



PLANNING STATEMENT

**In support of a Planning Application for the
Change of Use of an Agricultural Building to B2
Business Use**

At

**Venn View Barn, Chains Road, Sampford
Peeverell, EX16 7EB**

17th February 2024 v1.1

1.0 Introduction

- 1.1 This planning statement supports the planning application for the change of use of land and buildings from agricultural to business use. The building in question is redundant for its initial purpose, and there is an identified end user for the building to be used for business purposes. This proposal is beneficial as it a) makes efficient and effective use of an existing building, and b) provides affordable employment space for an expanding business.
- 1.2 This Statement indicates that facilitating the reuse of this building for employment floorspace would be in-line with the character and appearance of the area it sits within. It is an appropriate site for such a development, would not result in any significant negative impact upon residential amenity, and will have a limited impact upon the environment and the highway network. By improving the building and its surroundings the development can have a positive impact upon the landscape.
- 1.3 The Council is supportive of the redevelopment of redundant agricultural buildings to commercial use and there are a number of examples within the area covered by the Mid Devon Local Plan, and within the immediate area, which have been granted approval. Subject to normal planning considerations therefore there is a positive precedent when considering this application.
- 1.4 The relevant planning issues of the proposal, and how it has considered the development plan and other relevant planning material considerations, is set out within this document. It should be read alongside the other documents and plans submitted with the application.
- 1.5 It is considered that, given the assessment submitted in this Statement and the other details provided, that the development can be acceptable and planning consent should be granted for this development.

2.0 The Site

2.1 The site is located on the south side of Sampford Peverell on Chains Road, postcode area EX16 7EB. The Grid Reference is X303331 Y113503, What Three Words “*lively.landscape.impaled.*”



2.2 The site includes an agricultural building which is currently redundant but was previously used for poultry production. Some parts of the roof have collapsed as a consequence of the building no longer being used for its original use. The building is constructed of a combination of concrete block, steel portal frame, timber roof supports, corrugated metal sheeting covering part of the elevations and roof, and timber cladding.



2.3 The access to the site is in the northwest corner; it is a wide access as it shares the junction with the

highway with Venn Farm, whose buildings lies approximately 136m to the east of the site. The route of Halberton Footpath 1 runs down this access track to Venn Farm and beyond over the train line and M5.

2.4 There is an area of hardstanding to the north, northwest and south of the building. Apart from these areas the site is surrounded by pasture.

2.5 The boundary is marked mainly by mature hedging as well as several trees which serve to effectively screen much of the site from the highway.

2.6 There is a solar farm to the south side of the building, as shown in this aerial photograph.



2.7 There are no protective designations affecting the site. There are no heritage designations or Listed Buildings in close proximity whose setting could be affected. From a flood risk perspective the site is designated as Flood Zone 1 i.e. at



low risk from flooding (see extract adjacent). Topographically the site is on slightly raised ground, however is not particularly prominent in distance views.

3.0 Relevant Planning History

- 3.1 The site itself has no recorded/recent planning history. However, a search of other development in the vicinity of the site provided the following example which can be considered to provide a precedent for this type of application:
- 3.2 **21/02081/FULL** – Change of use from agricultural building to Use Class B2 (Industrial) Reference 21/02081/FULL at grid reference X: 303165 Y: 113684 Chains Road, Sampford Peverell, Devon. This building is a short distance to the northwest along Chains Road. The application was registered on 4th January 2022 and approved on 1st March 2022. The conditions control the specific manufacturing activity allowed within the building, hours of operation, use of power tools within the building and implementing actions within the ecological appraisal. The building provides 1328 sqm business floorspace.
- 3.3 The Parish Councils of Halberton and Sampford Peverell both commented on the proposal, noting issues such as highways/traffic generation, noise and light pollution. The Public Protection consultation response noted the need for a restriction on working hours and for noisy activity to be undertaken within the building.
- 3.4 The Highway Authority noted in its consultation response *“The site is accessed off an unclassified County Route which is restricted to 60 MPH although observed traffic speeds are considerably lower. This road is a typical Devon lane with no footway or Street Lights and narrow in places. The number of personal injury collisions which have been reported to the police in this area between 01/01/2016 and 31/12/2020 is one on Chains Road 21 metres from the Junction with Lower Town which was categorised as slight on 18th September 2019, the access to this proposal was not a factor. The Applicant has submitted a Planning Statement which puts forward trip rates to this proposal which are low. I have*

compared these trip rates with TRICS which is a Nationally Accepted Database and the trips rates show these to be higher than predicted. Although this number is not high enough to make a severe impact on the highway network. It is considered that the existing access has suitable visibility, taking into account estimated speeds at this location, it is not considered that the impact will be severe or that there will be a safety concern with the proposal. Therefore the County Highway Authority has no objections to the application”.

- 3.5 21/02081/FULL is notable as it was determined under the same development plan that exists today, suggesting that taking a consistent approach when determining the application would be appropriate. The Case Officer’s report notes the potential for a Class R prior approval to be put in place and deems the planning application to utilise the “fallback position” that this position presents; it is logical that the same argument can be put forward for the current application building.
- 3.6 Class R of the Town and Country Planning (General Permitted Development) Order 2015 allows the conversion of an agricultural building to a flexible commercial use: *“Development consisting of a change of use of a building and any land within its curtilage from a use as an agricultural building to a flexible use falling within Class A1 (shops), Class A2 (financial and professional services), Class A3 (restaurants and cafes), Class B1 (business), Class B8 (storage or distribution), Class C1 (hotels) or Class D2 (assembly and leisure) of the Schedule to the Use Classes Order.”*
- 3.7 It is noted that whilst a section of the roof of the building has collapsed inward, there are a number of issues to consider. Firstly, repair could be undertaken without significant alteration to the building. Secondly, the definition of a building in the GPDO explicitly refers to *“any part of a building”*. As such, it is logical that a) Class R could be achieved on the majority of the building and b) as noted in the case of *Mansell v Tonbridge*

and *Malling BC [2016] EWHC 2832 (Admin); [2017] EWCA Civ 1314*. It is reasonable to assume therefore that there is a genuine fallback position to consider, and that the owner/applicant is intent on developing the site.

- 3.8 **13/01416/MFUL** - Installation of ground mounted photovoltaic solar array to generate up to 1MW of power (site area of 1.96 ha), with associated infrastructure and landscaping. This development is referred to as part of the site context, lying to the south of the application site. As part of the submitted details Devon County Council's Archaeologist confirmed that it would not have any impact upon any such heritage assets. From a transportation perspective, information was provided that indicated 17 vehicle trips (34 movements) spread over a 5 to 6 week period, with similar numbers required during de-commissioning. It noted that the existing poultry business at Venn Farm at the time generated 3 feed deliveries by 18 tonne rigid body lorry and 18 deliveries by HGV, the larger traffic being directed via Willand to the site.

4.0 The Proposed Development

4.1 The proposal is to convert the building to business uses within B2 (General Industry) of the Use Classes Order as revised.

4.2 The building will be repaired to provide suitably secure internal space for the proposed reuse. It has a gross internal area of 770sqm for conversion to business use. Given the intended use the majority of the interior will be kept open, with a main workshop space, storage space, and some internal space to be afforded to ancillary uses such as administrative/office space, kitchenette/staff welfare area and toilets i.e. essential spaces require to support the business use.

4.3 Trucksmith is the identified end user of the building once converted; the company is a family run business (established in 1985) and is currently operating in premises at Hitchcocks Business Park, near Uffculme. The focus of their business is as a converter and manufacturer of commercial vehicle bodies; the company can provide bespoke manufacturing and conversions (see www.trucksmith.com for more details). The company wishes to expand its operations to develop its business in dropside trucks and tippers; to do this, it requires additional manufacturing and sub-assembly floorspace.

4.4 The business requires space for its laser cutter, sheet metal, sub-assembly space, and storage. The usable floorspace will be split evenly three ways to accommodate these three elements.

4.5 The company will employ four people at the site; one to operate the laser cutter and the other three to undertake assembly, dealing with the materials, etc.

4.6 In terms of working hours the company will aim to start at 0700 Monday to Friday, finishing at 1630 every day apart from Friday, when they will stop

work at 1300. There will be no working on Saturdays, Sundays and Bank Holidays.

- 4.7 **Traffic Generation** – there will be up to four movements in and four movements out per day for employees. There will be two deliveries of sheet metal per week, usually on 26 tonne, 6 wheeled lorries. Sundries, fixings etc will be delivered by transit van 3 times per week. Waste will be collected once a week, and scrap metal will be removed from the site once per month. The level of traffic generated therefore is not significant.
- 4.8 **Noise and other possible pollution** – given the distance to any dwellings not associated with the site/applicant's land it is not expected that there will be any significant impacts from the development. All work is carried out within the building. The 0700 start means the peak traffic period is missed (the highway is rural and not busy at any time of the day). There are no emissions of any note, and dust control is managed within the building. Close management will ensure that all activities will be managed effectively.
- 4.9 **Traffic Route** – as has been identified in previous developments along Chains Road the most appropriate route to take to the site is south towards Station Road, Willand (see Appendix A of the Transport Statement). A Management Plan can be put in place which ensure this is the identified route that users of the site will take, including during the conversion works phase, as the preferred route.
- 4.10 **Visibility** – visibility at the junction towards the south is limited. It is a material consideration that the previous use of the building, and the farm adjacent, would generate vehicle movements that use the access as it is currently constructed. The applicant is in control of the southern hedgerow if improvements are required to deliver appropriate visibility. Suitable condition(s) relating to landscaping, planting using native species, etc will also be acceptable as part of any conditional planning permission.

- 4.11 **Parking** – a change of use utilising 770sqm GIA will require parking as set out in the Mid Devon Local Plan. There is sufficient space to deliver such a level of parking; however, with a specific end user in place, the submitted site plan provides only what is required by the business, with space for additional parking available if required.
- 4.12 **Biodiversity** - an Ecological Survey has been undertaken and its resulting report is submitted as part of this application. It recommends the provision of two bat boxes, owl and house sparrow nest boxes. The recommendations will be implemented in full.
- 4.13 **Landscaping** – all existing boundary vegetation will be retained unless works are required to improve the junction visibility.

5.0 Planning Policy/Guidance

- 5.1 The Planning and Compulsory Purchase Act 2004, Section 38(6), states *“where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise”*. The development plan’s importance is therefore enshrined in legislation and is central to determination of planning applications.
- 5.2 The development plan in this case is the **Mid Devon Local Plan 2013 – 2033** which was adopted on the 29th July 2020.
- 5.3 Also relevant as a material consideration is the **National Planning Policy Framework** (as revised).
- 5.4 The Vision for the Plan states *“Mid Devon will be a prosperous and sustainable rural district, where individuals, families and communities can flourish as a result of access to good quality local employment, housing and services and a clean, green, safe environment. Local communities and*

private, public and voluntary organisations will work in partnership to meet social and economic needs in ways that enhance the environment and reduce the area's carbon footprint. High quality development in the right places with appropriate infrastructure will bring regeneration, social and economic benefits and enhance towns, villages and countryside while promoting sustainable use of energy and other resources and tackling the causes and effects of climate change”.

- 5.5 The Plan notes that the Council will use its planning powers to support sustainable economic success through provision of a good range of jobs in urban and rural areas; that development will conserve and enhance the area including the effective reuse of existing buildings.
- 5.6 With regard to the Countryside, the Vision for development notes that the Plan will focus on encouraging appropriate diversification to support the rural economy.
- 5.7 **Policy S1** (Sustainable Development Priorities) sets out the strategic priorities to deliver the Vision. It includes reference to building a strong, competitive economy with the creation of new enterprise and economic regeneration; supporting a prosperous rural economy through the conversion of suitable existing buildings, diversification of agricultural and other land-based businesses; requiring good sustainable design; meeting the challenge of climate change through conserving natural resources and encouraging effective use of land.
- 5.8 **Policy S6** (Employment) states that the employment needs of the District over the plan period will be delivered through the development of 147,000 sqm of new floorspace covering a range of uses.
- 5.9 **Policy S9** (Environment) notes that development will sustain the distinctive character and quality of the District's environmental assets and minimise impacts upon climate change. To do so, development will deliver high quality sustainable designs; make effective use of natural resources and preserve

agricultural land; preserve and enhance the distinctive qualities of the landscape; protect and enhance biodiversity and geodiversity.

5.10 **Policy S14**
(Countryside)

Policy S14

Countryside

notes that development in the outside settlement limits will respect the character and qualities of the countryside; point

Development outside the settlements defined by Policies S10-S13 will preserve and where possible enhance the character, appearance and biodiversity of the countryside while promoting sustainable diversification of the rural economy. Detailed development management policies will permit agricultural and other appropriate rural uses, subject to the following criteria:

- a) Affordable and low cost housing to meet local needs, gypsy and traveller accommodation, residential conversion of appropriate existing buildings, replacement dwellings, housing essential to accommodate a rural worker and accommodation ancillary to a dwelling;
- b) Appropriately scaled retail, employment, farm diversification, tourism and leisure related development (including appropriate conversion of existing buildings);
- c) Appropriately scaled and designed extensions and other physical alterations to existing buildings;
- d) Agricultural and equestrian development;
- e) Community facilities, such as educational facilities, buildings associated with public open space, transportation and infrastructure proposals (including green infrastructure); and
- f) Renewable energy and telecommunications.

b) notes that proposals for appropriately-scaled employment and other business development will be acceptable including for conversion of existing buildings.

5.11 Supporting paragraph 2.81 notes “*A strong rural economy is promoted by national policy through sustainable growth of business and enterprise in rural areas. Development in the countryside will be managed to meet local need, promote vibrant rural communities and help provide appropriate forms of agricultural and rural diversification to support the rural economy and sustain environmental qualities of the countryside. Development management policies allow for small-scale employment development in suitable locations whilst retaining the intrinsic character and beauty of the countryside. These sites can come forward according to market demand*”.

5.12 **Policy DM1** (High Quality Design) requires development to be of high quality, creating visually attractive places, be respectful of the location and its context, and make effective and efficient use of the site.

5.13 **Policy DM3** (Transport and air quality) requires development has safe access to the highway network. Development proposals that would give rise to significant levels of vehicular movement must be accompanied by an

integrated Transport Assessment, Travel Plan, traffic pollution assessment and Low Emission Assessment.

- 5.14 **Policy DM4** (Pollution) notes that development that risks negatively impacting on the quality of the environment through noise, odour, light, air, water, land and other forms of pollution must be accompanied by a pollution impact assessment and mitigation scheme where necessary.
- 5.15 **Policy DM5** (Parking) requires that development must provide an appropriate level of parking, taking into account the accessibility of a site, the availability of public transport and the type, mix and use of the development.

Conversion of rural buildings

The conversion of redundant or disused rural buildings of substantial and permanent construction which positively contribute to an area's rural character for residential, tourism or employment uses will be permitted where:

- a) A suitable access to the building is in place or can be created without damaging the surrounding area's rural character and the road network can support the proposed use;
 - b) The building can be converted without significant alteration, extension or rebuilding;
 - c) The design will retain the original character of the building and its surroundings; and
 - d) The development will retain any nature conservation interest associated with the site or building, and provide net gains in biodiversity where possible.
- 5.16 **Policy DM9** (Conversion of rural buildings), pasted above, provides a positive framework for the conversion of rural buildings subject to the criteria within the policy. The supporting paragraphs notes that "*when they become redundant or disused they can provide a useful resource to allow the delivery of sustainable economic or residential development*" (paragraph 4.35). Paragraph 4.36 refers to the support in national policy for the reuse of redundant rural buildings.
- 5.17 **Policy DM18** (Rural employment development) notes that in countryside locations permission will be granted for new-build employment development or expansion of existing businesses, provided that the development is of an appropriate use and scale for its location. Proposals must demonstrate that traffic impacts and the impact upon the character and appearance of the countryside are not compromised. Proposals also need to consider whether

there are insufficient suitable sites or premises in the immediate area to meet needs.

National Planning Policy Framework (as revised)

- 5.18 “The NPPF notes that *“The purpose of the planning system is to contribute to the achievement of sustainable development”*. Planning enshrines social, economic and environmental objectives at its core, and they are to be delivered through the preparation and adoption of plans, which are to be kept up to date. Paragraph 38 notes that local planning authorities should approach decision making in a positive and creative way.
- 5.19 Under Chapter 6, headed *‘Building a Strong, Competitive Economy’*, the NPPF sets out its objectives and guidance for local planning authorities when formulating policies and making planning decisions. It notes, in Paragraph 85, that planning decisions *“should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development”*.
- 5.20 Paragraph 88 sets a positive framework for sustainable growth and expansion of economic development by stating policies and decisions should enable:
- a) *the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, beautiful new buildings;*
 - b) *the development and diversification of agricultural and other land-based rural businesses;*
- 5.21 Paragraph 89 notes *“Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important*

to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist”.

6.0 The Case for the Proposed Development

- 6.1 Subject to normal planning considerations, the planning policy and guidance framework is supportive of the reuse of buildings for business use. Using existing buildings for an alternative use can contribute towards the delivery of sustainable development priorities. Provision of additional business space can help build a strong, competitive economy. Supporting a prosperous rural economy through the conversion of suitable existing buildings, and facilitating the diversification of agricultural businesses, are both objectives that this proposal will accord with.
- 6.2 Environmentally the site is not particularly prominent within the landscape and given the physical works relate to repair and reuse of the existing building there is an opportunity to improve the visual contribution of the building and site to the countryside. Additional planting is not considered essential given the wealth of existing mature boundary vegetation, which is to be retained as much as possible; however, if considered to be required a landscaping scheme can be prepared.
- 6.3 From a biodiversity perspective the provision of the requirements in the ecological report will be implemented in full re: provision of bat and bird boxes.
- 6.4 From a transport perspective, the NPPF acknowledges that in some rural areas public transport will not serve all sites as is in the case in this instance. This is not a fatal concern when considering proposals to convert buildings to

a new use. There is an existing access, shared by Venn Farm, and whilst the visibility to the south is not ideal the applicant has control of this boundary and it can be improved if required; that said, it is submitted that the proposal is in accordance with Policy DM3 with regard to a safe access due to the alignment and width of Chains Road, which effectively limits vehicle speeds. The use of an existing access by agricultural and other vehicles (including large delivery vehicles) is a material consideration. The site has sufficient space to deliver the required parking spaces to suit the development and to provide more if they were required.

6.5 The distance to dwellings, and the fact that there are negligible environmental impacts from the activities within the building, mean that residential amenity is not impacted in any meaningful way.

7.0 Conclusion

7.1 The proposal seeks to gain approval for the change of use of an existing redundant agricultural building to an identified B2 business use. By granting this permission it will ensure investment in the building, improvement to its surroundings, and will facilitate a viable reuse for what is currently a redundant structure. Planning policy and guidance is supportive of reuse of redundant agricultural buildings, subject to normal planning considerations.

7.2 The proposed change of use will provide local employment both during its conversion and thereafter; the company will employ four people to work at the site, and the activities will also support the supply chain, thus having a wider impact upon the economy.

7.3 The conversion will make effective use of the site and the building, and it will contribute new business premises to the market.

7.4 Environmentally the site is not particularly prominent and by improving the building it will result in a more positive visual contribution. Biodiversity has

been taken into account and the recommendations of the ecological report will be implemented in full.

- 7.4 The proposal will make use of an existing shared access, and traffic movements are not considered to be significant. All movements will be via Willand Road.
- 7.5 Given the support in planning policy and guidance for appropriate and sustainable business development in rural areas that make effective reuse of agricultural buildings, it is submitted that planning permission should be granted for this proposed development.

February 2024