



# Planning Committee

Astwood Bank &amp; Feckenham Ward

30th March 2010

**2010/026/FUL RETROSPECTIVE ERECTION AND INSTALLATION OF FREEZER, STORE, 2 TIMBER SHEDS, WCS, PORCH, CONSERVATORY, CANOPY, PATIO AND CHANGE OF USE OF AGRICULTURAL LAND FOR EXTENSION TO EXISTING CAR PARK  
THE STABLES FARM SHOP, ASTWOOD LANE, ASTWOOD BANK  
APPLICANT: MR J COCKBURN  
EXPIRY DATE: 31ST MARCH 2010**

The author of this report is Ailith Rutt, Development Control Manager, who can be contacted on extension 3374 (e-mail: ailith.rutt@redditchbc.gov.uk) for more information.

## Site Description

**(See additional papers for Site Plan)**

Single storey L shaped building clad in timber weatherboarding with gravelled area to side, adjacent to fields containing livestock of various kinds. The building is in operation as a farm shop and tea room.

The building is located to the northern side of Astwood Lane, west of the Astwood Bank village centre, and approximately 100m due west of the junction with Priest Meadow Close at the edge of the settlement. There is an existing hard surfaced access leading off Astwood Lane, at the brow of a hill.

## Proposal Description

This application seeks retrospective consent for various small additions to the buildings etc which are additional to the limits of the previous planning consents (which are detailed below in the relevant section). These additional developments are as follows:

- Installation of freezer – a free standing cold store unit has been located to the rear of the shop (to the eastern side between the shop and the boundary of the site) to store meat sold at the meat counter which has been installed within the farm shop
- Two timber sheds have also been installed to the rear of the farm shop against the eastern site boundary, each with green sheeting roof, for ancillary storage purposes for the shop and tea room
- WCs – an extension to the rear of the tea room, towards the northern boundary of the site, has been added, containing a WC for tea room customers accessed via the tea room, and a WC for staff accessed externally from the east
- A porch of timber construction, with pillars supporting a pitched roof with a small front gable has been added to the external door that provides entry to the tea room.

- A conservatory has been added at the western end of the tea room, creating 6 additional covers
- External landscaping has been carried out to form a fenced in patio area adjacent the conservatory, containing an additional, albeit external, 20 covers
- Finally, a large car park extension has been created by reducing the size of the adjacent field and creating an L shaped car park that runs along the south of the site parallel to Astwood Lane. This has been finished with red large size aggregate similar to that of the original car parking area. The red line of the site is therefore larger than it was on the previous occasion, as it now includes land that was previously in agricultural use. This also includes the erection of a shed adjacent to the access, behind the boundary fencing. This would result in an additional 30 car parking spaces, taking the total from 10 to 40 spaces.

As a result of the additional buildings for storage, the areas within the main building that were previously used for storage would change their use to retailing. Therefore, the proposal is for an additional 37.73m<sup>2</sup> of A1 retailing floor space, 20m<sup>2</sup> of A3 tea room floor space (internal), 65.5m<sup>2</sup> of external tea room patio area and 1380m<sup>2</sup> of car parking provision (an increase from 300m<sup>2</sup> to form a total of 1680m<sup>2</sup>). The total area that has been changed as a result of this proposal is 1503.23m<sup>2</sup>, on a site which has a total area of 3310m<sup>2</sup>.

The application is supported by a Design & Access Statement and some photographs of the site as it is now, having been altered as outlined above.

The Design and Access Statement notes that since opening in 2007, the business has been very successful, and as such the proposals here are a result of extending the business. It states that none of the staff travel more than 8 miles to the site, and that most walk or cycle. The butcher business has relocated from a Redditch District Centre recently, and continues to be successful. The extensions allow for the number of employees to increase from two to three full time and from four to eight part time staff.

The applicant also contends that the rear extensions do not affect the openness of the Green Belt because they are between an existing building and hedge, and as such are not visible. Deliveries to the site are mostly made by cars and vans by local suppliers. The applicant claims that there were no suitable buildings available to adapt for the functions necessary to the business for which consent is sought here, hence the need for extensions. It concludes that the economic diversification of the rural area is being maximised on this site, in order to provide a positive benefit through a community facility.

### **Relevant Key Policies**

All planning applications must be considered in terms of the planning policy framework and all other relevant material considerations (as set out in the legislative framework). The planning policies noted below can be found on the following websites:

[www.communities.gov.uk](http://www.communities.gov.uk)  
[www.wmra.gov.uk](http://www.wmra.gov.uk)  
[www.worcestershire.gov.uk](http://www.worcestershire.gov.uk)  
[www.redditchbc.gov.uk](http://www.redditchbc.gov.uk)

### ***National Planning Policy***

PPS1	(& accompanying documents)	Delivering sustainable development
PPG2		Greenbelt

### ***Regional Spatial Strategy***

RR1	Rural renaissance
RR4	Rural services

### ***Worcestershire County Structure Plan***

D35	Retailing in rural settlements
D36	Farm shops

### ***Borough of Redditch Local Plan No. 3***

CS7	Sustainable location of development
B(RA)1	Detailed extent of and control of development in the Green Belt
B(RA)4	Change of use of buildings in rural areas for employment
B(BE)13	Qualities of good design
B(BE)14	Alterations and extensions
E(TCR)9	District centres
E(TCR)12	Class A3 uses

### ***SPDs***

Encouraging good design

### ***Other relevant corporate plans and strategies***

[Worcestershire Community Strategy \(WCS\)](#)  
[Worcestershire Local Area Agreement \(WLAA\)](#)  
[Worcestershire Local Transport Plan \(WLTP\)](#)  
[Redditch Sustainable Community Strategy \(SCS\)](#)

## **Relevant Site Planning History**

2007/053/COU proposed the change of use from B1 to A1 of the larger of the two buildings on the site for use as a farm shop. This was approved by Members of the Planning Committee in March 2007 following the receipt of additional information and the imposition of additional restrictive conditions.

2008/121/COU proposed the change of use of the smaller of the two buildings on the site for use as a tea room, and the erection of an extension to link the two buildings together by infilling the corner between the two buildings to form a food preparation area. Officers recommended refusal due to the principle of development being contrary to Green Belt policy, however members chose to approve the application, subject to conditions, at Planning Committee on 15th July 2008.

Both consents included conditions restricting matters such as hours of opening, and these are being monitored by Officers. This is a separate matter, and should not be given any weight when considering this application.

The hours of operation claimed on the application form are consistent with the conditions attached to these two previous consents.

## **Public Consultation Responses**

### Responses against

4 comments received raising the following points:

- Unsustainable
- Detrimental impact on vibrancy and vitality of village centre
- Car park would be too big and attract too many vehicles
- Impact of surfacing the parking area on drainage may be unacceptable
- Should not be allowed because it is retrospective
- Retrospective works are contrary to conditions of previous approvals
- Special events are being held out of hours, contrary to existing consents
- Advertising proliferation on site should not be allowed
- The difficulties now experienced were predicted previously by Officers when recommending refusal

The final two points are not material planning considerations in this case, and so they cannot be considered in the determination of this application. They are reported here for completeness and information only.

## **Consultee Responses**

### ***County Highway Network Control***

No comments received

### ***Environmental Health***

No objection

## **Procedural Matters**

Members are reminded that where an application is made retrospectively, it should be considered as if the development had not occurred at all, and that any subsequent necessary enforcement action as a result of any decision made is also a separate issue. Therefore, Members are advised to consider whether these elements of development would have been granted permission had the application been made prior to their implementation on site.

If Members follow the Officer recommendation below and refuse planning permission in this case, then Officers would follow this up with the appropriate formal enforcement action to ensure that the site was returned to a situation where it was in compliance with the planning consents noted above. This can be done using delegated powers under the Scheme of Delegation, and thus does not form part of the recommendation below, as has previously been the case in such matters.

## **Assessment of Proposal**

The key issues for consideration in this case are the principle of the proposed development, its visual impact, and sustainability.

### **Principle**

This site lies within the Green Belt, which is designated to prevent the sprawl of development beyond defined sustainable settlement boundaries (in this case, Astwood Bank village). The policy protection for Green Belts includes that their openness should be protected by preventing the spread of built form. This is a matter of principle, and not just a matter of whether the design and appearance of proposed new built form are sympathetic to their site and surroundings. PPG2 provides the planning framework for Green Belt areas, and gives a list of (exceptional) development types that are appropriate for location within Green Belt areas, subject to various detailed criteria. As such, strict control should be exercised within Green Belt areas. Very special circumstances have to be put forward to justify the development of additional built form in the Green Belt, and it is not considered that this has been done in this case. Whilst it is accepted that the proposed extensions would be ancillary to the consented use of the site, they would clearly have an impact on the openness of the Green Belt, albeit to the rear of the existing building, and thus from limited viewpoints.

Therefore, the additional built form proposed here is considered to be contrary to policy.

The existing consented development on the site is largely the result of the conversion of buildings that already existed on the site, and were to be put to re-use, and as such an exception was made in their approval. However, there is already some additional built form on site that has been granted, and it is considered that the additional built form now proposed is beyond the exceptions that the policy criteria allow.

The extension to the tea-room facilities brought about by the additional elements proposed in the application also need to be considered here in terms of the resultant expansion of A3 uses on the site. The tea room is not a shop, nor does it provide an essential day to day service for the local community, nor is it sufficiently small that it can be considered to be ancillary to the farm shop. As such this site is an inappropriate location for an A3 use, and therefore the extension of these uses should be prevented wherever possible. Such a use would potentially be in competition with the Astwood Bank district centre and is therefore considered to be both contrary to policy and harmful to the economic development of the village, and particularly the viability of the village centre.

### Design and layout

Whilst it is acknowledged that the extensions proposed are largely sympathetic in character, design, materials and appearance to the consented built form, this is not considered to outweigh the concern relating to the principle of the development noted above. Further, both the surfacing of the parking area and the appearance of the cold store are not considered to be appropriate to the site and its surroundings. The car park surfacing is visually intrusive and an inappropriate colour for the site and its surroundings, such that it does not blend well with other natural features. The red aggregate stands out against the natural materials and colourings of the adjacent agricultural land and fencing/hedging, and also the natural materials of the built form on the site. The cold store has the appearance of a shiny silver/white box, industrial in style and materials and as such out of character in a rural location adjacent to timber built form and natural hedging. The application form makes no reference to these materials, however there is no indication that they would alter were permission to be granted. These two elements therefore are also considered to be inappropriate and contrary to the relevant policy framework.

### Parking and sustainability

As a maximum, in accordance with the adopted standards within the local plan, the use on this site as proposed here would require no more than 16 car parking spaces, 2 disabled parking spaces and 16 cycle parking spaces.

Therefore, in proposing 40 car parking spaces and no disabled or cycle parking provision, this proposal is significantly in excess of the maximum parking standards, and thus would not assist in the Council's aims of

reducing the use of the private car or providing community facilities in sustainable locations. The lack of specialised parking provision for the disabled and cyclists further compounds this.

The site is considered to be in an unsustainable location outside a settlement area, and as such the increases in development proposed would result in increasing the size and offer available to the public on this site such that it would become a destination in its own right, resulting in additional and unsustainable trips, contrary to local, regional and national policy objectives.

### Conclusion

The proposed extensions result in new built form within the Green Belt which does not meet the policy exceptions test and would result in unsustainable development in a rural area, which could create inappropriate competition to the district centre. As such, the proposal is considered likely to cause significant harm for which there are no benefits that appear to outweigh this.

### Recommendation

**That having regard to the development plan and to all other material considerations, planning permission be REFUSED for the following reasons:**

1. The proposed built form would result in inappropriate development in the Green Belt which by definition is harmful. The Council considers that no very special circumstances have been put forward to justify the proposals and that therefore the application is contrary to PPG2 and Policy B(RA)1 of the Borough of Redditch Local Plan No.3.
2. The extension of the capacity of the tea room would be likely to have an adverse impact on the vitality, viability and community function of the Astwood Bank district centre contrary to Policies B(RA)6 and E(TCR)11 of the Borough of Redditch Local Plan No.3, D36 of the Worcestershire County Structure Plan and PPS4.
3. The proposals are likely to enhance the existing facilities to such an extent that they increase the attractiveness and in this unsustainable rural location, not easily accessed by public transport links, this would result in the creation of a disproportionate number of vehicular trips to the site, contrary to the principles of sustainable development and in direct competition with the district centre, and to Policies B(RA)4 and E(TCR)11 of the Borough of Redditch Local Plan No.3, PPS1 and PPG13.

4. The over-provision of parking and lack of proposals to accommodate or encourage non-car modes of transport would result in an unsustainable form of development, contrary to Policies CS7 and C(T)12 of the Borough of Redditch Local Plan No.3.
5. The proposed materials and finishes of the cold store and parking surfacing are considered to be inappropriate, out of character and visually intrusive for the site and surroundings, and as such are contrary to Policies B(BE)13 and B(BE)14 of the Borough of Redditch Local Plan No.3, and PPS1 and its accompanying documents.

### Informatives

1. Unauthorised development should be removed from site promptly, otherwise the applicant will risk pursuit by the LPA through formal enforcement action.