

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
<b>Avoncroft Cattle Breeders Ltd. 'A'</b>	Demolition of a Dutch barn; change of use of offices, laboratories and bull pens to provide 12 flats; alterations to the existing access; and other associated works - Avoncroft Cattle Breeders Ltd., Buntsford Hill, Bromsgrove, B60 3AS	GB	<b>11/0507-DK</b> 04.10.2011

**RECOMMENDATION:** that **DELEGATED POWERS** be granted to the Head of Planning and Regeneration Services to determine the application following the receipt of a suitable and satisfactory legal mechanism in relation to financial contributions for:

- (i) education provision; and
- (ii) arrangements for the management of the public open space.

### Consultations

WH Consulted 11.07.2011. Response received: 17.08.2011.  
No objection subject to conditions.

Stoke PC Consulted 11.07.2011. Response received 16.08.2011.  
Objection:  
The development is situated in the Green Belt.  
It is only suitable for agricultural purposes.  
The proposal does not comply with policy. It is not in keeping with the existing area, there is no infrastructure to support high density residential development.  
The proposed residential units are of an unsuitable size. The proposed play area is unsuitable and would detract from resident's amenity. There is a risk of flooding and the wildlife on the site has not been adequately considered.

LP (Open Space) Consulted 11.07.2011. Response received 02.08.2011.  
These comments focus solely on play space as the proposal does not appear to raise any other major policy issues. This residential development exceeds the minimum of 6 units and therefore SPG11 should apply. A development of 2 x 1bed and 8 x 2bed properties generates 828m<sup>2</sup> of play space. As the amount of play space generated is less than 1000m<sup>2</sup> it would usually be provided off-site. However, I note that the applicant has chosen to provide an area of play space on site of 1200m<sup>2</sup> which therefore accords with SPG11. Maintenance costs would usually be payable however it should be noted that the applicant is proposing to use a management company ensuring that no financial burden is placed on the Council. The relationship between the open space and the proposed residential units would not appear to be ideal, particularly in relation to a lack of natural surveillance.

11/0507-DK - Demolition of a Dutch barn; change of use of offices, laboratories and bull pens to provide 12 flats; alterations to the existing access; and other associated works - Avoncroft Cattle Breeders Ltd., Buntsford Hill, Bromsgrove, B60 3AS - Avoncroft Cattle Breeders Ltd.

WCC Education Services	Consulted 11.07.2011. Response received 15.07.2011. The schools in the area which would be affected by the proposal are: Charford First (Feeding Aston Fields Middle) and South Bromsgrove High. The total requirement is £13,140.
ENG	Consulted 11.07.2011. Response received 12.08.2011. No objection subject to conditions.
EA	Consulted 18.08.2011. No response to date.
20 Cent	Consulted 11.07.2011. No response to date.
Tree Officer	Consulted 11.07.2011. Response received 24.08.2011. No objection subject to conditions.
WWT	Consulted 11.07.2011. No response to date.
Strategic Housing	Consulted 11.07.2011. No response to date.
WMERC	Consulted 11.07.2011. No response to date.
EHO (Contaminated Land)	Consulted 11.07.2011. Response 02.08.2011. No objection subject to conditions.
EDO	Consulted 11.07.2011. No response to date.
Publicity	Site Notice posted: 08.08.2011. Expires 29.08.2011. Press Notice posted: 21.07.2011. Expires 11.08.2011. 5 letters sent 12.07.2011. Expire 02.08.2011.

13 comments received summarized as appropriate:

- The site is unsuitable site for this kind of development and it would not be in keeping with the area
- The proposal would result in increased traffic flow when the commercial uses opposite are taken into account and the road infrastructure is inadequate
- Buntsford Hill is a very dangerous road for both pedestrians and traffic
- There is no Public transport available
- The proposed Open Space/Playground would be located to the rear of Dawn Cottage, Mourne Cottage and Elmwood
- The proposed access point to the open space is totally unacceptable and is only for the private use of the residents of Mourne Cottage

11/0507-DK - Demolition of a Dutch barn; change of use of offices, laboratories and bull pens to provide 12 flats; alterations to the existing access; and other associated works - Avoncroft Cattle Breeders Ltd., Buntsford Hill, Bromsgrove, B60 3AS - Avoncroft Cattle Breeders Ltd.

- The open space would result in a loss of privacy, noise nuisance and could also lead to problems with youths using it as a meeting place and subsequent vandalism
- A development like this reduce the value of all neighbouring properties
- This development as a whole would have an adverse effect on the neighbourhoods intrinsic qualities and character
- Many of the units have small room sizes
- There is no obligation to have an on site play area and the area selected for this is unsuitable
- There is limited local employment
- The sewerage system will not cope
- Additional hardstanding has been added to the site in recent years and this will increase flood risk
- The buildings should be retained for agricultural purposes
- Buildings for rural conversion schemes should have some architectural merit

### The site and its surroundings

The application site comprises former site of Avoncroft Cattle Breeders on the west side of Buntsford Hill, Stoke Prior. There are a range of buildings of various ages and forms. The majority are conventional agricultural buildings including fodder storage and bull pens. The main buildings to the front of the site fronting onto Buntsford Hill contain the original offices and laboratories of the company and have not been in use since 2002. The site operated as an Artificial Insemination Centre between 1944 and 2002.

### Proposal

The proposal is for the conversion of the buildings at the front of the site to residential use. These buildings are the former offices/laboratories and bull pens. There is a Dutch Barn adjoining the existing office/laboratory building which is proposed for demolition. The proposal will be for the conversion of these buildings into 12 residential units, comprising 10 No. 2 Bedroom units and 2 No. 1 bedroom units. There are 15 parking spaces proposed. The application is accompanied by Phase 1 Habitat Survey, Structural Survey and Planning, Design and Access Statement.

### Relevant Planning History

- |             |   |
|-------------|---|
| B/1991/0785 | Proposed first floor office extension for administration purposes. Granted 04.11.91   |
| B/2003/1018 | Residential Development - Outline consent (as amended by plans received 20.11.03). Refused 25.06.04.  |
| B/2003/1169 | Conversion of existing farm, building into changing rooms, construction of two football pitches and associated car parking (as amended by plans received 20.11.03). Refused 25.06.04. |
| B/2006/1380 | Agricultural gateway to land and buildings to continue into access way. As amended and augmented by plans received 21.02.07. Granted 14.03.07   |

11/0507-DK - Demolition of a Dutch barn; change of use of offices, laboratories and bull pens to provide 12 flats; alterations to the existing access; and other associated works - Avoncroft Cattle Breeders Ltd., Buntsford Hill, Bromsgrove, B60 3AS - Avoncroft Cattle Breeders Ltd.

- B/2007/1081 Change of use application for vacant building (previously used for housing of livestock) into general commercial storage with no building works required. Refused 06.12.2007.
- B/2009/0513 Proposed use of building for purposes falling within B1/B2 and B8 uses - (Certificate of Lawfulness), Refused 20.08.2009. Appeal dismissed 23.09.2010.

### Relevant policies

WMRSS	QE1, QE3
WCSP	T1, CTC1, CTC7, CTC13, CTC21, RST3, D16, D38, D39
BDLP	DS2, DS13, C4, C27, C11, TR11
Others	SPG1, SPG4, PPS9, PPG2, Circular 06/2005
Draft CP2	CP22

### Assessment

The main issues to be considered in this application are the following:

- (i) whether the proposal would amount to appropriate development in the Green Belt;
- (ii) overall impact of the scheme and suitability of the buildings for conversion;
- (iii) the highway and sustainability issues associated with the proposal;
- (iv) the impact of the proposal on protected species;
- (v) Residential Amenity.

#### (i) Green Belt

The site is located in the Green Belt and therefore I consider that policies DS2 and C27 of the Bromsgrove District Local Plan (BDLP) and the advice of Supplementary Planning Guidance Note 4 (SPG4) and Planning Policy Guidance Note 2 (PPG2) are most relevant in determining the application.

The development is for the conversion of rural buildings and falls to be considered as acceptable in the context of policy DS2, provided that it meets the requirements of policy C27. It may be appropriate development in the Green Belt provided that the criteria for the conversion of rural buildings are fulfilled.

#### (ii) Suitability of the buildings for the proposed use and overall impact

Policy C27 states that any re-use of an existing rural building must not have a materially greater impact on the openness of the Green Belt and that the building is of substantial construction, capable of conversion without major works or complete reconstruction. The form, bulk and general design of the scheme must be in keeping with its surroundings.

The proposal seeks the conversion the former main operational buildings at the front of the site to residential use comprising 12 flats. The former two storey office/laboratory range is classified as Building 1 for the purposes of the application and the former single storey offices and attached bull pens are identified as Building 2. A substantial Dutch barn and loading area will be removed and replaced by communal gardens. The

proposed 15 parking spaces will be provided on the existing hardstanding which is largely enclosed by the existing boundary of the site, the agricultural buildings to the SW and the building proposed for conversion to the NE. The removal of the Dutch Barn is welcome but I note that the improvement to the overall openness of the site is limited by the enclosed position of this building in respect of adjoining buildings. I am satisfied that the parking will occupy existing hardstanding areas and that no new build or extensions are proposed. I note that the previous use of the site as an Artificial Insemination (AI) site has not been abandoned in planning terms and could technically be reactivated. On the basis of all of the objective facts, I conclude that the proposal would not have a materially greater impact on the openness or purpose of the Green Belt.

Members must consider whether the buildings are capable of conversion *without major works or complete reconstruction* (emphasis added) as required in policy C27 (c). There is a structural report to support the application. The office buildings are of traditional brick and mortar construction with tiled roofs. The former bull pens are smaller in scale but the survey concludes that the buildings are capable of conversion with substantial works or complete rebuilding.

One of the clear objectives of SPG4 is to maintain the character and integrity of the original rural building. I would refer to paragraph 3.0 which states that a '*building should be capable of conversion to its new use, without the loss of those characteristics which make it worth keeping and conversions are least likely to be successful where:*

- Excessive original fabric is lost by the introduction of new openings;
- Unbroken walls are disrupted with new doors and windows
- Interior walls are sub-divided by the introduction of floors and partition walls.'

It is noted that the buildings are not of particular architectural merit and the offices have a modern appearance in a rural context. The former bull pens have a more traditional vernacular form. In the case of Building 1, there are very limited elevational changes proposed between the existing and proposed with the exception of the insertion of a window on the NE elevation of the building. Many of the internal walls are also retained. This is also the case for Building 2 (former offices and bull pens). I note that all elevations facing towards public views remain almost identical to the present situation. I consider that the proposal accords with policy C27. I note the representation received to the effect that the buildings are not of sufficient merit to be considered for conversion but the policy does not expressly state that and PPG2 states that the conversion of a rural building may be acceptable subject to a number of criteria and the merit or otherwise of the building is not a decisive factor.

In terms of criterion (d) of policy C27, I consider that the design, bulk and form of the conversion are generally in keeping with their surroundings which are a mix of residential and commercial uses. Overall, I consider that the proposal complies with policy C27 of the BDLP.

### (iii) Highway and Sustainability Issues

Members should note the concerns of residents in terms of road safety and sustainability. Whilst, I do not consider that the site is the most sustainable location for residential development, the applicant has addressed this in the Planning, Design and Access Statement (para 2.34-2.39). The site is relatively close to Bromsgrove compared with other rural sites and the applicant has addressed the concerns of WH in respect of the requirement of proximity to bus stops in the WCC Local Transport Plan 3. There is no objection from WH, subject to conditions and I conclude that the proposal would conform to policies T1 of the WCSP and TR11 of the BDLP.

### (iv) Ecological Issues

Policy C11 of the BDLP and the advice of PPS9 seek to ensure that protected species are adequately considered in all development proposals. The application is accompanied by a Phase 1 Habitat Survey. There was no evidence uncovered of protected species and recommendations were made should buildings be demolished/altered in respect of additional work. On the basis that the proposal amounts to a conversion, I do not consider that the proposal conflicts with policy C11 or with the advice of Circular 06/2005, subject to appropriate conditions.

### (v) Residential Amenity

Members should note the comments of local residents and the Parish Council in terms of residential amenity. This largely focuses on the controversial proposal to provide on site open space to the rear of the existing residential properties which adjoin the site to the NW and the proposed access to this area. In terms of the access adjoining Mourné Cottage, immediately to the north, this is a legal and not a planning matter. I do not consider that the proposed on-site Public Open Space is so detrimental to the amenity of adjoining properties to justify a refusal.

There are residential properties to the north west and south east of the application site. Building 2 is located approximately 6m from the side elevation of Mourné Cottage but I note that there is a hipped roof to the side of this property and no windows on the side elevation. Sugarbrook Cottages to the south are located at least 25m away from the proposal and there is substantial boundary treatment. I note that there is a 13m separation distance between the windows on the NW and SE sides of buildings 1 and 2 respectively. There is also a close relationship between the NE elevation and SW elevation of buildings 1 and 2. I note that any affected windows have been identified for obscure glazing and this avoids a loss of privacy to future occupants. I consider that the provision of amenity space is sufficient for the proposal.

### Other issues

Members should note that the scheme requires contributions to be provided for education and public open space in accordance with Circular 05/05. At this point, the applicant has agreed to provide a Unilateral Undertaking to provide the education contribution as outlined in the consultations above. Following negotiations with Strategic Planning, the applicant has chosen to proceed on the basis of the provision of the POS on site to be managed independently of the LPA and thereby a contribution is not required. The issues

11/0507-DK - Demolition of a Dutch barn; change of use of offices, laboratories and bull pens to provide 12 flats; alterations to the existing access; and other associated works - Avoncroft Cattle Breeders Ltd., Buntsford Hill, Bromsgrove, B60 3AS - Avoncroft Cattle Breeders Ltd.

of drainage and flooding have been raised by Third Parties. However, there is no objection from the Drainage Engineer and the EA have been consulted and a response is awaited.

### Conclusion

The proposed development will provide twelve dwellings through the conversion of existing buildings. It will result in the removal of an existing Dutch barn and loading bay. The proposal has been thoroughly assessed against the provisions of the development plan especially policy C27 and the proposal complies overall. Members should be mindful of the Draft National Planning Framework insofar as it relates to applications for residential development:

The presumption in favour of sustainable development means that Local Plans should be prepared on the basis that objectively assessed development needs should be met, unless the impacts of doing so *would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole. Applications should be considered in accordance with the presumption*'.

This means that where a proposal is considered against the provisions of the development plan and accords with it, then there is a presumption in favour of granting permission and *significant and demonstrable harm* needs to be demonstrated to warrant refusal.

**RECOMMENDATION:** that **DELEGATED POWERS** be granted to the Head of Planning and Regeneration Services to determine the application following the receipt of a suitable and satisfactory legal mechanism in relation to financial contributions for:

- (iii) education provision; and
- (iv) arrangements for the management of the public open space.