

| Name of Applicant | Proposal | Expiry Date | Plan Ref. |
|-------------------|---|-------------|--------------|
| Mr Dan Harper | Proposed change of use for two units to B1 and two units to B8 The Yard At Dusthouse Lane Finch End Farm Upper Gambolds Lane Stoke Pound Bromsgrove B60 3HF | 23.12.20 | 20/00780/FUL |

RECOMMENDATION: That planning permission be **REFUSED**

Councillor Whittaker has requested that this application is considered by Planning Committee rather than being determined under Delegated Powers

Consultations

Finstall Parish Council

No response received.

Highways - Bromsgrove

The Highway authority is unable to support the application due to its unsustainable location.

It reports that the site is located in a rural unsustainable location, that benefits from 2 existing vehicular access which lead into a parking area. The roads do not benefit from footpaths or street lighting in the vicinity of the development or bus stops / amenities which are within acceptable walking distance or routes. It is noted a bus stop is located approx. 500m from the proposed development.

Bromsgrove Railway Station is located approx. 800m from the proposed development via St Godwalds Rd and 1.4km via Lower Gambolds Lane along unlit roads or track.

The lack of adequate footway provision and street lighting will deter journeys on foot particularly in times of darkness and adverse weather conditions. The roads and lanes in the vicinity consist of narrow carriageways with grass verges in parts. These factors are unlikely to encourage cycling to the proposed development or to services and facilities. Due to the above factors the trips would become car-based trips which would be unacceptable.

WRS – Noise

WRS raise no objection and consider that a B1 use will not give rise to amenity issues within a residential area, and therefore is acceptable in this location.

Economic Development

ED considers that the proposal meets some of the key principles outlined within the National Planning Policy Framework (NPPF) and specifically paragraph 28, which states

that planning should “*promote the development and diversification of agricultural and other land-based rural businesses*”

In addition to the national policy position, the adopted Bromsgrove District Plan also recognises the challenges associated with the farming industry within the District, two of the key challenges highlighted are as follows:

7. Responding to the needs of existing employment and the economy and recognising the importance of farming/agriculture in the District; and

8. Recognising the strength provided to the economy by diversification into, for example, high technology industries, green industries and in rural areas, farm diversification

Publicity

A total of 19 letters were originally sent on 10th August 2020 which expired on 3rd September 2020.

A site notice was displayed on 14th August 2020 and expired on 7th August 2020. The application was advertised in the Bromsgrove Standard on 14th August 2020, expiring on 31st August 2020.

A total of 11 representations were received as a result of the publicity of the application. Of these 7 were recorded as objections and 4 are as making comments in support of the proposal.

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

- The farm should be allowed to diversify, providing additional source of income and provide business accommodation that will contribute to the local economy.
- There are no discernible impacts arising from the site and barely noticeable to passers-by.

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

- St Godwalds Road and Dusthouse Lane are narrow in many places, single vehicle only with no public lighting, no pavements, unrestricted national speed limit, a designated cycle route and a popular pedestrian access route for walkers to the countryside.
- Bromsgrove Cricket/Tennis/Hockey Club is approached from St Godwalds Road and has several junior sides in all three sports and many youngsters either walk or cycle there.
- Lanes already congested and increasing traffic with commercial vehicles would be unacceptable and dangerous
- Concerns of noise currently generated by unit 3 – DWS Mechanical Services Ltd – with noise ranging from machinery possibly power tools, fork lift trucks, loading metal pipes, ducts etc, general staff and vehicular activity on site
- Nature, scale and intensity of industrial and commercial uses are incompatible with adjoining residential uses and have an unacceptable adverse impact. Unit 3 does not conform to requirements of a B1 use, namely an industrial use with “..activities

that can be carried out in any residential area without detriment to the amenity of that area by reason of noise ...”

- If unrestricted B8 use allowed could result in a large number of HGV movements throughout the day.
- Concern raised over noise and air pollution for all residents but especially those being cared for at the Town’s hospice next door.
- Ecology enhancements and safeguarding should be considered
- Concern raised about foul and surface water disposal.

Councillor Whittaker

Has requested that the application be brought before committee for determination.

Relevant Policies

Bromsgrove District Plan

BDP1 – Sustainable Development Principles

BDP4 – Green Belt

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

Relevant Planning History

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| 20/00431/FUL | Retrospective change of use for two units to B1 and two units to B8 | Withdrawn 3 rd July 2020 |
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Assessment of Proposal

Proposal

This application is for the change of use of four agricultural buildings to mixed B1 and B8 use. The site is located south of the Bromsgrove settlement boundary of Aston Fields by some 150m.

The unit labelled Unit 3 also forms part of the application, but the current user of that unit does not.

Green Belt

The site is on Green Belt designated land.

In terms of BDP4, whilst the site is within the Green Belt, the proposal is considered not inappropriate because it falls within the exceptions listed under paragraph 145 of the National Planning Framework 2019 (the Framework), namely that it involves the re-use of buildings, which are of permanent and substantial construction, and involves the material change in the use of land. The proposals would also preserve Green Belt openness and would not conflict with the purposes of including land within it.

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

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 has inferred in its discussion about sustainable location that access to the site would be made more unsafe for pedestrians and cyclists because of a lack of adequate footway provision and street lighting and that the roads and lanes in the vicinity consist of narrow carriageways with grass verges in parts. It considers that this would act as a deterrent for pedestrians and cyclists and result in a shift to greater car use. The proposal therefore, by way of deterrent, is likely to reduce the number of pedestrians and cyclists using the road and therefore make it no worse from a highways safety point of view for pedestrians and cyclists. The Highway Authority raised no issue regarding HGV movements. I conclude therefore, that there would not be an unacceptable impact on highway safety that would exceed the severe threshold.

Sustainable location

The applicant submits that 'in consideration of whether the site is located in a sustainable location or not, they present the following points:

- The site is located only 150m from the urban development boundary, immediately next to a range of leisure and sport uses and with residential use to three sides.
- It is accessible by a range of sustainable transport modes including railway (Bromsgrove train station is 0.8km / 10 min walk), bus (several bus stops 0.5km / 5 min walk), bicycle (is on National Cycle Route 5)
- The site is located 0.5km / 5 mins walk from the centre of Aston Fields which is very well served by a range of facilities and services including; Post office, café, butchers/shop, co-op, a pub, travel lodge, hairdressers, coffee shop and a range of takeaway food outlets.'

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 states 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 the narrowness of the lanes and lack of footways and street lighting makes it much less attractive for cyclists and pedestrians. Consequently, the vast majority of those visiting the site would be vehicle-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 would be sensitive to its surroundings for reasons explored elsewhere in this report. In terms of impact on local roads, the Highway Authority has raised no specific objection on these grounds. 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, as recommended by the Highway Authority

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 proposal for B1 light industrial use, by legal definition, would be acceptable in a residential area and B8 storage use would also be acceptable, in my view, subject to a restriction on collection and delivery times.

Given the above I am satisfied that the proposal as applied for is acceptable.

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. The buildings exist and therefore impose no new flood risk.

Ecology

There appears to be opportunity within the site to provide some landscaping and ecology enhancements to benefit local bio-diversity, which could be secured by way of planning condition, in the event the application is approved. With these measures included, the I conclude the proposal would be Bromsgrove District Plan Policy BDP 21 compliant.

Other matters

Given the nature and scale of the development I am satisfied that there would be no adverse air pollution. All matters raised have been taken into account, and I consider that the application should be refused for the one reason given below.

Conclusion

I conclude that the proposal does not accord overall with the Bromsgrove District Plan and no other material planning considerations were identified that might override the grounds for refusal.

RECOMMENDATION: That planning permission be **REFUSED**

1. There are no bus routes / stops located within acceptable walking distance from the proposed development. The lack of adequate footway provision and street lighting 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.

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