

Name of Applicant	Proposal	Expiry Date	Plan Ref.
/Avaro (Midlands) Ltd	Change of Use of Poultry Sheds into Storage Use (Class B8)  Rose Cottage Farm , Seafield Lane, Portway, Worcestershire, B48 7HN	16.06.2016	16/0115

**RECOMMENDATION:** That planning permission be Refused.

### Consultations

**Beoley Parish Council** Consulted 30.03.2016.

The Parish Council has significant concerns in relation to allowing a storage use of this building. This has already happened at the other end of Seafield Lane with negative consequences for local residents. Appropriate conditions are necessary to control the future operations of this site.

**Highways Department- Worcestershire County Council** Consulted 30.03.2016

Recommends that the permission be deferred for the following reasons:-

The applicant has failed to provide on-site car parking for the proposed development GFA 2078 sqm - 8 car parking spaces would be acceptable in this instance.

The tracking of an HGV provided on plan 10433 - 10 encroaches into; the hedge on exit to Seafield Lane, the Stable building on entry, top left hand corner and bottom left hand corner of Shed 4 - unacceptable.

No passing bay/s has been provided within the site; if Shed 1 was loading / un-loading and further vehicles arrived to access the other sheds then these vehicles would have to wait in the court yard - unacceptable

**Building Control** Consulted 30.03.2016

Having read the planning application supporting information and the original structural report form 2010 my comments are as below:

- 1 The ground floor of the shed would be suitable for the storage of logs and forklift truck loading
- 2 the first floor structure consists of walkways only and would need significant strengthening to be used at storage at this level (but this floor isn't mentioned in the report)
- 3 the first floor structure will need to stay in place as it is a key cross brace to the building fabric and removal would require major structural strengthen of the building fabric.

**Ecology** Consulted 30.03.2016

No objection.

**Drainage Engineers Internal Planning Consultation** Consulted 30.03.2016

No objection subject to the following conditions in relation to the storage of oils, fuels or chemicals.

**Worcester Regulatory Services- Noise, Dust, Odour & Burning** Consulted 08.04.2016

No comments from a noise / nuisance point of view

**Relevant Policies****Bromsgrove District Local Plan 2004 (BDLP):**

DS2 Green Belt Development Criteria  
DS13 Sustainable Development  
C27 Re-Use of Existing Rural Buildings

**Others:**

SPG4 Conversion of Rural Buildings  
NPPF National Planning Policy Framework

**Relevant Planning History**

14/0038	Change of use of two former agricultural buildings (dairy and barn) to provide four dwellings and all associated works	Approved	13.06.2014
12/0326	Demolition of two chicken sheds; conversion of the remaining two chicken sheds to provide 10 dwellings; creation of new access; creation of car parking area; provision of play area and other associated works.	Refused	29.06.2012
11/0025	Demolition of two chicken sheds; conversion of the remaining two chicken sheds to provide 14 dwellings; creation of new access; creation of car parking area; provision of play area and other associated works (As augmented by plans received 06th April 2011).	Refused	21.04.2011
B/2007/0101	Conversion of former chicken shed/barn to enable storage of historic/preserved vehicles relating to a registered educational trust.	Withdrawn	02.04.2007
BR/545/1973	Erection of four poultry rearing houses.		

## **Assessment of Proposal**

### Public Comments

5 objections received summarised which are summarised by topic below:

#### Planning History

There have been numerous applications in the past for the re-development/reuse of these buildings and they have all been either withdrawn or rejected as a result of a lack of policy compliance.

#### Impact on Green Belt

The proposal would result in a mixed use of the overall site when the approval for residential reuse is taken into account. Green Belt policies allow for the conversion of existing buildings which are capable of conversion. It is considered that these buildings require major reconstruction.

#### Lack of economic benefit

There would be greater economic benefit from re-use for alternative agricultural enterprises.

#### Structural Issues

The supporting statement provided with the application in relation to this matter is refuted. The vertical structures of the sheds are very dilapidated and would require reconstruction. There would need to be a rest area, toilets and sewage facilities provided. There are factual inaccuracies in the reports supporting the application. Photographs have been supplied to show that much more than minor repairs would be required. There has been no maintenance for in excess of 15 years with concrete blocks decaying, concrete pillars leaning and the vent boxes along the apex of the asbestos roofing sheets have collapsed. The retention of the asbestos roof would constitute a health hazard to any future employee.

#### Traffic Impact

The figures put forward by the applicant are not accepted. In terms of the previous use, the applicant claims that there were six lorry movements per day seven days a week. Having witnessed the actual movements, there were no more than 4 feed lorry movements and four egg collection lorry movements per week. There are also significant changes in the levels of background traffic movement on the lane compared with 15 years ago. The application relates to a commercial storage use, it would not be possible to control the type of material being stored leading to significantly harmful impacts in terms of highway movement. Worcestershire County Council has visited Seafeld Lane in 2007 and concurred that the lane was unsuitable for additional traffic especially lorries and HGV's. This information has not been forthcoming with significant increases in traffic in the intervening period. The additional movement would have a detrimental impact on highway safety on a lane which is frequently used for horse riding, cycling etc. The proposal would also negatively impact the highways verges, culverts leading to additional repair costs.

The former unit manager of the poultry farm states that there was one bulk food delivery to each shed per week and in the majority of cases, one delivery carried feed for two of the four sheds in one delivery. There was one egg collection lorry each weekday and none at the weekend. The applicant's statement that there were up to six lorry movements

(two way) per day is an exaggeration and factually incorrect. Planning application 14/0038 allowed for the conversion of existing barns to dwellings at Rose Cottage and the movement linked with the proposed storage use would have a significant impact on these properties.

The hedge along the frontage with Seafield Lane has been significantly reduced and the applicant's view that the buildings are surrounded by mature trees and hedgerows is incorrect. The approval of commercial storage use at this site would change the nature and the character of this agricultural site permanently.

Members are encouraged to read the representations received in full.

### **The site and its surroundings**

The application site comprises a complex of four large poultry houses at Rose Cottage Farm. All of the former sheds are now redundant. Seafield Lane lies to the west of the application site and there is open countryside to the east. All of the buildings are oriented on an east west alignment. Each of the buildings have two levels, the lower one was used for the collection of chicken waste and the upper one was for housing the chickens themselves. The lower level contains ventilation holes which have wooden covers. The farmhouse is located to the SE of the buildings and is surrounded by a number of smaller agricultural buildings which have the benefit of planning permission for conversion into four dwellings (B/2014/0038).

### **Assessment**

The proposal relates to the change of use of the four former poultry buildings to commercial storage (B8 use). One of the buildings would be used initially for the storage of logs by Avaro (Midlands) Limited, a company that currently operates at Glenfield Farm, Middle Lane. The main issues to be considered are: whether the proposal would amount to appropriate development in the Green Belt, overall impact of the scheme and suitability of the buildings for conversion, the highway and sustainability issues, impact on protected species and residential amenity. Members should note the representations raised and the planning history as set out above. The application is accompanied by a Supporting Statement, Structural and Ecological Surveys.

### **Green Belt**

The main policies to consider are policies DS2 and C27 of the Bromsgrove District Local Plan and paragraphs 79 - 92 of the NPPF. 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. Paragraph 90 of the NPPF require changes of use to preserve openness and not conflict with the purposes of the Green Belt. The form, bulk and general design of the scheme must be in keeping with its surroundings. The proposal requires a judgement to be made in relation to whether the scheme would have a materially greater impact on the openness of the Green Belt. A comparison must be made between the impact of the proposed change of use with the current situation on site. In terms of considering the proposed use, it's important to consider fully the implications of permitting the proposed use of the buildings such as the level of traffic and movement to and from the site, parking and manoeuvring

requirements. There are four, large derelict poultry sheds which have substantial bulk and impact on openness as they stand. The lawful use remains agricultural and the applicant is of the view that the reinstatement of the former use (as opposed to the proposal) would have a more detrimental impact on openness, as a result of greater levels of movement to and from the site than that now proposed. The fact that the use has ceased many years ago is a material consideration in terms of the likelihood of the reinstatement of that use. The public comments strongly refute the suggested movements arising from the agricultural use and the fact that one of the comments came from the former unit manager of the poultry sheds carries some weight. Whilst it is considered that the storage of logs in one of the buildings would have a neutral impact on openness, considering the former use, the application relates to the provision of commercial (B8 storage) in all four of the buildings extending to some 2056sqm. In summary, it is considered that the proposal conflicts with policy C27(a) and the NPPF.

In terms of the capability of the buildings for conversion, the application is supported by a Structural Survey and the matter is referred to in the applicant's statement. The views of Building Control are noted. It appears from the statement that the intention is to utilise the ground floor only (although this is not explicit) and the blockwork at this level is clearly robust, permanent and substantial. However, it is clear that the structural stability of the buildings depends on the retention of the first floor wooden walkways in situ in addition to the ground floor supporting posts. The feasibility of using the ground floor for storage must be questioned since the support posts make storage and movement difficult and there is a level change with much less depth at the western end of the buildings. The practicalities are a matter for the applicant but it is a material consideration that the buildings don't appear to lend themselves to storage using forklift trucks without internal and external changes. Insufficient information has been provided to demonstrate that viable reuse is possible, given that the applicant has stated that no significant alterations are necessary aside from minor repairs. It is noted that the Structural Survey presented dates to 2010. The provision of additional parking and manoeuvring areas, as required by highways (amended plans awaited) results in additional impact in respect of the openness of the Green Belt. Overall, it is concluded that the proposal amounts to inappropriate development in the Green Belt.

### Highways

Members should note the Third Party Representations received in respect of the proposal and the concerns raised about the suitability of Seaford Lane for additional vehicle movement. Whilst these concerns are noted, the views of Highways have been received and have not raised the issue of highway capacity. The key test to consider is the severity of the harm on the highway network arising from the development.

Additional information has been requested from the applicant in terms of access and parking details. Members will be updated on this matter. However, the matter of highway capacity and suitability has not been raised as a concern by Worcestershire Highways.

### Ecology

The applicant has provided an Ecological Survey and there are no concerns raised by the report with no evidence of protected species present.

### Residential Amenity

There are two residential properties to the south of the site (one which is Rose Cottage Farm) and one property opposite the application site. Members should note that planning permission has been granted for the conversion of a number of barns at Rose Cottage Farm into dwellings and this has not been implemented but is extant. These properties would be located within the yard which would be used to access the proposed storage use. Highways have raised concern about the conflict between commercial and residential vehicle movements in the yard. In the case of Unit 1(The stable, approved under B/2014/0038) the proposed garden for this unit now falls within the red line of the current application and windows serving a kitchen/diner and lounge on units 1 and 2 would be negatively affected. The vehicles to serve the proposed commercial buildings would traverse a narrow access between these properties. Members need to have regard to this permission when considering the overall proposal.

### Other matters

The planning history of the site shows that reuse of the buildings for residential purposes has been previously refused shortly after the publication of the NPPF. The potential fallback for the conversion of agricultural buildings to flexible commercial uses under Class R, Part 3, Schedule 2 of the Town and Country Planning General Permitted Development Order 2015 is noted but this is limited to a floorspace of 500sqm which the proposal substantially exceeds. The applicant has cited emerging policy BDP15 of the emerging Bromsgrove District Plan but limited weight can be given to this policy at this time.

### Conclusion

The proposal raises a number of concerns in respect of Green Belt policy and it is concluded that the impact upon openness arising from this proposal exceeds that of the current or previously lawful situation. The proposal could result in a detrimental impact on future residents living in close proximity to it. On balance, permission should be refused.

**RECOMMENDATION:** That planning permission be Refused.

1. The existing design, construction and form of the building would not facilitate the proposed storage use and the applicant has provided insufficient information to demonstrate that it would be capable of the conversion proposed without significant structural intervention. The proposed use would necessitate additional hardstanding to facilitate parking, manoeuvring and loading/unloading areas. This would not preserve the openness of the Green Belt and would conflict with the purposes of including land within the Green Belt. Thereby, the proposal amounts to inappropriate development in the Green Belt which is, by definition harmful. No very special circumstances exist or have been put forward to outweigh the harm caused contrary to policies DS2 and C27 of the Bromsgrove District Local Plan and paragraphs 88 - 90 of the NPPF.
2. The proposed change of use would result in an employment development in an unsustainable rural location outside any defined settlement with no access to

facilities and services and would thereby be reliant on private vehicles. Thereby the proposal would be contrary to policy DS13 of the Bromsgrove District Local Plan 2004 and paragraph 17 of the NPPF.

### **Informatives**

- 1) The local planning authority is aware of the requirement in the NPPF and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 to work with the applicants in a positive and proactive manner, seeking solutions to problems arising in relation to applications.

However the principle of development in this case was contrary to development plan policy and was not considered to be a sustainable form of development from the outset. This fact has been communicated to the applicant at an early stage. However, the applicant chose to continue with the proposal.

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