

Planning Committee Report	
Planning Ref:	FUL/2019/2898
Site:	Wall Hill Farm Wall Hill Road CV7 8AF
Ward:	Bablake
Proposal:	Erection of a replacement storage building
Case Officer:	Ayesha Saleem

SUMMARY

The application is a full application for the erection of a storage building. The principle and scale of development is considered to be unacceptable as the proposal is considered to have a detrimental impact upon the openness and character of the Green Belt.

BACKGROUND

The application has been recommended for refusal. The application has more than five representations, in support of the application.

KEY FACTS

Reason for report to committee:	There has been more than five representations.
Current use of site:	The application site comprises of an engineering workshop for the repair and maintenance of agricultural vehicles and machinery.

RECOMMENDATION

Planning committee are recommended to refuse planning permission

REASON FOR DECISION

- The principle of development and the scale is considered to be unacceptable. The proposal is considered to have a detrimental impact upon the openness and character of the Green Belt.
- The proposal does not accord with Policy DE1, DS3, GB1, H3 of the Coventry Local Plan 2016, together with the aims of the National Planning Policy Framework (NPPF), in particular paragraph 145 and 146.

APPLICATION PROPOSAL

The application site relates to a detached outbuilding located within the curtilage of Wall Hill Farm accessed via Wall Hill Road. The new outbuilding is to replace two existing structures on site; one storage building and one container.

The application site is used as an engineering workshop for the repair and maintenance of agricultural vehicles and machinery (Use Class B2) and an external washing area. The application site to the north and west is surrounded by fields of grassland. To the east are residential dwellings.

The application site is located within the Green Belt.

SITE DESCRIPTION

The proposal is to erect an outbuilding located to the front of the site on Wall Hill Road. The building is to have a length of 20.0 metres, a width of 9.0 metres and a maximum height of 5.5 metres.

The outbuilding is to have a gable roof and is to be designed in Flush Pointed Blockwork and Green Profile Sheeting.

The building is to be used for the storage of stock in conjunction with the existing business. This can be high value stock that cannot be left outside unsecured.

PLANNING HISTORY

Application Number	Description of Development	Decision and Date
R/2010/0506	Change of use of existing grain store to an engineering workshop for the repair and maintenance of agricultural vehicles and machinery (Use Class B2) and an external washing area	Approved 09/07/2010

POLICY

National Policy Guidance:

National Planning Policy Framework (NPPF). The new NPPF published on 19th February 2019 sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system only to the extent that is relevant, proportionate and necessary to do so. The new NPPF increases the focus on achieving high quality design and states that it is "fundamental to what the planning and development process should achieve".

The NPPF carries a presumption in favour of sustainable development and states that, for decision taking, this means "approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

The site falls within the Green Belt therefore Section 13 of the NPPF (Protecting Green Belt Land) is relevant. Paragraph 133 states that "The government attaches

great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.”

Paragraph 134 sets out the purposes of the Green Belt:

- (a) to check the unrestricted sprawl of large built-up areas;
- (b) to prevent neighbouring towns merging into one another;
- (c) to assist in safeguarding the countryside from encroachment;
- (d) to preserve the setting and special character of historic towns; and
- (e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Paragraph 143 states inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 145 states local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt with certain exceptions. Paragraphs 145 and 146 include a ‘closed’ list of the types of development which should be regarded as not inappropriate within the Green Belt.

Paragraph 84 states planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

In relation to design and residential amenity section 12 of the NPPF seeks to ensure the creation of high-quality buildings and places and that good design is a key aspect of sustainable development. Paragraph 127 of the NPPF states that “planning policies and decisions should ensure that developments function well and add to the overall quality of the area, not just for the short term but over the life time of the development”. Paragraph 130 states, “Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.”

The National Planning Practice Guidance (NPPG) 2018, this adds further context to the NPPF, and it is intended that the two documents are read together.

Local Policy Guidance

The current local policy is provided within the Coventry Local Plan 2016, which was adopted by Coventry City Council on 6th December 2017. Relevant policy relating to this application are:

DE1 – Ensuring High Quality Design;
DS3 – Sustainable Development;
AC2 – Road network;
GB1 – Green Belt and Local Urban Green Space;
JE5 – Location of R&D, Industrial and Storage/ Distribution of Development

Supplementary Planning Guidance/ Documents (SPG/ SPD):

Design Guideline for Developments in Coventry's Ancient Arden – A Historic Landscape Area 1995

STATUTORY CONSULTATION RESPONSES

Environmental Protection (CCC) – No objection

Highways (CCC) – No objection

Planning Policy (CCC)- Objection

PUBLIC RESPONSES

Notification letters were sent out to adjoining neighbours and a site notice was displayed on 2nd December 2019.

Sixteen letters of support have been received raising the following material planning considerations:

- a) Current buildings are not in a repairable state and replacement would improve this
- b) Design is in keeping
- c) Not visible to the road- minimal impact to the surroundings
- d) Support local rural businesses in developing which are needed in the community-
The agricultural supply business is increasingly being taken over by large national and global businesses and it is very important that independent traders can expand to serve local needs.
- e) No impact upon the Green Belt
- f) No impact upon residents

Within the letters received the following non-material planning considerations were raised, these cannot be given due consideration in the planning process:

- g) Needed for security- more storage can only be acceptable.
- g) Safe place for vehicles to be kept when being repaired
- h) The applicant provides an excellent service to the local and wider community

Allesley Parish Council also support the application. The proposed new building replaces an existing dilapidated building and cannot be seen from the road. Therefore, it would not be detrimental to anyone or the landscape

Any further comments received will be reported within late representations.

ASSESSMENT

Principle of Development:

Policy JE5 states proposals for new R&D, industrial and storage/distribution development (including changes of use and the expansion of existing operations) on sites not allocated under Policy JE2 will be permitted provided that they are:

- a) Accessible by a choice of means of transport or will be made accessible by a choice of means of transport as a consequence of planning permission being granted for the development; and
- b) Have good access to a primary route on the highway network and an acceptable impact on the capacity of that network; and
- c) The proposal would not significantly compromise the viability or deliverability of land allocated in this Plan for employment development; and
- d) The development is compatible with other Plan Policies.

Policy GB1 states 'Inappropriate development will not be permitted in the Coventry Green Belt unless very special circumstances exist. Paragraph 133 of the National Planning Policy Framework (the Framework) makes it clear that the Government attaches great importance to the Green Belt and the protection of its essential characteristics, those being openness and permanence. Paragraph 143 confirms that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. New buildings are to be regarded as inappropriate development, subject to the express exceptions outlined in paragraphs 145.

Paragraph 145 of National Planning Policy Framework (NPPF) provides a clear guidance on the inappropriateness and indicates the types of development which are exceptions and could be appropriate development in the Green Belt. These are below:

- a) Buildings for agriculture and forestry;
- b) The provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) Limited infilling in villages;
- f) Limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) Limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or

– not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

This application seeks to create a new B2 storage unit, then Local Plan Policy JE5 is applicable. It is important to consider that this location of this site is not in one of the employment allocations as defined in Policy JE2. Therefore, it will need to meet the criteria set out in paragraph 2 of Policy JE5. It would appear to be challenging for this site to meet the highway specific requirements of points a and b due to the location of the site in a rural location and associated inadequacies of Wall Hill Road to accommodate employment generating uses. Nevertheless, given the use is associated with the existing business on site highway officers have raised no objections to the proposal and planning policy officers are satisfied that the proposal would not compromise the viability and/or deliverability of employment land allocations in the Local Plan.

Point d of Local Plan Policy JE5 notes that the application must also conform to all relevant planning policies. Consequently, due to the fact that the location of this development is within the Coventry Green Belt, Local Plan Policy GB1 is applicable. This policy (paragraph 2) notes that “development proposals, including those involving previously developed land and buildings, in the Green Belt will be assessed in relation to the relevant national planning policy”. Whilst the proposal is for a replacement structure and will include the clearance of 2 existing outbuildings, neither outbuilding benefits from existing planning consent, therefore they cannot be given any weight when considering this proposal. However, due to the passage of time it can be seen from aerial view maps that these buildings have been present within the site for over four years. Notwithstanding, the existing structures result in a floor space of circa 73.8 sqm cumulatively. The proposed structure is to result in a floor space of circa 180 sqm, although in the same use the building is considered to be materially larger than the structures it is to replace. In this respect the NPPF considers the construction of new buildings in the Green Belt as inappropriate in the first instance. As the application stands, the proposed construction does not meet any of the exception criteria set out in paragraphs 145 and 146 of the NPPF. The applicant states that the use of the proposed building is for storage of high valuable stock in connection with the existing business on the site. Whilst an important consideration it is not considered adequate to demonstrate very special circumstances. Furthermore, with regards Paragraph 84 of the NPPF the proposal is not considered to be sensitive to its surroundings given its impacts on the Green Belt. As such, this application is contrary to both local and national planning policy and Planning Policy officers object to the proposal.

Impact upon Visual Amenity:

Policy DE1 of the Local Plan seeks to ensure high quality design and development proposals must respect and enhance their surroundings and positively contribute towards the local identity and character of an area.

Chapter 12 of the NPPF requires that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

The initial design of the proposed outbuilding is considered to be acceptable. The pitched roof form design and materials would have an acceptable impact upon the visual amenity. The proposed maximum height of the outbuilding is circa 5.5 metres. The site is screened by a hedge and trees; thus, this outbuilding would not be visible or prominent within the street scene. However, there is no control over this hedge and trees and if these were to be removed given the level changes within the site the outbuilding would be prominent within the street scene. Notwithstanding the suitability of the proposed design and materials the proposed building is substantially bigger than the existing units it will replace, and the general scale and massing of the outbuilding is considered to be too large given it is only for storage purposes and no justification has been put forward to why the storage building needs to be at the proposed scale. Thus, the proposal is contrary to policy DE1 of the Coventry Local Plan 2016.

Impact on residential Amenity:

Given the siting of the outbuilding it is not considered to have a detrimental impact upon the amenity of this neighbouring occupant in regard to overbearing and overshadowing.

Other Matters:

Highway officers have no objections to the proposal as the access into the site is to remain unaffected.

Environmental Protection and Ecology officers have no objections to the proposal.

Equality implications

Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states: -

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

There are no known equality implications arising directly from this development.

CONCLUSION

The proposal is contrary to Policies DE1 and GB1 of the Coventry Local Plan 2016 and the aims and objectives of the NPPF by reason of the outbuildings scale which

would result in a detrimental impact upon the visual amenity of the site. The proposed outbuilding lies within land designated as Green Belt wherein there is a presumption against inappropriate development unless justified by very special circumstances. Very special circumstances have not been demonstrated to justify an exception being made.

CONDITIONS/ REASON

1. The proposal is contrary to Policies DE1 and GB1 of the Coventry Local Plan 2016 and the aims and objectives of the NPPF by reason of the outbuildings scale which would result in a detrimental impact upon the visual amenity of the site. The proposed outbuilding lies within land designated as Green Belt wherein there is a presumption against inappropriate development unless justified by very special circumstances. Very special circumstances have not been demonstrated to justify an exception being made.