



## **BROMSGROVE DISTRICT COUNCIL**

### **VIRTUAL MEETING OF THE PLANNING COMMITTEE**

**MONDAY 3RD AUGUST 2020**  
**AT 6.00 P.M.**

**MEMBERS:** Councillors R. J. Deeming (Chairman), P. J. Whittaker (Vice-Chairman), S. J. Baxter, A. J. B. Beaumont, S. P. Douglas, A. B. L. English, M. Glass, S. G. Hession, J. E. King, P. M. McDonald and P.L. Thomas

### **AGENDA**

1. To receive apologies for absence and notification of substitutes
2. Declarations of Interest  
  
To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.
3. To confirm the accuracy of the minutes of the meeting of the Planning Committee held on 29th June 2020 (Pages 1 - 4)
4. Updates to planning applications reported at the meeting (to be circulated prior to the start of the meeting)
5. 19/01544/FUL - Continued use of land and farm buildings as a farm based Rural Educational and Interpretation Visitor Centre with associated facilities including visitor parking. Development to include the retention of outdoor play equipment, toilet blocks, animal enclosures, shelters and fencing, the wall filling the formerly open sided elevation of the southernmost building, pedestrian link between the café/play barn and winter barn and steel walling adjacent to the visitor parking area. Retention of a mobile office building for a

twelve month period - Seafield Farm, Seafield Lane, Beoley, B98 9DB - Mr M. Attwell (Pages 5 - 38)

6. 20/00521/FUL - Extension to existing data hall set up. New self contained data hall - Land At, The Cofton Centre, Groveley Lane, Cofton Hackett, Birmingham, Worcestershire - Mr. I. Berry (Pages 39 - 54)
7. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman considers to be of so urgent a nature that it cannot wait until the next meeting

K. DICKS  
Chief Executive

Parkside  
Market Street  
BROMSGROVE  
Worcestershire  
B61 8DA

22nd July 2020

**If you have any queries on this Agenda please contact**

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## **BROMSGROVE DISTRICT COUNCIL**

### **PLANNING COMMITTEE**

# **GUIDANCE ON VIRTUAL MEETINGS AND PUBLIC SPEAKING**

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Due to the current Covid-19 pandemic Bromsgrove District Council will be holding this meeting in accordance with the relevant legislative arrangements for remote meetings of a local authority. For more information please refer to the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police Crime Panels meetings) (England and Wales) Regulations 2020.

The meeting is open to the public except for any exempt/confidential items. Where a meeting is held remotely, “open” means available for live viewing. Members of the public will be able to see and hear the meetings via a live stream on the Council’s YouTube channel, which can be accessed using the link below:

[Live Stream Planning Committee 3rd Aug 2020](#)

Members of the Committee, officers and public speakers will participate in the meeting using Skype, and details of any access codes/passwords will be made available separately.

If you have any questions regarding the agenda or attached papers please do not hesitate to contact the officer named below.

#### **PUBLIC SPEAKING**

The usual process for public speaking at meetings of the Planning Committee will continue to be followed subject to some adjustments for the smooth running of virtual meetings. For further details a copy of the amended Planning Committee Procedure Rules can be found on the Council’s website at [Planning Committee Procedure Rules](#).

The process approved by the Council for public speaking at meetings of the Planning Committee is (subject to the discretion and control of the Chair), as summarised below:

- 1) Introduction of application by Chair
- 2) Officer presentation of the report
- 3) Public Speaking - in the following order:-
  - a. objector (or agent/ spokesperson on behalf of objectors);
  - b. applicant, or their agent (or supporter);

- c. Parish Council representative (if applicable);
- d. Ward Councillor

Each party will have up to a maximum of 3 minutes to speak, subject to the discretion of the Chair.

Speakers will be called in the order they have notified their interest in speaking to the Democratic Services Team and invited to unmute their microphone and address the committee via Skype.

- 4) Members' questions to the Officers and formal debate / determination.

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**Notes:**

- 1) Anyone wishing to address the Planning Committee on applications on this agenda must notify the Democratic Services Team on 01527 881406 or by email at [p.ross@bromsgroveandredditch.gov.uk](mailto:p.ross@bromsgroveandredditch.gov.uk) before 12 noon on Thursday 30<sup>th</sup> July 2020.
- 2) Advice and assistance will be provided to public speakers as to how to access the meeting and those registered to speak will be invited to participate via a Skype invitation. Provision has been made in the amended Planning Committee procedure rules for public speakers who cannot access the meeting by Skype, and those speakers will be given the opportunity to submit their speech in writing to be read out by an officer at the meeting. Please take care when preparing written comments to ensure that the reading time will not exceed three minutes. Any speakers wishing to submit written comments must do so by 12 noon on Thursday 30<sup>th</sup> July 2020.
- 3) Reports on all applications will include a summary of the responses received from consultees and third parties, an appraisal of the main planning issues, the case officer's presentation and a recommendation. All submitted plans and documentation for each application, including consultee responses and third party representations, are available to view in full via the Public Access facility on the Council's website [www.bromsgrove.gov.uk](http://www.bromsgrove.gov.uk)
- 4) It should be noted that, in coming to its decision, the Committee can only take into account planning issues, namely policies contained in the Bromsgrove District Plan (the Development Plan) and other material considerations, which include Government Guidance and other relevant policies published since the adoption of the Development Plan and the "environmental factors" (in the broad sense) which affect the site.

- 5) **Although this is a public meeting, there are circumstances when the committee might have to move into closed session to consider exempt or confidential information. For agenda items that are exempt, the public are excluded and for any such items the live stream will be suspended and that part of the meeting will not be recorded.**

## **BROMSGROVE DISTRICT COUNCIL**

### **VIRTUAL - MEETING OF THE PLANNING COMMITTEE**

**29TH JUNE 2020, AT 6.00 P.M.**

PRESENT: Councillors P. J. Whittaker (Vice-Chairman), S. J. Baxter,  
A. J. B. Beaumont, S. P. Douglas, A. B. L. English, M. Glass,  
S. G. Hession, P.L. Thomas and H. D. N. Rone-Clarke (Substitute)

Officers: Mr. D. M. Birch, Mr. A. Hussain, Mr. S Edden, Miss. C Wood,  
Ms. C. Flanagan, Mrs. J. Gresham and Mrs. S. Sellers

7/20 **APOLOGIES**

Apologies for absence were received from Councillor R. J. Deeming,  
Councillor J. E. King and Councillor P. M. McDonald. Councillor H. D. N.  
Rone-Clarke attended as substitute for Councillor P.M. McDonald.

8/20 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

9/20 **MINUTES**

The Minutes of the Planning Committee meeting held on 1<sup>st</sup> June 2020  
were received.

**RESOLVED** that the minutes of the Planning Committee meeting held  
on 1<sup>st</sup> June 2020, be approved as a correct record.

10/20 **UPDATES TO PLANNING APPLICATIONS REPORTED AT THE  
MEETING**

There were no Update reports.

11/20 **20/00335/FUL - CONSTRUCTION OF TWO STOREY FOUR BEDROOM  
DETACHED HOUSE WITH ASSOCIATED ACCESS AND  
LANDSCAPING - LAND REAR OF 56 BRACES LANE, MARLBROOK,  
B60 1DY - MS. G. JENKINSON**

Officers presented the report and outlined the application for a two  
storey four bedroom dwelling to be built on land currently forming part of  
the rear garden of 56 Braces Lane. The proposed dwelling had been

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designed to have frontage onto Old Birmingham Road and the application included a new access.

It was noted that four letters of objection to the scheme had been received from local residents.

Officers had considered the layout and density and had concluded that the design would integrate with the existing street scene. The location and position of the proposed dwelling had been assessed in relation to the neighbouring properties and the plans deemed acceptable with regard to residential amenity.

With regard to the access from Old Birmingham Road, no objections had been received from County Highways. The driveway would be configured to accommodate three parking spaces with sufficient room for vehicles to turn and exit forward facing onto the highway.

No objections had been received from the Council's Tree Officer, from North Worcestershire Water Management or Severn Trent Water.

At the invitation of the Chairman, Mr R. Durkin (local resident) addressed the Committee in objection to the application and Ms G. Jenkinson (agent for the application) addressed the Committee in support of the application. Councillor H. Jones in whose ward the site was located also addressed the Committee.

In debating the application Members commented on the principle of development and the location and scale of the dwelling. Officers clarified that permitted development rights in accordance with the Town and Country Planning (General Permitted Development)(England) Order 2015 would be restricted as set out in Condition 15 on page 15 of the agenda.

**RESOLVED** that Planning Permission be granted subject to the Conditions and Informatives set out on pages 13 to 15 of the agenda.

12/20

**20/00442/FUL - SIDE EXTENSION AT FIRST FLOOR LEVEL PLUS SINGLE STOREY REAR EXTENSION - 46 REA AVENUE, RUBERY, BIRMINGHAM, B45 9SS - MR. M. BANKS**

Officers presented the report and outlined the application for a side extension and single storey rear extension to the semi-detached property at 46 Rea Avenue. Members were advised that the recommendation was for refusal based on the side extension element of the application.

Officers had found the application to be non-compliant when assessed against the relevant policy (BD19 High Quality Design) and Supplementary Planning Document ("SPD"). The two concerns identified by officers were :-



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1. The enclosing of the existing gap between number 46 and number 48 Rea Avenue and that this would undermine the character of the street and be harmful to the area. In this regard it was noted that number 48 Rea Avenue had already had a side extension added in the 1990s consisting of a part flat roof and part gable arrangement.
2. That the design of the proposed extension would not comply with the requirements of the SPD for side extensions to be “set down” and “set back” so as to be subordinate in size and prominence to the main building. The design being proposed was flush to the original dwelling.

At the invitation of the Chairman, Mr M. Banks (applicant) addressed the Committee in support of the application. Councillor P. M. McDonald in whose ward the site was located also addressed the Committee.

In debating the application the Members referred to points raised during public speaking including the significant number of houses on Rea Avenue which had already had “flush” side extensions added and the suggestion that the existing street scene would be better complimented by a “flush” side extension in this specific location, as opposed to one that was “setback”.

A number of members commented that they had independently visited the area to gain a better appreciation of the street scene and the types of dwellings and extensions already in situ.

Following further discussion Members indicated that they considered the scale and design of the proposed first floor side extension to be acceptable in relation to the character of the original dwelling and that it would not be harmful to the visual amenity of the locality.

An alternative recommendation was proposed and seconded that planning permission be granted subject to officers imposing the appropriate standard conditions including those with regard to implementation, time periods and materials.

**RESOLVED** that Planning Permission be granted and that authority be delegated to the Head of Planning and Regeneration to impose appropriate planning conditions.

The meeting closed at 7.07 p.m.

Chairman

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Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr M Attwell Attwell Farms Ltd	Continued use of land and farm buildings as a farm based Rural Educational and Interpretation Visitor Centre with associated facilities including visitor parking. Development to include the retention of outdoor play equipment, toilet blocks, animal enclosures, shelters and fencing, the wall filling the formerly open sided elevation of the southernmost building, pedestrian link between the café/play barn and winter barn and steel walling adjacent to the visitor parking area. Retention of a mobile office building for a twelve month period.  Seafield Farm Seafield Lane Beoley B98 9DB	30.06.20	19/01544/FUL

**RECOMMENDATION:** That planning permission be **REFUSED**

## Consultations

**Beoley Parish Council** objects on two grounds:-

'1. Concerns around safe and sustainable access to the application site by visitors along Seafield Lane.

'We note that the site is not actually situated on a bus route, and that the nearest bus route is approximately 1km away from the site, making access by public transport difficult. We do not feel that Seafield Lane is safe for pedestrians to use to walk to the site, given that it is used frequently by heavy goods vehicles serving other businesses and that there are inadequate footpaths along the lane. Therefore, most visitors are likely to access the site by motor transport, which would lead to a general increase in traffic on surrounding roads.

'2. Concerns around the use of the adjacent field as an overspill car park.

'We note that the applicant suggests the overspill car park, currently a field, is to be used only 23 days per year when the site is at its busiest. However, given the number of visitors the applicant has claimed to come to the site (600 per week, rising to 1200 per week during school term-time), we are concerned that the field (which is adjacent to some residential properties in Cherry Pit lane) will be used more often than this, which would have a harmful effect on the greenbelt and could eventually lead to the field being resurfaced with permanent hard standing.'

## **Highways - Bromsgrove**

No objection subject to conditions relating to provision of electric vehicle charging facilities, provision of 6 accessible parking spaces, 10 secure motorcycle parking spaces, 8 sheltered, secure and accessible cycle parking spaces and provision of an Employment Travel Plan and overspill carpark to be properly surfaced in a bound material.

The application by its nature is a rural proposal as farms typically are not located close to urban locations, nor are they located close to high frequency public transport routes.

The predominate visitors to this site will be school trips and family visits which will either be by coach or private car with multiple occupants, given the rural leisure use proposed it is not anticipated that visitors would travel as a single occupancy trip, by public transport or on foot. Some opportunities do exist for cycling accepting this will be a minority of users.

The primary concern for the Highway Authority is the opportunity for staff to travel sustainably should they wish and if there are any implications for the highway network. The staff numbers are modest and half the staff already resides on site, this internalisation of activity is considered to contribute towards sustainable development. The remaining staffs are presently located in the local area, but sustainable access is limited to car sharing and cycling based on the distances involved.

The Seafield Lane has evolved over time including the provision of passing space to adapt the commercial and agricultural uses, these alterations give opportunities for larger vehicles to pass each other, and given the predominant vehicle to this application are likely to be cars it is not expected to result in a severe impact.

### Further comment

Engineering works have been undertaken by Oakland International Ltd to form footways in the verges along Seafield Lane. It said the work was to protect pedestrians who use the lane to reach the bus stop at Bransons Cross and to encourage their employees to use public transport where it is available. The Highways Authority has confirmed that the area of land is highway and the decision has been made to allow the informal pedestrian facilities to remain and that it has no bearing on this planning application and is considered to be a separate matter.

## **County landscape officer**

No objection in principle. The context of the application is set within a business facility that has been greatly expanded from the historic farmstead, which as such is no longer a major component of the existing site. A comparison between aerial photographic coverage dating to 1999 and 2016 indicates further expansion and remodelling of permanent buildings has taken place in that time, presumably in part to accommodate business diversification. The application proposes a further expansion to the public and education facilities offered, to include over-flow car parking, and therefore, further encroachment into the rural setting (also green belt) of the farm. The measure from a landscape perspective is the impact to landscape character and visual impact that will result from the expansion of facilities.

Cumulative impact, the effects on landscape and green belt are all factors alongside and understanding of opportunities for mitigation. The visual impacts that will arise from this development are both permanent and transitory; those being the structures associated with the education centre and the vehicles belonging to visitors to the centre. While the new structures, play equipment and fencing will share some commonality with agricultural character they also reflect the change of use and by association a shift towards permanent installation. The collective features will, from certain viewpoints, be seen against the backdrop of the existing farm complex, however they also mark an encroachment into previously undeveloped rural land and may be visible in that context from other viewpoints experienced by receptors in the setting. This also raises the issue of cumulative effects. As stated already, the farm complex has through the process of previous expansion encroached into the rural landscape and green belt. Any change of use activities contained within the existing buildings or their associated yards will not therefore significantly intrude into the landscape or its visual envelope. Extending the structural facilities and activities of the education centre beyond the existing buildings, however limited, will, by association, impose a measure of related (therefore cumulative) impact into the immediate rural landscape.

To assess the impact and its potential harm to the landscape from a County perspective, the two main themes of visual and landscape character set the framework. In terms of visual impact, the site does benefit from being relatively well-contained within the established hedgerow network. There is a clear opportunity within this scheme to deliver additional landscaping that could enhance existing landscape features, delivering a net gain for landscape character and biodiversity, and visual mitigation. In terms of impact to landscape character, any change that introduces new built structures into a rural setting of enclosed pasture must be considered a measure of negative change. To what extent this can be considered harmful is a matter of detailed design and (to a lesser extent) mitigation through appropriate landscape enhancement, and of course, must be weighed with any benefits the change of use will deliver. Related to landscape character is the matter of encroachment into green belt. The installation of appropriate agricultural fencing, the design of shelters to avoid obvious massing and choice of selection of natural materials for construction can all contribute towards mitigation, and also result in a result more closely aligned with established agricultural practice. It is more problematic to apply the same principles to play equipment, not least due to the type of materials used in its construction, and in terms of practice, that being the utilisation of rural land for additional car parking.

The applicant has stated that hedgerow restoration will be part of the scheme, which is welcomed.

The overspill car parking is more difficult to mitigate, particularly in the context of a greenfield site and with the risk this poses in terms of encroachment into green belt. The temporary or transitory function of an overspill car park does not lessen the impact, but its use should be minimised and managed within an enhanced landscape setting to mitigate the visual impact to local receptors, and contribute towards wider landscape and biodiversity enhancements.

## **Agricultural advisor**

## 'Analysis and Comments

'It is claimed that the farm park is the reason that the enterprise has moved from losses to profits

'It is clear that the enterprise has moved from losses to profits, but the evidence does not demonstrate that the farm park is the reason. It may be a factor, or even the single main factor, but from the evidence provided I am not able to verify that.

'The Planning Statement sets out that the farm extends to 81ha, of which Seafield Farm is 6.6ha. It states that the farm produced 150,000 broiler chickens, with 40,000 of these reared at Seafield Farm. Yet the accountant's letter of 29<sup>th</sup> April states that broiler production ceased in the period between the 2016 and 2017 year end accounts, which is inconsistent.

'My letter of 3<sup>rd</sup> April set out the type of more detailed information that would need to be reviewed in order to be able to verify the importance of the farm park. Not least a breakdown of income between farming activities and farm park activities is needed to assess whether or not the farm park is contributing to, or the reason for, the increased profitability. This is especially important when the Seafield Farm site is only a small part of a much bigger business producing the turnover and profits being analysed.

'Accordingly, I am not able to conclude that the farm park contributes positively to the profits, because the data necessary for that analysis has not been provided.

'I have also been asked to provide an opinion on whether or not there is evidence, and a reasonable expectation, that the farm could not be a profitable unit without the park diversification. There is no evidence, no analysis or budgets, for example, provided by the Applicants to substantiate that position.

'This is an 80ha farm with, it is stated, a large beef herd, a small sheep enterprise, and large chicken and turkey enterprises. I would expect a farm of this size would be profitable, and would have good prospects of remaining profitable.

'In my view it has not been demonstrated that the farm will not be profitable without the park farm.

## 'Conclusions

'It has been stated that the farm park is essential to the profitability of the farm (accountant's letter of 25<sup>th</sup> March), and that is the reason the farm has become profitable (accountant's letter of 29<sup>th</sup> April).

'There is no evidence to enable me to validate these statements. They may be correct, but the evidence is lacking or contradictory. The Seafield Farm site is part of a much bigger holding. The information provided refers to a large broiler unit, but the accountant's letter suggests that broiler production ceased in 2016/2017. I have asked for a breakdown in stocking, sales etc, but this has not been provided.

'Accordingly it cannot be concluded that the farm park is a major contributor to the farm becoming profitable.

'Nor can it be concluded that the farm enterprises are not, and cannot be, profitable without the farm park.

'I appreciate that the conclusion is not definitive, but this is because the Applicants have not provided the information necessary to be able to review their claims.'

## **WRS – Noise**

WRS consider that because of the close proximity of the overspill car park to Seafield Lodge the residents at Seafield Lodge would be subjected to an adverse noise impact from its use and therefore formally object to this part of the application on noise grounds.

## **WRS – Land Contamination and Air Quality**

No objection

## **North Worcestershire Water Management**

The site falls within flood zone 1 (low risk of fluvial flooding) and isn't shown to be susceptible to surface water flooding. NWWM hold no reports of flooding on site.

It is important that the development does not increase the amount of runoff from the site, and that any new hard-standing areas are appropriately drained. Since it is understood that the site is not suitable for infiltration other methods of storm water drainage via SuDS will need to be considered; no storm water may be disposed via the foul sewer.

No objection subject to a condition to include details of surface water drainage measures, including for hard-standing areas, and shall include the results of an assessment into the potential of disposing of surface water by means of a sustainable drainage system (SuDS). The surface water drainage measures shall provide an appropriate level of runoff treatment.

## **County footpaths**

No objection. The definitive line of Beoley footpath BE-553 is adjacent to the southern boundary of the application site. The red line boundary doesn't appear to encroach onto the footpath, and there appears to be no part of the development that affects it.

## **Publicity**

A total of 10 letters were originally sent on 11<sup>th</sup> December 2019 which expired on 4<sup>th</sup> January 2020.

A site notice was displayed on 13<sup>th</sup> January 2019 and expired on 6<sup>th</sup> February 2020.

The application was advertised in the Bromsgrove Standard on 3<sup>rd</sup> January 2020, expiring on 20<sup>th</sup> January 2020.

The following amendments and information had been accrued during the period of consideration, resulting in a further round of publicity at the end of June:

- Amended development description to encompass the proposed change of use of land and buildings together with the elements of operational development proposed for retention;

- Amended layout plan (WAA 061/P/201 Rev H) and Site Plan (WAA 061/P/201/Rev F) , including the expansion of the development site to Cherry Pit Lane (development site edged in red);
- A detailed 1:500 scale plan of the southern boundary (WAA 061/P/400) showing the development boundary in relation to the Public Right of Way and supplemental animal enclosures layout;
- Building floor plans (WAA 061/P/204/Rev B);
- Building elevations (WAA 061/LP01/401; WAA 061/LP01/402 ; WAA 061/LP01/400 RevA);
- Parking layout.
- Financial information;
- Landscape Statement.

A total of 50 representations were received as a result of the publicity of the application. Of these 19 were recorded as objections and 29 are as making comments in support of the proposal.

The matters raised in support of the application are summarised as follows:

- A visual improvement on the previous use
- Would help to educate people in the ways of farming and perhaps encourage people into the industry, where there is a lack of labour
- The only new structures are play equipment
- Will allow people access to the countryside
- The lanes are able to accommodate visitors to the development, spread throughout the day
- Is a fun and educational place for families and school children to experience the outdoors
- Provides local economic benefits and employment to the area
- A local charity operates a number of projects in partnership with local schools and the creation of the Farm Park has provided a valuable asset for these projects
- The haulage company on Seafield Lane raises no objection saying that 40% of its business has relocated to Corby thus releasing capacity on the local lanes
- Represents successful farm diversification

The matters raised in objecting to the application are summarised as follows:

### Green Belt

- Detrimental to the character and openness of the Green Belt and countryside
- The unauthorised development appears to be a covert attempt to defeat Green Belt policy
- No special circumstances to clearly outweigh harm to the Green Belt
- Additional inappropriate structures and features in the Green belt – plastic animal shelters, plastic marquee, fire engine, multi-coloured trampoline, high perimeter security fence, flood lighting.
- Parking arrangements are proposed beyond the extent of the build development
- The overspill car park is likely to face pressure to be permanently surfaced in the near future to meet likely parking requirements



- The development site extends onto fields for car parking and ‘multiple use’ opening the door to further unplanned business development

### Character and visual amenity

- Would result in significant change to the character and visual amenity of the area associated with large scale car parking and non-agricultural outdoor uses and is viewable from a number of positions within the public domain.

### Amenity

- Cars in the overflow car park causing noise and loss or privacy for the neighbouring residential property.
- Noise disturbance from shouting children

### Sustainable location

- The site is in an unsustainable location which can only be safely reached by car and does not have bus service connection.

### Traffic and Parking

- No mention of the unauthorised access to the overflow carpark which exits onto a blind bend
- Unauthorised footways have been formed along Seafield Lane
- Considerable commercial operations have developed at Atwell Park Farm and Oaklands International over the years resulting in excessive HGV movements to detriment of the local community and highway safety
- The hard surfaced area would provide insufficient car parking to service the site

### Need

- No local need for this facility as similar are provided at Umberslade Children’s Farm, Forge Mill Farm, Becketts Farm and interpretive/education facilities such as Stratford Butterfly Farm and Hatton Country Park
- The level of ‘education’ is minimal and the focus is more on indoor and outdoor play for young children

### Flood risk and drainage

- The increase in hard standing substantially increases the risk of surface water flooding
- Foul sewerage should be designed to safeguard the water table

### Ecology

- Light pollution from flood lights may impact on bats in the area

### Other matters

- Unclear if existing application buildings have planning permission
- The developments at Oaklands and Attwells Park Farm seem to have no regard to planning procedures, the Green Belt, neighbouring properties, traffic increase, road safety, noise pollution, eyesore etc
- Refusal is the only way to prevent the growing impact of the development

### Relevant Policies

## **Bromsgrove District Plan**

BDP1 – Sustainable Development Principles  
BDP4 – Green Belt  
BDP12 – Sustainable Communities  
BDP13 – New Employment Development  
BDP15 – Rural Renaissance  
BDP16 – Sustainable Transport  
BDP19 – High Quality Design  
BDP21 – Natural Environment  
BDP22 – Climate Change  
BDP23 – Water Management

## **Others**

NPPF – National Planning Policy Framework (the Framework)  
NPPG – Planning Practice Guidance  
National Design Guide  
High Quality Design SPD  
Worcestershire Landscape Character Assessment  
Worcestershire Landscape Character Assessment Supplementary Guidance

## **Relevant Planning History**

### Linked enforcement appeals dismissed on 28 October 2014

APP/P1805/C/ 13/2200098	The breach of planning control for the erection of a building
APP/P1805/C/ 13/2202661	The breach of planning control for material change of use of land from agricultural use and the storage and despatch of poultry to a mixed use comprising agricultural use, the storage and despatch of poultry, and the commercial storage of pre-packed food and drink

Following a site inspection, the LPA confirmed on 9<sup>th</sup> March 2020, that it was satisfied that sufficient steps had been taken to address the substantive requirements of the enforcement notices and consequently addressed the harm arising from those breaches of planning control. The enforcement file was therefore closed in respect of 2012/0249/ENF.

## **Assessment of Proposal**

### **Site and surroundings**

This complex of farm buildings is in open countryside off the south west side of Seafield Lane. The site is located on Green Belt land and there is a Public Right of Way running east/west along the southern site boundary, connecting to Cherry Pit Lane. There is one neighbouring residential property abutting the application site (Seafield Lodge). A

storage and distribution company, Oaklands International, occupies the complex of buildings on the opposite side of Seafields Lane.

The farming business known as Seafield Pedigres Ltd farms Pedigree Aberdeen Angus cattle and Pedigree Suffolk sheep, along with turkeys and chickens. The business operates two farms, Seafield Farm and Moorfield Farm which total 81 ha. The farmstead area extends to 6.58ha.

## **Proposal**

In Autumn 2017 the farm diversified into a 'Rural Education Centre' and this retrospective application is to regularise that development.

Two out of the three barns continue to accommodate livestock as part of the proposed use and no physical changes have been made from the authorised agricultural use, apart from the construction of a covered pedestrian link from the main play/cafe building. Members are reminded that the housing of livestock in conjunction with the farm park is not an agricultural use. The third and largest building, originally an open sided livestock building, now has walled elevations to provide weather-proof space for visitors inside using the play area, café, shop and animal petting shed.

The proposal extends to include a change of use of farm land to the south of the application buildings (2.54ha) to provide an area of outdoor recreation consisting of enclosed animal paddocks with shelters and open land (described on the submission plan as Multi-use Animal Paddocks for Farm Livestock and Visitor Education) and children's play equipment (described on the submission plan as Outdoor Play Zone).

Two further areas are used for visitor parking, one on hardstanding within the farm complex and the other, used as overspill, on an adjoining field, between Seafield Lane and Cherry Pit Lane.

## **Green Belt**

The site is on Green Belt designated land.

The Framework sets out the Government's approach towards the protection of Green Belt. It states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Framework Paragraph 143 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 144 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

## **Whether the proposal is inappropriate development**

Paragraph 145 states that the construction of new buildings in Green Belt is inappropriate, with some qualified exceptions. Applicable to this application is 145 (b), being the provision of appropriate facilities (in connection with the existing use of land or a change of use) for, and applicable to this case, outdoor recreation; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

The proposal extends to include a change of use of farm land to the south of the application buildings (2.54ha) to provide an area of outdoor recreation consisting of enclosed animal paddocks with shelters and open land (described on the submission plan as Multi-use Animal Paddocks for Farm Livestock and Visitor Education) and children's play equipment (described on the submission plan as Outdoor Play Zone).

In the Town and Country Planning Act 1990 (section 336(1)), 'building' is defined as including "any structure or erection and any part of a building as so defined...". By reason of size, permanence and physical attachment I conclude as a matter of fact and degree that the play equipment, toilet and baby changing facilities, fencing, and animal shelters qualify as buildings for the purposes of the paragraph 145 (b) exception.

The facilities are integral to the use and are considered not to preserve openness and in conflict with a purpose of including land within the Green Belt, namely the purpose of assisting in safeguarding the countryside from encroachment. This also applies to the pedestrian link between the café/play building and winter barn, steel walling adjacent to the visitor parking area and mobile office building.

Under paragraph 146, certain other forms of development are also appropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of land within it, and applicable to this application is (d) the re-use of buildings provided that the buildings are of permanent and substantial construction and (e) material changes in the use of land (such as, and applicable to this application, recreation).

In terms of the paragraph 146 (d) exception, the proposal involves the re-use of which are of permanent and substantial construction (0.464ha). Two out of the three barns continue to accommodate livestock as part of the proposed use and remain unaltered from the authorised agricultural use. The third and largest building, originally an open sided livestock building, and the one most visible to the surrounding area, being on the outer edge of the building group, now has walled elevations to provide weather-proof space for visitors inside using the play area, café, shop and animal petting shed. The wall of the south elevation is set back from the eaves line of the building and was rebuilt in this position following the removal of the previous wall, which had been built directly below the eaves. The enforcement appeal inspector objected to the wall on grounds that filling the void under the roof overhang and its replacement by a solid building mass impinged upon openness. In my view, the stepping back of the wall as now built has not sufficiently mitigated the impact upon openness and continues to appear as the solid building mass described by the enforcement inspector.

In terms of the paragraph 146 (e) exception, in addition to the change of use of farm land to the south of the application buildings, a further change of use of farm land to the north east of the application buildings (0.5135ha) is proposed for use as an overspill parking area. The Transport Statement says the car park is only available in the summer and

the owner stating that the overflow arrangements were only needed about three times a year, for example on Bank Holidays or for special events. However, local residents report that at weekends and during the school holidays, it is in use. The resulting in encroachment into the countryside from this large amount of vehicle parking, is contrary to one of the Green Belt purposes.

I conclude therefore, that the facilities would not preserve the openness of the Green Belt and would conflict with one of the purposes of including land within it, namely countryside encroachment. The proposal is therefore inappropriate development.

### **Any other harm resulting from the proposal**

#### **Impact on Green Belt openness and Green Belt purpose**

Planning Practice Guidance says that assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgment based on the circumstances of the case. By way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:

- openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;
- the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and
- the degree of activity likely to be generated, such as traffic generation.

The position of the link building is such that it is well contained by the existing group of buildings, and is small in relative scale to those buildings, in which case the degree of encroachment into the countryside is not significant and is not especially apparent from public viewpoints. The mobile office building is similarly contained and therefore the degree of encroachment and loss of openness is not excessive, and the siting of the mobile office is for a temporary 12 month period.

However, turning to the main external elements of the proposal, the various facilities and fenced enclosures and paraphernalia associated with the use are all visible from Cherry Pit Lane and the public footpath that runs on the southern edge of the application site. These are, in the main, low level structures and, by their nature, views through are maintained therefore less harmful to openness than, say, the solid mass of a new building. However, historic aerial photographs confirm that the land surrounding the farm buildings has always been open pasture, therefore the contrast between before and after is made that much greater by the introduction of features unfamiliar to the area namely a dense network of animal enclosure fencing and shelters, play features including giant bouncy cushions, a play frame and decommissioned fire engine and toilet facilities. Furthermore, visitors ability to roam across this area to experience the animals and make use of the outdoor play facilities, will also increase levels of activity in the area not readily associated with a rural farming area, thus adding to that sense of encroachment. In addition, the main playbarn/café building because of its size and mass appears as a particularly prominent feature in the local landscape when viewed from the public footpath, and the filling in of the void below the roof overhang to provide an enclosed building has resulted in a solid built mass, in contrast to the approved open sided barn.

Therefore the combined impact arising from the introduced features and activity on the land and the enclosing of the main building has caused an appreciable loss of openness and caused encroachment, both spatially and visually.

Turning now to the visitor parking proposals. Further encroachment into the countryside is caused by the two large areas of customer parking. The main car park is contained by the existing buildings and was formerly a yard area within the farm complex therefore the degree of encroachment into the countryside is not so significant, being not especially apparent from public viewpoints. The overspill car park, on the other hand, is not contained by buildings and therefore has a greater visibility and sense of encroachment, albeit softened to some degree by field boundary hedgerows. The applicant submits that the overflow car parking would not be used very often and mainly in the summer months. However, officers visiting the site on a day during the February half term holiday observed that the main car park was not sufficient to cater for the number of customers arriving by car, and therefore was in need of the overflow carpark, but was not useable due to being water logged at the time, as it is prone to do during prolonged periods of rainfall. On that occasion the applicant had found alternative provision to avoid turning customers away, by using some of the Oaklands International parking area on the opposite side of Seafield Lane. There is clearly high demand for a large number of car parking spaces particularly during busier periods. It was also apparent during that site visit that the applicant had begun to investigate the feasibility of providing a more permanent surfacing solution for the overspill car park, to overcome the problems of parking on saturated ground and the Highway Authority requires by condition that the area be properly drained and surfaced with a bound material. The proposed use generates a high degree of activity from vehicle use, a point remarked upon by local residents and observed by officers, and associated customer activity. This all serves to negatively impact openness and cause encroachment into the countryside.

### Character of the countryside

Natural Environment Policy BDP21 g) expects developments to protect and enhance the distinctive landscape character of Bromsgrove, as identified in the Worcestershire Landscape Character Assessment, and take account of the Worcestershire Landscape Character Assessment Supplementary Guidance.

The County's landscape officer concluded that he did not object to the scheme in principle, and the applicant's stated aim of hedgerow restoration is welcomed and offers an opportunity to enhance screening of the established agricultural sheds, in particular, along the north-western aspect where the hedgerow appears to be very fragmented. Other opportunities include additional tree planting along with areas of native shrub and wildflower rich grassland.

The County Landscape Officer said the overspill car parking is more difficult to mitigate, particularly in the context of a greenfield site and with the risk this poses in terms of encroachment into green belt. The temporary or transitory function of an overspill car park does not lessen the impact, but its use should be minimised and managed within an enhanced landscape setting to mitigate the visual impact and contribute towards wider landscape and biodiversity enhancements already discussed.

Your officers have carefully considered the comments made by the landscape officer and find that there is scope, in conjunction with the Green belt analysis, to conclude that the

cumulative impact of the development, including the enclosures/play area, built mass of the main building and the car park do harm the landscape contrary to policy. If, as the landscape officer said, elements may be difficult to mitigate, and particularly when the LPA has not been presented with any mitigation proposals that could be successful. Your officers acknowledge that unacceptable development can be made acceptable through the application of particular conditions, but this does not mean that it must be assumed that conditions can always achieve acceptable mitigation.

A distinction needs to be drawn here between impacts upon Green Belt openness as considered in the previous section and impacts upon the character and visual amenity of the countryside. In terms of the former, one of the fundamental aims of the Green Belt is keeping land permanently open and in considering any planning application substantial weight is given to any harm to the Green Belt. Therefore increasing the level of screening by hedgerow restoration and tree planting may, over time, mitigate some of the visual impacts associated with openness but it will not resolve the definitional harm of inappropriate development nor the spatial presence of development and associated activities, regardless of how visible or not they may be. Considerations of impact on landscape character and visual amenity on non-designated countryside, on the other hand, carries, by comparison, less weight in the planning balance, albeit in this case landscape harm provides further grounds for refusal.

### Highway Safety

Policy BDP16 requires that development should comply with Worcestershire County Council's Transport policies, design guide and car parking standards as well as a series of more specific development requirements. In addition, paragraph 109 of the National Planning Policy Framework is clear that "*development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*"

The Highway Authority advised that Seafield Lane has evolved over time including the provision of passing space to adapt to commercial and agricultural uses, these alterations giving opportunities for larger vehicles to pass each other, and given the predominant vehicle to this application are likely to be cars it is not expected to result in a severe impact. The Highway Authority also reviewed accident statistics on Seafield Lane during the time when the Park Farm was operating, revealing 2 incidents, neither of which appear to be associated with the trips from the application site therefore there is no evidence to suggest that this will have an unacceptable impact on highway safety.

I conclude therefore, that there would not be an unacceptable impact on highway safety or a severe impact on congestion.

### Sustainable location

Policies BDP13 and 15 both encourage sustainable economic development in rural areas and this is considered to be consistent with paragraph 80 and 83 of the framework. Diversification of agriculture is also encouraged in BDP15 and Paragraph 83 of the Framework.

Policy BDP16 says that development which would worsen walking and cycling access and exacerbate motor vehicle dependence should not be permitted. However, Paragraph 84 of the Framework makes it clear that decisions should recognise that sites meet local

business needs in rural areas may have to be found beyond existing settlements and in locations that are not well served by public transport. The Framework also states at paragraph 103 that opportunities to maximise sustainable transport solutions will vary between the urban and rural area, and this should be taken into account in decision making.

There are no bus routes / stops located within acceptable walking distance from the proposed development and centres of population are too far for cycling and walking. Consequently, and as evidence on the ground has confirmed, the vast majority of those visiting the farm park are from car-based trips.

Paragraph 84 goes on to say that 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 of access on foot, by cycling or by public transport). In terms of the first requirement, I am of the view that the proposal is not sensitive to its surroundings for reasons explored elsewhere in this report. In terms of impact on local roads, the Highway Authority has raised no objection. With regards to the third requirement, opportunities to maximise sustainable transport solutions inevitably varies between urban and rural locations. Given the sites location, there are no obvious opportunities available to promote the meaningful use of alternative modes of transport including bus, cycling and walking. Paragraph 84 finishes by saying sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist. The site does not fit these criteria, and therefore should not be encouraged.

As such the application site would not be accessible via modes of transport other than the private vehicle and therefore would not comply with Policy BDP16 of the Local Plan which identifies that development that worsens walking and cycling access and exacerbates motor vehicle dependence should not be permitted.

I acknowledge the significant weight that the Framework places on the need to support economic growth and productivity, taking into account local business needs, with this objective echoed in the Local Plan's Policy BDP15 Rural Renaissance. In light of this, I have considered the prospect of supporting the development to provide a diversified income to support the agricultural business, with a view to benefiting the existing farm business. However, I am of the view that this benefit should not outweigh the harm arising from its unsustainable location.

### Amenity

Policy BDP2 – Sustainable Development principles, seeks to ensure compatibility with adjoining uses with regards to impacts on residential amenity and Policy BDP 19 – High Quality Design makes specific reference at criterion (t) to maximising the distance between noise sources and noise sensitive uses, such as residential. WRS commented that the proposed overspill car park is in close proximity to the adjacent property (Seafield Lodge) and as such has the potential to adversely impact residents in terms of noise. I consider that the noise and disturbance commonly associated with a busy car park would be unacceptable in such close proximity to this neighbouring property. The applicant has indicated the use of the car park would be limited to 28 days per year. This remains a negative in the planning balance, however, and given the site's remote location, I would foresee difficulties in enforcing such a measure.



## Flooding and Drainage

Policy BDP23 seeks to ensure, amongst other things, that development addresses flood risk from all sources and do not increase the risk of flooding elsewhere. NWWM has no objection subject to a condition to include details of surface water drainage measures, including for hard-standing areas, and shall include the results of an assessment into the potential of disposing of surface water by means of a sustainable drainage system (SuDS). The surface water drainage measures shall provide an appropriate level of runoff treatment

## **Initial conclusions**

It has been established that the proposal is inappropriate development and by definition harmful to the Green Belt. This harm has substantial weight. Harm to Green Belt openness both spatially and visually and in terms of encroachment into the countryside as identified above adds additional weight against the development. Other harm, as identified above, is the unsustainable location of the proposal, landscape harm, and the negative impact in terms of noise and disturbance the proposal has on a neighbouring resident.

The applicant is of the view that the development is not inappropriate, benefiting from the relevant exceptions under paragraph 145 and 146 of the Framework and that the proposals preserve Green Belt openness and do not conflict with the purposes of including land within it. I disagree with this position, for the reasons previously explained. In the event of this disagreement, the applicant considers there to be 'Very Special Circumstances' which outweigh harm to the Green Belt, by reason of inappropriateness by definition, and any other harm.

The applicant considers there to be an essential need for the development and summarises the case for demonstrating very special circumstances as follows:

- Essential accessible facilities for school parties, colleges of further education, families and people with special educational needs;
- The provision of good quality tourism
- A highly successful farm diversification scheme which has a proven need
- Sustainable job creation

## Educational and Community Facility

The applicant puts forward educational benefits as a key consideration giving local schools and colleges the opportunity to visit and gain a greater understanding of animals, the environment and farming, through play, animal interaction and supportive educational packages.

There seems little doubt that a facility such as this provides a positive outdoor experience for young people living in an otherwise dense urban area, providing access to the countryside as a place for outdoor education and children's play, whilst encouraging greater appreciation of the farming sector and food production and to promote healthy living.

Letters from schools and other institutions highlight support for the facility. The applicant confirms that close relationships have already been forged with many primary schools

and market research has identified that there is a 'need and unmet demand' for offering educational visits within the Bromsgrove and District Area.

There are other farm visitor centres in the area, such as Umberslade Children's Farm. However, the applicant says the project differentiates from existing farm visitor centres in the region, firstly by investment into more innovative activities and secondly providing a wider range of educational and training facilities outside of the main holiday season.

### *Tourism*

Policy BDP15 supports tourist related initiatives appropriate to a countryside location and NPPF paragraph 83 seeks to enable sustainable rural tourism and leisure developments which respect the character of the countryside.

### *Farm Diversification*

Policy BDP 13 – New Employment Development promotes sustainable economic development in rural areas through conversion of rural buildings taking into account the potential impact on the openness and purposes of including the land in Green Belt. Proposals that can demonstrate significant benefits to the local economy and/or community will be considered favourably.

Policy BDP15 – Rural Renaissance seeks to support proposals that satisfy the social and economic needs of rural communities when considering rural diversification schemes, which echoes the overarching sustainable development objectives of the NPPF.

The applicant's supporting statement reported that farm diversification helps the farm remain solvent enabling the business to be put on a secure financial footing against a backdrop of the farm business being 'severely handicapped due to Brexit, severe uncertainty in the economy, poor trading conditions and as a consequence a decline in the agricultural industry'. Policy supports farm diversification. It is not essential for a farm diversification project to contribute to the economic viability of a working farm but the failure to do so lessens the weight to be given to diversification. In this case, the Council's appointed Agricultural Advisor was unable to conclude that the farm park contributes positively to the profits, because the data necessary for that analysis had not been provided following request. In the view of the Agricultural Advisor it had not been demonstrated that the farm would not be profitable without the park farm.

### *Job creation*

Sustainable job creation is cited as a benefit of the proposal, generating eight full time and four part time, with many of the staff living locally. During busy periods, up to 15 employees on a seasonal basis. The submission says that there will be further employment both full and part time. The Framework at paragraph 80 attaches significant weight in support of economic growth and productivity, taking into account local business needs and wider opportunities for development.

### ***Balancing harm against other considerations***

I have concluded that the proposed development would constitute inappropriate development which, by definition, is harmful to the Green Belt. Substantial weight is attached to this consideration. Other harm has also been identified in terms of impact upon Green Belt openness and one of the purposes of Green Belt, namely safeguarding

the countryside from encroachment, landscape harm, together with the unsustainable location of the site and harm to residential amenity, and these add further weight against the proposal.

The benefits of farm diversification are primarily related to providing an educational and community facility in association with schools and colleges and providing a positive outdoors experience for families and children. These are favourable aspects in terms of job creation and provision of beneficial facilities for the wider community. However, these social and economic benefits need to be weighed against the harm arising from the inappropriateness of the development in the Green Belt and other identified harm. Policy conveys the strongest protection to Green Belt land.

The identified harms add significantly to the substantial weight against inappropriate development. In view of the above considerations, I conclude that the harm to the Green Belt is not clearly outweighed by the other considerations, including the expressions of community support for the proposal. For these reasons very special circumstances required to justify the proposed development do not exist and as such the proposal does not constitute sustainable development.

**RECOMMENDATION:** That planning permission be **REFUSED**

1. The proposal, on Green Belt designated land, is inappropriate development and by definition should not be approved except in very special circumstances. Other harm has been identified in terms of impact upon Green Belt openness and one of the purposes of Green Belt, namely safeguarding the countryside from encroachment. No very special circumstances exist or have been put forward that would outweigh the harm by reason of its inappropriateness and by reason of the other identified harm. The proposal is therefore contrary to Bromsgrove District Plan Policy BDP4.4 (b) and Paragraph 144 and Paragraph 145 b) and Paragraphs 146 d) and e) of the National Planning Policy Framework.
2. The proposal would cause unacceptable harm to the landscape arising from the cumulative impact of the development, including the animal enclosures/play area/toilet blocks and associated paraphernalia, built mass of the main building and the overspill car park. The proposal is therefore contrary to Bromsgrove District Plan Policy BDP1.4 (d), BDP21 g) and Paragraph 170 (b) of the National Planning Policy Framework.
3. There are no bus routes / stops located within acceptable walking distance from the proposed development. The lack of adequate footway provision and street lighting and distance from urban centres will deter journeys on foot and cycle. Therefore, the Council finds that the proposal would not represent sustainable development, and other material considerations do not outweigh the conflict with the Bromsgrove District Plan. The proposal would be contrary to Bromsgrove District Plan Policies BDP1.4 a); BDP13.1 e); BDP15.1 a) and c); BDP 16.6, BDP22.1 (c) and Paragraph 84 of the National Planning Policy Framework.
4. Due to the close proximity of the overspill car park to Seafeld Lodge the residents of that property would be subjected to an adverse noise impact from its use

Plan reference

contrary to Bromsgrove District Plan Policy BDP1.4 (e), BDP19 (t) and Paragraph 180 (a) of the National Planning Policy Framework.

# 19/01544/FUL

Seafield Farm  
Seafield Lane  
Beoley

Continued use of land and farm buildings as a farm based Rural Educational and Interpretation Visitor Centre with associated facilities including visitor parking, the retention of outdoor play equipment, toilet blocks, animal enclosures, shelters and fencing, the wall filling the formerly open sided elevation of the southernmost building, pedestrian link between the café/play barn and winter barn and steel walling adjacent to the visitor parking area. Retention of a mobile office building for a twelve month period

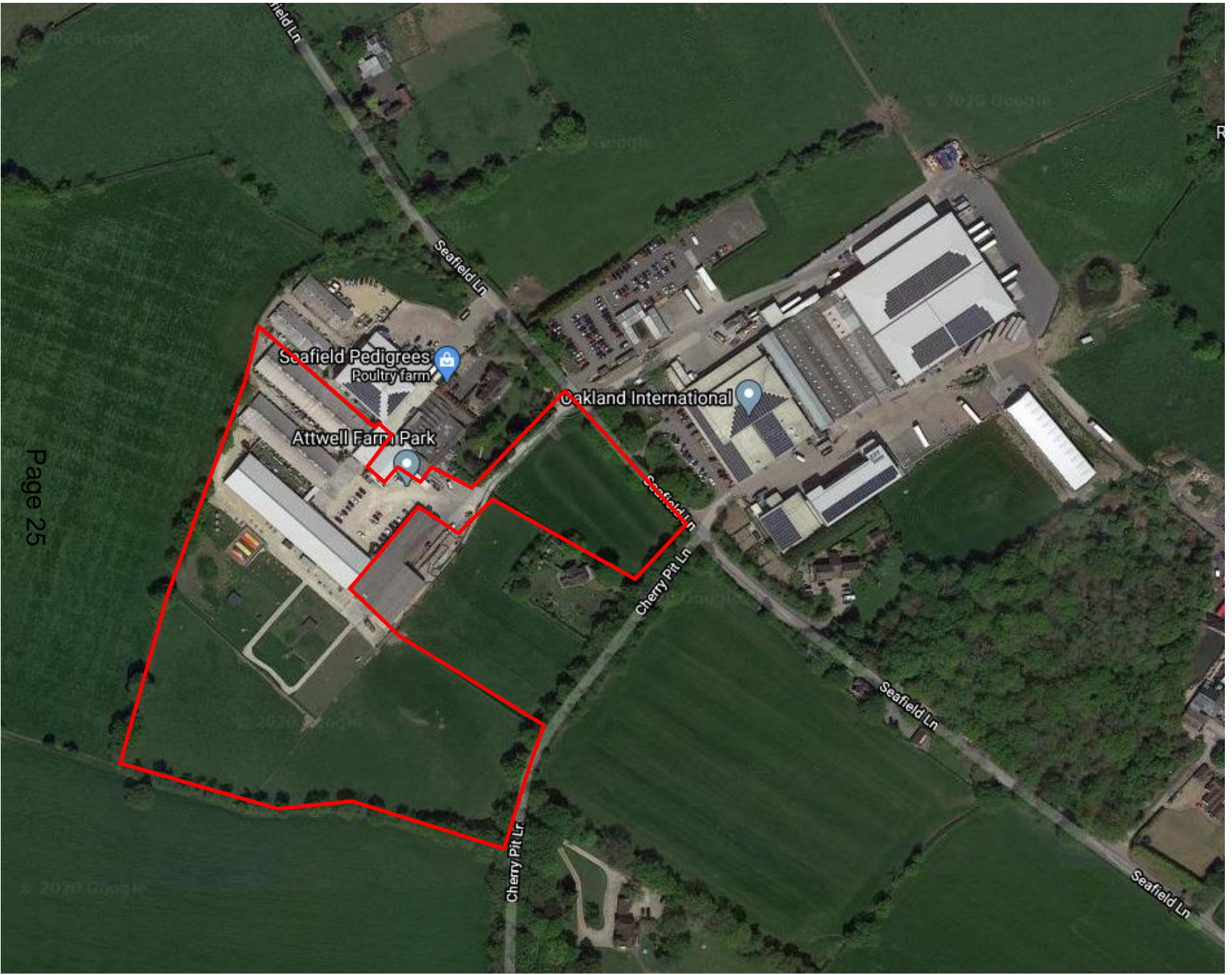
Recommendation: Refuse



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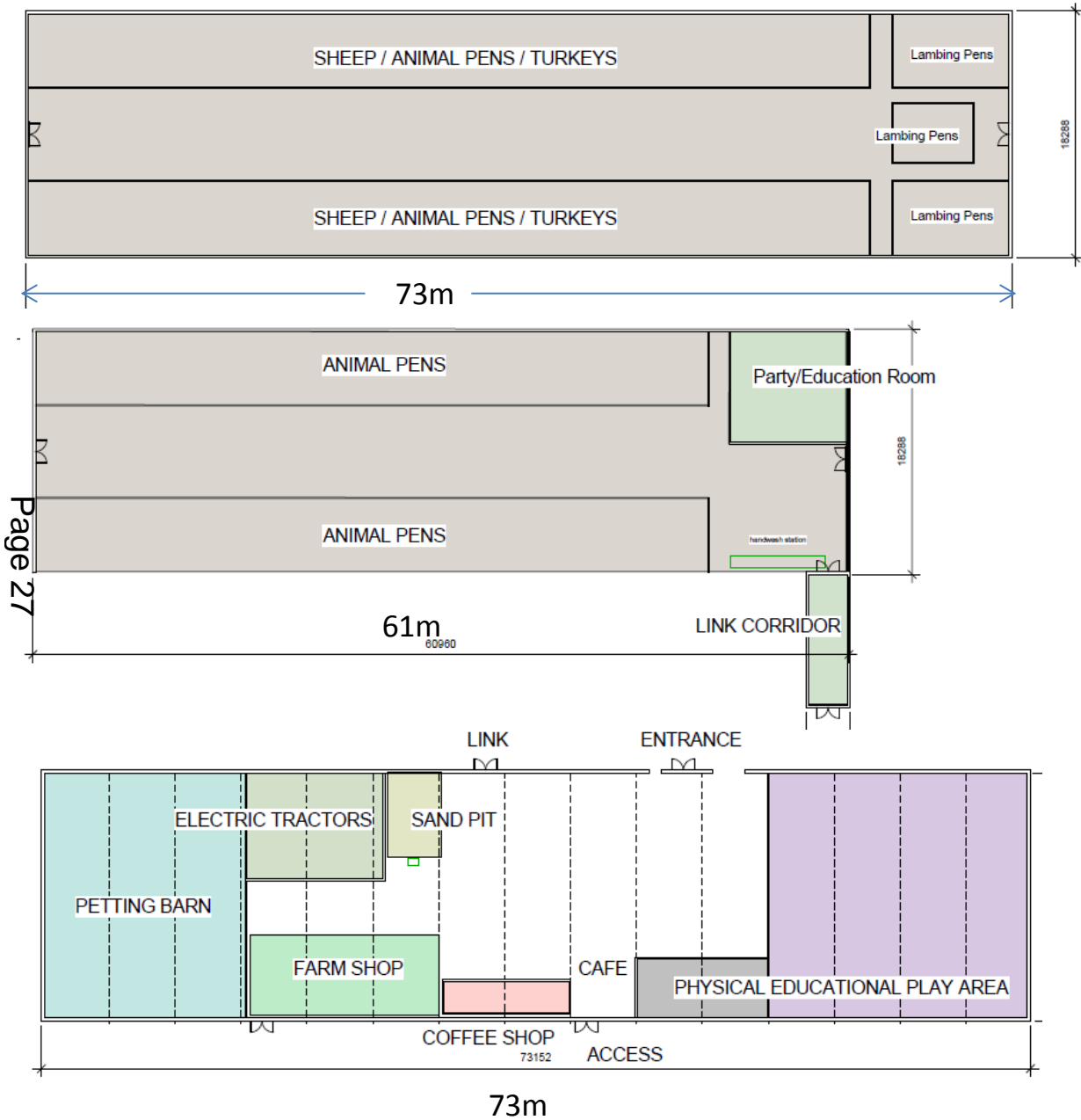
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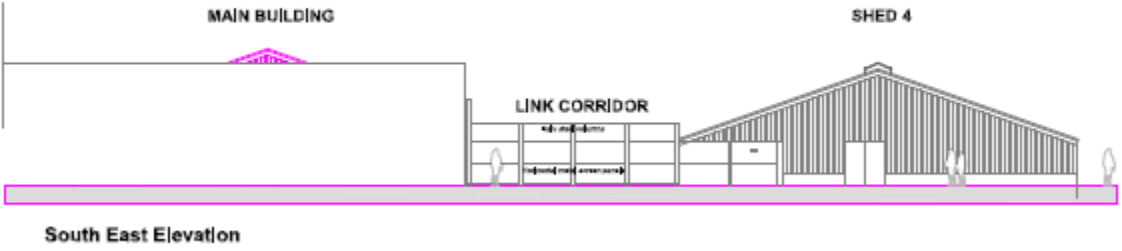




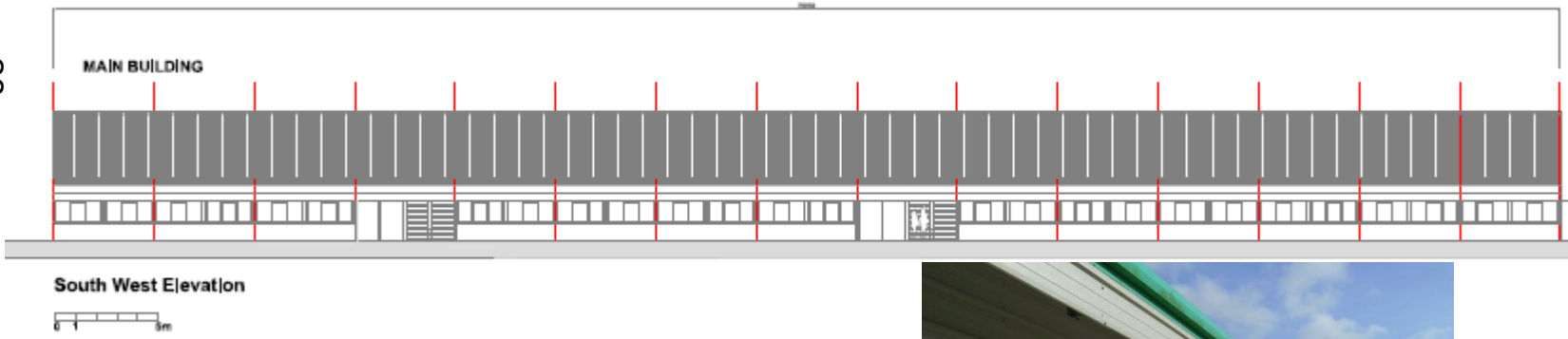
Approach to site along Seafield Lane







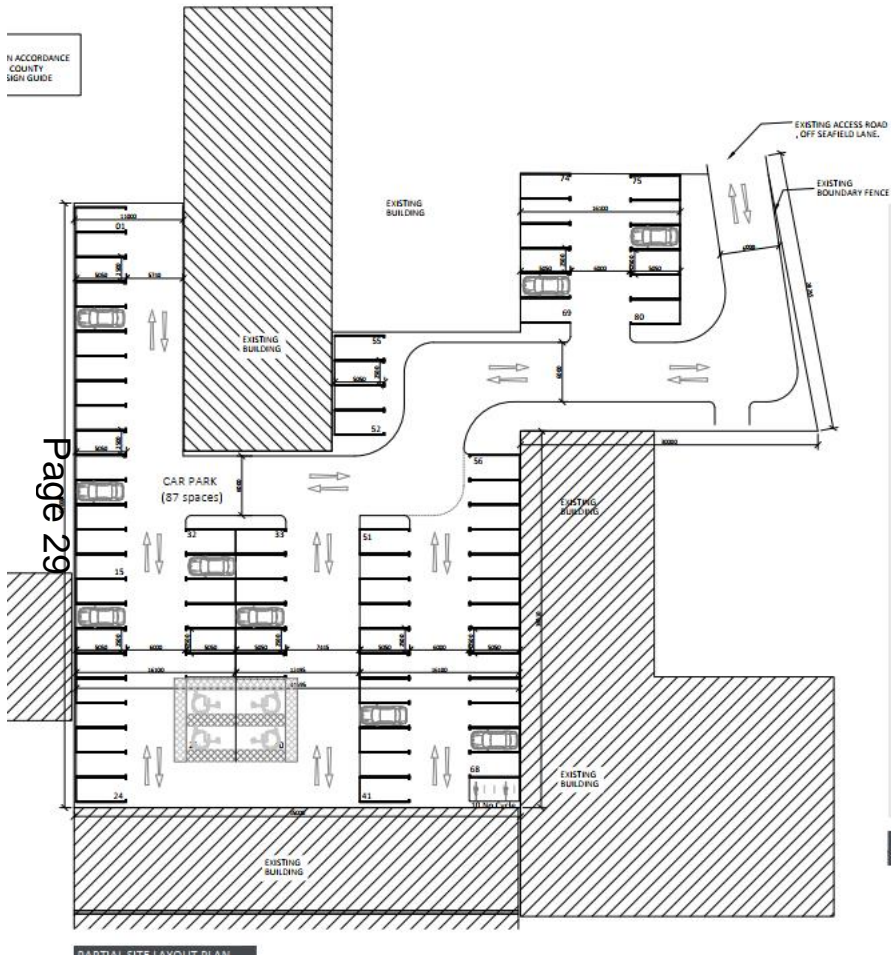
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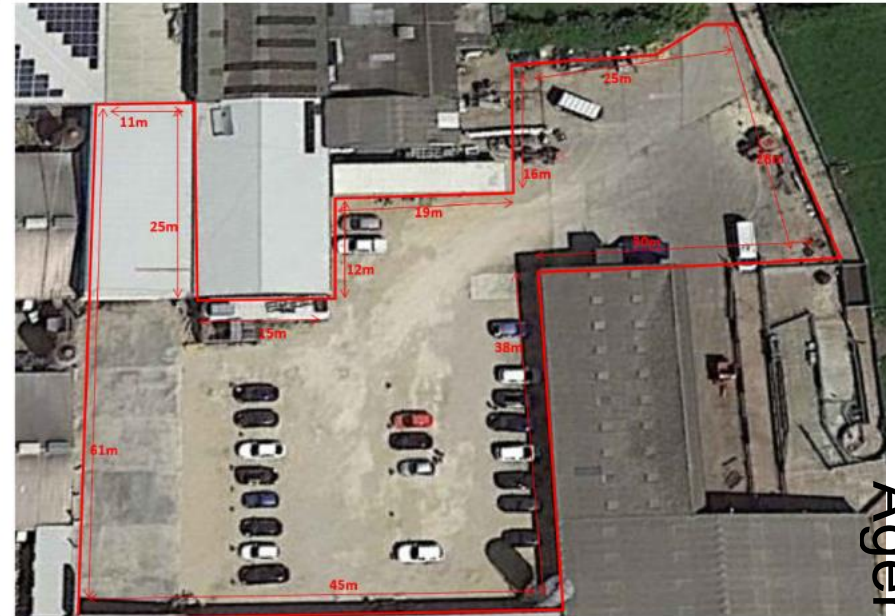
# Main yard parking

IN ACCORDANCE  
COUNTY  
SIGN GUIDE



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AS PER REQUEST, SET OUT  
PLANNING, HEALTH & SAFETY  
ENGINEER INDEPENDENTLY.



PARTIAL SITE LOCATION PLAN  
SCALE = 1:250@A3

Agenda Item 5



Features within main building



# Play area and toilet blocks



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# Enclosures and animal shelters





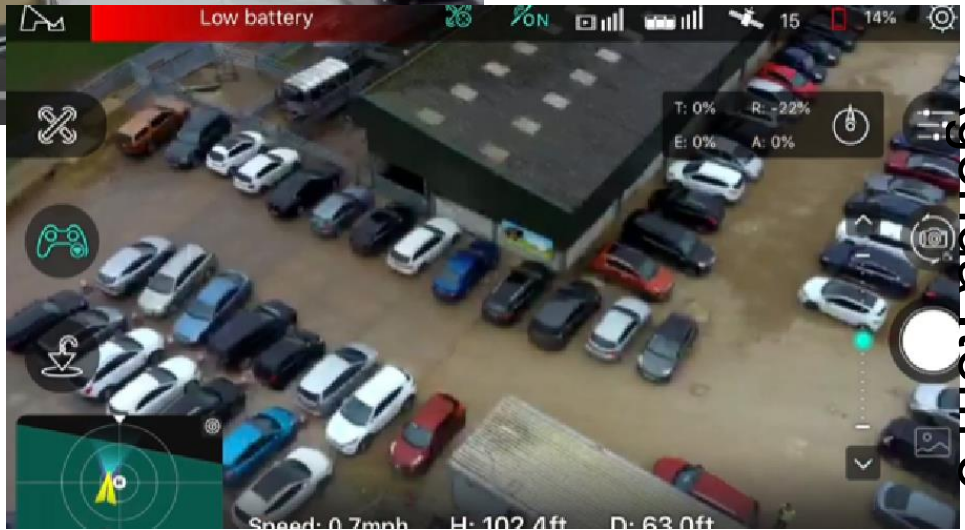
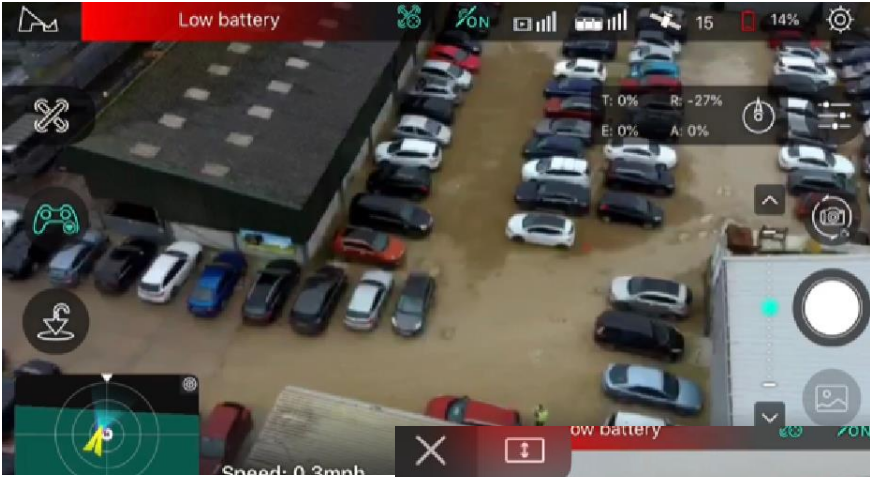


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Public footpath from  
Cherry Pit Lane

Agenda Item 5





Drone images of customer parking on weekday morning – February half-term break



Seafield Lodge



Overspill car park

Main entrance off  
Seafield Lane

LEAF  
Open Farm Sunday

Google

Seafield Lodge



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Edge of overspill carpark

Agenda Item 5



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# Agenda Item 6

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Ian Berry	Extension to existing data hall set up - New self contained data hall  Land At, The Cofton Centre, Groveley Lane, Cofton Hackett, Birmingham Worcestershire		20/00521/FUL

**RECOMMENDATION:** That planning permission be **Granted subject to conditions.**

## Consultations

### **WRS - Noise**

No objection

### **WRS – Contamination**

No objection subject to unexpected contamination condition

### **WRS - Air Quality**

No objection

### **Cofton Hackett Parish Council**

Cofton Hackett Parish Council members have viewed this application and have no comment or objections.

### **Birmingham City Council**

No Comments Received To Date

### **North Worcestershire Economic Development and Regeneration**

The proposals outlined in the planning application will help to secure the future jobs of the existing 15 staff members working at this site.

Securing jobs is a priority for NWedR and we are supportive of this application.

### **North Worcestershire Water Management**

No objection subject to a drainage condition

### **Highways - Bromsgrove**

No objection

## Publicity

9 letters were sent to adjoining properties on 15th May 2020 and expired 8th June 2020.

1 site notice was displayed on 29th May 2020 and expired 22nd June 2020.

An advert was placed in the Bromsgrove Standard on 29th May 2020 and expired on 15th June 2020.

No representations had been received at the time of preparing this committee report.

## **Relevant Policies**

Bromsgrove District Plan

BDP1 Sustainable Development Principles  
 BDP3 Future Housing and Employment Growth  
 BDP13 New Employment Development  
 BDP14 Designated Employment  
 BDP 16 Sustainable Transport  
 BDP19 High Quality Design  
 BDP22 Climate Change  
 BDP23 Water Management

## **Others**

NPPF National Planning Policy Framework (Feb 2019)  
 NPPG National Planning Practice Guidance  
 Longbridge Area Action Plan

## **Relevant Planning History**

B/2007/0356	Erection of industrial/warehouse units (B1,B2 & B8) and associated works (outline)	Granted	02.08.2007
B/2007/1115	Erection of industrial/warehouse units, submission of Reserved Matters.	Granted	10.01.2008
13/0994	Non-material amendment to planning approval B/2007/1115 to allow an amended building design to accommodate a new Data Centre building.	Granted	25.03.2014

## **Assessment of Proposal**

### **Background**

The Crofton Centre was granted planning permission under B/2007/0356 for 27,928 sq m of industrial/warehouse units within B1 (b and c), B2 and B8, this was split 21,000 sq m in outline and 6,928 sq m as a full application. Subsequently a reserved matters application was approved under B2007/11115 on the application site. The current site/unit was granted permission for a data centre under a non-material amendment (13/0994). This proposed to build various data centres in phases/modules. Only one phase has been built on site, however this is an extant planning permission which could still be implemented.

The applicant Atos are a European multinational information technology service and consulting company. They provide IT services to its customer base which includes a range of governmental and commercial organisations. The new data centre is required for a Critical National Infrastructure industry leading company who require the facility to host their new Supercomputer. The choice of site from an Atos perspective was based on local transport links and investment in the local area as well as local demographics for skilled engineers. The contract will be an initial 12-year contract and be one of the UK's most powerful high-performance computing (HPC).

## **Site Description**

The application site forms part of the existing Cofton Centre employment site, which is accessed directly from Groveley Lane and shares an existing driveway that serves a number of existing buildings. The Atos site currently consists of a 2,500 sq m single storey industrial building and associated parking.

## **Proposal Description**

The planning application seeks permission for the erection of a single storey data centre (B8 use). The proposed building would measure approximately 96.3m by 27.1m with an internal floor area of approximately 2,547 sq m. In terms of height, the proposed building, as measured from finished ground floor level, would be approximately 6.8m. The structure would be located adjacent to the existing data hall, but would not be physically connected. The proposal does not alter any existing accesses into the site nor reduces the current level of car parking (25 spaces in total).

The centre will consist of computing and networking equipment concentrated for the purpose of collecting, storing, processing, distributing or allowing access to large amounts of data, which will contribute towards the growth of telecommunications infrastructure within Bromsgrove. The proposed development will safeguard the 15 existing jobs associated with this process.

## **Principle of development**

The application site is located within Crofton Centre which has been allocated as Designated Employment Land within the Bromsgrove District Plan 2011-2030 as well as within the Longbridge Area Action Plan (AAP). The existing site is an undeveloped plot within the business park, as outlined above it has an extant planning permission.

Policy BDP14 sets out that designated employment areas 'are expected to make a significant contribution towards creating jobs across Bromsgrove and meeting the employment targets identified in Policy BDP3.' Policy BDP14.1 states that 'The regeneration of the District will continue through maintaining and promoting existing employment provision in sustainable, accessible and appropriate locations (as identified on the Policies Map)'.

Within the Longbridge AAP, the site is identified within Proposal EZ3: Employment uses on the Cofton Centre site, it is considered to comply with the land use strategy for employment uses.

The NPPF states that advanced, high quality communications infrastructure is essential for economic growth and also plays a vital role in enhancing the provision of local community facilities and services.

Cofton Centre is an existing employment area situated on land designated for employment purposes. The use of the site for B1, B2 and B8 uses has also been established on site under outline planning permission granted under planning application reference B/2007/0356 and a data centre use under 13/0994. As such the principle of employment development on this site is considered to be acceptable. In addition, North Worcestershire Economic Development and Regeneration have set out that the proposal would help Bromsgrove to achieve some of the economic priorities that were adopted in April 2017, which include: driving economic growth; supporting businesses to start and grow; and driving up and retaining skills locally.

The application site is located within land under the ownership of ATOS which is an established employment based operator. The proposed development of a data centre (Use Class B8) would help to support the existing operation of the established business which operates from the site. Given this, it is considered that the proposed development fully accords with the land use policies in the District Plan and is also supported by the NPPF.

## **Character and appearance**

The new building will be portal framed building, with solid concrete slabs around the perimeter of building to match the existing date halls. The use of concrete slabs is required for security reasons to prevent ramming of the building. The building will be clad in microrib insulated panel to match the existing building, which is light and dark grey. There is an indication by the applicant that solar panels will be installed on top of the roof.

The layout, scale, design and external appearance of the building reflects the commercial use. The design and scale of the building is considered to be appropriate in this commercial setting and complies with BDP19 and the NPPF.

## **Highways and Parking**

The development will utilise existing access and parking, which is considered sufficient. The site has 25 spaces none will be lost as the result of this development. No new access into the site is being proposed. The Highway Authority has raised no objection. The proposal and the application is considered to comply with BDP16 and the Longbridge AAP.

## **Noise**

With regard to residential amenity, the proposal is set a sufficient distance away from the nearest residential properties to be considered to have no significant impacts regarding noise levels. Following a site visit WRS Noise are satisfied with the information provided that the cumulative noise from the existing installation and the proposed should not adversely impact the nearest noise sensitive receptors.



## Contamination

WRS Contamination has no objection to the planning application subject to a suitable contamination condition.

## Drainage

The site falls within flood zone 1 and it is not considered that there is any significant fluvial flood risk to the site. There is some risk to the site from surface water flooding as indicated on the EA's flood mapping. However, appropriately designed drainage can mitigate this risk. Subject to a planning condition regarding drainage, North Worcestershire Water Management have no objection.

## Conclusion

Overall it is considered that the proposed development for the new unit within the Cofton Centre accords with the policies in the Bromsgrove District Plan and the NPPF and is therefore acceptable. The proposal would enable the continued growth of an established business and would ensure that their future remains within the area.

**RECOMMENDATION:** That planning permission be **GRANTED subject to conditions**

### Conditions:

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

Reason: In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) The development hereby approved shall be carried out in accordance with the following plans and drawings:

Site Location Plan – SK-LBG-100  
Existing Site Layout Plan – SK-LBG-101  
Proposed Site Layout Plan – SK-LBG-102  
Proposed Elevations & Section – SK-LBG-104

Reason: To provide certainty to the extent of the development hereby approved in the interests of proper planning.

- 3) The external surfaces of the development hereby permitted shall be constructed in accordance with the details set out on drawing Proposed Elevations & Section – SK-LBG-104 and section 7 Materials of the Planning Application Forms.

Reason: To ensure the development has an acceptable appearance and to protect the visual amenities of the area.

- 4) No works or development above foundation level shall take place until a scheme for surface water drainage will be submitted to, and approved in writing by the Local Planning Authority. This scheme should be indicated on a drainage plan and the approved scheme shall be completed prior to the first use of the development hereby approved.

Reason: In order to ensure satisfactory drainage conditions that will not create or exacerbate flood risk on site or within the surrounding local area.

- 5) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where necessary a remediation scheme must be prepared, these will be subject to the approval of the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to the occupation of any buildings.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

- 6) Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (as amended) (or any order revoking and re-enacting that Order and the Town and Planning Act 1990) the total gross internal floor space of the building hereby permitted shall not exceed 2,547 sq m and no extension or alteration either external or internal, including the provision of an increase in floor space of the mezzanine floor shall be carried out without the prior permission of the Local Planning Authority.

Reason: To retain control over the intensification of the use of the site, particularly having regard to the provision of onsite parking.

**Case Officer:** Mr Paul Lester Tel: 01527 881323  
Email: paul.lester@bromsgroveandredditch.gov.uk

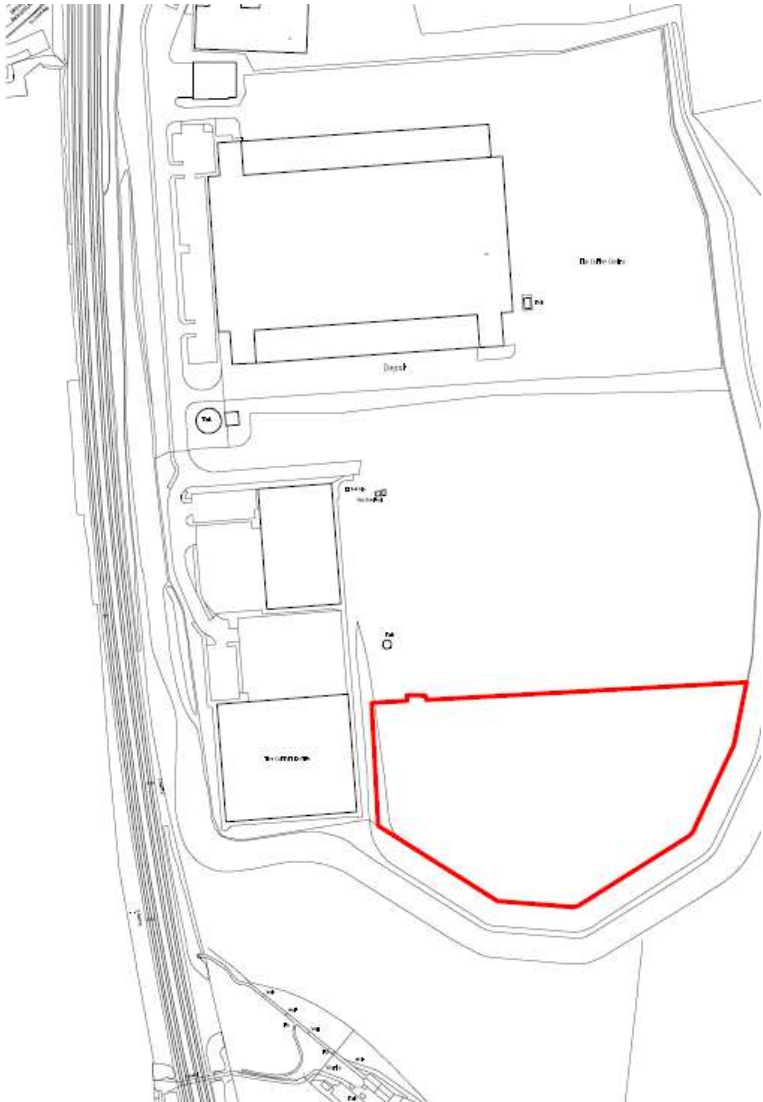
# 20/00521/FUL

Land At The Cofton Centre, Groveley Lane, Cofton  
Hackett, B31 4PT

Extension to existing data hall set up - New self  
contained data hall

Recommendation: Grant subject to conditions

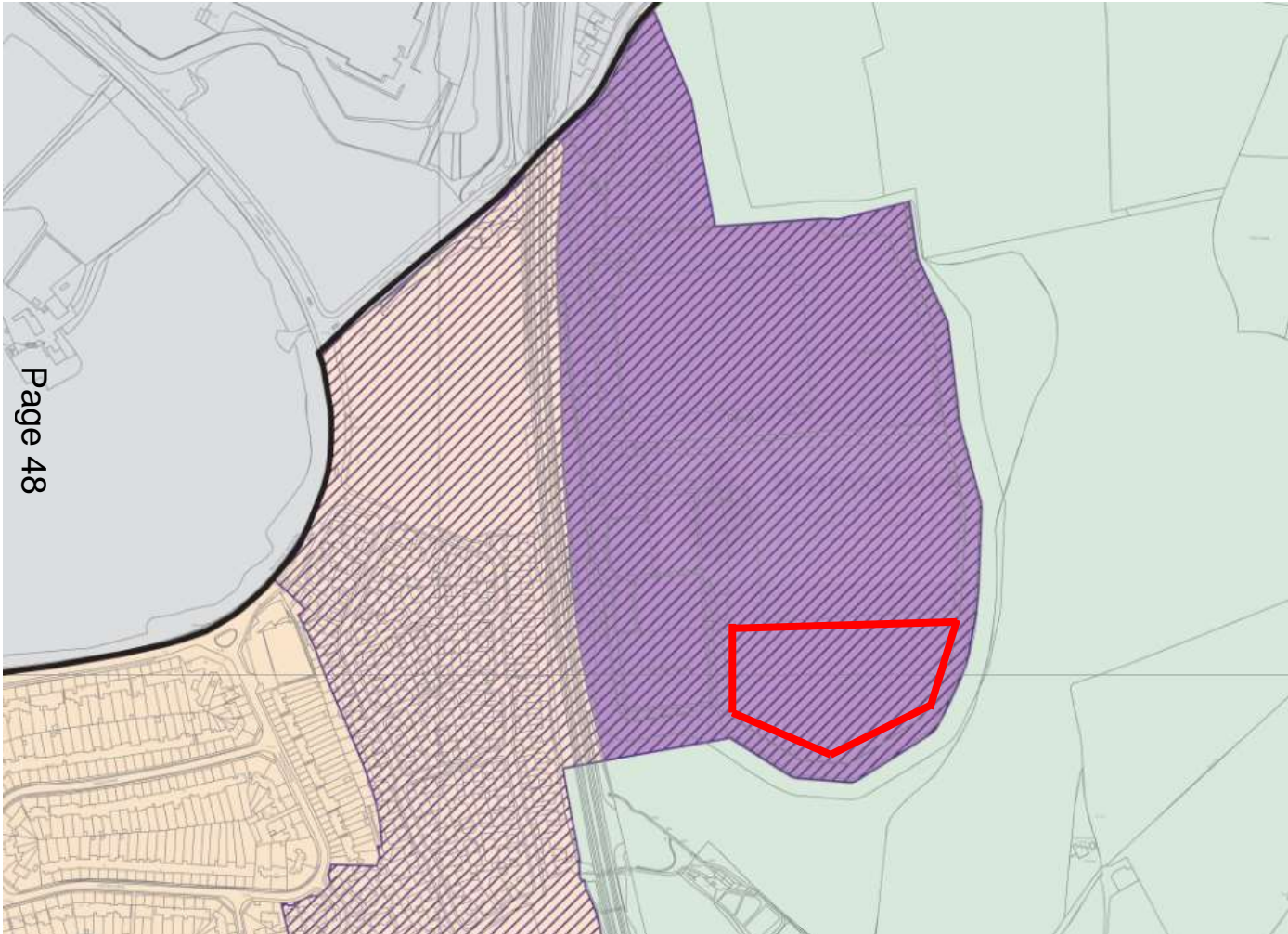
# Site Location



# Satellite View



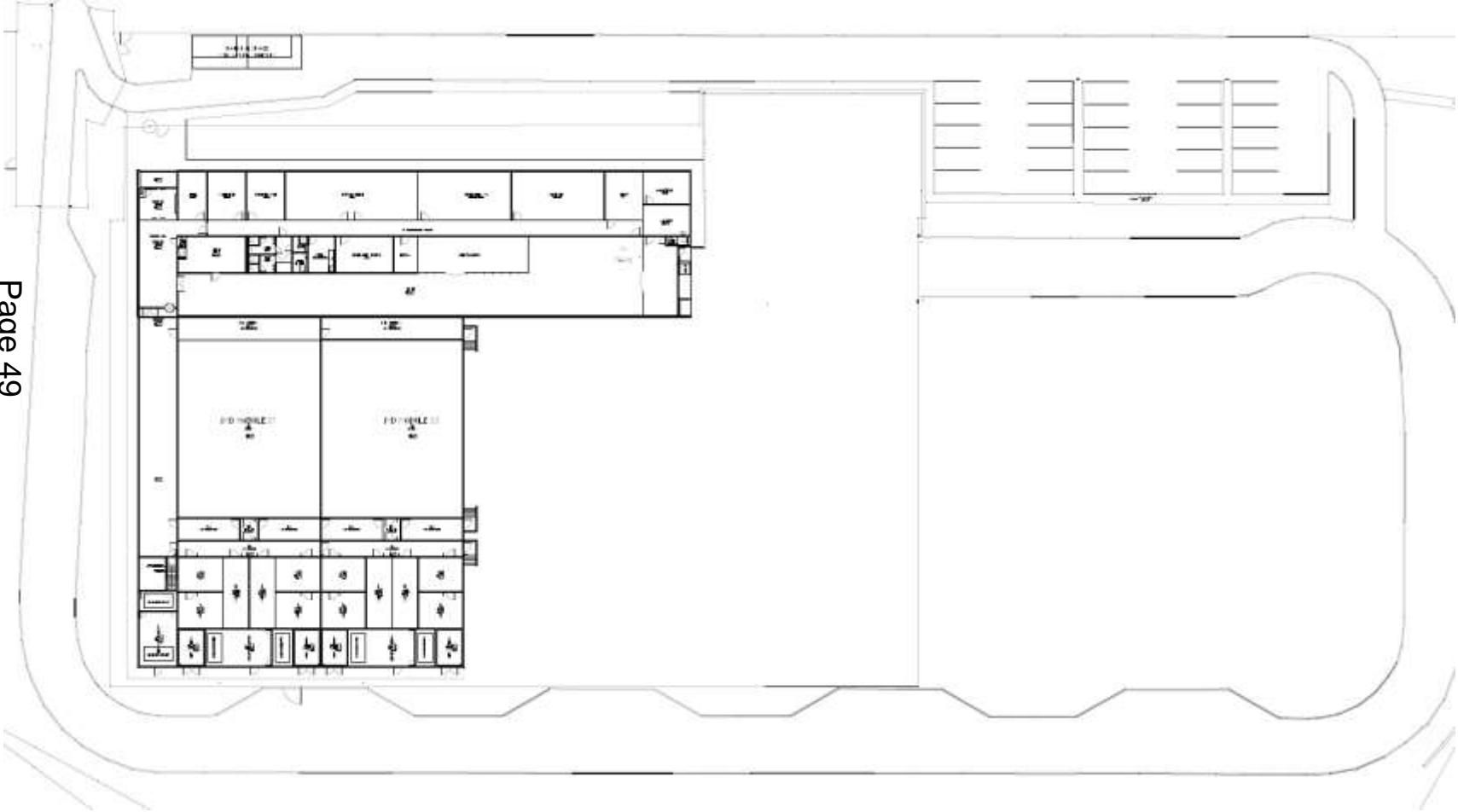
# District Plan Allocation



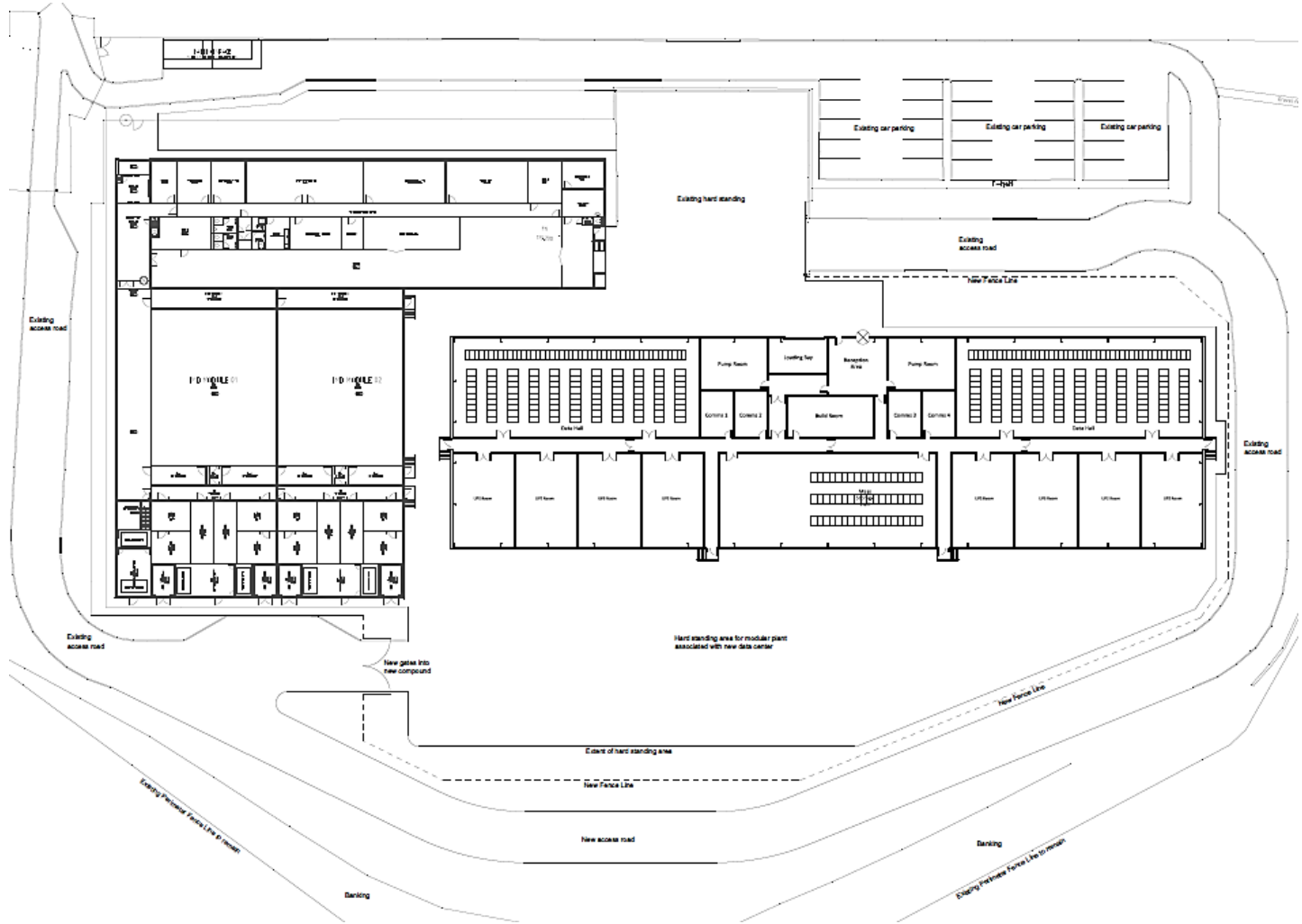
## Key

- Employment BDP13, BDP14
- Longbridge AAP BDP13
- Residential Area BDP19, BDP7
- Green Belt BDP4

# Existing Site Layout

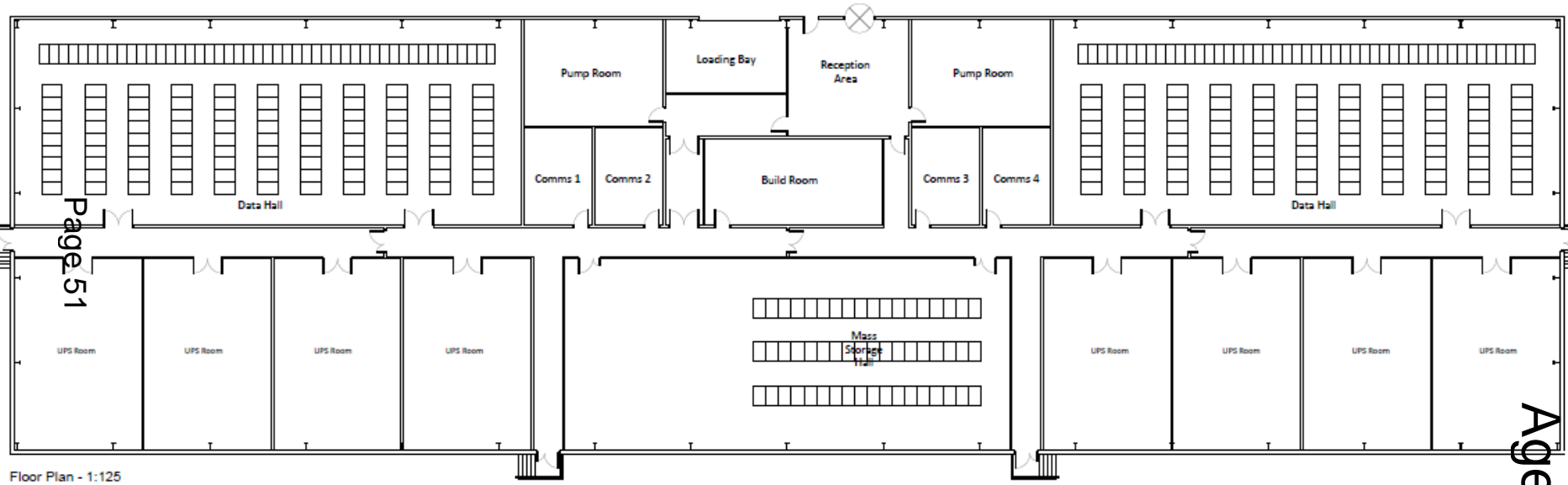


# Proposed Site Layout





# Proposed Floor Plan

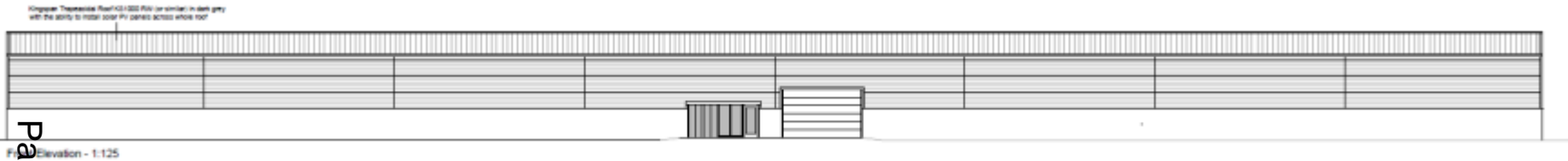
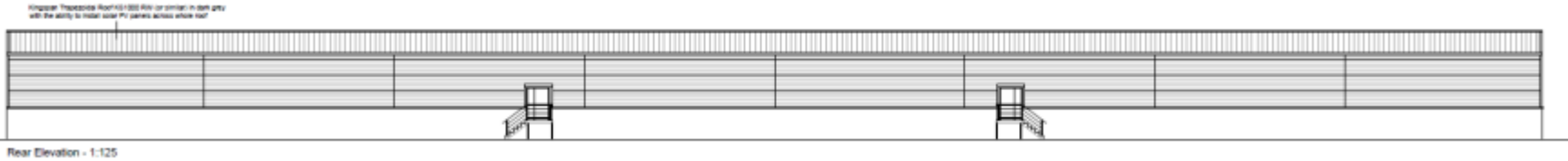


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Floor Plan - 1:125

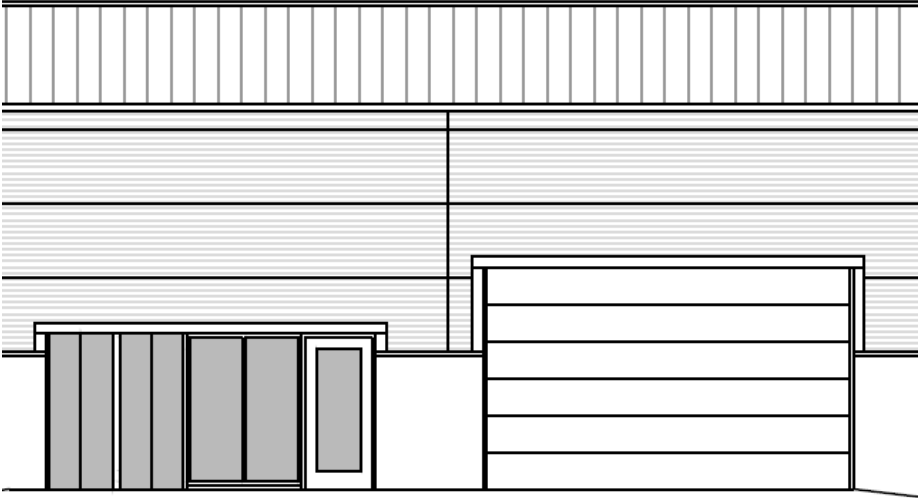
Agenda Item 6

# Front and Rear Elevations



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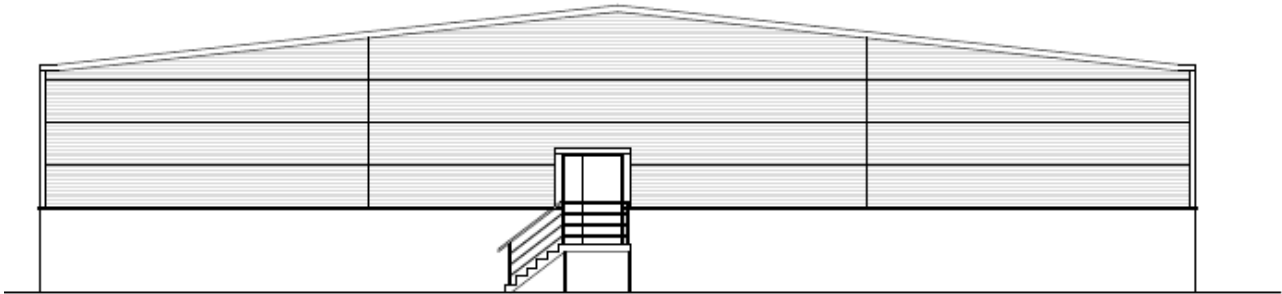
Enlarged View of Elevation



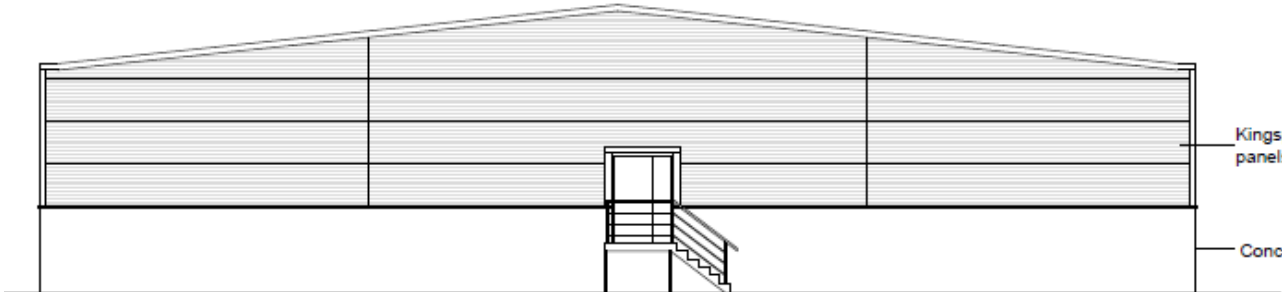
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# Side Elevations

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Side Elevation - 1:125



Side Elevation - 1:125

Agenda Item 6

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