



T O M P K I N S T H O M A S

# Planning Statement



CHANGE OF USE TO AEROPLANE PART MANUFACTURERS AND DWELLING

The former Slater Laverda Building

Collington Works

Bromyard

HR7 4NB

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<b>Client</b>	Cunningham Aero Ltd
<b>Project</b>	Change of use to aeroplane part man. and dwelling
<b>Document status</b>	Issue
<b>Our Reference</b>	PH 23143
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## 1. Introduction

### 1.1 The application and summary

- 1.1.1 This Planning Statement is prepared by Tompkins Thomas Planning on the instruction of Cunningham Aero Ltd (the applicant) in support of an application seeking planning permission for:

*The change of use of the building to a mixed use comprising an aeroplane part manufacturer and a dwelling.*

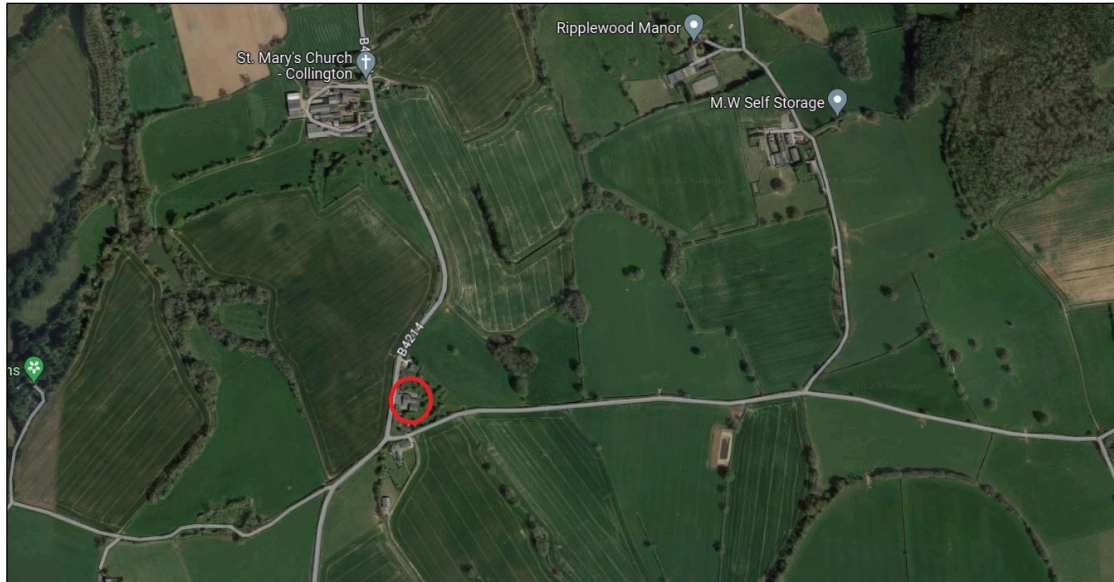
- 1.1.2 The site was previously a motorcycle showroom and repair garage. In 2019 and 2020, two planning permissions were granted which, in combination, permitted the change of use of the building to two dwellings.
- 1.1.3 The proposed use would create employment for the area whilst allowing the applicants to live on site at their place of work.
- 1.1.4 The application comprises this statement, the completed application forms, the requisite planning fee and the following plans:
- Location Plan (Leada);
  - Proposed and existing site plan (Leada); and
  - Proposed and existing plans and elevations (Leada).

### 1.2 The Site

- 1.2.1 The site is a 0.17ha parcel of land with an irregular shape at Collington c. 500m south of the village centre. The wider site accommodates a range of buildings which were formerly occupied [REDACTED] as a motorcycle showroom and associated repair garage. The building affected by this proposal is the former showroom only which is the building nearest to the road. The other buildings are not included in this application and would continue to be used as workshop space. The Site also includes the forecourt between the building and the road and associated grassland to the side (north) of the buildings.

- 1.2.2 There are two accesses, c. 20m apart, onto the B4214. The previous use of the site tended to use the accesses as an entrance and exit for larger vehicles to obviate the need to turn within the site.

Figure 1: Site Location

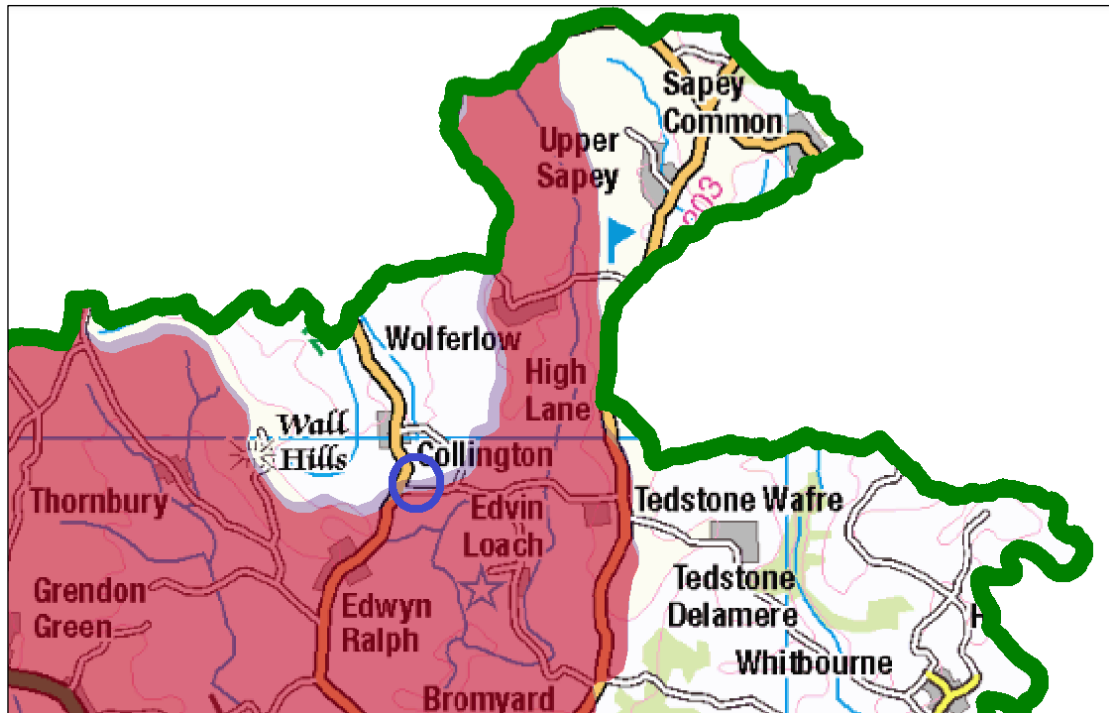


### 1.3 Designations

- 1.3.1 There are no ecology, landscape or heritage designations at the site, or which might reasonably be affected by the proposals.
- 1.3.2 According to Environment Agency mapping (EA), the site is in **Flood Zone 1**, which has the lowest probability of fluvial flood risk. Further, EA mapping does not identify any known surface water flooding issues at the site.
- 1.3.3 There are no PROW which might be affected by the development or nearby.
- 1.3.4 Overleaf is an extract of the “Map of River Lugg catchment area in Herefordshire” produced by Herefordshire Council and to which it’s phosphate position statements and moratorium applies.
- 1.3.5 The site is within the blue circle on the plan and is to the immediate east of the B4214 and 45 metres north of the C1064. As can be seen, the site is not within the “red area”, which is the River Lugg Sub Catchment of the River Wye, which extends no further north along the B4214

than the junction with C1064. Accordingly, the moratorium and the contents of the Council's position statement do not apply here.

Figure 2: Annotated extract from "Map of River Lugg catchment area in Herefordshire"



## 1.4 Proposals

- 1.4.1 The proposed development is the change of use of the westerly building on site to a mixed use comprising an aeroplane part manufacturer and a dwelling. It is the applicants' business which would be installed in the main (south) part of the building, whilst they would reside in the 1-bed dwelling in the smaller (north) part.
- 1.4.2 The applicants' business is to manufacture and double curvature work of aircraft sheet metal forms. Aircraft parts are manufactured for all WW2 Mks of Supermarine Spitfire, Hawker Hurricanes, Hawker Tempest, Avro Lancasters, Gloster Gladiator, Messerschmitt ME 109, Folke Wolfe FW 190, Mustangs, Tomahawk, Kittyhawk, Warhawk, Harvard and many more.
- 1.4.3 The parts are subsequently shipped off site to others for use in their restoring of classic aircraft. The business is presently located at Bournemouth Airport, Dorset and this development would facilitate their relocation to Herefordshire. The relocation has come about because the applicants realised that they did not require an airport location.

- 1.4.4 The applicants have been based at Bournemouth Airport for over [REDACTED] years, with 24 hr personal gated security at the entrance. [REDACTED]  
[REDACTED]  
[REDACTED] The are truly Irreplaceable. To be on site 24hrs as security for the protection of these items would be hugely beneficial.
- 1.4.5 It is our view that the existing use, a motorcycle showroom, is sui generis. The proposed use is a mixed use comprising general industrial (B2) and residential (C3).
- 1.4.6 Both the predominant proposed use and existing use have a similar character in that they both involve working on vehicles and vehicle parts.
- 1.4.7 Access arrangements would be unaffected by the proposals, with both existing accesses onto the B4214 retained. Parking would remain to the fore (west) of the building.
- 1.4.8 A small garden area is proposed to the north of the site consistent with the previous planning permission for a dwelling in the building.
- 1.4.9 Drainage arrangements would remain as existing which is a septic tank drainage to ground for foul drainage and soakaways for surface water drainage.

## 1.5 Planning History

- 1.5.1 Planning permission was granted in February 2020 for the change of use of the entire building to a dwelling. In August 2019, the buildings to the rear (east) were granted prior approval for change of use to a dwelling. In combination, the approvals would've permitted two dwellings on the wider site.

*Table 1: Planning History for the Adjacent Site*

Application no.	Description	Decision
P192119/PA2	Notification for Prior Approval for a Proposed Change of Use of a building from Office Use (Class B1(a)) to a dwellinghouse (Class C3)	Granted

P194412/F	Proposed change of use of motorcycle showroom to 4 bed house	Approved
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## 2. Planning Policy and Material Considerations

### 2.1 The Planning and Compulsory Purchase Act 2004

2.1.1 Section 38(6) explains that planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

2.1.2 In this case, the statutory Development Plan for the area comprises the **Herefordshire Local Plan – Core Strategy** ('Core Strategy') only.

2.1.3 The **National Planning Policy Framework** ('NPPF' or 'Framework') declares itself an important material consideration for all planning applications in England. The Framework has implications for Development Plan policies and decision taking in Herefordshire.

2.1.4 There is no NDP for Collington, even in draft form.

### 2.2 The Core Strategy

2.2.1 The Core Strategy sets out a vision for the area for the period 2011 to 2031. The principal role of the Core Strategy is to deliver the spatial planning strategy for Herefordshire based on the needs of the area and its local characteristics.

#### General

2.2.2 **Policy SS1** confirms that the Council will take a positive approach to development that reflects the presumption in favour of sustainable development enshrined in the Framework.

#### Housing

2.2.3 **Policy SS2** imparts that 16,500 homes should be delivered over the plan period and that, 5,300 dwellings will be delivered in rural areas.

2.2.4 **Policy RA1** explains that those 5,300 homes should be provided in a proportionate fashion throughout the county with 14% growth required across the Bromyard HMA within which the site is located.

2.2.5 **Policy RA2** identifies 221 rural settlements and supports sustainable development within or adjacent to the main built-up parts of those settlements and that the location for housing will



ultimately be determined in NDP's.

- 2.2.6 The site is not within an identified settlement whereby Policy RA3 is engaged. **Policy RA3** supports seven residential development types in open countryside locations, including the conversion of redundant rural buildings where the scheme would comply with Core Strategy Policy RA5.
- 2.2.7 **Policy RA5** requires that proposals relate to buildings which are of substantial construction, do not require substantial alteration or extension which would harm the character of the building or its setting, do not harm priority species or their habitats, and are compatible with neighbouring land uses.

#### Employment

- 2.2.8 **Policy SS5** is the strategic policy for Employment Provision. It explains, amongst other things, that a continuous supply of 37 ha of readily available employment land will be made available over a 5-year period, that an overall target of 148 ha of employment land will be delivered over the plan period, and that new strategic employment land, in tandem with housing growth and smaller scale employment sites, will be delivered through the plan period.
- 2.2.9 In respect of the rural areas, the supporting text to the policy (paragraph 3.76) confirms that *“businesses will be supported by taking into account local demand, the ability to retain, grow or diversify employment opportunities and options to reuse existing buildings and sites, as well as contribution to the sustainability of the area.”*
- 2.2.10 **Policy E1** explains that the new employment provision in Herefordshire will provide a range of locations, types and sizes of employment buildings, land, and offices to meet the needs of the local economy. It expressly encourages proposals which enhance employment provision and help diversify the economy of Herefordshire including in four specific circumstances as follows (we have emphasised that which is most applicable to this proposal):
- *the proposal is appropriate in terms of its connectivity, scale, design, and size;*
  - *the proposal makes better use of previously developed land or buildings;*
  - *the proposal is an appropriate extension to strengthen or diversify an existing business operation;*

- *the proposal provides for opportunities for new office development in appropriate locations.*

2.2.11 The supporting text confirms that employment development is required to ensure that adequate opportunities exist to improve the quality and range of employment available, particularly to assist in addressing the issue of low wages in the county. The supporting text also expressly supports development in rural areas, particularly at larger employment locations outside of Hereford and the market towns.

2.2.12 Paragraph 5.2.17 explains that a range of employment land should continue to be available within Herefordshire. Specifically, the text explains that this will be delivered by safeguarding existing supply.

2.2.13 **Policy RA6** relates to employment provision in rural areas. It sets out that, *“employment generating proposals which help diversify the rural economy such as knowledge based creative industries, environmental technologies, business diversification projects and home working will be supported.”*

2.2.14 It goes on to explain that planning applications which diversify the rural economy will be permitted where they:

- *ensure that the development is of a scale which would be commensurate with its location and setting;*
- *do not cause unacceptable adverse impacts to the amenity of nearby residents by virtue of design and mass, noise and dust, lighting, and smell;*
- *do not generate traffic movements that cannot safely be accommodated within the local road network; and*
- *do not undermine the achievement of water quality targets in accordance with Policies SD3 and SD4.*

2.2.15 The supporting text to the policy acknowledges, at paragraph 4.8.41, the strong role which rural areas have played in in local, regional, and national food and drink production. It also acknowledges that the strengthening of the rural economy is important in retaining a skilled labour force.

- 2.2.16 **Policy E3** is also relevant as the proposal is for home working. The policy begins by recognising the value of home working. The remaining part of the policy applies to existing dwellings introducing a “work” element whereby its relevance is limited.

### 2.3 The National Planning Policy Framework

- 2.3.1 The NPPF (2021) was published in July 2021. It is the third revision. Paragraphs 2 & 218 explain that the NPPF does not supplant the statutory Development Plan, but that along with its policies, it is a significant material consideration when determining planning applications.
- 2.3.2 **Paragraph 11** is the cornerstone for decision making and requires that proposals which accords with an up-to-date development plan should be approved without delay (11 c).
- 2.3.3 Otherwise, NPPF policies relating to housing and employment are important here. They include **Paragraph 81** which explains that planning decisions should create the conditions in which businesses can invest, expand, and adapt. It requires that significant weight is given to the need to support economic growth and productivity. It is also clear that each area should be able to build on its strengths, counter any weaknesses and address the challenges of the future.
- 2.3.4 **Paragraph 84(a)** heads up the sub-chapter relating to the rural economy. It supports “*the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings*”.
- 2.3.5 **Paragraph 85** is also relevant in that it explains that to meet business and community needs in rural areas, sites for economic development might have to be delivered in locations not well served by public transport and even away from settlements. It goes on to explain that development should maximise opportunities to make an area more sustainable and accessible. It expressly supports the development of land which is well related to existing settlements.

### 3. Main planning matters

#### 3.1 Compliance with housing policies in the Development Plan

- 3.1.1 Core Strategy Policies RA3 and RA5 govern the principle of residential development here.
- 3.1.2 The building is clearly intact, of a substantial structure, and in very good order. The change of use of the north part to a dwelling does not require structural intervention, only the remodelling of the layout. The building is weathertight, and the existing cladding is in a very good state of repair. The building can certainly accommodate a conversion scheme without major intervention or extension – there being none proposed. Externally, the building will appear as existing.
- 3.1.3 The proposal does not include any building works, whilst internal works do not affect the roof of the building. Accordingly, the proposals would not harm priority species or their habitats. The applicant will accept a condition requiring the erection of bird and bat boxes to deliver biodiversity enhancement.
- 3.1.4 The proposed residential use of the building would sit comfortably in its setting adjacent two other dwellings and otherwise surrounded by agricultural fields.
- 3.1.5 On the above basis, we are confident therefore that the proposals will be a conversion in accord with the Policy RA3 and thus RA5. It is also relevant that in approving the use of the entire building as a dwelling, the Council has already agreed that such a use of the building is appropriate and that compliance with Policies RA3 and RA5 is achievable.

#### 3.2 Compliance with employment policies in the Development Plan

- 3.2.1 As set out in the Planning Policy chapter of this statement, both the Core Strategy and NPPF are supportive of proposals for rural employment, particularly home working. They speak positively of such development, even in unsustainable locations, and particularly where the proposals involve the reuse (or more efficient use) of existing buildings, as is the case here.
- 3.2.2 Policy RA6 includes design criteria for such proposals. Firstly, the proposal is certainly of a scale which is commensurate to its location, given that it would occupy a building which has a previous employment generating use.

- 3.2.3 Secondly, the proposals would be similar to the previous use in that it includes repairing and manufacturing vehicle parts. The proposals would thus be of a similar character to the previous use and would not cause unacceptable adverse impacts to the amenity of nearby residents, particularly the two dwellings due south of the site.
- 3.2.4 Thirdly, the proposals would not generate traffic movements that cannot safely be accommodated within the local road network. Traffic movements would be limited to approximately 1 x HGV movements per year, Royal Mail deliveries, and a courier movement once every two weeks delivering parts from the site to end users. Movements would be reduced further still as the applicants would be living on site.
- 3.2.5 Fourthly, the proposals would not undermine water targets. The Council discounts employment uses from creating phosphate impacts on the basis that phosphate creating activities are considered to be carried out at home. In any event, the site is not within the redzone whereby the site is not within the catchment of an SAC which is considered to be failing in its conservation objectives. In terms of the proposed dwelling, the Council approved the residential use of the site in February 2020, at a time when Natural England had informed the Council as to the Lugg's failing status and how they should be assessing planning applications requiring HRA. There can be no impact.
- 3.2.6 Overall, it is our view that the proposals would comply with employment policies in the Development Plan. They also benefit from support from the NPPF which encourages development which improves or diversifies rural employment. The proposals would relocate an established business to the county and create employment (2 jobs initially rising to 4) on a site which was previously used for employment, but which now benefits from approval for an alternative use.

## 4. Other planning matters

### 4.1 Ecology

- 4.1.1 Policy LD2 of the Core Strategy requires that priority species and their habitats are protected and that opportunities for biodiversity enhancement are maximised. As discussed at Chapter 3.1, the proposals do not involve operational development, nor do they include works to the roof of the buildings. Thus, there is no expected impact on priority species or their habitats. This is in line with the Council's findings for the previous application at the site.

### 4.2 Drainage

- 4.2.1 The proposed development is to reuse existing drainage arrangements. Foul Drainage is via Septic Tank. Surface water is via soakaway. As there are no building works, the proposals would not affect flood risk, nor would they increase surface water run off rates whereby compliance with Policy SD3 is ensured. Again, this was to the satisfaction of the Council for the previously approved scheme at the site.

### 4.3 Phosphates/HRA

- 4.3.1 As explained at Chapter 1.3, the site is not within the "red zone" of its catchment map whereby the contents of the Phosphate Position Statement do not apply. The proposals are not affected by the moratorium and the proposals can be safely screened as not requiring appropriate assessment.

### 4.4 Highway safety

- 4.4.1 Access arrangements would remain as for the previous use of the site, with two accesses on to and off of the B4214. The applicant advises that expected movements are 1 x HGV movement a year for delivery of sheet material. Other deliveries are via Royal Mail. Delivery of parts from Collington to the end user are carried out by the applicants themselves. These movements are c. every two weeks.
- 4.4.2 This is most likely less than the previous site use as a motorbike showroom and repair business. That the applicants will live on site will reduce movements further, there being no staff travel to and from the site.

- 4.4.3 We have reviewed Crash Map on which there is no record of incident in the previous five years. We have also reviewed Crash Map's historic records to cover a period where the site was actively used as a motorbike showroom. There is no history of incident at or near the site over the 23 years for which there are records.
- 4.4.4 Thus, the reuse of the accesses for employment purposes should pose no heightened highway safety impact whereby the proposals comply with Core Strategy Policy SS4 and the advice in the NPPF. The proposals would not give rise to the unacceptable affects envisioned by Paragraph 11 of the NPPF which must be present if planning permission is to be withheld on highway grounds.

## 5. Conclusions

- 5.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 5.1.2 The Development Plan in this case is the Core Strategy only. The proposal has been explained in the context of housing and employment policies in the Development Plan. The Statement has explained that the residential part of the scheme accords with the Core Strategy, particularly Policies RA3 and RA5, in that it involves the conversion of a (part of) a building which is structurally sound and without the need for any structural intervention or works which might affect the character of the building. The use is also compatible with surrounding land uses and does not affect priority species or their habitats.
- 5.1.3 The proposal also includes the change of use of the remaining part of the building to a B2 use for manufacturer and repairing classic aeroplane parts. The proposal would relocate an established business to the county and would create 2 skilled jobs. It would deliver rural employment which is sought by the Core Strategy (Policies E1 and RA6) and NPPF (Paragraphs 84 and 85) and in reusing an existing building, does so in a manner which both documents prefer. The employment use is compatible with neighbouring land uses.
- 5.1.4 Otherwise, this statement has confirmed that there is no harm to highway safety, ecology, drainage, or the condition of the River Lugg.
- 5.1.5 The scheme comes with social and economic benefits.
- 5.1.6 Accordingly, the application proposal complies with the Development Plan and without material considerations indicating to the contrary, S38(6) of the Act, supported by paragraph 11. c) of Framework, requires that planning permission is granted without delay.





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