

# **PLANNING COMMITTEE**

**14th February 2017**

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**Planning Application 17/01361/FUL**

**Re-development of The Stables for the erection of 1 new dwelling and associated works including demolition.**

**The Stables Farmshop, Astwood Lane, Astwood Bank, Redditch, Worcestershire, B96 6PS**

**Applicant: Mr J Cockburn**  
**Ward: Astwood Bank And Feckenham Ward**

**(see additional papers for site plan)**

The author of this report is Emily Farmer, Planning Officer (DM), who can be contacted on Tel: 01527 881657 Email: [emily.farmer@bromsgroveandredditch.gov.uk](mailto:emily.farmer@bromsgroveandredditch.gov.uk) for more information.

## **Site Description**

The application site consists of the former Stables Farm shop and is located within the Green Belt. The site lies to the north of Astwood Lane on the edge of the Astwood Bank settlement. The existing building is an L shaped single storey building, with a hipped roof sited in the north east of the site. The site comprises a large hardstanding parking area and vehicular access to the south off Astwood Lane. A public foot path runs beyond the east boundary of the site and farmland is to the west. There are various small buildings sited to north of the site with a vehicular access along the eastern boundary and a listed farmhouse and more traditional agricultural buildings in a courtyard to the south. The development in the locality is fairly sporadic, rural in character and open given its edge of settlement location.

## **Relevant Policies:**

### **Bromsgrove District Plan**

Policy 1: Presumption in Favour of Sustainable Development  
Policy 8: Green Belt  
Policy 16: Natural Environment  
Policy 37: Historic Buildings and Structures  
Policy 39: Built Environment  
Policy 40: High Quality Design and Safer Communities

### **Others**

NPPF National Planning Policy Framework  
SPG Encouraging Good Design

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## **Relevant Planning History**

2013/235/CPL	Application for a lawful development certificate for a proposed use or operation - Extension of Farm Shop retail & retail storage/admin floor area.	Approved 07.02.2014
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## **Consultations**

### **Feckenham Parish Council**

No objection – Site outside parish

### **Highways Redditch**

No objection subject to conditions

### **Parks & Green Space Development Officer Martin Lewis**

No objection.

### **Drainage Engineers Internal Planning Consultation**

The site is in flood zone 1 (low risk of modelled river and tidal flooding), therefore no objection.

### **Worcestershire County Council Countryside Service**

No objection – recommended an informative

### **Conservation Officer**

No objection with respect to the setting of the listed building.

## **Public Consultation Response**

Two letters of objection have been received following the public consultation, including a site notice and notice in the Press. The comments are summarised as follows;

- Development will set a precedent within the Green Belt
- Previous development has taken place on site without permission
- Shop is not currently in use and therefore traffic will be worsened

## **Assessment of Proposal**

The proposal relates to the redevelopment of the site to provide one residential property. The existing built form will be demolished and replaced with a single storey glazed dwelling in a similar location. The existing hardstanding will be reduced to provide a driveway and parking to serve the dwelling and the existing vehicular access will be reduced in scale.

The application site is located within the Green Belt. Paragraph 89 of the NPPF states that the redevelopment of previously developed land, which would not have a greater

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impact on the openness of the Green Belt can be considered as appropriate development. The site is considered to be previously developed land having regard to the definition in the NPPF and therefore the principle of this development is acceptable in this location subject to an assessment on the impact on openness.

Not all of the existing built form on site is considered to be lawful. This has been noted during your officer's assessment in respect of the impact on openness and any unlawful built form on site has not been taken into consideration. The proposed dwelling would have a smaller footprint than the lawful built form on site and the ridge height and roof form has been kept as the existing. The building is also to be positioned in a similar position to the existing building. The hardstanding on site has been reduced to remove the car park and a reduction in the size of the existing access is proposed. Taking account of all these matters, the proposal is not considered to have a greater impact on openness than the existing development on site and is therefore an acceptable form of development in this location.

The design of the scheme is considered acceptable within the street scene which comprises a variety of detached two storey dwellings with pitched and hipped roofs set within varying positions within their plots.

To the south of the application site is the Grade II listed farmhouse, Astwood Bank Farmhouse. The Conservation Officer has therefore been consulted on the scheme to assess whether the proposal would have an impact on the setting of this building. Given the distance to the proposed dwelling, set back within its plot in the position of the existing building no concerns have been raised relating to the impact on the listed building.

The objections received by the neighbouring properties have been noted, however it is considered that the development would not set a 'precedent' within the Green Belt given the redevelopment of previously developed land is compliant with both national and local policy. In any event, each application has to be determined on its own merits. Comments have also been received regarding the vehicular movements on site. Whilst it is noted the shop has been closed for some time the existing A1 (Retail) use remains on the site. Therefore, without the requirement for planning permission any A1 use could be reinstated on site of which could create greater vehicular movements than that created by one dwelling.

The applicants have submitted an ecological appraisal which has suggested that there was no evidence of roosting bats within the building and has recommended various mitigation measures to avoid committing an offence to any possible protected species. These measures can be conditioned as part of the application.

No objections have been received from the consultees and the development does not raise any other planning considerations.

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## **RECOMMENDATION:**

**That having regard to the development plan and to all other material considerations, planning permission be GRANTED subject to the following conditions:**

### **Conditions:**

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

Reason:- In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) The development hereby approved shall be carried out in accordance with= the following plans and drawings:

SJD-124-011 A Existing and Proposed Site Plans, Proposed Floor Plans, Location Plan, Proposed Street Scene and Elevations  
SJD-124-012 Existing and Proposed Elevations

REASON: To provide certainty to the extent of the development hereby approved in the interests of proper planning.

- 3) All proposed works shall be carried out in accordance with the recommendations as set out in the Phase 1 and 2 Bat and Nesting Bird report by Ridgeway Ecology Ltd dated 30th November 2017. In addition, to provide a net gain in biodiversity two schwegler bat boxes or equivalent shall be placed on site in suitable locations and kept thereafter in perpetuity.

Reason: To ensure that the proposal results in a net gain of biodiversity having regard to BDP21 of the District Plan and Paragraph 109 of the NPPF.

- 4) The development hereby approved shall not be occupied until an area has been laid out within the curtilage of the dwelling for the parking of 3 cars at a gradient not exceeding 1 in 8 and the parking and turning facilities have been provided as shown on drawing. This area shall thereafter be retained for the purpose of parking a vehicle only.

REASON: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

- 5) The development hereby permitted shall not be first occupied until an electric vehicle charging point has been provided in accordance with details that shall first

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be submitted to and approved in writing by the Local Planning Authority and thereafter the charging point shall be kept available for the charging of electric vehicles.

REASON: To encourage sustainable travel and healthy communities.

- 6) Prior to the first occupation of the dwelling hereby approved the removal of the hardstanding and the reduction of the width of the access as shown on plan SJD-124-011 A shall take place and remain so in perpetuity.

Reason: To protect the openness of the Green Belt.

- 7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no development included within Schedule 2, Part 2, Classes A and B shall be carried out without the prior approval of the local planning authority to an application in that behalf.

Reason: To protect the openness of the Green Belt.

- 8) Prior to their first installation, details of the form, colour and finish of the materials to be used externally on the walls and roofs shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area and the impact on the Green Belt.

- 9) A scheme of landscaping and planting shall be submitted to, and approved by the Local Planning Authority in writing prior to occupation of the dwelling hereby approved. The scheme shall include the following:-

a) full details of all existing physical and landscape features on the site including the position, species and spread of all trees and major shrubs clearly distinguishing between those features to be retained and those to be removed;

b) full details of all proposed fencing, screen walls, hedges, floorscape, sections of earth moulding, tree and shrub planting where appropriate.

The approved scheme shall be implemented within 12 months from the date when any of the buildings are first occupied.

Any trees/shrubs/hedges removed, dying, being severely damaged or becoming seriously diseased within 5 years of the date of the original planting shall be replaced by plants of similar size and species to those originally planted.

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Reason: In order to protect the openness given the sites edge of settlement location.

### **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 applicants in a positive and proactive manner, seeking solutions to problems arising from applications.

In this case the applicant:

- sought detailed pre-application advice from the authority and acted upon this advice in advance of the application submission

The proposal therefore delivers a policy compliant sustainable form of development.

- 2) The proposal should have no detrimental effect on the public right of way provided that the applicant notes the above and adheres to the following obligations:
  - No disturbance of, or change to, the surface of the path or part thereof should be carried out without our written consent.
  - No diminution in the width of the right of way available for use by the public.
  - Buildings materials must not be stored on the right of way.
  - Vehicle movements and parking to be arranged so as not to unreasonably interfere with the public's use of the right of way.
  - No additional barriers are to be placed across the right/s of way. No stile, gate, fence or other structure should be created on, or across, a public right of way without written consent of the Highway Authority.
  - The safety of the public using the right of way is to be ensured at all times.
- 3) Works undertaken during the bird nesting season (March - late August) to clear any form of tree or vegetation must be preceded by a nesting bird survey. Any birds which are found to be nesting must be protected - the nest and all surrounding vegetation must be left undisturbed until such time that the young have fledged.

Should bats be discovered through the course of undertaking works to the building, activity must stop immediately and professional advice sought from a suitably qualified and licensed ecologist.

### **Procedural matters**

This application is being reported to the Planning Committee because two (or more) objections have been received.

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