and for no other purpose (including any other purpose in Class D2 of the Town and Country Planning (Use Classes) Order 1987

- 4.3. It needs to be noted that had it not been for this agreement, the proposed change of use from D2 to E could've been achieved under PD Rights, without the requirement of a fresh planning application. However, given the restriction imposed under s106 of 0108/96/OL, change of use can only be achieved in pursuant of a planning permission, hence the current submission.
- 4.4. Local Policy RT16 is particularly related to current proposal in that it states, "the district planning authority will support proposals which provide local employment opportunities; in appropriate circumstances, bring about the reuse of farm or other rural buildings". Upon site inspections by the Council officers, it became clear that the subject building (granary) is currently underutilised for its intended use (Day Nursery). The Design and Access statement also provides that the building is unviable in its current use. It adds that "Change of use would put the building to good community use and provide some income to help maintain it."
- 4.5. NPPF Paragraph 81 states that "Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt;" Wingfield Barns is already a small employment site and tourist attraction within the area (it benefits from a brown tourist sign). As well as being a historic tourist attraction within the vicinity, it also hosts venues and concerts. The proposal to create a suitable business on site, would not only provide further employment opportunities, but it would also encourage and invite a wide range of possibilities. This is considered a positive contribution to the site and a sustainable and efficient use of the subject building, entirely in line with the local policies and the guidance contained within the NPPF.
- 4.6. The proposal has been assessed by the MSDC Environmental Health (EH) Officer who recommends the following uses within Class E are acceptable, subject to conditions:
 - E(c)(i) Financial services,
 - E(c)(ii) Professional services (other than health or medical services), or
 - E(f) Creche, day nursery or day centre (not including a residential use)
 - E(g)(i) Offices to carry out any operational or administrative functions,This can be controlled by way of a suitable condition
- 4.7. Based on the above assessment, it is considered that change of use of granary to "Use Class E" – (as defined above), is compatible with the current activities on site. Other material considerations will be discussed under related headings.

5.0 Site Access, Parking And Highway Safety Considerations

- 5.1. Policies T9 & T10 of the local plan require development to be delivered with safe and sufficient highways access and function.
- 5.2. Paragraph 111 of the NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.3. Considerations have been given to access, parking, and layout. The layout and access would remain unaffected as a result of the proposed change of use. There is existing availability of an area on-site to accommodate staff car parking and visitor parking as well as availability of nearby car parking facilities, leads to conclusions that the proposal would not have any adverse impact upon the access, parking or layout. It is not anticipated that the number vehicles movements as a result of change of use would exceed that of a Day Nursery. Particularly in terms of deliveries, staff accessing the parking spaces adjoining the building or visitors using the adjoining off site public car park.

6.0 Design And Layout [Impact On character of the locality]

- 6.1. The proposal is for a change of use with no external alterations. No changes to the external appearance of the building have been proposed. As the proposed changes to the buildings are internal, they would result in no impact upon the appearance of the area.

7.0 Heritage Issues

- 7.1. No impacts have been identified by the MSDC Heritage Team; internal alterations would be subject to a separate Listed Building Consent and the application would need to return to committee if submitted.

8.0 Impact On Residential Amenity

- 8.1. Policy H13 of the development plan seeks to ensure new housing development protects the amenity of neighbouring residents. Policy H16 of the development plan seeks to protect the existing amenity of residential areas.
- 8.2. Paragraph 130 of the NPPF sets out a number of core planning principles as to underpin decision-taking, including, seeking to secure a high standard of amenity for existing and future users of developments and places
- 8.3. Wingfield barns is situated within a large plot, with some residential dwellings surrounding the site. However, there is a reasonable separation distance enough to reduce any potential impact on the amenity of neighbouring properties, in terms of overlooking, noise, loss of light or loss of privacy. It is important to note that the existing use of the barns, a commercial/art centre and later a Day Nursery have already had some, limited, impact on amenity since the late 1990s. The current proposed change of use is not considered to heighten the impact upon amenity of neighbours to such an extent as to justify a reason for refusal, which can be defensible at appeal.
- 8.4. The proposal would not significantly impact upon the amenity of neighbouring residential properties. The proposal, therefore, accords with the aspirations of development plan policies H13 and H16 and with paragraph 130 of the NPPF in this regard.

Note: Hours of operation/use are proposed to be controlled by way of a suitable condition.

PART FOUR – CONCLUSION

9.0 Planning Balance and Conclusion

- 9.1. The Local Planning Authority is obliged to consider whether the proposal is in accordance with the Development Plan unless material considerations indicate otherwise. The policies contained within the NPPF are a material consideration and should be taken into account for decision-making purposes.
- 9.2. No significant planning harm has been identified, when assessed against local development policies and the guidance contained within the NPPF. The proposal constitutes sustainable development for which the NPPF carries a presumption in favour. In terms of balance, it is concluded to recommend the application for approval.

RECOMMENDATION

That the Chief Planning Officer be authorised to GRANT planning permission, subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:

- Standard time limit
- Approved Plans (Plans submitted that form this application)
- Hours of operation
- Those required by MSDC Environmental Protection Officer (including restricted use).