

**Planning Committee:** 16 August 2011

**Item Number:**

**Application No:** W 11 / 0656

**Town/Parish Council:** Stoneleigh

**Registration Date:** 16/06/11

**Case Officer:**

Victoria Lane

**Expiry Date:** 11/08/11

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**Brook Farm, Stoneleigh Road, Coventry, CV4 7AB**

Erection of sheds and greenhouses (ancillary to use of land as private allotments) FOR Mr Symonds

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This application is being presented to Committee due to a recommendation for the application to be granted, contrary to National and Local Plan policies.

**SUMMARY OF REPRESENTATIONS**

**Kenilworth Town Council:** No reason to object.

**Environment Agency:** No comment

**Ashow Burton Green and Stoneleigh Joint Parish Council:** No observations.

**Ecology:** None received.

**Public Response:** None received.

**RELEVANT POLICIES**

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- RAP9 - Farm Diversification (Warwick District Local Plan 1996 - 2011)
- Planning Policy Guidance 2 : Green Belts
- Planning Policy Statement 4 : Planning for Sustainable Economic Growth

**PLANNING HISTORY**

There have been various consents for Brook Farm, which includes the erection of a farm workers dwelling with linked farm shop in 1985. This was followed by an agricultural storage building and the conversion of tractor sheds to form a rural craft centre and tea room with the erection of an additional toilet block in 1992. Consent has recently been granted for 3 No. metal storage containers on land to the north of the access point.

There is a concurrent application for an extension to an agricultural building to provide additional agricultural storage.

## **KEY ISSUES**

### **The Site and its Location**

The application relates to Brook Farm, a 40 acre green belt holding adjoining Stoneleigh Road and Finham Brook. The topography of the land is sloped uphill from south to north, as the site rises upwards from the brook.

Access into the site is from Stoneleigh Road, with a spacious area of hardstanding used for parking at the entrance to the site. The farm has already diversified away from traditional farming activities, with a tea room, farm shop, hydro-therapy retail unit and a wooden furniture business. All of which are set around the entrance car park.

In addition, the site has a farm workers dwelling and a metal agricultural barn, both of which are also accessed from the main car park.

The nearest residential properties adjoin the southern side of the brook and run the length of the applicant site.

### **Details of the Development**

The application is for retrospective planning permission for the erection of 26 sheds and 25 greenhouses set within 26 individual allotment plots.

The greenhouses have metal frames, which are painted dark green, and all have a pitched roof design. The footprint of each greenhouse is 2.5m x 1.9m, with a height to the ridge of the roof of 2.12m and a height to the eaves of 1.4m.

The sheds are constructed from timber with felt roofs and have a lean to roof design. The footprint of the each shed is 1.85m x 1.21m, with the highest point of the roof 2.2m above ground level and a height to the eaves of 1.9m

The use of land as allotments, to be let as private individual units, would still fall within the definition of 'agriculture', as defined in Section 336 of The Town and Country Planning Act 1990. This is because this section of the Act states no requirement for agricultural land to be used to create produce for commercial sale. Therefore, there the proposed development would require be no change of use of the land.

### **Assessment**

The main issues relevant to the consideration of this application are as follows:

- Development within the Green Belt.
- Farm diversification.
- Development in a flood zone.
- Creation of additional community facilities.
- Presumption in favour of economic development applications.

### Development within the Green Belt.

Paragraph 3.4 of PPG2 states that the development of new buildings for agricultural and forestry purposes would be deemed to be an acceptable use of Green Belt land.

It has already been established that using the applicant land as private allotments, would retain it within agricultural use. Therefore, the development of new structures for use in private allotments on agricultural land would be accepted as a principal within the Green Belt.

However, the assumption made in the applicant's planning statement is that all new agricultural buildings within the green belt would be acceptable under PPG2. The Policy makes clear that even for appropriate uses of green belt, the openness of the Green Belt should be a material consideration in deciding planning applications.

Development of new buildings for agricultural purposes, generally involves one or two large barns set in a location that minimises their appearance on the surrounding rural land. This application proposes the erection of 51 small scale structures which are to be evenly distributed across a 0.7 hectare area of Green Belt land. This distribution of small structures would have a greater impact to the openness of the Green Belt than a larger, single structure that was suitably located.

It is noted that the proposed location of the allotment structures has been carefully selected, in order to minimise there visual impact. The land has a high gradient slope to the north. This ensures that the structures are set in a dip, as the land plateaus off towards Finham Brook. The site is also well screened from the highway of Stoneleigh Road, by the existing hedgerow and the farm buildings at the entrance to the site. The northern bank to Finham Brook is well screened by a line of trees and the hedgerow, which reduces any view from the residential properties to the south.

Despite the secluded location, I am of the opinion that the disseminated layout of the allotment structures would cause sufficient harm to the openness of the green belt to be contrary to PPG2.

### Farm diversification.

Policy RAP9 of the Warwick District Local Plan states development for farm diversification purposes will be permitted, where it can be demonstrated that it will contribute towards sustaining the long term operations and viability of the existing farm holding. This is subject to the condition that the scale and nature of the proposals is appropriate to their rural location, such that they can be satisfactorily integrated into the landscape without being detrimental to its character.

The policy also states that no new buildings will be permitted in the Green Belt except in very special circumstances. As the outlined above, the principal of new buildings for agricultural purposes would be accepted under PPG2 and would not be contrary to Policy RAP9.

The development of 51 allotment structures, spread over Green Belt land, would not be considered to be in keeping with the existing landscape. I am of the opinion that the structures have not be satisfactorily integrated into the existing

landscape and would be contrary to Policy RAP9 of the Warwick District Local Plan.

#### Development in a flood zone.

The proposed development would be located within Flood Zone 3. The Environment Agency have returned no comment and agreed with the applicant's submission that the appropriate flood proofing measures would be acceptable to ensure that the proposed development would be acceptable within a Flood Zone.

#### Creation of additional community facilities.

Policy SC7 'Directing Community Facilities' of the Warwick District Local Plan was not retained as it was not consistent with national policy within PPS4. Therefore, the Local Plan policy has expired and the relevant policies in relation to deciding this application are the national policies contained within PPS4.

The applicant has provided details of the unmet demand for allotments within the wider area. The evidence base is the sizable waiting lists for the three allotments in Kenilworth and 40 allotment sites in Coventry. I would also agree with the applicant's statement that the high value of urban land in Kenilworth makes it difficult to find sites in the urban area which could be used to fulfil this demand.

Policy EC12 of PPS4 sets criteria for determining planning applications for economic development in rural areas. However, the scope of this policy fails to address where a community facility would be provided as part of the diversification of a farm holding.

I am of the opinion that the creation of the additional community facility, which is evidenced as under provided in the area, would be a key material consideration in deciding this application. Additional weight would be added to this consideration due to the lack of available land for the proposed community facility within the surrounding urban area.

#### Presumption in favour of economic development applications.

In the Ministerial Statement 'Planning for Growth' issued on 23rd March 2011, the Government's expectation was highlighted for the answer to development and growth to be 'yes', unless it would compromise key sustainable development principles. In a letter dated 31st March 2011 to the Council's Chief Planning Officer, it was emphasised that this Ministerial Statement should be a material consideration in decision making.

#### Recommendation

In conclusion, I am of the opinion that the proposed development would inflict a degree of harm on the openness of the green belt, due to the density of small scale structures spread across the land. However, the material considerations of the economic benefit for the continued operation and diversification of the farm, the continued use of the land for agriculture and the additional community facilities, would ensure the benefit of the development would outweigh harm caused from the impact to the openness of the Green Belt. Therefore, I would recommend the application be granted contrary to PPG2 and Policy RAP9 of the Warwick District Local Plan.

## **RECOMMENDATION**

GRANT, subject to the following conditions.

## **CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON** : To comply with Section 91 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 permitted shall be carried out strictly in accordance with the details shown on the approved drawing A002, 412/01, 412/02 & A001 and specification contained therein, submitted on 19th May and 16th June 2011 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

## **INFORMATIVES**

For the purposes of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the following reason(s) for the Council's decision are summarised below:

In the opinion of the District Planning Authority, although the development is a departure from national and local plan policy. The continued agricultural use of the land would provide wider economic and social benefits that would outweigh the harm of the small scale structures on the openness of the Green Belt.

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