

Planning Committee: 23 November 2005

Item Number: 06

Application No: W 05 / 1601

Registration Date: 21/09/05

Town/Parish Council: Old Milverton

Expiry Date: 16/11/05

Case Officer: Alan Coleman

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Quarry Farm, Old Milverton Lane, Old Milverton, Leamington Spa

Redevelopment of existing development site, including demolition of existing buildings and erection of 1,600 sq.m. two-storey building for self-storage and furniture manufacture/storage, together with associated car parking and loading bays. FOR Mr John Long

This application is being presented to Committee due to an objection from the Parish Council having been received and since the development represents a departure from the Development Plan.

SUMMARY OF REPRESENTATIONS

Parish Council: Object on the following grounds:

1. unacceptable increase in traffic and its conflict with traffic or other local buildings including Warwickshire Nuffield Hospital, (the number of trips appears excessive);
2. possible effects in main sewerage;
3. introduction of this industrial-type building in this rural area;
4. the mass of the new building in this Green Belt area;
5. introduction of light industry in this rural area;
6. overdevelopment of this rural area.

Highway Authority: No objection.

WCC (Strategic Planning): *"If the District Council is satisfied that very special circumstances exist in this particular case, then the County Council as Strategic Planning Authority has no objection to the proposal."*

WDC (Leisure & Amenities): No comments received at the time of writing this report.

WCC (Ecology): *"The main ecological concerns are that of the protected species, such as bats, badgers and nesting birds that may be present in any trees/shrubs, hedgerows or buildings and the potential impact to the trees and hedgerows. The nature of the proposal appears unlikely to adversely affect the known location of badgers, however care should still be taken if the development begins...As existing buildings are proposed to be demolished, the potential presence of nesting birds and in particular bats in these buildings is a concern and will need to be addressed. All existing barns/agricultural buildings are recommended by English Nature to have a nesting bird and bat survey undertaken before any development commences."*

"We welcome the proposal to landscape part of the site...which should increase local biodiversity attracting a variety of wildlife. However, we recommend that only native species be planted..."

Measures to protect trees, shrubs and hedgerows are also recommended as a condition of development in the event that planning permission is granted, together

with advisory notes regarding ground clearance works, nesting birds and tree planting proposals.

Neighbours: One letter in support of the proposals from the occupier of the land directly adjacent to Quarry Farm on the grounds that the proposals would considerably improve the quality of building on the site and would enhance the general appearance of the area.

RELEVANT POLICIES

(DW) ENV1 - Definition of the Green Belt (Warwick District Local Plan 1995)
(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
(DW) ENV25 - Development of a Long-Term Tree Management Programme (Warwick District Local Plan 1995)
(DW) ENV26 - The Implementation of Tree Planting Schemes (Warwick District Local Plan 1995)
(DW) ENV27 - Ecological Development (Warwick District Local Plan 1995)
(DW) EMP4 - Employment Development in the Rural Areas of the District (Warwick District Local Plan 1995)
(DW) C1 - Conservation of the Landscape (Warwick District Local Plan 1995)
(DW) C2 - Diversification of the Rural Economy (Warwick District Local Plan 1995)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP3 - Natural Environment (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP6 - Access (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP8 - Parking (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP9 - Pollution Control (Warwick District 1996 - 2011 First Deposit Version)
DP11 - Drainage (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP12 - Energy Conservation (Warwick District Local Plan 1996 - 2011 First Deposit Version)
DP14 - Accessibility and Inclusion (Warwick District Local Plan 1996 - 2011 First Deposit Version)

RAP1 - Development within Rural Areas (Warwick District 1996 - 2011 First Deposit Version)
RAP7 - Directing New Employment (Warwick District 1996 - 2011 First Deposit Version)
RAP8 - Converting Rural Buildings (Warwick District 1996 - 2011 First Deposit Version)
RAP8a - Replacement of Rural Buildings (Warwick District 1996 - 2011 First Deposit Version)
DAP1 - Protecting the Green Belt (Warwick District 1996 - 2011 First Deposit Version)

PLANNING HISTORY

The recorded planning history of the site relates to the use and development of the existing site buildings for furniture storage/ancillary manufacture, furniture storage and a taxi control office. Planning permission for the change of use of redundant agricultural buildings to these uses was granted on 28 April 1997(WDC Ref: W970148). Notifications were also received of the erection of agricultural buildings

under the terms of W971461AG and W981033AG. These are outside the confines of the application site and are intended to be retained in their authorised planning use for agricultural storage purposes.

More recently, planning application W05/0665 for the demolition of the existing site buildings and erection of a 2,000sq.m. two-storey building for self-storage and furniture manufacture/storage, together with associated car parking and loading bays, was withdrawn on 24 June 2005 to allow the submission of the current application.

KEY ISSUES

The Site and Surroundings

The site is within the Green Belt and is categorised as Arden Parklands in the Warwickshire Landscape Guidelines. It has an area of some 0.38 ha and is located on the west side of Old Milverton Lane, approximately 150 metres from the Blackdown roundabout on the A 452 Kenilworth Road. Opposite the site, on the east side of Old Milverton Lane, the Warwickshire Nuffield Hospital has developed into a high quality, large-scale building complex with extensive car parking. To the north, adjoining the roundabout on Kenilworth Road, the Woodland Grange Management Training Centre has also developed into a high quality large-scale building complex, with further extensions recently granted planning permission.

Land to the south and west is in agricultural / 'horticulture' use, with an open field to the south and agricultural storage buildings to the west. The road frontage is characterised by a grass verge, timber railings, mature trees and a brick-walled entrance feature with gates.

There are 16 buildings on the site with a total floor space of 1590.18 sq. m., including:

- Four large buildings with concrete block / profiled steel walls and profiled steel roofs. These are used for furniture manufacture / storage and are generally in good structural condition, but of poor quality design and beginning to rust;
- Four portacabin type buildings, used as ancillary offices by the businesses operating from the site, and;
- Eight other buildings of timber construction, generally in a poor state of repair.

The larger buildings vary in height from approximately 6m to 7.4m high.

Most existing buildings are in a poor condition and not suitable for refurbishment. The primary land uses at present include: storage falling within Use Class B8, and; furniture manufacture, falling within Use Class B2.

Ancillary uses include offices used by businesses operating from the site. Some small buildings are also used for washroom/toilets and stables in connection with the horticulture operating on agricultural land to the south.

Businesses operating from the site and numbers employed are as follows:

- Sawyer Removals - 5 staff
- Partners in Pine - 3 staff
- Kerbside – 2 staff

- Quarry Farm – 3 staff

There is also a handyman responsible for site maintenance and two stable hands. Thus, the total existing on-site employment is 16.

Details of the Development

It is proposed to demolish all existing buildings and clear the site of all existing structures and surface materials, with the exception of the front boundary wall and gates. All trees on the site, i.e. the Ash, Beech and Lime trees on the road frontage, will be retained.

A new building with a total floor area of 1,600 m² is proposed. This will be purpose-designed for the self-storage market. The building will be arranged internally to provide a wide range of storage options, from 1 - 50 m² to meet all budgetary, household or bulk storage needs. 'Direct Access' and 'Drive-In' units will be accessible to vehicles and a service lift will serve the first floor. Provision will also be made for the existing furniture manufacture business. The storage space will be dry, secure, well lit, regularly cleaned and well maintained. Additionally, special facilities will be provided to store temperature-sensitive items such as computers, televisions and other electrical equipment.

A high level of security will be ensured through 24 hour monitored CCTV and regular security checks.

The number of employees on the site is expected to increase from 16 to 18.

Building Design

The scheme design has evolved from the previous planning application No. W05/0665. The proposed building would be located in the north-west corner of the site, with car parking to the south and east. The objective of the design rationale is to minimise the visual impact of the building and create open areas within the site, in order to enhance the appearance and openness of the Green Belt.

Whereas existing buildings are arranged around the perimeter of the site, the proposed building is sited in the part furthest away from public view. This will create open views of the countryside, currently blocked by ugly buildings, enhancing the character and openness of the Green Belt.

The proposed building has been designed to reflect the appearance of grain stores. To this end, the building is designed as three pitched-roofed elements orientated northeast – southwest, linked by a flat-roofed element. This design helps to reduce the scale and mass of the building and hence reduce the visual impact. The proposed building materials are blockwork / bricks below with profiled steel cladding above. The pitched roofs will be profiled steel, to a colour and specification for approval by the District Planning Authority, and the flat roof leaded.

The proposed building will be set into the contours by up to 1m to ensure the ridge height of the proposed building is no higher than existing.

To further reduce visual impact, it is proposed to choose a dark colour for the new building, subject to the approval of the District Planning Authority.

Access and Parking

The existing access was designed to the approval of the District Planning Authority and constructed in 1997. It is proposed to retain the existing access in order to preserve the appearance and character of Old Milverton Lane and in the interests of highway safety.

Traffic levels generated by the existing 16 employees and customers visiting the site amounts to less than 100 trips per day (verified by on-site monitoring by the applicant). Future traffic levels are expected to rise, but it is not certain by how much. Assuming employment levels increase by 2 persons, to 18, and visitor numbers increase by 200%, the traffic generated by the proposed development is still very low at about 204 trips per day and clearly will not have a significant impact on highway capacity or highway safety.

Provision is made for access and loading by 7-ton van and car parking for 49, three of which will be reserved for Blue Badge holders. Provision is also made for 4 cycles.

Landscaping

The site is at present comprised entirely of buildings or hard-standing for vehicles and is of no significant value to the natural environment, except for a small area along the Old Milverton Lane boundary where there are several mature trees. Existing boundary hedges, where they exist, are generally thin or with gaps.

The interface between existing development and the surrounding landscape is particularly stark on the southern and eastern boundary, with clear views of the buildings from public vantage points. The north side of the site, however, is well shielded by adjoining tree cover and land to the west is used for agricultural storage and not accessible to the public.

The site is categorised as Arden Parklands in the Warwickshire Landscape Guidelines, where the general development guideline is to soften the built edges through increased tree planting within the site and for off-site woodland planting to help link the development into the wider landscape.

Within this context, it is proposed to improve the natural environment of the site and its landscape setting in the following way:

- plant a new hedge on the southern boundary and extending to the west and manage existing boundary hedgerows more positively as landscape features, by allowing hedges to grow thicker and taller and replanting gaps, including the road-side hedge of the adjoining field to the south
- soften the visual impact of the proposed building, particularly as viewed from the road access, with on-site landscaping using appropriate species of trees and shrubs.
- integrate the proposed development with the wider landscape setting by means of offsite woodland planting, in the form of a copse of indigenous broadleaved trees to the south of the site.

Assessment

I consider the application raises the following key issues:-

1. whether 'very special circumstances' to justify departing from Green Belt Policy have been demonstrated;

2. the physical impact of the development in the Green Belt;
3. the weight to be attached to other policies, including PPS7: *Sustainable Development in Rural Areas*, and;
4. other issues, such as highway impact.

The site is situated within the Green Belt wherein there is a presumption against inappropriate development. The proposal does not comprise any of the categories of built development acceptable in the Green Belt, as established by Development Plan and emerging policies, which generally reflect the advice in PPG2: *Green Belts*. Included within the policies, however, is the proviso that 'very special circumstances' could justify other forms of built development. I therefore consider the principal issue in this case is whether it has been demonstrated that such very special circumstances exist.

In support of the proposals, the following case is made:

"The Council's policy for sites within Green Belt areas and outside "major developed sites" is that all development on existing employment sites is inappropriate in accordance with PPG2. In considering proposals the Council will, however, have regard to the scale, appearance and nature of the employment activity and the extent to which the proposal would support Green Belt objectives in the area.

Within this context, the overall objective of the proposed scheme is to achieve environmental improvements without having a greater impact on the Green Belt than existing development.

The following features of the proposed development are designed to achieve the Council's Green Belt policy and to comply with other planning policies:

- *No intensification of use is proposed:*
- *No change of use*
- *No increase in building floor space*

Environmental improvements and reduced visual impact are proposed:

- *One new high quality building will replace a collection of poor quality buildings*
- *The new building is sited to one side in an area with least visual impact, achieving an improvement on the existing situation where unsightly buildings are located in highly visible positions on the perimeter of the site*
- *The new building is set into the contours to minimise visual impact, with no part of the proposed building exceeding the height of existing buildings*
- *The building is designed with three gable ends and low eaves line, to reduce the mass and visual impact*
- *Large open areas will be created that will enhance the openness of the Green Belt*
- *As recommended in Warwickshire Landscape Guidelines, hedgerows will be managed positively as landscape features and a new area of woodland planted adjoining the site, which will enhance the character and quality of the natural environment and the appearance of the Green Belt.*

Planning gain will be achieved in terms of:

- *Higher quality building, site layout and site landscaping*
- *New views through to open countryside, particularly from Old Milverton Lane*

- *Improved appearance of the Old Milverton Lane frontage*
- *Improved bio-diversity and landscape features, in accordance with Warwickshire Landscape Guidelines.*

Support for the replacement of suitably located, existing buildings of permanent design and construction for economic development purposes is given by PPS7 at paragraph 19. The Government is also supportive of the replacement of suitably located, existing buildings of permanent design and construction in the countryside for economic development purposes. *"The replacement of buildings should be favoured where this would result in a more acceptable and sustainable development than might be achieved through conversion, for example, where the replacement building would bring about an environmental improvement in terms of the impact of the development on its surroundings and the landscape. Local planning authorities should set out in their LDDs the criteria they will apply to the replacement of countryside buildings. These should take account of the considerations set out in paragraph 17 that apply to the conversion and reuse for economic purposes of existing buildings in the countryside. Authorities should also set out the circumstances where replacement would not be acceptable and clarify the permissible scale of replacement buildings."*

Policy RAP7 of the Warwick District Local Plan (First Deposit Version) sets out the relevant criteria for such development, as follows:

RAP7 Directing New Employment

New employment development will be permitted in the following circumstances:-

- a) conversions or replacement of appropriate rural buildings in accordance with policy RAP8 or RAP8a where these are of a small scale or a low intensity, or can be demonstrated to meet a local need;**
- b) farm diversification proposals in accordance with policy RAP9;**
- c) proposals on identified major developed sites within the Green Belt in accordance with policy SSP2;**
- d) on previously-developed land within a limited growth village where this can be demonstrated to meet a local need;**
- e) the redevelopment or limited expansion of existing employment sites outside the Green Belt unless the scale of this will be greater than that required to meet local needs; and;**
- f) on committed employment land within the Middlemarch Business Park, Siskin Drive.**

Within Green Belt areas and outside of "major developed sites" the detailed justification for this policy states that all development on existing employment sites is inappropriate in accordance with PPG2. In considering proposals the Council will, however, have regard to the scale, appearance and nature of the employment activity and the extent to which the proposal would support Green Belt objectives in the area. In my opinion, the guidance given generally in PPS7 to rural areas does not outweigh the more restrictive, specific guidance given in PPG2. Indeed, paragraph 26 of PPS7 makes it clear that the policies in PPG2 continue to apply in the Green Belts.

Thus, whilst the proposal does not comprise any of the categories of built development that the Development Plan establishes as acceptable in the Green Belt, nevertheless the relevant policies provide for exceptions where very special circumstances exist. I consider that these have been demonstrated in terms of the siting, size, design, appearance, scale and nature of the proposals, which I consider would significantly enhance the appearance of the site and its Green Belt setting, to

justify departing from Green Belt Policy. In my opinion, the scheme is also acceptable in terms of car parking and highway safety. The lack of objection from the Highway Authority reinforces my view on this issue.

REASON FOR RECOMMENDATION

Whilst the proposal does not comprise any of the categories of built development that the Development Plan establishes as acceptable in the Green Belt, nevertheless the relevant policies provide for exceptions where very special circumstances exist. In the opinion of the District Planning Authority these have been established in this case to justify departing from Green Belt Policy and, in terms of the siting, size, scale, design, appearance, landscaping, means of access and car parking the development does not prejudice the openness and rural character of this green belt area and does not materially prejudice the objectives of the policies listed above.

RECOMMENDATION

GRANT following referral to the Secretary of State as a departure from the Development Plan, subject to the following 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 drawings 02D and 03D, and specification contained therein, submitted on 21 September 2005 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 Policy (DW) ENV3 of the Warwick District Local Plan 1995.
- 3 Samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. Development shall be carried out in accordance with the approved details.
REASON : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.
- 4 A landscaping scheme, incorporating existing trees and shrubs to be retained and all new tree and shrub planting within and adjacent to the site not to be covered by buildings shall be submitted to and approved by the District Planning Authority before the development hereby permitted is commenced. Such approved scheme shall be completed, in all respects, not later than the first planting season following the completion of the development hereby permitted, and any trees removed, dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees of similar size and species to those originally required to be planted.
REASON : To protect and enhance the amenities of the area, and to satisfy the requirements of Policy (DW) ENV3 of the Warwick District Local Plan 1995.

- 5 Before any constructional works are commenced details of the method for the protection of all retained trees shall be submitted to and approved in writing by the District Planning Authority. The details shall include the plans of protection zones around the trunks of all retained trees together with the protection of these zones in accordance with BS5837:2005 "Trees in relation to construction - Recommendations". The erection of fencing for the protection of these retained trees shall be undertaken before any equipment, machinery or materials are brought onto the site for the purposes of the development and shall be retained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made without the written consent of the District Planning Authority.

REASON : To ensure that the retained trees are properly protected during the course of development in order to maintain the environmental quality of the site, and to satisfy Policy (DW) ENV3 of the Warwick District Local Plan 1995.

- 6 Before any constructional works are commenced a statement of the proposed method of implementing the construction of the development shall be submitted to and be approved, in writing, by the District Planning Authority. The details shall include the sequencing of operations, the method of construction and access works in the vicinity of the adjacent trees to be retained and the methods of protecting root systems of all trees to be retained during the construction process from direct or indirect damage. Operations on the application site shall be carried out in accordance with the approved details and no part of the operations shall be amended or omitted without the prior written approval of the District Planning Authority.

REASON : To ensure that the retained trees are properly protected during the course of development in order to maintain the environmental quality of the site, and to satisfy Policy (DW) ENV3 of the Warwick District Local Plan 1995.

- 7 The existing trees shown on the approved plans to be retained shall not be wilfully damaged or destroyed, uprooted, felled, lopped or topped without the prior written consent of the District Planning Authority. Any trees removed or dying or being severely damaged or becoming seriously diseased shall be replaced with healthy trees of such size and species as may be agreed in writing by the District Planning Authority.

REASON : To ensure that the retained trees are properly protected during the course of development in order to maintain the environmental quality of the site, and to satisfy Policy (DW) ENV3 of the Warwick District Local Plan 1995.

- 8 Within the building hereby approved not more than 325 square metres shall be retained for furniture manufacturing purposes falling within the meaning of Class B2 (General Industrial) in Part B of the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification), and for no other purposes whatsoever, with the balance of the building being used solely for storage and ancillary office purposes falling within the meaning of Class B8 (storage and distribution) in Part B of the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification), and for no other purposes whatsoever.

REASON : To ensure that no intensification in the existing balance of uses on the site occurs, and; in the interests of highway safety to ensure no significant material

increase in traffic is generated by the development that would adversely affect the current operational capacity of the existing vehicular access to the site.

- 9 No lighting shall be fixed to the external walls or roofs of the buildings hereby permitted, or on any open land within the application site without the written consent of the District Planning Authority.

REASON : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy (DW) ENV3 of the Warwick District Local Plan 1995.
