

Date of Decision 30/05/2000



Ref. No. /00/P/00022

Strutt & Parker
201 High Street
Lewes
East Sussex
BN7 2NR

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

APPROVE WITH CONDITIONS FULL PLANNING PERMISSION

Proposal: Continuance of B1 (office, light industrial or research and development) use without complying with condition 1 of planning approval 97/P/1623 (permanent use of 3 buildings).

Location: Effingham Lodge Nurseries, Lower Road, Effingham, Leatherhead, Surrey, KT24
For: Effingham Horticultural Produce Ltd

CONSENT FOR THE ABOVE APPLICATION IS HEREBY GRANTED SUBJECT TO THE FOLLOWING CONDITION(S) AND REASON(S)

1. No materials shall be stored, articles, displayed or processes undertaken, outside the buildings hereby permitted.

In the interest of the amenities of the locality and to enable the Local Planning Authority to retain control over the development hereby permitted.

2. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 and the Town and Country Planning (General permitted Development) Order 1995 (or any Order revoking or re-enacting those Orders) the development hereby approved shall be used only for purposes within Use Class B1 and for no other purpose without the prior written permission of the Local Planning Authority.

To comply with the employment policies of the Surrey Structure Plan and the Guildford Borough Local Plan.

INFORMATIVES:

Date of Decision 30/05/2000

Ref. No. /00/P/00022

1. The applicant is advised that this permission does not extend to the existing glasshouses on the site. Any use of the glasshouses for non-horticultural uses would require a separate planning permission and due to the temporary nature of their construction it is unlikely that such a permission would be granted.



Carol Humphrey
Head of Development

Duly authorised in this behalf

App No: /00/P/00022 **Type:** F **8 Wk Deadline:** 01/03/2000
Case Officer: Linda Hayden **Parish/Ward:** Effingham/Effingham
Agent/ Strutt & Parker, 201 High Street, Lewes, East Sussex, BN7 2NR
Correspondent:
Applicant: Effingham Horticultural Produce Ltd, Lower Road, Effingham, Surrey, KT24 5JP

Location: Effingham Lodge Nurseries, Lower Road, Effingham, Leatherhead, Surrey, KT24

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Site Description

These buildings are situated within the Green Belt to the east of the Effingham, some considerable way from the identified settlement. They previously formed part of the nursery use on the site which no longer exists, however, a number of large glass houses also remain on the site.

Proposal

The application proposes the continuance of the Class B1 uses, (office, light industrial, research and development) on a permanent basis.

Planning History

There is a lengthy planning history for the nursery which can be viewed on the planning file. The last application relating to the nursery was in 1985 and related to the replacement of glasshouses.

In 1998 temporary permission (2 years) was granted for the continued use of 3 buildings for storage and small repairs of computers.

An enforcement notice was served in December 1998 requiring the removal of a caravan from the site. A subsequent appeal against this notice was dismissed and the enforcement notice upheld.

Consultations

Three letters of objection have been received from local residents. Their concerns are summarised as follow:-

- 1) The use will result in additional traffic in an already congested area (adjacent to the Howard of Effingham and St Lawrence Schools)
- 2) It is a change of use from agriculture

- 3) It does not accord with the local plan
- 4) One should not condone illegal change of use in the past
- 5) There is no need for such development and others could follow

Effingham Parish Council has no objection to the business remaining on a temporary basis but does not see any justification for a permanent permission.

The County Highway Authority has no requirements.

Planning Considerations

This proposal should be considered with reference to Policy 99RE9 'Re-use and adaptation of rural buildings to employment, community or recreational use' which provides the most up to date advice, having regard to Planning Policy Guidance note 7 'The countryside..'

This policy advises that the re-use of rural buildings is appropriate, providing (*inter alia*); the building is a substantial, sound and permanent construction and would not require minor or complete reconstruction; the form, bulk and general design of the building does not detract from the character of the countryside; and there is sufficient room for car parking.

It is considered that these brick built buildings are appropriate for the conversion that has taken place and are not detrimental to the visual amenities of the landscape. They do not, therefore, detract from the character of the countryside. With regard to parking, there is a large area of hardstanding outside of the buildings, which can easily accommodate the traffic movements associated with the use.

With regard to the Parish Council's request that the business remain on a temporary basis it should be noted that Circular 11/95 (The Use of Conditions in Planning Permissions) advises ' 112. A second temporary permission should not normally be granted. A trial period should be set that is sufficiently long for it to be clear by the end of the first permission whether permanent permission or a refusal is the right answer. Usually a second temporary permission will only be justified where highway or redevelopment proposals have been postponed, or in cases of hardship where temporary instead of personal permission has been granted for a change of use'.

The proposal is therefore considered to acceptable accord with local plan policy and approval is recommended.

RECOMMENDATION:

Approve Subject to the following Condition(s) and Reason(s) :-

1. XXX1 No materials shall be stored, articles, displayed or processes undertaken, outside the buildings hereby permitted. In the interest of the amenities of the locality and to enable the Local Planning Authority to retain control over the development hereby permitted.
2. 4108 Notwithstanding the provisions of the Town and Country Planning (Use

Classes) Order 1987 and the Town and Country Planning (General permitted Development) Order 1995 (or any Order revoking or re-enacting those Orders) the development hereby approved shall be used only for purposes within Use Class B1 and for no other purpose without the prior written permission of the Local Planning Authority. To comply with the employment policies of the Surrey Structure Plan and the Guildford Borough Local Plan.

Informatives:

1. The applicant is advised that this permission does not extend to the existing glasshouses on the site. Any use of the glasshouses for non-horticultural uses would require a separate planning permission and due to the temporary nature of their construction it is unlikely that such a permission would be granted.