

## DELEGATED REPORT

**FILE REFERENCE:** SMD/2015/0186

### **MAIN ISSUES:**

Green Belt; Open Countryside; Landscape Impact, Highway Safety & Amenity

### **PUBLICITY/REPRESENTATIONS:**

Site Notice (expiry 26<sup>th</sup> June 2015): none.

Neighbours (expiry 26<sup>th</sup> June 2015): none.

Rushton Parish Council: Fully support the proposal – they feel that it will improve the existing site.

Local Highway Authority: No objections subject to imposition of visibility splay; reconstruction of access; implementation of parking, servicing and turning prior to use; no direct source of light shall be visible to drivers on the highway; widened site access within limits of access implemented prior to use and redundant access permanently closed and footway reinstated prior to use.

Environmental Health Officer: No objections subject to conditions concerning control of noise / vibration during any construction works, report of unexpected contamination and control of importation of soil.

Ecology / Trees Officer: No objections, subject to a landscape condition and the installation of 4 bat boxes.

Severn Trent Water: No objections subject to a drainage condition.

Canals & Rivers Trust: No comments.

### **HISTORY**

SMD/2014/0170 - Demolition of existing structures and redevelopment of existing garage storage unit new office space extension and formalisation of existing access/parking arrangements. Withdrawn.

SMD/2014/0666 –Consent to display advertisement 1 fascia sign and 2 free standing signs to site entrance (resubmission of SMD/2014/0190). Approved.

SMD\2014\0665: Demolition of existing former garage/storage shed and ancillary offices. Erection of new building to include office accommodation and vehicle maintenance bays. Provision of new external works (resubmission of SMD/2014/0170). Refused.

### **CASE OFFICER ASSESSMENT:**

The current proposal represents a reduced scheme for a replacement building and partial redevelopment of the former haulage site at Mill House Garage, Rushton Spencer. Previously, planning application ref. SMD\2014\0665 for the 'Demolition of existing former garage/storage shed and ancillary offices, erection of new building to include office accommodation and vehicle maintenance bays and provision of new external works (resubmission of SMD/2014/0170)' was refused owing to constituting inappropriate development within the Green Belt and concerns in relation to the scale of office accommodation proposed.

#### Green Belt

Core Strategy Policies SS6c and R1 says that strict control will continue to be exercised over inappropriate development in the Green Belt allowing only for exceptions as defined by Government policy. A local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt. Relevant exceptions to this include:

*Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuous use (excluding temporary buildings), which would not have a greater impact on the*

The volume difference of the existing building/garage @  $1,016.03\text{m}^3$  and the previously refused replacement structure @  $1,530.61\text{m}^3 = 514.58\text{m}^3$  minus the existing office and toilet building @  $203.77\text{m}^3$  equated to a net increase of  $310.81\text{m}^3$ . This would have resulted in a greater impact on the openness of the Green Belt than the existing development. The existing cellar and portacabins should not be offset against built volume and therefore excluded from such calculations. Openness concerns were also raised in respect of vehicle parking and storage of plant, building materials and machinery. The Council therefore required Very Special Circumstances (VSCs) to justify such inappropriate development within the Green Belt as it failed the listed exceptions as contained within the NPPF.

The revised application seeks to address the previous Green Belt objections to the scheme. The volume differential of the existing building/garage @  $1,016.03\text{m}^3$  and proposed replacement structure @  $1,205.6\text{m}^3 = 189.57\text{m}^3$  minus the existing office and toilet building c. $203.77\text{m}^3$  to equate in a net reduction of some  $14.2\text{m}^3$ . The fallback position of the previous haulage use of the site allowing unrestricted parking of vehicles means that a loss of openness could occur as a result of these activities. The application would regularise car parking arrangements within the site and protection of the turning circle would allow this aspect of the site to remain open. Any open storage would be prevented via a planning condition. The proposal is broadly neutral in that the onsite activities are not likely to lead to a further loss of openness than the previous haulage use of the site. In these circumstances, the redevelopment of the site as proposed would not result in a greater impact on the openness of the Green Belt than the existing development and is deemed to be appropriate Green Belt development in these circumstances. No other Green Belt harm would arise as a result of the proposal, subject to the amendment of the northwest 'side' elevation to the Rushton Spencer approach to the site, which is dominated by a glazing panel and would be harmful to the visual amenities of the Green Belt. This would be dealt with via a suitably worded planning condition.

### Employment

Core Strategy Policy E1 'New Employment Development' states that proposals will be assessed according to the extent to which it supports and improves the local economy in terms of providing for the needs and skills of the existing and future local resident workforce and meeting identified business needs, having regard to the Area Strategies in SS5 and SS6'. NPPF Para 28 directs planning policies to 'support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings'.

The application site lies some 607m from the closest edge of Rushton Spencer, which is identified as a small village (containing a primary school, church and public houses) within the Adopted Core Strategy and is designated as open countryside / Green Belt. Policy SS6c 'Other Rural Areas Area Strategy' herein applies. SS6c states that these areas will provide only for development which meets an essential local need, supports the rural diversification and sustainability of the rural areas, promotes sustainable tourism or enhances the countryside. It seeks to sustain the rural economy by enabling the limited expansion or redevelopment of an existing authorised business for employment uses.

Meanwhile Policy E1 states 'New business developments (use classes B1 (a, b and c)) should be located in existing or proposed employment areas or in or on the edge of town centres. Preference will be given to town centre locations for all office developments, unless ancillary to another use or specifically allocated. Elsewhere business developments will only be permitted for the expansion of existing businesses or for small-scale developments provided they would not have an unacceptable impact on the amenities, character or appearance of the area. Further, Policy TCR1 'Development in Town Centres' at 8. refers to only permitting new retail, leisure, office and other key town centre uses outside town centres where they are consistent with the approach set out in national policy in terms of need, scale, sequential approach to site selection, impact on other centres ...'. NPPF Para 25 states that 'This sequential approach (for main town centre uses) should not be applied to applications for small scale rural offices or other small scale rural development'.

The planning submission refers to the site being formally occupied by Moss & Lovatt (milk carriers), which included road haulage. The site is said to have provided as a base for the storage of haulage vehicles, milk carrying vehicles and the existing structures were used as an office and a garage area for the maintenance of vehicles. The applicant considers the historic use of the site as land uses: B1, B2 and B8. The Council would have no reason to doubt the historic use of the site as hauliers, however, considers that this previous use would most likely fall into Use Class Order 'Sui Generis'.

In summary, the submitted Planning Report outlines the following key points: Will Nixon Contractors is a firm of Civil Engineers and Groundwork Specialists, which includes 'staffed' plant hire employing 70 people nationwide; as the fleet expands and the complexity of the machinery, so does the need for additional workshop bays and equipment storage areas; the proposal meets this demand by providing 2 further full size bays and equipment storage areas; CAT trained technicians are employed and it is intended to expand the number of mechanics employed on site: 11

Space; this allows for the delivery of the vehicles, their unloading and provides space for testing and manoeuvring; the proposed replacement structure includes 12.98msqm of reception space on the ground floor and 42.0sqm of office space on the first floor, accommodating 5no. office spaces and a modest meeting area for 8-10 persons; such a meeting space could be used for the briefing of mechanics, managers, plant fitters and company director, as a teaching area for the mechanics by visiting technicians, potential customers and the company; all of which are ancillary to the use of the site.

The Planning Report for the previously refused proposal stated that there were currently 8 members of office based staff to be accommodated on site: Northern Contracts Manager/Commercial Manager; Company Secretary; Managing Quantity Surveyor; Service Manager; Apprentice Service Manager; Administration Clerk; Project Manager/Contracts Manager and Estimating Manager. The company was looking to increase this number to 14 immediately: Commercial Manager; Quantity Surveyor; Architect/Structural Engineer; Dedicated HSE Manager; 2 x administration staff and a Credit Controller. A further 7 staff were predicted over the next 3 years, which were likely to facilitate 35-50 site based staff. Some 276.4sqm of office accommodation was proposed whereas the office and toilet building for the haulage use of the site equated to c.75.0sqm. This represented a 268.6% increase above the ancillary office use associated with the previous small scale haulage use. In addition, the existing c.194.1sqm garaging space within the front building would be reduced to 123.2sqm and represented a 36.5% loss. Thus, the retention of the workshop at c.183.6sqm and proposed storage space at 123.2sqm (totalling 306.8sqm) meant that 47% or half of overall onsite gross floorspace would be dedicated to office accommodation and circulatory space in association with the proposed use of the site. This lead to the view that the proposal did not appear as ancillary or small scale office accommodation in view of the scale and function of the space proposed. Office development on this scale was deemed to be unsustainable on this site, as it would generate a disproportionate number of additional journeys outside of the main service areas (Leek, Cheadle and Biddulph) to undermine the spatial strategy.

The information within the current submission clearly differs to the details contained within the previously refused permission as detailed above. As a consequence, the agent has been asked to further clarify on site roles and the previous use of the site, however, has declined. In these circumstances, the Council has considered the merits of the proposal and the fall back position of the previous haulage use of the site. The replacement building has been reduced in scale to accord with Green Belt Policy concerning brownfield redevelopment of land. The office space (excluding circulation space) has also been reduced to broadly reflect the provision in association with the previous use of the site. It is reasonable to expect that the site is provided with adequate welfare facilities and no concerns are raised in relation to the provision of these facilities within the replacement building.

There is conflicting information between recent applications and the debate could be had as to whether the officing element to be provided is truly ancillary or whether the proposal represents a mixed use of the site. Setting all of this apart and irrespective of job roles, the scale of office accommodation has been significantly reduced and to a degree, self limiting as to the number of staff it can reasonably accommodate. Thus, it can now be viewed as 'small scale' officing. The limited storage and repair of plant hire equipment appears to broadly reflect the previous haulage use of the site. In these circumstances, therefore, the proposal would appear to constitute the limited expansion / redevelopment of an existing authorised business (noting no objections are raised from the Council's Enforcement Officer as to current onsite operations) to accord with rural planning policy.

#### Landscape Character

The proposed glazing is extensive to the exposed northwest 'side elevation' of the proposed replacement building, giving it a more urban appearance within this prominently viewed rural approach to Rushton Spencer. Further, the Council's Tree Officer has requested that native species be utilised within the proposed landscaping scheme. A condition requesting amended details would address these concerns. The reduced scale of the building no longer retains an elongated appearance. As a consequence, the proposal accords with Green Belt and landscape character setting Policies R1, DC1 and DC3.

#### Amenity / Highways

No objections to the proposal are raised by the Council's Environmental Health Officer or County Highways Officer subject to appropriately worded planning conditions. The proposal would give the opportunity to regularise activities, including working hours, noise, access, parking and turning. As a consequence, the proposal accords with pollution and highway Policies SD4 and T1.

#### Conclusions & Balance of Considerations

The redevelopment and retention of an employment site, its regularisation / control and job creation provides for clear environmental, social and economic benefits of the scheme and carries notable weight. The proposal appears to

**RECOMMENDATION:    APPROVE**

**Date** 26/06/2015

**Signed** \_\_\_\_\_  
Rachael Simpkin

**DEVELOPMENT CONTROL MANAGER COMMENTS:**

**Date**

**Signed** \_\_\_\_\_