

**Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT**

**Application No :** 18/02244/FULL1

**Ward:**  
**Chelsfield And Pratts  
Bottom**

**Address :** Norsted Manor Farm, Norsted Lane,  
Orpington BR6 7PB

**Objections: Yes**

**OS Grid Ref: E: 546348 N: 161297**

**Applicant :** Mr Giles Cook

**Description of Development:**

Continued use of barn 4 as motorcycle workshop on ground floor with office above

**Key designations:**

Areas of Archeological Significance  
Biggin Hill Safeguarding Area  
Green Belt  
London City Airport Safeguarding

**Proposal**

Retrospective permission is sought for the use of the ground floor of Barn 4 as a motorcycle workshop, with a separate Class B1 office use on the first floor accessed by an external staircase (for which planning permission was granted in 1997 under ref.96/02799). The applicant claims that the building has been used as such since 1991.

There are no physical alterations proposed as part of the proposal.

Two people are employed in the motorcycle repair business, and the operating hours are 8am-6pm on Mondays to Fridays, and 8am-4pm on Saturdays. The premises are shut on Sundays and Bank Holidays.

The application was supported by the following documents:

- Planning Application Supporting Statement

**Location and Key Constraints**

Norsted Manor Farm is a large farm complex covering an area of 189 acres which is used mainly for grazing with some woodland. The use of the farm buildings has diversified in recent years, most of which are now used for the storage of caravans and motorhomes, along with other commercial and private uses.

The site is located within the Green Belt, and Barn 4 (The Granary) is situated at the northern end of the farm buildings at the main entrance to the farm. It is a two storey building and measures 11.8m x 6.8m. It is currently used for motorcycle repairs on the ground floor whilst the first floor is used as offices in connection with the operation of the wider business activities at the site.

## **Comments from Local Residents and Groups**

Nearby owners/occupiers were notified of the application and representations were received, which can be summarised as follows:

### Objections

- The motorbike business only arrived in 2016 and not 1991 as claimed
- The application should be for change of use from agriculture to Class B2
- Proposals are a materially significant expansion of this commercial site
- The motorbike business has had a significant impact on noise, parking and volume of traffic accessing the site
- Testing of the bikes occurs outside the building and in the adjacent fields which has caused noise disturbance to neighbours
- Inappropriate development in the Green Belt
- No very special circumstances have been put forward to justify inappropriate development.

### Local Groups (Pratt's Bottom Residents' Association)

- Increased commercial activity on the site has been detrimental to residential amenity
- Query how long the motorcycle repairs business has occupied the building
- Operating hours should be restricted to normal working hours
- Unclear whether there are any net social, economic or environmental gains as a result of the development
- Policy G1 of the UDP is out of date.

A Ward Councillor has called this application into committee.

## **Comments from Consultees**

Environmental Health Pollution Officer: No objections are raised to the proposals.

Highways: The application indicates that the use started in 1991 so it has been established for a number of years. It is a relatively small building (about 11m x 6m) and there appear to be any highway issues relating to the use. No objections are therefore raised to the proposals.

## **Policy Context**

Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

The National Planning Policy Framework was published on 24th July 2018. According to paragraph 48 of the NPPF decision makers can also give weight to relevant policies in emerging plans according to:

- a) The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- b) The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF

The development plan for Bromley comprises the Bromley BLP (January 2019) and the London Plan (March 2016). The NPPF does not change the legal status of the development plan.

### London Plan Policies

4.1 Developing London's Economy

7.16 Green Belt

### Bromley Local Plan

30 Parking

32 Road Safety

37 General Design of Development

49 Green Belt

83 Non-Designated Employment Land

### Supplementary Planning Guidance

NPPF

## **Planning History**

The relevant planning history relating to the application site is summarised as follows:

Permission was refused in 1996 (ref.96/01339) for the use of the first floor of the Granary building as a residential flat on grounds relating to inappropriate development in the Green Belt and lack of private amenity space.

Permission was granted in 1997 (ref.96/02799) for the change of use of the first floor of the Granary building to offices with associated car parking.

## **Considerations**

The main issues to be considered in respect of this application are:

- Green Belt
- Highways
- Neighbouring amenity
- Sustainability
- CIL

## Green Belt

Paragraphs 133-147 of the NPPF sets out the Government's intention for Green Belt. The NPPF states that 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.

The Green Belt is intended to serve five purposes:

- 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.

Paragraphs 143-147 deal specifically with development proposals in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. Therefore, the harm in principle to the Green Belt remains even if there is no further harm to openness because of the development.

Paragraph 145 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, apart from a number of exceptions.

Paragraph 146 deals with other types of development which are also not inappropriate in the Green Belt (provided they preserve its openness and do not conflict with the purposes of including land within it), and includes "the re-use of buildings which are of permanent and substantial construction".

Openness is an essential characteristic of the Green Belt and is different from visual impact. Openness is about freedom from built form. Even if there is absence of harm to openness, there can be harm in principle to the Green Belt from inappropriate development.

Paragraph 83 supports the development and diversification of agricultural businesses, as well as the sustainable growth and expansion of all types of business in rural areas, including through the conversion of existing buildings.

Bromley Development Plan Policies provide the same level of protection to Green Belt as the NPPF.

Policy 49 of the Bromley Local Plan (adopted January 2019) states that within the Green Belt, the re-use of buildings which are of permanent and substantial construction would not be inappropriate development so long as they preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt.

The building which is being used for motorcycle repairs on the ground floor and offices above is of permanent and substantial construction, there are no physical alterations proposed, and therefore the proposal does not affect the openness of the Green Belt or

conflict with the purposes of including land in the Green Belt. Therefore, the proposals are considered to be appropriate development in the Green Belt.

### Highways

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The NPPF clearly states that transport issues should be considered from the earliest stage of both plan making and when formulating development proposals and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed

London Plan and BLP Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the London Plan and Bromley Local Plan should be used as a basis for assessment.

No highways objections are raised to the proposals.

### Neighbouring amenity

Policy 37 of the BLP seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

Concerns have been raised by local residents regarding noise and disturbance from the business and the general activity on the site, but given that the motorcycle repairs take place within the building which does not lie immediately adjacent to neighbouring residential properties, and that the working hours of the business can be restricted to normal working hours by way of a condition, the proposals are not considered to cause significant harm to residential amenity.

### Sustainability

The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. London Plan and Draft Local Plan Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.

Policy 5.3 Sustainable Design and Construction of the London Plan states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime.

Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the hierarchy; Be Lean: use less energy; Be clean: supply energy efficiently and Be green: use renewable energy.

## CIL

The Mayor of London's CIL is a material consideration. CIL is not payable on this application.

### **Conclusion**

The proposals are not considered to constitute inappropriate development in the Green Belt nor have a detrimental impact on openness or the amenities of neighbouring residential properties.

Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

### **RECOMMENDATION: PERMISSION**

#### **Subject to the following conditions:**

- 1 The development shall be retained strictly in accordance with the application plans, drawings and documents hereby approved.**

**Reason: To ensure that the development is retained in accordance with the approved documents, plans and drawings submitted with the application in the interest of the appearance of the building and the visual amenities of the area and in order to comply with Policy 37 of the Bromley Local Plan**

- 2 The building to which this application relates shall only be used as a motorcycle workshop on the ground floor and for Class B1 offices on the first floor as detailed on Drawing No.PP/04 dated 11th May 2018 and for no other purpose. There shall be no change of use whether allowed by the Town and Country Planning (Use Classes) Order 1987, the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order amending, revoking and re-enacting these Orders.**

**Reason: In order to comply with Policies H7, H12, BE1 and EMP2 of the Unitary Development Plan and in order that the Council can consider any proposed change of use with regard to current planning policies to prevent any inappropriate use or substandard residential accommodation.**

- 3 The use shall not operate on any Sunday or Bank Holiday, Christmas Day or Good Friday nor before 08.00 hours or after 18.00 hours on Mondays to Fridays, nor before 08.00 hours or after 16.00 hours on Saturdays.**

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