

Application No : 10/00211/FULL2

Ward:
Cray Valley East

Address : Crouch Farm Crockenhill Road Swanley
BR8 8EP

OS Grid Ref: E: 549392 N: 167211

Applicant : A.W. Batchelor and Sons

Objections : YES

Description of Development:

Change of use of agricultural buildings to Class B1/B8 commercial use including elevational alterations and ancillary car and van parking spaces.

Key designations:

Green Belt
Locally Listed Building

Proposal

Permission is sought to convert three agricultural buildings within this farm to B1 business use and B8 storage use with ancillary car and van parking. The buildings which are identified as A, B and C on the proposal would serve the following uses:

- Building A – agricultural workshop involving agricultural and vehicle repair
- Building B – to house storage containers which would be let out to individuals for storage or for the storage of small domestic items
- Building C – workshop, communal toilets/washroom and vehicle bays involving light industrial repairs and covered storage for private cars, boats or other large items

Various elevational alterations will be undertaken to accommodate the new uses, including new doors and windows although no major structural rebuilding is proposed. 13 parking spaces (including 4 van spaces) would be provided.

A Desk Study and report relating to bat and owl activity within the application buildings have been submitted in support of the application and are included within the file.

Location

The application site is located within the Metropolitan Green Belt and adjoins the B258 Crockenhill Road connecting St Mary Cray and Crockenhill Village. The site is located approximately half way between these two areas. The site comprises 200 acres of

land used for arable farming, and the main buildings associated with the farm form a cluster located within a 20 metre proximity north of Crockenhill Road.

Agricultural activity has historically existed at the application site known as Crouch Farm. The application site adjoins Crouch Farm House, a Grade II listed farmhouse of early traditional framed construction which is considered to date back in parts to the Fourteenth Century and which has a shared history with the farmyard, although it is now under separate ownership.

Comments from Local Residents

A number of representations have been received both in support of and objecting to the application. In summary, the objections are raised on the basis that the proposal will undermine the setting of a neighbouring listed building, that it will harm residential amenity and that it will undermine the character of the Green Belt. Supporters of the application state that the proposal will support the core agricultural business, that it will benefit local businesses and that it will not be un-neighbourly.

Objections to the proposal have been received which may be summarised as follows:

- application submission is flawed and misleading;
- application makes no reference to the importance of the adjoining Grade II listed building, Crouch Farm House, including the desirability of preserving the setting;
- character and economic viability of the listed building may suffer as it would be robbed of much of its interest;
- development of the farm will undermine the setting and townscape associated with the neighbouring listed building;
- structural integrity of listed building will be susceptible as a result of industrial activity occurring within close proximity;
- proposed development and large parking area will undermine the privacy and security of the neighbouring dwelling;
- attractiveness of the area has been harmed due to activities on the application site;
- proposal will result in noise and disturbance due to work noise and pollution, and harm the tranquil environment of the surrounding area;
- proposed landscaping will not mitigate harm resulting from the development, nor prevent intrusion of noise, emissions and light pollution;
- scale of industrial use and parking is extensive and not in keeping with the area;
- proposed uses do not represent a low-key activity, for instance, it involves heavy-duty 3 Phase electrical re-wiring, and general motor work will be undertaken as opposed to agricultural repair;
- proposal involves external storage of materials, plant, machinery and storage;
- industrial use has potential to expand within the site;
- proposed B1/B8 use is not genuine and would be likely to lead to abuse;

- proposal does not represent form of farm diversification or an appropriate (e.g. more small scale) use for redundant farm buildings;
- there are several vacant units outside the Green Belt which should be used instead;
- sufficient storage is available on the site following the development of a new oversized barn on adjacent land;
- proposal does not preserve the openness of the Green Belt;
- large scale industrial usage and shipping containers are an incongruous feature in this rural area, highly inappropriate in the Green Belt and will have an overbearing effect on the neighbouring listed house, and appear visible from the street;
- proposal involves significant reconstruction to accommodate the new uses and will not be a case of re-use, as sought through Green Belt policy;
- proposal will lead to encroachment of this part of the Green Belt which separates St Mary Cray and Crockenhill Village;
- openness of the Green Belt should be maintained so that all people can benefit from its beauty and enjoy leisurely pursuits;
- woodland has been cleared to accommodate the new uses and the external storage of scraps/spares is taking place to the detriment of the visual amenities of the area;
- proposed use has severe effects on recreational enjoyment of the countryside;
- proposal does not represent a high standard of design;
- safety risk for pedestrians with increased vehicle/heavy vehicle movements;
- no evidence that proposal will provide wider community benefits

Objections have also been raised by the Kevington Residents Association.

The local Member of Parliament objects to the proposal on the basis that the proposal represents an inappropriate and overlarge development in the Green Belt

Letters of support were received which may be summarised as follows:

- uses sought in the application will be of benefit to local businesses;
- use would be particularly beneficial for agricultural and horticultural services in the area;
- applicant is a committed member of the local community and will ensure that good use is made of the buildings with regard to the interests of neighbouring residents

A letter of support was also received from the National Farmers' Union which may be summarised as follows:

- the applicant will renovate buildings that have become redundant in terms of their original agricultural use;

- the proposal will generate a stream of income that will support the core business of farming and help preserve the agricultural character of the area

Comments from Consultees

No technical objections have been raised by the Council's Highway Development Engineer or with regard to refuse collection.

No technical objections have been raised by the Environment Agency, subject to the inclusion of suggested conditions.

No technical objections are raised from an Environmental Health perspective.

Objections have been raised by Crockenhill Parish Council on the basis that the use proposed within Building A would constitute a more intensive B2 (general industrial use) which would undermine neighbouring amenity. Further objections are raised on the basis that the storage containers are harmful to the visual amenity of the area, and that no very special circumstances exist to support the conversion of Building C to a non-agricultural use and that a B8 designation could result in a wide range of uses operating within the building. Additional objections are raised on the basis that the site does not benefit from adequate access which would result in large vehicles passing through Crockenhill Village; the proposed parking provision may be exceeded; the proposal could result in light pollution; the proposal would generally undermine the visual amenities of the area; and that there is no evidence that the scheme would enhance or provide wider benefits to the community.

No objection is raised by Sevenoaks District Council on the basis that the existing buildings are capable of conversion without major or substantial reconstruction in accordance with the advice in PPG2. The Council's comments are based on the assumption that the buildings would be used for genuine B1/B8 use. Concern is raised that the applicants intend to use Building A for a B8/sui generis use instead, which would have implications for residential amenity.

Planning Considerations

Relevant policies in the Unitary Development Plan are G1 (Green Belts), BE1 (Design of New Development), BE8 (Statutory Listed Buildings), ER7 (Contaminated Land), T3 (Parking) and T18 (Road Safety). At a national policy level, PPG2 (Green Belts), PPS7 (Sustainable Development in Rural Areas) and PPG15 (Planning and the Historic Environment) are relevant.

From a heritage and conservation perspective, it is not considered that the proposal will impact on the setting of the neighbouring listed building and no objection is raised in this regard.

Policy G1 of the Bromley Unitary Development seeks to protect and maintain the openness of the Metropolitan Green Belt. In general, activities which support the open character of the Green Belt such as agriculture and outdoor recreation are considered appropriate. With regard to the re-use of existing buildings this will be considered inappropriate unless it will not have a materially greater impact than the present use on the open character of the land; it will not harm the openness of the land or conflict with the purposes of including land in the Green Belt; the building is of permanent construction and capable of conversion or re-use without extensive or complete reconstruction; the form, bulk and design of the building are in keeping with its surroundings; the proposed use does not entail external storage of materials, plant or machinery; and the proposed use has no adverse effect on the recreational enjoyment or appearance of the countryside.

Planning History

Several planning applications have been submitted in relation to this site. Most recently, under application ref 05/01095 planning permission was granted for the creation of new farm access further to the west, together with an associated driveway and replacement field entrance. Under ref 07/01466 planning permission was granted for a replacement agricultural building approximately 40 metres to the west of Building C.

Conclusions

The key issues in this case relate to the appropriateness of this development within the Green Belt; its impact on residential amenity; and its impact on the setting of the listed building at Crouch Farm House.

In this case, it is considered that the proposed scheme will, in general, adhere to the objectives of Policy G1, particularly in view of the proposed re-use of existing building which will engender little change in the visual amenities of the area. The activities will be confined to a relatively small area with the majority of the farm area remaining unaffected. Whilst concerns are raised in regard to the nature of the proposed uses, the applicant has indicated that a proportion of the new uses will be agricultural-related which will serve local agricultural needs.

Furthermore, PPS7 lends support for the reuse of existing buildings for economic development purposes, and goes on to promote farm diversification, as proposed in this case, to help sustain an agricultural enterprise. In particular, Paragraph 30 (iii) states that LPAs should give favourable consideration to proposals for diversification in the Green Belt where development preserves its openness, and even for purposes where this is not the case, farm diversification can contribute to very special circumstances.

With regard to residential amenities of nearby properties, B1 and B8 uses by their nature should not cause undue disturbance. Conditions can be imposed to assist in controlling any potential disturbance in accordance with the specific proposal.

There is additional car parking which will have a greater impact on the openness of the Green Belt depending on the intensity of activities at the site; however, this all lies within the farm yard and will not, as with the buildings, encroach any further into open countryside.

The non-agricultural related uses are considered acceptable on the basis that these will be confined to two existing buildings and the imposition of conditions will control the nature of their activities, which will also be in the interest of neighbouring amenity. In the case of the storage use, it is not anticipated that this will result in significant activity within the site. In any case, hours of operation may be restricted in the interest of neighbouring amenity.

In terms of the impact of this scheme on the setting of the neighbouring listed building, given the proposed utilisation of existing structures, it is not considered that there will be a significant change in its setting. Whilst new activities will occur within the application site, the nature of these activities is not considered significant enough to warrant refusal with regard to the setting of the listed building or in terms of its amenity.

In summary, there is strong policy support for legitimate farm diversification and this proposal would appear to fall within this category with only limited increase in activity at the site, therefore according with established policy.

Background papers referred to during production of this report comprise all correspondence on files refs. 05/01095, 07/01466 and 10/00211, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACH03 Satisfactory parking - full application
 ACH03R Reason H03
- 3 ACA04 Landscaping Scheme - full app no details
 ACA04R Reason A04
- 4 ACJ03 No outside storage

Reason: In order to comply with Policies BE1 and G1 of the Unitary Development Plan and in the interest of the amenities of the visual amenities and openness of Green Belt.

5 Building A shall be used for the purposes of agricultural vehicle and machinery repair and for no other purpose (including any other purpose in Class B1 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).

Reason: In order to comply with Policies BE1 and G1 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties and in the interest of the visual amenities and openness of Green Belt.

6 Building B shall be used for the purposes of storage and for no other purpose (including any other purpose in Class B8 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).

Reason: In order to comply with Policies BE1 and G1 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties and in the interest of the visual amenities and openness of Green Belt.

7 Building A shall be used for a single workshop and for the purposes of storage and for no other purpose (including any other purpose in Classes B1 or B8 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).

Reason: In order to comply with Policies BE1 and G1 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties and in the interest of the visual amenities and openness of Green Belt.

8 The proposed agricultural vehicle and machinery repair use and workshop use shall not operate before 7.00am and after 6.00pm Monday to Friday, nor before 8.00am and after 1.00pm on Saturdays and not at all on any Sunday, Bank Holiday Xmas Day or Good Friday

Reason: In order to comply with Policies BE1 and G1 of the Unitary Development Plan and in the interest of the amenities of the area.

9 The proposed storage use shall not operate before 7.00am and after 6.00pm Monday to Friday, nor before 8.00am and after 6.00pm on Saturdays and not at all on any Sunday, Bank Holiday Xmas Day or Good Friday

Reason: In order to comply with Policies BE1 and G1 of the Unitary Development Plan and in the interest of the amenities of the area.

10 ACK09 Soil survey - contaminated land
ACK09R K09 reason

11 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:

- all previous uses

- potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: This site lies on the Upper Chalk, which is classified as a principal aquifer in the Groundwater Protection: Policy and Practice. This site does lie in a source protection zone III (SPZ) for several public water supply wells. Therefore potable supplies could be at risk from activities at this site and all precautions should be taken to prevent discharges and spillages to ground.

12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking and re-enacting this Order) no building, structure alteration or excavation permitted by Parts 6 and 7 of Schedule 2 of the 1995 Order (as amended), shall be erected or made within the curtilage(s) of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.

Reason: In order to comply with Policies BE1 and G1 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties and in the interest of the visual amenities and openness of Green Belt.

Reasons for permission:

In granting permission the Local Planning Authority had regard to the following policies of the Unitary Development Plan:

- G1 Green Belt
- BE1 Design of New Development
- BE8 Statutory Listed Buildings
- ER7 Contaminated Land
- T3 Parking
- T18 Road Safety

The development is considered satisfactory in relation to the following:

- (a) the appearance of the development in the street scene;
- (b) the relation of the development to the adjacent property;
- (c) the character of the development in the surrounding area;
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties;

- (e) the impact of the development on the visual amenities of the Green Belt;
- (f) the impact of the development on the setting of the adjacent listed building;
- (g) the privacy of occupiers of adjacent and nearby properties;

and having regard to all other matters raised.

Reference: 10/00211/FULL2

Address: Crouch Farm Crockenhill Road Swanley BR8 8EP

Proposal: Change of use of agricultural buildings to Class B1/B8 commercial use including elevational alterations and ancillary car and van parking spaces.



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