

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
<b>Nigel Curtis 'A'</b>	Conversion of storage / warehouse into six office units - Lea End Farm, Ash Lane, Hopwood (as amended by supporting statement received 30.07.2007)	GB FP Adj. LB	<b>B/2007/0546</b> 03.09.2007

**RECOMMENDATION:** that planning permission be **REFUSED**.

### Consultations

Alvechurch PC APC feel that this proposal is inappropriate development in Green Belt, Ash Lane has restricted access. There are no special circumstances shown by virtue of the plans which would outweigh the rules governing development in the Green Belt. 29.06.2007.

WCC(HP) No objection, subject to conditions, notes and the requirement to enter into a Section 106 agreement to provide a financial contribution towards the provision of a new bus shelter to be provided on the A441. 17.07.2007.

CO No response, consulted 06.07.2007.

PROW No response, consulted 06.07.2007.

RA No response, consulted 06.07.2007.

BC No response, consulted 06.07.2007.

LP Refers to relevant policy considerations which include PPG2, D39, DS2, C27 and SPG4. Sets out stance that conversion can be acceptable in the green belt subject to certain criteria. Raises concern over impact of car parking on the openness of the green belt. Refers to views of highway engineers being important in relation to sustainability and policy E9 and DS13 being of relevance. 21.06.2007.

EDO Economic Development supports the application. 08.06.2007.

Publicity Three neighbours consulted, expires 27.06.2007.

Site notices displayed, expires 16.07.2007.

Press notices displayed, expires 05.07.2007.

Six responses received relating to:

1. Questions that the address is correct.
2. Suggest as previous application was refused this application should relate to the change of use of a grain store to offices.
3. Considers the 'existing hardstanding' was put down recently before application B/2006/1174 was submitted and large hedge had been removed.
4. Suggests application does not refer to change of use of surrounding land to car park.
5. Concerns over increase in usage of Lea End Lane, refers to condition of the road and lack of footpath. Refers to existing traffic use of Ash Lane due to sports facilities, quality of junction with Redditch Road and no right turn option. Refers to existing problems with refuse vehicles, etc., using this lane.

6. Refers to 40 parking spaces generating 800 journeys per week up and down the Lane.
7. Questions appropriateness of development in relation to green belt impact and Listed Building.
8. Refers to Policy C27.
9. Refers to other applications around Hopwood and concerns over wider impact on the Green Belt.
10. Reiterates previous objections. Objects on grounds of impact on green belt.
11. Suggest proposals will be harmful to the environment, in an area of natural beauty and supports varied wildlife, walkers and cyclists. Do not consider offices would serve the local community.

### The site and its surroundings

This application relates to land to the east of Lea End House and sited at the end of Ash Lane, Hopwood. The site, which extends to 0.62 hectares, is accessed via a new dedicated access through rough pasture which links through to a group of buildings sited along the western boundary of the site with hardstanding areas in the centre of the site and to the south. The buildings appear as redundant agricultural buildings and are currently vacant. One structure has a taller form and barrel shaped roof and is abutted by single storey structures along the south-western boundary.

The site is set in an isolated location and is within recognised Green Belt. Lea End House, a Grade II Listed Building, is sited to the south west of the buildings and, located to the north and east, is Kings Norton Rugby Football Club, its access, and its grounds.

### Proposal

This application is a resubmission of a previous refusal, which related to the conversion of the buildings to warehouse and storage use.

The current scheme relates to the conversion of what are effectively two buildings, into 1123m<sup>2</sup> of floor space for B1 Office use. A total of six offices will be provided, four of which have a spiral staircase and access to a more limited area of accommodation at first floor. Alterations are proposed to the external appearance of the building to incorporate areas of glazing, doorways, velux type rooflights and dedicated entrances to the individual offices.

A total of 40 Parking spaces are proposed to the south and east of the buildings. No works are proposed to the building to the east (referred to as building C in the structural survey) which exists on site as a shell only.

The application has been accompanied by:

1. A Design and Access Statement;
2. A Structural Survey;

3. A Planning Statement; and
4. A Transport Statement.

### Relevant Policies

WMSS	PA1, PA14, PA15, QE3, T1, T2
WCSP	D.16, D.26, D.29, D.38, D.39, CTC.1, CTC.21, SD.2, SD.3, SD.4, SD.6, SD.7, SD.8, T.1
BDLP	C27, C27B, C30, DS2, DS13, E9, TR11
Others	PPS1, PPG2, PPG7, PPG13, PPG15, SPGN4

### Relevant Planning History

B/2003/0959	Conversion of barn and outbuildings to form 5 dwellings and associated garaging. Refused 22.09.2003
B/2006/1174	Conversion of existing grain stores to warehouse / storage units (B8). Refused. 10.01.2007.

### Notes

The main issues to consider for this application are:

1. Whether the proposal represents appropriate development in the green belt and, if necessary, whether very special circumstances exists to override the presumption against inappropriate development in such locations. The impact of the scheme on highway safety and traffic generation is also of relevance.
2. Issues surrounding the location of the site in terms of its sustainability.
3. Other matters, including the impact upon the Listed Building.

### Appropriate nature of the development in the green belt

Policy D.39 of the WCSP and Policies DS2 and C27 of the BDLP and are in general accordance with the provisions of PPG2 in allowing the re-use of buildings in the Green Belt. DS2 states that permission for development in the Green Belt will not be given for the construction of new buildings, or the change of use of existing buildings, unless the criteria set down in policy C27 are complied with.

Policy C27 of the BDLP relates specifically to the re-use of existing rural building and lists a number of relevant criteria a) to g) which are relevant, including having no greater impact upon openness, buildings being of permanent construction and capable of conversion without major reconstruction. I consider that this application raises issues in relation to criteria a), c) and e) of Policy C27.

Criteria a) refers to reuse not having any materially greater impact than the present use on the openness of the Green Belt. The proposal includes two large areas of parking with a total of 40 spaces being created on site. This aspect of the scheme will reduce the openness of the green belt and would represent inappropriate development in the green belt. The applicant's agents highlight, however, that the existing hardstanding area could be, and indeed has been, used for the parking of farm vehicles and machinery in

connection with the previous use of the site. They consider the proposal would have no greater impact than the previous use and highlight that the office parking would be restricted to office hours only and could thus be less harmful.

I consider that this represents a fall back position and that, with control over surfacing of that area and a suitable landscaping scheme, the visual impact of this aspect of the scheme could be reduced to an acceptable level.

With respect to criteria c) Policy C27 of the BDLP is clear in requiring that buildings are of permanent and substantial construction **AND** are capable of conversion without major works or complete reconstruction (my emphasis). In the previous application (B/2006/1174 for storage), it was considered that the buildings which are of modern construction, appeared to be in good condition and could be converted to that use without major works.

However, the current proposal relates to an office use. The submitted Structural Survey identifies that there are three areas of the site defined as A, B and D. Area B, the Dutch barn, is the most substantial building with 70% of its ground floor area being concreted and concrete panels extending to approximately 2 metres in height. This building has a floor area of 252 metres squared and, considering it is proposed to also use the first floor, this building provides 505 metres squared of the total floor area on the site.

In contrast, the other buildings are largely constructed from corrugated steel sheets, supported by steel trusses and columns with vertical sheeting to the sides with part of area D being old animal pens with no ground floor construction. To facilitate an office use, considerable works would be required to buildings A and D in terms of the erection of an inner skin to the building, fire protection, suitable insulation, ventilation and roof covering and damp protection in the form of a floor. In relation to units A and D, these would relate to a total floor area of in excess of 600 metres squared. In addition some of these works would be required to facilitate the use of the upper floor of the Dutch Barn Building.

The applicant's agents have responded to this concern setting out that the conversion seems no different to that undertaken in a traditional brick and tile building. They refer to the erection of supporting partitions within the existing building which supports insulation and services and the mezzanine floor would be self-supporting on columns. Their comments are included in Appendix 1.

Whilst I note these views and I am aware that there is no clear definition of what constitutes major reconstruction, I conclude that works of this scale affecting such a large proportion of the proposed floor space, and the proportion of the buildings on the site, must represent major reconstruction and underline the fact that the buildings are not of substantial construction. I consider therefore that the proposal must, by definition, represent inappropriate development in the green belt. In such circumstances it is necessary to consider the presence of very special circumstances.

The applicant has provided additional information to accompany this application in the form of a Supporting Statement and, whilst this does not clearly identify what they consider may constitute very special circumstances, it refers to other conversion schemes and other material considerations. The other conversions relate to a variety of uses and

refer also to a mixture of building types, including stable blocks and modern agricultural buildings, but makes no specific reference to the manner in which conversions were implemented. Reference is made to the economic considerations and the fact that other conversion schemes have experienced quick take up; it is anticipated that 40 jobs would be created as a result of the development as well as providing support to local services. Whilst I note these facts, I do not consider that they represent Very Special Circumstances sufficient to outweigh the harm that would be caused to the Green Belt. In view of these circumstances, I consider the proposed development would go against the purposes of Green Belt policy in that it would not safeguard the countryside from urban encroachment, nor assist urban regeneration. The proposal would have an urbanising effect to the detriment of the character of this isolated and rural location.

With respect to criteria e) and traffic generation, Policy T1 of the WMSS states that any additional traffic generated by the proposals will need to be shown to be capable of accommodation safely on the road system without undue environmental consequences. Policy TR11 of the BDLP states that all new development must incorporate safe means of access and egress appropriate to the nature of the local highway network. The application has been accompanied by a Transport Statement which considers traffic flows, traffic generation, the impact of the development on the A441, a relevant recent appeal decision (New House Farm) and comments on PPG13 and sustainable travel.

I note that WCC(HP) do not object to the proposal, subject to a contribution relating to the provision of a bus shelter, to which the applicants are agreeable, although a legal mechanism would need to be established to secure those monies. I conclude that the application could not be refused on grounds relating to traffic generation.

#### Sustainability and reducing the need to travel

Policy D.26 of the WCSP describes the approach that should be taken for the location of new development within Class B2 of the Use Classes Order. The preferred location is within town centres of urban areas and Bromsgrove is listed as one of those locations. A sequential approach should then be adopted to identify suitable alternative locations and only then out of centre locations should be considered that are accessible by a choice of means of transport.

The more recently adopted West Midlands Spatial Strategy (2004) states in policy PA1, that, wherever possible, economic growth should be focused in the Major Urban Areas (MUA's). In addition, policy PA14 of the WMSS states that, even where development helps provide a sustainable rural economy, most development should be concentrated in towns and other large settlements accessible to their hinterlands. This is supported by Policy T.1 of the WCSP which seeks to reduce the need to travel, particularly by private car.

Policies SD.4 and T.1 of the WCSP both state that proposals for development will normally only be allowed where they are located so as to minimise the need for travel. In respect of the change of use of buildings in rural areas for employment purposes, policy D.29 of the WCSP states that proposals that would generate trips by heavy good vehicles on unsuitable roads would not be permitted.

With respect to the current submission, the Planning Statement refers to the sustainability of the site which it considers is well placed to be served by a choice of transport means

and cites bus stops and rail links, as well as cycling and walking as other choices. In addition, reference is made to the number of people employed in small scale businesses and the opportunities that the scheme may present for local employment.

I note these views and those of PPG13 (para 43) where LPA's are encouraged to be realistic about alternatives to the use of the car as well as advice about small scale business not being rejected where only modest increases in traffic would be expected. I note however the scale of the proposal being in excess of 1000m squared. Such a scheme could not be considered to be small in scale and the likelihood of some of the alternative means of travel being realistic options to employees must be raised. Against this background and given the sites isolated location in relation to the aims and objectives of the Regional Spatial Strategy I conclude that the proposal is contrary to this approach and should fail in relation to its location.

### Other matters

PPG15 - Planning and the Historic Environment states the statutory requirement on the Local Planning Authority to "have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses". Policy CTC.19 of the Worcestershire County Structure Plan and policy S39 of the Bromsgrove District Local Plan include further guidance.

The Conservation Officer has not commented upon the scheme; however, I note the comments made on the previous application as: *'Lea End Farm is a late 18th century / early 19th century, Grade 2 listed farmhouse with extensive barns of similar date. The grain stores are modern factory units. I do not object to them being reused as a storage facility, on the basis that they are not enlarged.'* I do not consider, therefore, that the proposal raises any issues associated with the proximity of the Listed Building.

I am also aware that the BDLP includes a specific policy in the form of policy E9 that refers to criteria for new employment development. This policy is largely concerned with access to the road network, suitable site access, parking and control over open storage. In addition, criteria e) refers to the impact upon residential dwellings and the need to ensure disturbance to amenity does not ensue. I consider given the previous use of the site, the distances involved to the adjoining dwelling and the orientation of the site, and considering the nature of the proposed use, that there would be no harm to the residential unit as a result of the development, subject to conditions.

### Conclusions

I conclude that the development is inappropriate in this location by virtue of relating to major reconstruction and I find no very special circumstances which are of sufficient weight as to outweigh the harm caused to the objectives of the Green Belt.

In addition, I consider the isolated location of the development, which relates to over 1,000 square metres of office space, undermines the aims and objectives of sustainable transport as embodied in the West Midlands Spatial Strategy, the Worcestershire County Structure Plan, the Bromsgrove District Local Plan, and the provisions of PPG13. I do not consider that my concerns can be overcome through the imposition of conditions and would therefore recommend the refusal of planning permission.

**RECOMMENDATION** that permission be **REFUSED**

1. The proposed development represents inappropriate development in the Green Belt and would not accord with Green Belt Policy and the purposes of including land within it. Very special circumstances do not exist to outweigh the harm that would be caused. As such, the proposal is contrary to policy DS2 of the Bromsgrove District Local Plan, policies D.38 and D.39 of the Worcestershire County Structure Plan and the provisions of PPG2.
2. The proposed use would be located away from any town centre or urban area in an isolated position not well related to public transport links. The proposed B2 use would not therefore be located so as to minimise the need to travel and the users of the site would be highly dependant on the private car to travel to and from the site. As such, the proposed development is contrary to policies PA1 and PA14 of the West Midlands Spatial Strategy, policies SD.4, D.26, D.29 and T.1 of the Worcestershire County Structure Plan, and policy DS13 of the Bromsgrove District Local Plan, and the provisions of PPG13.