

Planning Committee - 16 June 2020

Report Item 4

Application No: 20/00230/FULL Full Application

Site: Arnewood Manor Farm, Arnewood Bridge Road, Sway, Lymington,
SO41 6ER

Proposal: Continued use of land and part of former farm building for storage of
vehicles and machinery for arboricultural business

Applicant: Mr Shutler, John Shutler Tree Services

Case Officer: Ann Braid

Parish: SWAY

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view (officers unable to support request for
personal occupancy condition)

Referred by Authority Member in light of local interest

2. DEVELOPMENT PLAN DESIGNATION

No specific designation

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

SP42 Business and employment development

SP43 Existing employment sites

DP45 Extensions to non-residential buildings and uses

DP49 Re-use of buildings outside the Defined Villages

DP2 General development principles

SP17 Local distinctiveness

4. SUPPLEMENTARY PLANNING GUIDANCE

Sway Village Design Statement

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 6 - Building a strong, competitive economy

Sec 12 - Achieving well-designed places

Sec 15 - Conserving and enhancing the natural environment

6. MEMBER COMMENTS

Barry Rickman – the application should be considered by the Planning Committee as there is local interest in the outcome of the application.

7. PARISH COUNCIL COMMENTS

Sway Parish Council: Recommend permission for the reasons listed below (unanimous):

Sway Parish Council expressed concern about the site being used for purposes other than arboriculture or agriculture in the future, particularly the storage of vehicles. Following a lengthy and constructive discussion which involved the agent, the owner and the user of the site it was suggested by the user that a planning condition to limit the applicability of the consent to the user (John Shutler) would be acceptable.

Sway Parish Council recommends permission subject to the inclusion of a condition to tie the permission to the incumbent user only, the purpose being to ensure any future uses of the site are subject to the planning process.

8. CONSULTEES

No consultations required

9. REPRESENTATIONS

- 9.1 Two letters of support on the grounds that the proposal provides employment and an essential service to the local community without causing disruption to neighbours.
- 9.2 One objection, supported by a further letter from a planning agent representing the same objector, on the following grounds. The application does not reflect the activities taking place at the site. The letter raises no objection to the storage of vehicles and machinery, but objects to the manufacturing operation, with the significant storage of timber and waste which is not part of the application. Machinery has been used for sawing, log splitting, and chipping, there is also smoke and exhaust from idling engines. Concern is raised regarding hours of operation. The agent's letter reiterates the above and asks a series of questions relating to the adequacy and content of the plans, the lack of a noise assessment, the access, the hours of operation, the lack of a five to ten year business plan and proposing conditions.

10. RELEVANT HISTORY

- 10.1 None

11. ASSESSMENT

- 11.1 Arnewood Manor Farm is located on the north side of Arnewood Bridge Road and comprises a range of barns to the west and north of the neighbouring converted barn, Eagleswood Barn. The buildings are accessed by way of a track that leads from the road frontage to the rear of the site, between the former farm buildings and the barn conversion. Most of the former farm buildings have been in commercial use for more than 20 years, however one building located in the north eastern corner of the range of buildings was, until recently, retained in agricultural use. It is now being used in association with a tree contractor's business. This commercial use is unauthorised, hence the current application.
- 11.2 Retrospective consent is sought for the use of the building, and an area of land to the east of the track, for the storage of machinery and vehicles associated with the tree contracting business. By way of history, the applicant has supplied a supporting statement stating that he has been using the site for some eight years, but that until recently the business also operated from another location. Following thefts from the other site, the applicant has decided to move to Arnewood Manor Farm, where security measures are already in place and the owner lives nearby. The Authority was made aware of the use in September 2019, when reports concerning processing of timber and the burning of waste material were received. The complaint was investigated and the applicant was advised to apply for the use of the site for his business use. He has applied for the storage of machinery and vehicles.
- 11.3 The issues to assess are:
- Compliance with relevant Local Plan policies relating to employment sites, and
 - The impact of the use on the locality and neighbouring amenity
- 11.4 Policy SP42 of the New Forest Local Plan 2016-2036 (August 2019) relates to business and employment development. The policy states that outside the defined New Forest villages, small scale employment development that helps the well-being of local communities will be permitted through the re-use or extension of existing buildings. Policy SP48 supports land-based businesses that help maintain the overall character and cultural identity of the National Park, in particular supporting farming and forestry that would be beneficial to the Forest. Policy DP49 supports the re-use of an agricultural building, provided it is shown to be genuinely redundant in its existing use, and not capable of fulfilling any beneficial agricultural use.
- 11.5 The business is a successful arboricultural enterprise which employs four people. It has been established for 12 years. Clients

include Forestry England, local authorities and the National Trust as well as local estates and private landowners. To this extent, the applicant's enterprise is a land-based business that benefits the local community. The building is a former agricultural building that was once part of the accommodation for a dairy herd but is not required for agricultural purposes by the tenant farmer. Other buildings on the site have already been put to commercial use. The requirements of Policies SP42, SP48 and DP49 are therefore met by this proposal. Policy DP45 allows the extension of a non-residential use, such as the commercial use of the farm, but states that this should be contained within the site boundaries. In this case the area proposed for the outside storage of vehicles and timber chips and logs was the site of a former dung heap, which had become overgrown. It was clearly part of the farm and in that respect the proposal does not extend beyond the site boundaries. However, the proposal would extend the commercial use beyond the envelope of the buildings and in accordance with the policy the level of impact of the proposed use should also be considered.

- 11.6 The proposed use comprises storage of vehicles and machinery. The yard is mentioned in the supporting statements as being a temporary holding area for logs and wood chips before they are sold and transported off site. No consent has been sought as part of this application for the processing of timber, most of which occurs off site as part of the management of clients' land. It is a stipulation of the site owner that no burning of material is allowed on the site. Some chipping and sawing of trees has taken place at the site in the past but the applicant has confirmed that this was the processing of timber from Arnewood Manor Farm itself and would not be a regular occurrence. The supporting statement indicates that a third of the area of Arnewood Manor Farm is woodland. The management of this woodland is therefore carried out at the farm. Inside the barn the majority of the space would be used for secure storage, but an area at the southern end of the building has been divided off for staff welfare facilities and, given the risk of theft of smaller items of machinery, there is extra secure lockable space.
- 11.7 The residential property that would be most likely to be affected by the proposal is Eagleswood Farm House. The boundary of this property is located 55 metres south of the yard area. The owners of this property object to the application, although they state in their letter that they have no objection to the storage of vehicles or machinery. Their objections relate to the manufacturing process that they have seen take place on the site, the storage of timber, the burning of waste and the use of machinery on site. They are also concerned about hours of operation and the running of engines at the site, with associated pollution and disturbance. The neighbours have been represented by two planning agents who

have put questions relating to these concerns on their behalf and the applicant has provided the information outlined above in response.

- 11.8 The assessment of these potential impacts needs to be made in the context of the rest of the farm buildings, which have been in use for commercial purposes for over 20 years. There are no conditions relating to hours of operation at the other units, or any other conditions restricting the use of the buildings and associated land. However, as this proposal includes outside storage and the parking of machinery and vehicles closer to a residential dwelling, it is considered reasonable to attach conditions to any consent that would prevent burning and timber processing, as well as limiting the hours of operation. The use of the site for storage use would not be a noisy use, but the movement of vehicles machinery should be controlled by condition. The applicant has indicated that employees come to the site at 07:30 and take machinery off site. They are rarely at work after 16:30.
- 11.9 The yard area has been fenced with a new post and wire fence and a ditch provided. The application states that a new native hedge would be provided around the perimeter and this should also be the subject of a condition. With regard to access, the access to the site already serves three businesses, and is open with good visibility. Overall, it is considered that the use generated by this business would not materially increase the level of traffic using the access.
- 11.10 The Parish Council supports the application but recommends that consent should be subject to a personal condition. Whilst there is clearly a wish to support a local business, Government advice relating to personal conditions advises that they should be avoided unless there are exceptional circumstances, such as new, restricted-occupancy dwellings, where a consent would be justified solely on the basis of the applicant's specific circumstances. In this case, provided the activity is controlled by conditions, there is no reason why any operator could not work from the site in the same way. For this reason a personal condition would not be justified.

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

- 1 Development shall only be carried out in accordance with drawing numbers: RSH/02, DR1, RSH/01'A'. No alterations to the approved development shall be made unless otherwise agreed in

writing by the New Forest National Park Authority.

Reason: To ensure an acceptable development in accordance with Policies SP17 and DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 2 Within three months of the date of this decision a scheme for the landscaping of the site shall be submitted to and approved in writing by the New Forest National Park Authority. This scheme shall include:
- a) a specification for new planting for the proposed hedgerow (species, size, spacing and location);
 - b) any other means of enclosure;
 - c) a method and programme for the implementation of the scheme and the means to provide for its future maintenance.

The planting of the hedgerow in accordance with the approved details shall take place in the first planting season following the approval of the landscaping scheme. Any trees or plants which within a period of 5 years from the date of this decision die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size or species, unless the National Park Authority gives written consent to any variation.

Reason: To ensure that the development takes place in an appropriate way and to comply with Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 3 No activity, including the operation of machinery or movement of vehicles shall take place on the site in connection with the approved use other than between the hours of 07:30 and 17:00 Monday to Fridays, and 08:00 and 13:00 on Saturdays, not including recognised public holidays.

Reason: To safeguard the amenities of nearby residential properties in accordance with Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

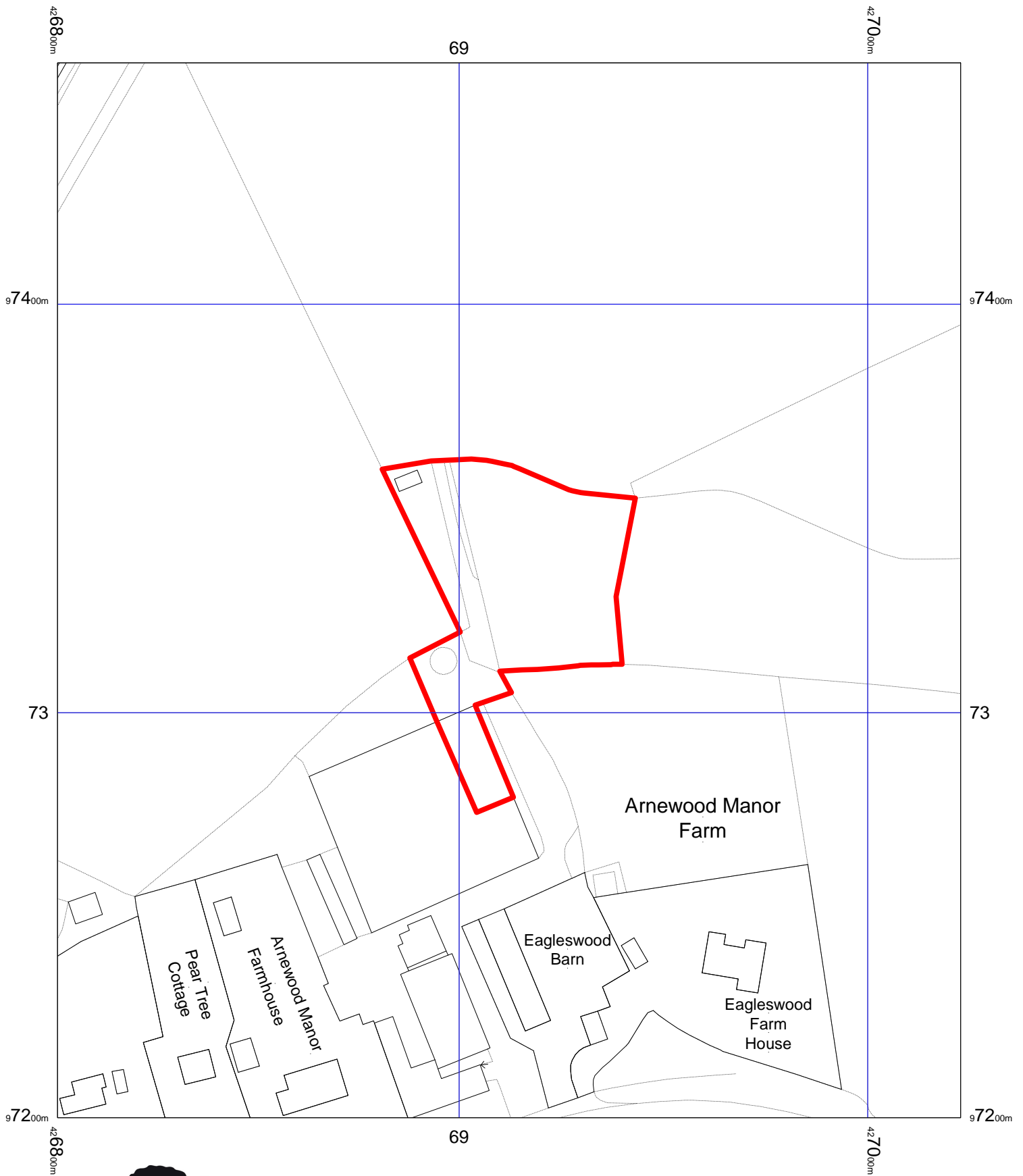
- 4 No processing of timber or burning in connection with the approved use shall take place on the site.

Reason: To safeguard the amenities of nearby residential properties, and avoid adverse impacts on the locality in accordance with Policies DP2 and SP15 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 5 No external lighting shall be installed on the site unless details of

such proposals have been submitted to and approved in writing by the New Forest National Park Authority.

Reason: To protect the amenities of the area in accordance with Policies DP2 and SP15 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).



NEW FOREST
NATIONAL PARK

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