

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
<b>Bumble Hole Foods Ltd. 'A'</b>	Demolitions and alterations to existing buildings and erection of new buildings (gross internal area 4966 sq m) for refrigeration, grading, storing, breaking and processing eggs and manufacture of egg products (Use Class B2) and associated works (as augmented by drg. no. H1334/01-G (Floor Plans - Sketch Scheme 1) received 28.05.2010) - Bumble Hole Poultry Farm, Bumble Hole Lane, Dodford, Bromsgrove, B61 9JA	GB	<b>10/0409-JT</b> 10.06.2010

**RECOMMENDATION:** that, subject to the satisfactory views of Worcestershire Highways, permission be **GRANTED**.

### Consultations

Worcestershire Highways	Consulted: 13.05.2010. Final response awaited.
Highways Agency	Consulted: 13.05.2010. Final response received: 07.06.2010. No objections.
Worcestershire County Conservation and Landscape Officer	Consulted: 04.06.2010. Final response received: 09.06.2010.  Generally supports the application as the removal of derelict sheds and replacement with purpose-built buildings will improve visual amenity. There will be minimal visual impact resulting from the proposals, which will not be visible from public highways or footpaths. The taller buildings will however be visible from two adjacent residential dwellings - Greenacres and Bumble Hole Cottage. Considers that the effect of taller buildings on the visual amenity of these two dwellings will be of a minor adverse degree. Also considers that the removal of the derelict sheds will result in a minor beneficial impact.
West Mercia Police	Consulted: 13.05.2010. No response received.
Worcestershire Wildlife Trust	Consulted: 13.05.2010. No response received.
Strategic Planning	Consulted: 13.05.2010. Final response received: 26.05.2010.  As the application site is situated within the Green Belt, PPG2 and Policy DS2 of the adopted Bromsgrove District Local Plan will apply. PPS1, PPS4, PPS7, draft PPS Planning for a Low Carbon Future in a Changing Climate, draft PPS Planning for a Natural and Healthy Environment, DS13, ES11 and SPG5 are also relevant.  Although the proposed buildings are not higher than the existing building remaining on site and the proposals do not encroach any further than the existing buildings, the proposal will be more bulky than the existing buildings due to the joining up of buildings for the increase in floor space in the new proposal, and higher than the demolished

buildings. It is therefore only in very special circumstances should permission be given.

#### PPS4

According to EC10.2 of PPS4, a series of impact considerations should be applied, in relation to limiting carbon dioxide emissions, accessibility by a range of modes of transport, high quality and inclusive design, economic and physical regeneration, and local employment.

#### Draft PPS: Planning for a Low Carbon Future in a Changing Climate

Policy LCF13 of the draft PPS states that new development should be designed to reduce Green House Gas emissions, give priority to the use of SUDs, support sustainable waste management, create and secure opportunities for sustainable transport, to avoid adding to the vulnerability of existing or other proposed development to impacts arising from changes in the climate. As the proposal is a major development (i.e. commercial development with 1000 m<sup>2</sup> or more commercial floor space), LCF13.3 requires the applicant to demonstrate through the Design and Access Statement how the development complies with the criteria in LCF13.2. Although the draft PPS does not carry as much weight as the PPSs it is going to replace, LCF13 is in accordance with the current PPS1 supplement, and hence the above issues should be considered by the applicant in the proposal.

#### Draft PPS: Planning for a Natural and Healthy Environment

Policy NE8 of the draft PPS states that local planning authorities (LPA) should:

- maximize opportunities for building-in beneficial biodiversity and geodiversity features in and around developments as part of good design, using planning obligations where appropriate (NE8.7)
- aim to avoid harm to the natural environment (such as landscape and biodiversity) through development and ensure that conditions on adequate mitigation and compensation measures are put in place before planning permission is granted (NE8.1).

The Worcestershire Landscape Character Assessment and the Green Infrastructure Map should be referred to when considering the necessary mitigation, compensation and contributions from the development to the natural environment stated in the policy.

#### Worcestershire Landscape Character Assessment

Paragraph 13 of PPS 7 states that "local planning authorities should encourage good quality design throughout their rural areas in accordance with Annex C to PPS1, and utilising tools such as Landscape Character Assessments".

According to the Worcestershire Landscape Character Assessment, the site falls within the Catshill Principal Settled Farmlands Landscape Description Unit. The landscape condition of the unit in previous survey was moderate intensity land use with declining field pattern in places fragmented with boundaries in poor condition, lack of hedgerow trees, localised intermittent stream tree lines, etc.

In reference to the landscape type factsheet, the management strategy for Principal Settled Farmlands should be to conserve and enhance the unity and scale of the landscape with particular emphasis given to retaining its settlement pattern and the hedgerow boundaries to its fields. The Landscape Guidelines are:

- Conserve and enhance the pattern of hedgerows
- Retain the integrity of the dispersed pattern of settlement
- Conserve and enhance tree cover along watercourses
- Enhance patterns of tree cover associated with settlement
- Seek opportunities to conserve all remaining areas of permanent pasture

The online LCA tool should be used or views from the County Landscape Officer should be sought to assess the landscape impact of the proposal. I am aware that some trees will be felled in the proposal, the Tree Officer's views will be relevant regarding the impact of the development on existing trees on the site.

#### Green Infrastructure Base Map

PPS9 states that one of the Government objectives for planning is "to conserve, enhance and restore the diversity of England's wildlife and geology by sustaining, and where possible improving, the quality and extent of natural habitat and geological and geomorphological sites". The County Council is working on a county-wide Green Infrastructure map and in the draft Green Infrastructure map, the site falls within the 'Functional Ecological Connectivity Buffer' and 'Other Semi Natural Habitat' areas. These are habitats important for wildlife and it is important that the proposal will conserve and enhance the habitats.

The ecologist in the County Council and the Worcestershire Wildlife Trust should be consulted in regards of the ecological issues.

In regards of parking, highways and the promotion of sustainable transport (cycle routes in particular), PPG13, policy TR16 and the view of the Highways Engineer will be relevant.

Consulted: 13.05.2010. No response received.

Woodland  
Officer  
Economic  
Development

Consulted: 13.05.2010. Final response received: 13.05.2010.

Strongly supports the application. Bumble Hole Eggs is a progressive company which supplies several nationally known brands with egg-

Engineers /  
Drainage

derived products. It is one of the district's major employers.  
Consulted: 13.05.2010. Final response received: 25.05.2010.

No objections. Comments as follows:

#### Condition

The disposal of storm water shall be by means approved by the Local Planning Authority. The approved system shall be operational before building works commence. Balancing will be required in accordance with the Environment Agency policy. There is no Public Surface Water Sewer available and no surface water will be allowed to discharge to the foul water sewer.

Precise details of the containment and disposal of surface water generated by new structures and hardstandings will be required. Sustainable urban drainage systems will be required with porous surfaces incorporated into their design. Yard gullies are to be of a trapped design and the possibility of incorporating an online interceptor needs to be discussed. Any discharge to the adjacent stream/ditch has to be attenuated to a discharge rate comparable to a green field site.

No flood risk assessment warranted.

#### Comment

The disposal of foul sewage shall be as before to the public foul sewer that actually passes through the site.

General note: Any defunct pipe work is to be broken out while any existing land drains are incorporated into the new storm drainage systems.

Environmental  
Health

Consulted: 13.05.2010. No response received.

Commercial  
Regulation

Consulted: 13.05.2010. Final response received: 18.05.2010.

No objections in principle to the above application.

The premises and business will be required to comply with Food Safety legislation which is enforced by this Council and the premises will be subject to routine inspection to assess compliance.

The premises are Approved Premises under the provisions of Regulation (EC) No 853/2004 by virtue of the nature and quantity of food stuffs produced. As a consequence of this they are subject to specific requirements relating to food safety.

Advice may be obtained on detailed compliance with this legislation from the Commercial Team at Bromsgrove District Council (telephone number 01527 881434).

Bournheath Parish Council  
Bromsgrove National Farmers' Union

Consulted: 13.05.2010. No response received.

Response received: 22.06.2010.

Fully supports the application. Notes that the applicant has been members of local Bromsgrove National Farmers Union since the 1960s and have successfully developed and diversified their business in this time.

As the business has evolved it has had to adapt working practices to cope with the demands of modern legislation and economic efficiencies required to survive and remain a key player in the modern business market place.

The submission demonstrates the benefits arising from the proposed development, including a positive outcome not only for the business, but also for local employment, the local economy and a growing population.

Publicity Site Notice posted 10.06.2010; expired 01.07.2010.

Press Notice posted: 20.05.2010; expires 10.06.2010.

No objections received.

### The site and its surroundings

The application site is situated south of Bournheath and south west of Catshill in an open Green Belt location, immediately to the west of the intersection of the M5 and M42 motorways (M5 junction 4A). It forms part of the wider Bumble Hole Foods site, which includes a recently constructed main access to the site (via Rocky Lane to the north), a weighbridge and two residential properties with associated curtilage buildings. The site has an approximate area of 5.5 ha.

The site is used for manufacturing (Use Class B2), mainly involving the processing and packing of eggs and egg-based products. The applicant's planning statement states that 'over time the use has altered from agricultural to manufacturing. The current use has been operational for well over 10 years and is therefore longstanding'.

According to the submitted planning statement, the site was acquired in 1964, soon after which processing commenced as a result of supermarket competition. Processing has increased and been ever more important to the business model since that time. Turnover has increased from £5 million to £14 million over the last five years, and the applicant now employs 65 permanent staff in addition to a number of temporary positions. According to the applicant, the business has altered over the years from a low key rural diversification site to a significant and important local employer contributing significantly to the District's economy.

The site contains a range of building associated with the longstanding egg packing plant at the site. These include an office building, storage building (understood formerly to have been chicken sheds), substation, production building and eggshell storage building which

has recently been completed. 38 parking spaces are formally laid out, with additional parking at various locations around the site. Several buildings, including those proposed to be demolished, are in a poor state of repair having been in situ since the site was acquired by the applicant.

A small eggshell store building, with a footprint of 72 sq m and a height of 6.5 metres was given planning permission in June 2010 (ref: 10/0362). It is understood that this permission has not yet been implemented.

Other than those residential properties falling within the ownership of the applicant, the nearest dwellings to the application site are Bumble Hole Cottage, Bumble Hole Lane - approximately 180 metres to the south - and a cluster of properties at the junction of Bumble House Lane and Valley Road (Keble House, The Lodge, Wayside, White Lodge and The Clock House) the nearest of which, Keble House, is approximately 150 metres to the west.

### Proposal

Permission is sought for demolitions and alterations to existing buildings and erection of new buildings and associated works. According to the applicant, the work is needed to upgrade and remodel the site for purposes "associated with Bumble Hole Foods ongoing commitment to providing local employment for the local area, maintaining their position within Bromsgrove District, and rationalising and making more efficient the existing process."

The applicant states that the present production process is disjointed and there is significant inefficiency with the movement of products and personnel across the site. There is no continuous production line and processes of storage have developed on an ad hoc basis in different locations across the site. It is also said that some of the buildings are in a poor state of repair and whilst capable of being used are not ideal for their purpose, having never been designed for egg processing.

It is anticipated by the applicant the proposals would protect the existing employment supported by the site and to increase the number of employees by approximately 30 to 95 full time equivalent jobs.

Three distinct elements are proposed. Firstly, an extension to the south of the existing production building is proposed comprising a new egg breaking area, refrigerators and staff facilities. This extends to a footprint of 2,027 sq m, following demolitions extending to 1,290 sq m. The net increase is therefore 737 sq m.

Secondly, a smaller detached egg grading building is proposed to the west of the proposed extension to the south, extending to a footprint of 890 sq m. This would replace two storage buildings which total 844 sq m, thus comprising an increase in floorspace of 46 sq m.

Thirdly, a further extension is proposed to the north of the existing production building comprising a bay extension. This extends to a footprint of 630 sq m, replacing two storage buildings totalling 567 sq m of footprint. The overall increase in this area is therefore 63 sq m.

The buildings would be of utilitarian appearance, and would have a maximum height of approximately 12 m. The applicant states that the scale and height of the buildings are the minimum necessary for operational requirements and their datum levels are set by the loading entrance area which is critical to finished floor levels.

### Relevant Planning History

The site and land in surrounding ownership have a long planning history, including several historic applications for dwellings for agricultural occupancy. The most relevant applications are as follows:

- BU/111/1971 Packing, grading and storage shed. Approved.
- BU/421/1973 Three 90' x 32', two 140' x 32' battery laying sheds and one rearing shed. Approved.
- B/3593/1977 Erection of office block.
- B/8433/1981 Extension of farm offices.
- B/10536/1983 Erection of farm building (storage). Approved: 21.02.1983.
- B/18592/1989 Erection of two adjoining buildings for packaging and storage of eggs. Approved: 11.12.1989.
- B/1992/0536 Installation of 1000kg vessel for propane. Approved: 10.08.1992.
- B/1994/0880 Erection of adjoining building for boiled egg production & cold storage and canopy to loading bay. Refused: 09.03.1995.
- B/1995/0186 Erection of adjoining building for boiled egg production and cold storage (re-submission of 94/0880), plus canopy to loading bay (B18592). Approved: 21.12.1995.
- B/2000/0004 Ground floor and first floor extensions to existing single storey farm office and formation of car park. Approved: 19.06.2000.
- B/2000/0270 Hay barn - agricultural notification. Determined details not required: 12.10.2000.
- B/2000/0334 Erection of electrical sub-station and water plant room following the demolition of existing buildings. Approve: 25.09.2000.
- B/2003/1045 Formation of new vehicular access to Bumble Hole Eggs Ltd (from Rocky Lane). Withdrawn: 25.09.2003.
- B/2003/1600 Formation of new vehicular access to Bumble Hole Eggs Ltd (from Rocky Lane) - resubmission. Approved: 29.04.2004.
- B/2006/0194 Steelframe egg shell storage/crushing - agricultural notification. Determined details required: 20.03.2006.
- B/2006/0459 Steel framed colour coated steel clad/brick eggshell storage/crushing building. Approved: 02.08.2006.
- B/2008/0315 Formation of flush weighbridge area including paved approaches, cameras, and lighting. Approved: 17.07.2008.
- 10/0362 Erection of eggshell store. Approved: 18.06.2010.

## Relevant Policies

WCSP	CTC.1, CTC.8, D.16, D.19, D.29, D.38, D.39, D.43, SD.2, SD.3, SD.4, T.1, T.3, T.4, T.9
BDLP	C4, C27, DS2, DS13, E9, ES1, ES2, ES4, ES11, TR1, TR8, TR11, TR16
Others	PPS1, PPG2, PPS4, PPS7, PPS9, PPG13, PPS23, Draft Planning Policy Statement: Planning for a Low Carbon Future in a Changing Climate, SPG4, SPG5

## Notes

The main issues in determining the application are:

- 1) the appropriateness of the development in the context of Green Belt policy, and whether any harm to the Green Belt would be caused;
- 2) if harm is caused to the Green Belt, whether any very special circumstances exist to outweigh that harm;
- 3) any other relevant planning issues, including highways, landscape impact, sustainability, design and residential amenity.

## Harm to the Green Belt

The applicant acknowledges that the proposal does not conform to any of the categories of appropriate development set out in PPG2: Green Belts, and therefore constitutes 'inappropriate' development within the Green Belt. Policy D.39 of the Worcestershire County Structure Plan states that there will be a presumption against allowing inappropriate development in the Green Belt, reflecting the advice contained in national planning guidance PPG2. Inappropriate development is, by definition, harmful to the Green Belt. Policy D.38 of the Structure Plan and policy DS2 of the Local Plan are in general accordance with PPG2 in resisting development in the Green Belt unless proposals fall within a defined list of appropriate development.

The extent of the harm caused to the Green Belt must therefore be determined. According to paragraph 1.5 of PPG2, the purposes of including land in the Green Belt include checking the unrestricted sprawl of large built-up areas, preventing neighbouring towns from merging into one another, and assisting in safeguarding the countryside from encroachment.

The proposed buildings all broadly replace existing buildings of similar footprint. According to submitted plans, the existing footprint of the building on the site is 7,349 sq m. The proposed footprint would be 7,640 sq m, an increase of approximately 4 per cent. This figure is increased to 7,712 sq m (5 per cent) if the 72 sq m permitted but unimplemented egg storage building is included.

As the proposed buildings would be partially two storey, the total floorspace would be increased to approximately 8,820 sq m, an increase of around 17 per cent. (NB. In the submitted planning statement, the applicant puts this figure higher, at 21 per cent.)

The height of the proposed buildings (a maximum of 12 metres above ground level) would be substantially taller than the existing shed buildings to be demolished, which

have a ridge height of approximately 6.5 metres. The proposed buildings would be largely shielded from public view by the adjacent motorway and the sunken topography of the site and would not be easily visible from public vantage points, other than from Bumble Hole Lane.

In summary, the buildings proposed would cover a slightly larger footprint than the existing buildings which they would replace, but the new buildings would be substantially taller than the existing ones. However, the site is not widely visible from public vantage points. The proposal would not result in or contribute to urban sprawl, the merger of settlements or significant encroachment into the countryside. It is considered there would be a modest but noticeable impact on the openness of the Green Belt in the vicinity as a result of the bulk and height of the proposals.

#### Consideration of 'very special circumstances'

As the proposals are by definition harmful to the Green Belt, the application should be refused unless very special circumstances exist which outweigh the harm caused. The applicant has put forward several very special circumstances in relation to the application as follows:

- 1) importance of supporting economic development in the District;
- 2) need for development;
- 3) need for development on the application site;
- 4) protection and enhancement of employment opportunities; and
- 5) lack of impact on the Green Belt.

These arguments are summarised in turn in the following paragraphs.

#### *Economic development*

The applicant points out that PPS1 states at paragraph 5 that development should support existing communities and contribute to, inter alia, communities with good access to jobs and key services for all members of the community, and at paragraph 23 that the Government is committed to promoting a strong, stable and productive economy that aims to bring jobs and prosperity for all. Furthermore, PPS4 states that one of the Government's key aims is to encourage continued economic development, and a key objective is to maximise job opportunities for all.

The applicant concludes that:

*"It is clear therefore that there is a substantial weight of policy, both adopted and emerging, which supports economic development within Bromsgrove District... Economic development is a means for achieving prosperity for all, creating mixed and inclusive communities, and ensuring sustainable approaches to both urban and rural living... This has never been more important than in the current economic climate, at a time when the economy is in recession, businesses are failing, and jobs are being lost... The ability to protect existing jobs, and create jobs in such a recessionary environment is a significant material consideration which weighs heavily in favour of the proposals and constitutes very special circumstances."*

### *Need for development*

The applicant points out that the physical attributes of the site have changed little since the site was acquired in the 1960s, and as a consequence, few of the buildings are designed specifically for the egg processing that takes place. For example, storage and other activities take place in prefabricated timber chicken sheds, which are not secure, watertight, suitable for refrigeration, or capable of easy use by forklift trucks or import/export vehicles.

Two further limitations on productivity as a result of the configuration of the site are identified by the applicant:

- The siting of the buildings dictates that the production and storage activities are limited to specific areas of the site, and in most cases these buildings are detached from the principle production building resulting in produce and employees having to travel from one building to another, which in poor weather slows or halts production.
- The form, size and lack of quality in the buildings is such that their use is only limited. As a consequence there is little flexibility in the production process (i.e. buildings cannot be put to a range of uses associated with the business).

The applicant contends that it is no longer appropriate for the site to operate as a rural diversification scheme, instead there is a need for productivity to be made significantly more efficient in order to competitively service the national and international clients which the applicant has secured over the years. The applicant is competing with national and international egg processing plants which have bespoke, first class buildings and equipment designed specifically for the process in order to maximise efficiency and minimise costs.

### *Need for development at the application site*

The applicant states that the processing of eggs requires a bespoke building layout and design and that there is also a requirement for significant levels of hygiene on the site. This requires that buildings are subdivided, temperatures are closely controlled, protective clothing is worn, and levels of security high. Several buildings require refrigeration and there is a need for significant utility supplies to buildings (electricity, gas and compressed air). All buildings require complex gulley systems set within the flooring.

It is contended that these factors mean it is not possible for the egg processing operation to be relocated to lightweight, industrial units elsewhere within the District. Furthermore, it is not a viable proposition for the site to be split, with production and storage taking place on separate sites within the District, which the applicant contends would add to production costs (transportation, travel times, management structures, duplication of staff etc.). The most efficient production model is said to be the location of all operations on a single site, within bespoke designed buildings providing for efficient movement between raw material, processing and end product.

To this end, it is noted that the site has already been the subject of significant investment in plant and equipment in recent years, particularly with regard to plant and equipment. The applicant states that approximately £2.5 million has been spent in the past 5 years on bespoke plant and equipment for the operation. This includes works carried out under

permissions B/2000/0004, B/2006/0459 and B/2008/0315, for offices, egg shells storage buildings and a weighbridge.

The applicant also emphasises that an additional benefit of remaining in the present location over relocation is the proximity to the existing workforce, the great majority of which is said to live locally.

The applicant concludes that:

*"The lack of any ability to relocate some or all of the operations to an alternative site outside of the Green Belt is a very special circumstance which weighs heavy in favour of the proposals."*

#### *Protection and enhancement of employment opportunities*

The applicant contends that "at the local level, the need to protect and enhance employment opportunities is vital given the rural location of the site and the lack of any alternative employers locally. In this regard the jobs to be protected and created are in a low risk stable industry, and provide a good balance with the District's traditional automotive industry".

The site currently supports 65 permanent jobs together with additional temporary positions. It is anticipated that if the proposals were to be approved, an additional 30 jobs would be created, as well as the protection of the existing positions.

The applicant contends that supporting employment development is increasingly important in rural areas, and cites emerging and new policies including the Taylor Review and PPS4.

The applicant also notes that, according to 2001 Census data, people in fulltime employment account for 35.08 per cent in the Woodvale Ward in which the application site is situated compared to 42.02 per cent in Bromsgrove District, 40.3 per cent in the West Midlands and 40.81 per cent in England. The applicant cites this as clear evidence that providing additional employment opportunities locally is important.

#### *Lack of impact*

The final very special circumstance put forward by the applicant is that the proposals would not cause any harm to the Green Belt. The applicant argues that proposed development has been sensitively designed to avoid any impact on the Green Belt as follows:

- The buildings proposed replace buildings that exist in terms of their footprint and siting.
- The total floorspace to be created amounts to only 21 per cent more than the floorspace that is to be demolished. [Officer's note: the case officer's own calculations based on the submitted drawings put this figure at approximately 17 per cent, and the increase in footprint at between 4 and 5 percent.] This is a modest immaterial increase and demonstrates that this is the lowest quantum of floorspace that can be accepted in order to maintain viability of the site.

- The buildings would be located within the existing building envelope upon previously developed land. There will therefore be no extension to the urbanised form of development, and the proposed buildings to a large extent will be viewed against the backdrop of existing structures.
- The proposed buildings will be no higher than the existing buildings on site, and the application site sits within a hollow such that the skyline will not be broken from any public vantage points.
- No extensions to areas of hard surfacing, fencing or other urbanising features are proposed.

### Conclusion on Green Belt issues

It has been identified that the proposal represents inappropriate development in the Green Belt. Officer's do not concur with the applicant's suggestion that no harm to the Green Belt would arise as a result of the proposal, as according to PPG2 inappropriate development is by definition harmful to the Green Belt. Additionally, though it is true that the proposed buildings would be no taller than some others on the site, they would be significantly taller than those they would replace.

I agree with the applicant's conclusion that the impact of the proposals would be limited by a number of factors, and would not significantly prejudice any of the aims of Green Belt policy. However, it has been concluded there would be a modest but noticeable impact on the openness of the Green Belt in the vicinity as a result of the bulk and height of the proposals, notwithstanding the fact that the proposal would not be significantly visible. Members must therefore consider whether the harm caused to the Green Belt is outweighed by the benefits of those very special circumstances identified by the applicant, as set out in the paragraphs above.

Each of the circumstances put forward are considered to be valid considerations. I place varying degrees of weight upon each of these matters. I consider the need to encourage economic development and the requirements of the applicant's business to represent a very special circumstance of significant weight. According to the Economic Development Officer, the applicant is a progressive company which supplies several nationally known brands with egg-derived products and is one of the District's major employers. It is also noted that the National Farmers' Union has written to support the application. The proposed development would help to secure approximately 65 jobs and create a further 30, many of which could be filled by local people, which is to be supported. This therefore also represents a very special circumstance of significant weight.

The case officer's site inspection confirmed that the buildings to be demolished are of poor quality and ill suited to the needs of a modern business. I therefore attach significant weight to the need to bring the facilities on the site up to modern standards in order that productivity can be maintained and increased.

Although the need to comply with food hygiene legislation is recognised, no evidence that the existing arrangements are unsatisfactory in relation to health and safety procedures has been submitted. Only limited weight is therefore given to this factor. However, I acknowledge that the needs of the applicant are highly bespoke and specific, and could not be easily accommodated in an existing vacant industrial unit in a non-Green Belt location within the District. Similarly, it would appear that there is limited scope for

disaggregation of activities to separate sites, and the investment in the site that has already taken place is noted. It is therefore considered there is little realistic prospect that the business could relocate to other premises within the District, and I therefore attach significant weight to the need to improve the current facilities.

On balance, I am satisfied that the very special circumstances put forward by the applicant are sufficient to outweigh the relatively limited harm that would be caused to the Green Belt if the proposals were to proceed.

It is recommended that conditions are attached limiting the floorspace to that specified by the application, and preventing external storage and further extensions to the building using permitted development rights, in order to restrict further Green Belt encroachment. For the same reason, a condition should require the demolition of the existing buildings prior to the commencement of the development (other than incidental site preparation works).

### Use

The use of the buildings for the refrigeration, grading, storing, breaking and processing eggs and manufacture of egg products is considered acceptable in principle. However, it is considered that a condition should be attached restricting the use of the buildings specifically for this purpose, rather than other uses in Use Class B2 (general industry) which would be allowed under permitted development legislation.

### Highways implications

Policy E9 states that all applications for new employment development will need to demonstrate that traffic to be generated by the development will not overload the capacity of the highway system or adversely affect residential or other non-industrial development. Where this is likely to occur the applicant will be required to carry out amendments to overcome the problems otherwise created. The comments of the Highways Officer are awaited.

### Residential amenity

No dwellings are close to the proposed buildings as the site occupies a relatively isolated and self contained location, and it is noted that no objections to the proposals have been received. Nevertheless, it is considered that a condition should be attached restricting the noise emissions from the proposal.

### Sustainability

Policy EC10.2 of PPS4 states that, among other things, the Council must consider whether the proposal has been planned over the lifetime of the development to limit carbon dioxide emissions, and minimise vulnerability and provide resilience to, climate change. The proposals would represent an improvement over the existing buildings from a sustainability perspective, being more efficient and purpose built.

## Design

The proposed buildings are of functional design. However, they would represent a significant improvement over the buildings to be replaced, which are in a poor state of repair and are reaching the end of their useful life, having been constructed as chicken sheds.

## Landscape impact

The landscape impact of the proposals is considered to be minimal. The applicant has carried out an assessment of landscape impact in accordance with the Worcestershire Landscape Character Assessment, which concludes that the proposals will not conflict with the Assessment, and that the proposals would contribute positively towards the landscape. It is noted that the Worcestershire County Conservation and Landscape Officer supports the application.

## Conclusion

It has been concluded that the proposals represent inappropriate development in the Green Belt, and that a moderate amount of harm would be caused as a result of the new buildings. However, in my view, very special circumstances exist sufficient to outweigh the harm caused. The proposals do not raise any other planning issues, and it is therefore recommended that permission is granted, subject to the imposition of suitable conditions.

**RECOMMENDATION:** that, subject to the satisfactory views of Worcestershire Highways, permission be **GRANTED**, subject to the following conditions:

- 1) C001 Standard time - three years
- 2) The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans: H1329/01 (Ground Floor Plan), H1334/01-G (Floor Plans - Sketch Scheme 1) (received 28.05.2010), H1334/02-B (Elevations), H1335/02-F (Proposed Site Plan) and H1335/03-A (Site and Location Plan).

Reason: To define the permission and in order to secure the satisfactory appearance of the development in accordance with policy CTC.1 of the Worcestershire County Structure Plan 2001 and Policy DS13 of the Bromsgrove District Local Plan.

- 3) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 or any Order revoking and re-enacting that Order the buildings hereby approved shall only be used for the refrigeration, grading, storing, breaking and processing of eggs, the manufacture of egg products and any purposes ancillary to those activities, and for no other purpose falling within Use Class B2.

Reason: To define the permission in accordance with Policy CTC.1 of the Worcestershire County Structure Plan 2001 and Policy DS13 of the Bromsgrove District Local Plan.

- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) or any Order revoking and re-enacting that Order, no extensions other than those approved by the Local Planning Authority shall be made to the building hereby approved.

Reason: To preserve the openness of the Green Belt and in the interests of visual amenity in accordance with Policies D29, D38 and D39 of the Worcestershire County Structure Plan and Policies DS2 and C27 of the Bromsgrove District Local Plan.

- 5) The total gross internal floorspace of the development hereby approved shall not exceed 4966 sq m, and the building shall not be subdivided other than in accordance with the approved plans.

Reason: To define the permission and in order to secure the satisfactory appearance of the development in accordance with Policy CTC.1 of the Worcestershire County Structure Plan 2001 and Policy DS13 of the Bromsgrove District Local Plan.

- 6) Prior to the commencement of development (other than such site preparation works as may be agreed in writing by the local planning authority) the buildings shown to be demolished on the approved plans shall be taken down and all resulting debris removed from the site.

Reason: To preserve the openness of the Green Belt and in the interests of visual amenity in accordance with policies D.29, D.38 and D.39 of the Worcestershire County Structure Plan and policies DS2 and C27 of the Bromsgrove District Local Plan.

- 7) No materials or any items shall be stored externally on the site.

Reason: To preserve the openness of the Green Belt and in the interests of visual amenity in accordance with Policies D29, D38 and D39 of the Worcestershire County Structure Plan and Policies DS2 and C27 of the Bromsgrove District Local Plan.

- 8) Details of the form, colour and finish of the materials to be used externally on the walls and roofs shall be subject to the approval, in writing, of the local planning authority before any work on the site commences.

Reason: To protect the visual amenity of the area in accordance with policy DS13 of the Bromsgrove District Local Plan January 2004 and policy CTC.1 of the Worcestershire County Structure Plan 2001.

- 9) Before the development hereby approved is commenced a survey of existing and proposed ground level sections across the site and details of the finished slab level(s) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the agreed ground and slab levels.

Reason: In order to secure the satisfactory appearance of the development in accordance with Policy CTC.1 of the Worcestershire County Structure Plan 2001 and Policy DS13 of the Bromsgrove District Local Plan.

- 10) The level of noise emitted from the development hereby approved, including any association temperature control equipment, compressors, plant equipment or machinery, shall not exceed the background noise level present when the compressors are not in use, as measured 1 m from the façade of the nearest residential property.

Reason: In order to protect the amenities of the area in accordance with Policy DS13 of the Bromsgrove District Local Plan.

- 11) C010 - Trees - landscaping scheme

- 12) The disposal of storm water from the development hereby approved shall only be in accordance with a drainage scheme submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- Precise details of the containment and disposal of surface water generated by new structures and hardstandings.
- Sustainable urban drainage systems with porous surfaces incorporated into their design.
- Yard gullies of a trapped design.
- A demonstration that any discharge to the adjacent stream/ditch will be attenuated to a discharge rate comparable to a green field site.

The approved system shall be operational before building works, other than those required to implement the approved system, commence.

Reason: To reduce the risk of flooding and prevent pollution of the water environment in accordance with Policies CTC8 and CTC9 of the Worcestershire County Structure Plan and Policies ES1 and ES2 of the Bromsgrove Local Plan.

- 13) The disposal of foul sewage from the development hereby approved shall be to the public foul sewer that passes through the site. No surface water from the development shall be discharged to the foul water sewer.

Reason: To reduce the risk of flooding and prevent pollution of the water environment in accordance with Policies CTC8 and CTC9 of the Worcestershire County Structure Plan and Policies ES1 and ES2 of the Bromsgrove Local Plan.

### **Informative**

- 1) The Council's Drainage Engineer advises the following:
- Balancing will be required in accordance with the Environment Agency policy.
  - There is no Public Surface Water Sewer available and no surface water will be allowed to discharge to the foul water sewer.

- The possibility of incorporating an online interceptor needs to be discussed.
- Any defunct pipe work is to be broken out while any existing land drains are incorporated into the new storm drainage systems.

## Notes

This decision has been taken having regard to the policies within the Worcestershire County Structure Plan (WCSP) June 2001 and the Bromsgrove District Local Plan January 2004 (BDLP) and other material considerations as summarised below:

WCSP	CTC.1, CTC.8, D.16, D.19, D.29, D.38, D.39, D.43, SD.2, SD.3, SD.4, T.1, T.3, T.4, T.9
BDLP	C4, C27, DS2, DS13, E9, ES1, ES2, ES4, ES11, TR1, TR8, TR11, TR16
Others	PPS1, PPG2, PPS4, PPS7, PPS9, PPG13, PPS23, Draft Planning Policy Statement: Planning for a Low Carbon Future in a Changing Climate, SPG4, SPG5

The proposals would represent inappropriate development in the Green Belt, and such development is by definition harmful. The harm caused would be limited to a significant extent by the fact the development footprint would not be significantly different to that of the existing buildings, and by the fact the site is well shielded from public vantage points by the adjacent motorway and local topography. However, the proposed buildings would have a greater height and mass than the existing low level buildings, which would increase the prominence on the buildings in comparison to those they are to replace. It has been concluded that the arguments put forward by the applicant amount to the very special circumstances required to outweigh the harm caused to the Green Belt. It is therefore the Council's view that, on balance, there are no justifiable reasons to refuse planning permission.