

SECTION '2' – Applications meriting special consideration

Application No : 10/01989/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 building (Building A) from agricultural use to Class B1 business use with associated parking.

RETROSPECTIVE APPLICATION

Key designations:

Green Belt
Locally Listed Building

Proposal

Retrospective permission is sought to convert a single agricultural building (identified as Building A) within this farm to B1 business use with ancillary van parking. According to the Design & Access Statement the building is used for B1 light industrial purposes (repair of agricultural machinery). Various elevational alterations will be undertaken to accommodate the new uses, including new doors and windows although no major structural rebuilding is proposed. 1 van parking space would be provided in connection with the use.

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. These are summarised below.

Objections

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

- activity has continued to take place within the application building despite an earlier refusal and led to disturbance and pollution
- attempt to gain piecemeal permission for the refused development
- any permission could have a negative effect on the appeal made for the previous application
- application submission is misleading
- application does not address harm caused to the Green Belt, residential amenity or neighbouring listed building
- application makes no reference to the adjoining Grade II listed building, Crouch Farm House, including the desirability of preserving the setting
- development would undermine neighbouring amenity by reason of noise and disturbance and would harm the tranquil environment of the surrounding area
- Building A is not fit for purpose for the industrial work in this application and any condition to work within the building would be unreasonable and unenforceable
- scope and results of a noise survey concerning the site are not a true representation of the noise and disturbance created
- work likely to take place outside Building A
- work constitutes a huge intensification of use of Building A from its original status as grain storage
- site likely to be used for general motor work
- scheme does not preserve the visual amenity or openness of the Green Belt or the streetscene
- proposal does not provide wider benefits to the community
- character of the listed building may suffer
- proposal could have a negative impact on traffic safety

Statements have been received from the applicant and agent in response to the above objections which are enclosed within the application file.

Support

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

- farm yard has historically been a scene of high activity and at no time did the accompanying noise impinge on the privacy of the neighbouring house and garden
- uses sought in the application will be of benefit to local businesses and community
- 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
- this proposal will help protect and maintain the openness 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 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 proposed use would be inappropriate within the Green Belt and would not form an acceptable form of diversification and that it would be difficult to stop future expansion of the site. Concerns are also raised in relation to the impact of the development on neighbouring amenity and that the applicant may attempt to secure development of the wider site on a piecemeal basis.

Any further consultations will be reported verbally at committee.

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. 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.

More recently, under ref. 10/00211 an application concerning the change of use of agricultural buildings to Class B1/B8 commercial use at Buildings A, B and C was refused on the following grounds:

The intensity of the use of the site by virtue of the number of different activities involved unrelated to agriculture would be contrary to Policy G1 of the Unitary Development Plan.

The proposal would have a detrimental impact on the setting of Crouch Farm and the amenities which the occupiers of that property might reasonably expect to continue to enjoy by reason of disturbance and visual impact.

The above refusal is currently being contested at appeal.

Conclusions

As with the earlier 2010 application, it is considered that 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.

It is considered that the proposed scheme will, in general, adhere to the objectives of Policy G1, particularly in view of the re-use of an 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 use, the applicant has indicated that the use is 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 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. No technical objection has been raised from an Environmental Health perspective. Furthermore, Building A is located approximately 30 metres from the boundary with Crouch Farm House and approximately 60 metres away from the dwelling itself.

In terms of the impact of this scheme on the setting of the neighbouring listed building, given the proposed utilisation of an existing structure, 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, 10/00211 and 10/01989, 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 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.

- 7 ACK09 Soil survey - contaminated land
ACK09R K09 reason

- 8 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 Belts
- 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.

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RETROSPECTIVE APPLICATION



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