

**20/01103/FUL**

**LITTLE STAMBRIDGE HALL FARM, LITTLE STAMBRIDGE  
HALL LANE, STAMBRIDGE**

**DEMOLITION OF EXISTING COMMERCIAL UNITS AND  
ERECTION OF 3 PURPOSE BUILT COMMERCIAL UNITS  
WITH ANCILLARY PARKING AND LANDSCAPING**

APPLICANT:                **MR J RANKIN**  
ZONING:                    **METROPOLITAN GREEN BELT**  
PARISH:                   **STAMBRIDGE**  
WARD:                      **ROCHE NORTH AND RURAL**

**1        RECOMMENDATION**

**1.1     It is proposed that the Committee RESOLVES**

That planning permission be approved, subject to the following conditions:

**Commencement**

- (1)     The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

**Approved Plans**

- (2)     The development shall be undertaken in strict accordance with the details of the approved plans referenced: Proposed Elevation, Floor and Roof Plans (Blocks A, B and C), Proposed Site Layout Plan including details showing the wider site plan, and revised Landscaping Plan reference 2212-100 Rev 03.

REASON: To ensure that the development is undertaken in accordance with the approved plans as considered.

**Submission of External Finishes**

- (3) Prior to their first use on site, samples of the materials to be used on the external finishes must be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details and permanently maintained as such in perpetuity.

REASON: To ensure a satisfactory appearance in compliance with Rochford District Council's Local Development Framework Development Management Plan policy DM1 and for consideration in relation to the neighbouring listed buildings.

**Submission of External Lighting Details**

- (4) Prior to first installation, details of an external lighting scheme shall be submitted to the Local Planning Authority for its written approval. Such details shall include details of all external lighting and illumination within the development site, including details of the height and position of all lighting columns, together with details of luminosity. The lighting shall be installed in accordance with the details as may be approved.

REASON: To ensure adequate control over design and to ensure a satisfactory appearance in the interests of visual amenity in compliance with policy DM1 of Rochford District Council's Local Development Framework Development Management Plan (adopted December 2014).

**Implementation of Landscaping Scheme**

- (5) The landscaping scheme as shown by plan reference 2212-100 Rev 03 shall be undertaken in full during the first planting season following the first occupation of the development hereby permitted. Any tree, shrub or hedge plant (including replacement plants) removed, uprooted, destroyed, or be caused to die, or become seriously damaged or defective, within five years of planting, shall be replaced by the developer(s) or their successors in title, with species of the same type, size and in an agreed location, in the first available planting season following removal.

REASON: To ensure adequate control over design and to ensure a satisfactory appearance in the interests of visual amenity in compliance with policy DM1 of Rochford District Council's Local Development Framework Development Management Plan (adopted December 2014).

**Submission of Surface Water Drainage Details and Implementation**

- (6) No works except demolition shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in

writing by the local planning authority. The scheme should include but not be limited to:

- Rainwater harvesting needs to be incorporated into the final design. This system should be added to the onsite maintenance plan.
- Limiting discharge rates to 2.2l/s for all storm events up to and including the 1 in 100-year rate plus 40% allowance for climate change.
- Final modelling and calculations for all areas of the drainage system.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

- To ensure the effective operation of SuDS features over the lifetime of the development.
- To provide mitigation of any environmental harm which may be caused to the local water environment.

Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

- (7) The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

REASON: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

#### **Attainment of BREEAM Standards**

- (8) The development hereby approved unless justified otherwise shall meet a BREEAM rating of 'Very Good'.

REASON: To promote the development of sustainable buildings in compliance with the requirements of the Local Development Framework's Core Strategy Policy ENV10 (BREEAM).

**Controlling Minor Works**

- (9) Prior to the installation of any external extraction equipment to the buildings hereby approved details shall have been submitted to and agreed in writing by the Local Planning Authority; any equipment shall be installed in accordance with the details agreed.

REASON: In the interests of visual amenity and to ensure a satisfactory appearance in compliance with policy DM1, of the Local Development Framework Development Management Plan.

**Construction Management Plan**

- (10) No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- I. the parking of vehicles of site operatives and visitors
  - II. loading and unloading of plant and materials
  - III. storage of plant and materials used in constructing the development
  - IV. wheel and underbody washing facilities
  - V. the control of dust, noise, and vibrations

REASON: To ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

**Provision of Parking Spaces**

- (11) All vehicular parking spaces as shown on the proposed site layout plan shall be provided in their totality prior to the first occupation of the development. Each parking space shall provide a minimum bay dimension of 2.9 metres x 5.5 metres.

REASON: To ensure adequate space for parking off the highway is provided in the interest of highway safety in accordance with the Local Development Framework's Development Management Plan policies DM1 and DM30 and the requirements of the Essex Parking Standards (2009) adopted 2010.

**Potential Contamination**

- (12) Prior to the importation of any material brought onto the site for use as subsoil, topsoil or backfill, a compliance certificate for that material proposed to be imported to the site shall be submitted to and agreed in writing by the Local Planning Authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy ENV11 of the Rochford District Council Local Development Framework adopted Core Strategy 2011.

- (13) In the event that contaminated material or asbestos is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the following requirements and a report submitted to and approved in writing by the Local Planning Authority to include: -
- (i) a survey of the extent, scale, and nature of contamination
  - (ii) an assessment of the potential risks to:-
    - o human health,
    - o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
    - o adjoining land,
    - o ground waters and surface waters, ecological systems, archaeological sites and ancient monuments.
  - (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This shall be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and the Essex Contaminated Land Consortium's 'Land Affected by Contamination: Technical Guidance for Applicants and Developers'.

Where remediation is necessary a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives

and remediation criteria, timetable of works and site management procedures. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works and the developer shall complete the remediation works in accordance with the scheme approved. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority.

Prior to occupation of any property hereby permitted the developer shall submit to the Local Planning Authority a signed certificate to confirm that the remediation works have been completed in accordance with the documents and plans detailed in the approved remediation scheme.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy ENV11 of the Rochford District Council Local Development Framework adopted Core Strategy 2011.

### **Highways and Rights of Way**

- (14) The public's rights and ease of passage over footpath number 21 in Stambridge shall be maintained free and unobstructed at all times.

REASON: To ensure the continued safe passage of the public on the definitive right of way and accessibility in compliance with policy DM 1q of the Council's Local Development Framework's Development Management Plan and adopted County Council Supplementary Guidance in February 2011

- (15) Areas within the curtilage of the site for the purpose of the reception and storage of building materials shall be identified clear of the highway.

REASON: To ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period in in compliance with policy DM 1q of the Council's Local Development Framework's Development Management Plan and adopted County Council Supplementary Guidance in February 2011

**Cycle Space Provision**

- (16) Notwithstanding the details of the proposed site layout plan, prior to the first occupation of the development, a covered cycle store shall be provided capable of accommodating 8 cycle spaces, the details of which (Location and Design) shall be submitted to the Local Planning Authority for its written approval.

REASON: To ensure adequate space for parking off the highway is provided in the interest of highway safety in accordance with the Local Development Framework's Development Management Plan policies DM1 and DM30 and the requirements of the Essex Parking Standards (2009) adopted 2010.

**2 PLANNING APPLICATION DETAILS**

- 2.1 This application is submitted following the refusal of planning application reference 19/00926/FUL which was refused on 9 September 2020. The description of that application was noted as 'Demolition of existing commercial units and erection of 3 purpose built commercial units for Use within the B8 (Storage and Distribution) and B1(C) (Light Industrial) Use Classes with ancillary parking and landscaping'.
- 2.2 This proposal seeks full planning consent for the redevelopment of a site currently occupied by 4 former poultry buildings which have been subject of an intervening commercial use since their last agricultural use. The submitted 'Planning Statement' indicates that it is the intention to provide a high-quality development which has been designed to meet current demands in the area. It is also indicated that this revised proposal is reduced in scale as compared to the application which committee resolved to refuse at its August 2020 committee meeting.
- 2.3 The total site area as defined by the proposed site layout plan is indicated to comprise an area of approximately 0.85 hectares (8,500 m<sup>2</sup>) although only a part of this overall land area will be occupied by buildings. The site area comprises the area broadly occupied by the buildings to be demolished and a strip of land a few metres either side which is approximately 86.5 metres in length north to south and 117 metres wide at its widest point taking into account the existing access road, the existing building which is to become a service block and the car parking area beyond. The northerly aspect parking area extends further north than the site of the existing and proposed buildings which accounts for the extent of 117 metres.
- 2.4 The application site area not only includes the area currently occupied by the existing buildings to be demolished but also the access track which runs in between these buildings and an existing building which will be retained as a service block. It also includes an area of land to the rear (west of this existing building which will provide parking in addition to an area of land to the north west of this building the latter of which will provide a total parking space area

capable of accommodating 31 vehicles within standard parking bays equating to parking bay dimensions of 5.5 x 2.9 metres.

- 2.5 The proposed layout comprises three new buildings offering a variety of commercial space from units of 46m<sup>2</sup> up to larger units of 184m<sup>2</sup>. The submitted Planning Statement states that the development would offer a much more flexible workspace provision than previously provided. The existing consented development offers 8 large units whilst the new proposal offers a mix of small, medium and large sized units. In total 28 separate units are proposed which are intended to be of a far higher quality. It is indicated that the buildings will be constructed of red brick with Larch timber cladding to the wall elevations and sinusoidal roofing sheets. Standard steel roller shutter doors will be installed within the building frontages providing principal access points to individual units.
- 2.6 The southern roof elevation of the centrally located Building (Block B) which is shown as having its roof ridge running West East / East West will incorporate solar panels as will Block C the most southerly building which like Block A will comprise a multi span block featuring 4 pitched roof buildings (which make up the whole). The proposed site layout plan indicates the siting of 3 buildings within that area occupied by the existing buildings to be demolished 47 metres in length varying in width (when viewed from the side elevation) from 12.8 metres (Block A), 14.43 metres (Block B) and 14.22 (Block C). Block A is indicated to provide 4 units of equal floor space bearing a ridge height of approximately 6.96 metres and eaves height of approximately 3.56 metres. Block B is shown to bear a ridge height of approximately 6.96 metres and eaves height of approximately 3.10 whilst Block C is shown to bear a ridge height of approximately 6.25 metres and eaves height of 3 metres.
- 2.7 The enclosed space between Block A and Block B and Block B and Block C will comprise operational areas serving the respective units. These areas will provide physical separation between Blocks A and B and Blocks B and C amounting to 15.85 metres and 13.82 metres respectively.
- 2.8 It is proposed that the total existing commercial floor space of 2,857 will be reconfigured to provide a retained capacity of B1 (Business Unit) use (270m<sup>2</sup>) whilst the new build will provide a total floor area of 1,820m<sup>2</sup> providing a total capacity of 2090m<sup>2</sup>. The submitted Design and Access Statement indicates that overall this proposal results in a reduction in the floor space across the existing site by 767m<sup>2</sup> – approximately a 28% reduction in building footprint. It is intended that the light industrial B1 c and the storage and distribution uses will operate 0700 until 1900 hours Monday to Friday, 0800 until 1800 on Saturdays and closed on Sundays and Bank Holidays.
- 2.9 The access to the site utilises the existing access from Stambridge Road as approved under the previous commercial consents. It is not proposed to alter the access layout within the site. The revised Landscaping Plan 2212-100 Rev 03 indicates the proposed planting of a hedge incorporating native hedgerow species to the East of an existing access track with the provision of



Extra Heavy Standard tree specimens (14 to 16 cm girth) some of which will be planted in double rows along the verge edges of existing tracks located North, North East and East of the Planning application site itself.

### **3 MATERIAL PLANNING CONSIDERATIONS**

#### **Site and Context**

- 3.1 Little Stambridge Hall Farm is a predominantly arable farm of some 550 acres, accessed from Stambridge Road (east of Rochford town centre) and located at the far end of Little Stambridge Hall Lane which provides access through part of the application site to the westerly aspect of the existing buildings to be demolished and a cluster of buildings; a part of which are currently utilised by a Micro-Brewery business. The application site edged red is part of this wider site and is located to the east of a cluster of existing buildings comprising a working agricultural unit, and which has diversified giving rise to a range of uses on the wider site. The application site on its southern and easterly aspects is flanked by a private track which provides access to open fields to the east which comprise a number of equine paddocks whilst a large expanse of open arable land is located directly south and south east of the proposed development site which continues to the boundary of the agricultural unit with Stambridge Road.
- 3.2 The main farm centre covers an area of some 1.2 hectares comprising of a number of buildings, including a listed farm house and a mix of modern steel portal framed buildings, traditional timber and brick buildings and stables. The site is located within the Metropolitan Green Belt, Flood Zone 1 and is located close to Little Stambridge Hall which is a Grade II Listed Building.
- 3.3 The farm is well established, and a degree of diversification has commenced with the letting of some of the smaller units and the provision of livery stabling. These commercial and livery uses were regularised in 2017 under applications 16/01064/COU and 17/00869/DPDP3M.
- 3.4 The application site consists of that area currently occupied by 4 former poultry units which are constructed of timber and corrugated asbestos roofing together with that area occupied by Little Stambridge Hall Lane and an area of land to the north west where car parking is proposed. Although the cluster of buildings which accommodate the micro brewery are shown to be included as part of the planning application site (due to its physical affiliation with the former poultry buildings opposite) these buildings are unaffected by the development and the application does not propose any rebuilding works or alterations to these buildings.
- 3.5 The existing poultry buildings are orientated such that the roof lines run from north west to south east and comprise 4 low lying buildings constructed of timber and corrugated asbestos set parallel to one another and linked by a flat roof section at their front westerly aspect. The scaled plans (as existing) indicate that these buildings are approximately 3.86 metres to their ridge

bearing shallow roof pitches and low wall elevations which are approximately 2.34 metres to the eaves. Intermittent ventilation units occupy the ridge lines which are approximately 0.97 metres in height. The length of these buildings is approximately 46 metres.

- 3.6 These buildings due to their low height and shallow roof lines are not conspicuous or discernible within the wider locality from long range views. These buildings were the subject of planning application reference 18/00338/FUL which permitted their change of use to a flexible business use; this permission was granted on 27 June 2018.

#### **Relevant Planning History.**

- 3.7 16/01064/COU: Change of use of redundant farm buildings to commercial uses B1(Business) B2 (General Industry) B8 (Storage or Distribution) and Equestrian Uses - Planning permission granted.
- 3.8 17/00869/FUL: Prior Notification for a Proposed Change of Use of an Agricultural Building to a Flexible Business Use - Prior Approval Required and Granted
- 3.9 18/00388/FUL: Change of use of existing agricultural buildings to a flexible business use - Planning Permission Granted
- 3.10 18/00953/FUL: Redevelopment of existing commercial warehouses to provide purpose-built warehouse units with associated parking - Application withdrawn.
- 3.11 19/00926/FUL: Demolition of existing commercial units and erection of 3 purpose built commercial units for use within the B8 (Storage and Distribution) and B1 C Light Industrial use classes with ancillary parking and Landscaping: Refused Planning Permission 9.9.2020. The reasons cited for refusal of the application were as follows:

The application site lies within the Metropolitan Green Belt as defined in the Council's Local Development Framework Allocations Plan (2014). In accordance with the National Planning Policy Framework inappropriate development within the Green Belt is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It is considered that the proposed development by reason of the proposed site area and the proposed scale, form, and design of buildings, would constitute inappropriate development in the Green Belt as a result of the proposal having a significantly greater adverse impact on the openness of the Green Belt in both spatial and visual terms than the existing development on the site. In addition, the site would not all qualify as PDL. No very special circumstances exist that would clearly outweigh the harm to the Green Belt. The proposal would be contrary to paragraph 145 of the National Planning Policy Framework 2019, GB1 of the Local Development Framework's Core

Strategy and Policies DM10 and DM11 of the Development Management Plan.

### **Principle of the Development**

- 3.12 The key material planning considerations associated with a proposal of the same character and description have been previously rehearsed within the report for the refused planning application. The site is located within the Metropolitan Green Belt as defined by the Council's adopted Allocation Plan. The key issues for consideration are:
- (i) Whether the proposal is inappropriate development in the Green Belt
  - (ii) The effect on the openness of the Green Belt
  - (iii) Other considerations and;
  - (iv) If the development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.
- 3.13 The National Planning Policy Framework at paragraph 143 indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The essential characteristics of Green Belts are their openness and their permanence. Paragraph 144 advises that 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.
- 3.14 Paragraph 145 indicates that local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt although a number of exceptions apply including part (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.
- 3.15 To be eligible to be considered under this exception the development is required to demonstrate as a first step that the site meets the definition of Previously Developed Land (PDL). The glossary to the NPPF defines previously developed land as the following:

'Previously developed land: Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape'.

- 3.16 Agricultural land is excluded from the definition of PDL, however, the local planning authority had reached an informed view previously that based on the evidence that a greater part of the site subject of the previous application fell within the definition of Previously Developed Land. This was on the basis that the planning permission granted under planning reference 18/00388/FUL (Change of use of existing agricultural buildings to a flexible business use) had been implemented as many of the units had at various times, following the change of use permission, been used for the purposes for which approval was granted. Previous evidence of business rates having been paid on many units coinciding with evidence of implementation confirmed an established use rendering eligibility under the Previously Developed Land (PDL) exception of the National Planning Policy Framework.
- 3.17 It was therefore accepted that the planning consent for commercial use of the existing barns, previously in agricultural use had been implemented and that the lawful use of the existing buildings were no longer agricultural. The consideration of the previous application however identified that not all of the application could be considered PDL as the then proposed northernmost building would be sited on land that is clearly identified as an agricultural field. Therefore at least a third of the footprint of a substantial building would not be sited on previously developed land but on agricultural land. Green Belt policy, both national and local, does not allow for the construction of new large-scale commercial buildings on agricultural land within the Green Belt. A large additional parking area was also proposed to the western part of the site which is currently a grassed verge and also could not be considered to constitute PDL. The latter is also the case in this instance which is not recognised by the submitted Planning Statement.
- 3.18 In order for proposed redevelopment of PDL to be considered appropriate development in the Green Belt, a proposal must however not have a greater impact on the openness of the Green Belt than the existing development. The Council's Green Belt policy as set out in Policies DM10 and DM11 also require that replacement buildings in the Green Belt should not be materially larger or be of a scale that would have a greater impact on the openness of the Green Belt.

- 3.19 The National Planning Policy Framework is clear that development which has any greater impact on Green Belt openness than the existing development which it would replace would be inappropriate by reason of the implied harm and should not be permitted within the Metropolitan Green Belt unless very special circumstances exist that would clearly outweigh the harm to the Green Belt by definition and any other harm arising. There is a clear implication that if any replacement building is materially larger than the one it replaces, whether a single building or a range of buildings, that alignment with policy at national level or local level is not achieved as a larger building or buildings giving rise to a greater physical presence fail to preserve openness. A building that is a materially larger than the one it is to replace is considered inappropriate development.
- 3.20 Harm to Green Belt openness has a visual as well as a spatial aspect. It is an established position that regardless of whether a development is visible within the wider landscape or not, that any development comprising comparatively larger buildings in scale (height/width/depth) than previous development it would replace would have an implied harm on openness by reason of those very facts together with an increased adverse impact on openness in terms of the assessment of the spatial dimension of openness. Although the net reduction in the footprint of the overall proposed built form is noted (reducing the floor area coverage from 2,587m<sup>2</sup> to 1,820m<sup>2</sup> (as compared to the 2,374m<sup>2</sup> as previously proposed), the ridge heights are still greater than the existing ridge heights of the buildings on site. Compounding this is the recognition made within the submitted Planning Statement that compared to the existing volume, there is still an increase in volume over the existing buildings of approximately 27%. As the proposed development by reason of volume and ridge height, giving rise to greater wall massing at the flank elevations, is greater than the existing development (despite the reduction in overall footprint), it still constitutes inappropriate development. By reason of this conclusion there would be an implied harm to Green Belt openness by reason of inappropriateness.
- 3.21 Placing the conclusions based on pure definition to one side, the determining authority is duty bound to consider the degree of harm that the development would cause. It needs to consider whether the harm would constitute a significant harm capable of being attributed considerable weight so much so that this harm (when considered in conjunction with the implied harm of inappropriateness) would clearly outweigh other considerations. If such exist these may counter the harm identified in Green Belt terms.
- 3.22 Ultimately the determining authority must consider this proposal against the current development presented on site being mindful at the same time of the clear issue which supported the previous refusal. The officers previous report, relating to application reference 19/00926/FUL, reported the scale of the development proposed which not only encroached well outside that area currently developed but also proposed buildings which by reason of their proposed eaves heights and ridge heights were significantly higher than the existing buildings. It is considered that one paragraph within that previous

report (Paragraph 24) was key in pinpointing precisely the harm that would result in Green Belt terms had that development been implemented.

- 3.23 The paragraph set out the following: 'The area of built form would be extended significantly by approximately 8.70 metres at the northern aspect of the site which would be occupied by Block A. All of the proposed buildings regardless of the manner in which they are to be laid out (which however further aggravates the harm to the green belt) would be significantly larger buildings with significantly higher ridge heights in excess of 8 metres and prominent gable elevations further emphasising their massing. The difference in ridge height between the existing (3.8m) and proposed (8.8m) would over double in the case of the highest proposed block, whilst the other two blocks would also be significantly higher than the existing buildings. The existing low level, single storey height buildings would be replaced with very large two storey buildings which would appear significantly more prominent. The separation between the proposed buildings would increase but this would exacerbate the harm to green belt openness as the space between buildings would be used for the manoeuvring of vehicles and hard surfaced, as a result the site taken as a whole would appear more developed than the existing low-level buildings closely positioned'.
- 3.24 This paragraph was expanded in other sections of the report supporting the finding of significant harm and concluding that the development was not outweighed by other material planning considerations. There are considered to be 2 key aspects which informed this consideration which the application this time around has also identified. With the exception of the creation of a car park area proposed to the east of an existing building, which replicates a previous arrangement that featured on the previous application, the development as now proposed has to a great degree mitigated the spatial impact of development by keeping development in the main within the area of land already developed. The car park, although to be surfaced, would not have a significant impact on the openness and continuity of open space. It is considered that from a spatial perspective the physical effect of the proposed built form on Green Belt openness would not be significant despite the raised ridge heights.
- 3.25 The second element is that of the reduction in the ridge and eaves height of the buildings proposed when compared to the previous proposal which were considered to be significantly higher giving rise to the significant harm identified. Although higher than the existing, it is noted that the ridge height of block A as compared to the previous proposal has been reduced by 1.68 metres whilst Blocks B and C have been reduced by 1.37 and 1.77 respectively. Although it is recognised that the volume of the proposed development at 9,702m<sup>3</sup> is greater than the existing volume of 7,634 m<sup>3</sup>, this volume given the reduction in ridge and eaves height is not as significant when compared to the previously proposed volume of 12.720m<sup>3</sup>. When taking this into account and the reduction in the actual footprint of the built form as compared to the existing which is now proposed at 1,820m<sup>2</sup> as compared to

the existing footprint of 2,587m<sup>2</sup> and as compared to the previously proposed footprint of 2,374m<sup>2</sup> it is considered that the reductions are significant.

- 3.26 Despite the implied harm by reason of inappropriateness it is considered that the development as now proposed is not so significantly higher than the existing such that when taken into conjunction with the other elements of reduced footprint and site area that the development could be considered to be significantly harmful to Green Belt openness.
- 3.27 The impact on the visual aspect of openness of the Green Belt must also be considered. The proposed development would occupy an area of land which is detached from the cluster of larger buildings positioned further to the north west. The existing buildings on the application site have low roof heights and shallow pitched roofs and are therefore not overly prominent features when viewed in the locality from wider viewpoints. There are uninterrupted views of the site from the south and east from visual receptor points along Stambridge Road and further to the east at Little Stambridge. There is no built form or topographic changes which interrupt these longer views of the site.
- 3.28 Due to the reduction in the ridge height of the proposed development as compared to the previous development proposal which justified the finding of significant harm, it is considered that the visual impacts of the development as compared to the existing development is not significantly greater than the existing impact such that any changes within the landscape are considered imperceptible. Rights of way are classed as high visual receptors due to their public use. The previously considered public receptor points identified at Little Stambridge will no longer be exposed to the same views across open landscape as compared to the previous development. It is concluded that the visual impacts and effects of the development would not be significantly greater as a collective as compared to the existing built form at distance and at close range from the footpath (Public Right of Way, Stambridge FP21) which runs north/south directly through the proposed development. The site would be visible from the junction of Footpath PROW 291\_21 and Footpath PROW 291\_2 and from Meadow Cottage, located to the north of the site, however it is not considered that the views at close range given the landscaping of the outer perimeters, with avenues of mature trees, would render the development unacceptable. The development would also be viewed in conjunction with the backdrop of other buildings already established on site.
- 3.29 There is an open and direct view of a section of the site at the northern end of Little Stambridge Hall Lane, at the junction with the southern end of Footpath PROW 291\_21 which would result in a view of the development at this location and range which would not be considered significant given the revised scale of the development. The site and building on it would be more prominent from these receptor points than the other farm buildings located further to the west.

- 3.30 There are noted to be views of the site looking south west towards the site from Footpath PROW 291\_20. This footpath was not easily accessible, due to overgrown vegetation and the arable crop within the field. There is a glimpsed view of the former poultry sheds and existing warehouses at Little Stambridge Farm from this location on a public footpath to the north east of the site.
- 3.31 It is considered that the greatest visual impacts would result from the south and east at long and medium range and at close range from the footpath. However, given the reduced scale and form of the development as now proposed, it is not considered that the visual aspect of openness would be affected to any marked degree as the reduced building heights would render the buildings less prominent within the landscape assimilating as part of an established agricultural holding on which there is noted to be buildings of significant scale. In concluding, although larger than the buildings they are to replace and inappropriate as such by definition, the actual harm for the reasons set out would be difficult to quantify. On this basis it is considered that the harm identified is outweighed by these other balanced considerations..

Other Considerations.

Economic Considerations

- 3.32 The National Planning Policy Framework (NPPF) Chapter 6 states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt, and that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The application sets out an economic case to support the application. This development would be very different from the existing arrangement in that it would provide a number of smaller units which are conducive to supporting start up businesses providing a greater range of choice and options for local businesses.

The Green Belt issues, where these are considered to be unacceptable and contrary to planning policy, have to be considered in conjunction with other material planning considerations which, depending on their validity, may be sufficient to outweigh the harmful impacts of the development on the Metropolitan Green Belt. The implied harm by reason of inappropriateness and the negligible harm by reason of larger buildings is considered outweighed in this case by the economic factors and benefits this development proposal would deliver. The Planning Statement indicates that the quality of the existing space is not conducive to the requirements of businesses. It is also acknowledged that the existing buildings by way of their construction are not fit for purpose in this respect.

- 3.33 The applicant sets out that allocated employment sites are all located west or south of Rochford. There are no allocated sites on the east of Rochford, and it is considered that this proposal is both sustainable and deliverable without



conflicting with existing allocations. The site is located close to Rochford which is potentially why there has always been strong demand for units at this site. The site is located just over 0.5 miles away from Stambridge Road on which there is a separate paved footpath to the town centre of Rochford.

- 3.34 Consideration has therefore been given to the need for the proposed employment uses. Local and national policy seeks to support appropriate economic growth. There is recognised future demand for sustainable employment land in the district. The council's Employment Land Study Update identifies that there is a mismatch between the supply of, and demand for, grow-on space across the county, with both industrial and office space being in short supply. This shortage of grow-on space was found to be particularly pronounced in the Rochford District. This development proposal has been designed to enable on site growth by providing a wider range of small and medium sized units.
- 3.35 The Employment Land Study Update 2014 also states that; "Similarly the role of smaller, rural business locations should not be ignored. Whilst not a core part of this Study, the increasing trend for farm building conversion to employment use should be welcomed, enabling a greater choice for residents and local businesses. With the rise of internet trading these types of provision are becoming increasingly demanded, allowing people to work closer to home. Where appropriate, and conforming with other planning considerations, this activity should be encouraged."
- 3.36 The re-use and redevelopment of rural sites to provide high quality workspace is an important part of employment land provision within the District. This proposal has been designed to meet the identified demand in this area of the district. By providing small units with larger grow-on space available on the same site there is continuity for business. The location of the proposal on the eastern side of Rochford offers easily accessible workspace for the smaller businesses established within the rural side of the District.
- 3.37 The proposal would support the rural economy by providing a high standard of and range of size of new business accommodation. Commercial space at this site would provide an opportunity to address the shortfall in space and would assist in preventing some businesses being forced to move out of the district as they grow, or otherwise remain in unsuitable premises or at home. Although the site already benefits from a commercial use the reconfiguration of the space which this development would enable is key in delivering the economic objectives of the Council which now, given the significant reduction in the scale particularly the height and footprint of the development, adds weight to the economic case.

#### Impacts upon Heritage Assets

- 3.38 Little Stambridge Hall (grade II), The Lodge (grade II) and the wall attached to Little Stambridge Hall and enclosing garden to south (grade II) are listed structures. There is no direct intervisibility between these listed buildings and

the site. However, the site, which currently forms a part of the agricultural holding with former poultry sheds, forms a part of the wider landscape setting to Little Stambridge Hall. It is not considered that the development proposed would have any significant undue impacts upon designated heritage assets and Essex County Councils Built Heritage and Conservation team does not object to the proposal.

#### Transport and Traffic Impacts

- 3.39 A transport statement has been submitted in support of the application which assesses the access, operational, traffic and transportation issues associated with the proposed development. The assessment concludes that the impacts are immaterial based on an access visibility of 2.4m by 287m to the left (westbound traffic) and 2.4m by 333m to the right (eastbound traffic) on the basis of hourly peak flows along Little Stambridge Hall Road. The peak flows at the junction of Little Stambridge Hall Road and Stambridge Road are noted to be a total of 322 vehicles in the morning and 278 in the afternoon. It is not considered that the development would give rise to any highway safety issues and this position is confirmed by the formal consultation response received from Essex Highways.

#### Landscape Impacts

- 3.40 Little Stambridge Hall Farm is surrounded by agricultural fields. There is extensive established landscaping surrounding the farm buildings screening them from the wider landscape. This proposal involves the demolition of four low eaves poultry sheds and redevelopment with taller buildings offering more usable commercial space. Given the location of the development within the Green Belt it is important to ensure that the development is a scale, design and siting such that the openness of the Green Belt and character of the countryside is not harmed.
- 3.41 The application is accompanied by an updated LVIA report prepared by Collington Winter Chartered Landscape Architects. The report considers the proposal in the wider landscape and concludes that; "Following a review of baseline information, together with consideration of likely landscape and visual effects, it is considered that the landscape within which Little Stambridge Hall lies, has the capacity to successfully accommodate the development of the site for warehouse and workshop units, upon the existing footprint of the former poultry sheds, in landscape and visual terms, without having an unacceptable effect or loss of landscape character or visual amenity." Officers concur with this conclusion such that no wider landscape harm would arise as a consequence of the development proposed.

#### Potential Impact on Trees and Landscaping

- 3.42 No existing trees will be affected by the application. It is intended that landscaping in the form of native hedgerow and tree planting will be undertaken as shown by the revised Landscaping Plan reference 2212-100

Rev 03 which is to be conditioned as part of this consent. The Council's Arboricultural and Ecology Officer has no objection to the development.

Flooding, Flood Risk and Surface Water Drainage:

- 3.43 National and local planning policy, as reflected by Core Strategy policy ENV4 and Development Management Plan policy DM28, requires new development of this scale to demonstrate that the development is acceptable in flood risk and surface water drainage impact terms. The site is located within Flood Zone 1, the least vulnerable to flooding. A Flood Risk and Surface Water Drainage Assessment has been submitted in support of the application and Essex County Council SuDS, as the Lead Local Flood Authority, has no objection to the proposed development subject to the imposition of 2 standard conditions.

Highway and Parking Implications

- 3.44 The adopted parking standard sets out maximum parking standards for proposed non-residential uses as is proposed in this instance. The standards require 1 car parking space for every 30m<sup>2</sup> of B1 use and 1 cycle space for every 100m<sup>2</sup> of floor space for staff and an additional cycle space per 200m<sup>2</sup> of space for visitors. The B8 use requires 1 car parking space for every 150m<sup>2</sup> of floor space and 1 cycle space per 500m<sup>2</sup> for staff and 1 space for every 100m<sup>2</sup> for visitors. The B1c would require 9 car parking spaces whilst the B8 uses would require 12 car parking spaces. The number of parking spaces provided on the basis of the ratios identified are acceptable. It is considered that the 31 parking areas including 1 disabled parking space to dimensions of 5.5m x 2.9m is acceptable. The provision of a cycle shelter is addressed by condition.

BREEAM

- 3.45 Development would be expected to achieve the BREEAM rating of very good in accordance with Core Strategy Policy ENV10 (BREEAM). This matter is covered by condition within the recommendation.

Potential Residential Amenity Impact

- 3.46 The site has four residential properties within the immediate vicinity. Three of these properties are owned by Little Hall Farms Ltd. The main farmhouse, Little Stambridge Hall, is a Grade II listed building and is 130 metres to the west of the site. This property is shielded from the buildings by mature trees and hedging and existing buildings and therefore it is not considered that the commercial uses at this site would have an adverse impact on the amenity of this dwelling.
- 3.47 Two further properties owned by the applicant are located approximately 40 metres south of the proposed buildings. These properties are let out on assured shorthold tenancy agreements. The garden area of these properties runs up to the buildings however it is proposed to introduce a further

landscape buffer to the rear of these gardens. Meadow Cottage is situated over 150 metres to the north of the farmyard and owned by a third party. This property is accessed in the same way as the other residential properties and the farmyard, via Little Stambidge Hall Road, but then the private access continues up through the site. All three of the above properties have previously been co-existing with the historic poultry use within the existing buildings. It is considered that the proposed development would not give rise to unreasonable impact on residential amenity by way of noise and disturbance, overlooking or any other impacts. The redevelopment to the proposed B1(C) and B8 uses is considered an acceptable use within a residential area with no detrimental impact on residential amenity. Further residential properties are located at the end of Little Stambidge Hall Road, these too would not be adversely impacted.

#### Secured by Design

- 3.48 The consultation response received from Essex Police is noted. The applicant has responded to the response indicating that the appointed agent has met with Essex Police to discuss their comments. Communication received confirms that Essex Police has no security concerns with regards to the layout of the development and design and preference was expressed to keep to minimal lighting at this site. The setting of the site and surrounding layout minimised the risks to the site and as such discussion was had on more detailed specification to enhance security on site which will be incorporated into the build specification if planning permission is obtained.

#### Ecology

- 3.49 Policy DM27 requires consideration of the impact of development on the natural landscape including protected habitat and species. National planning policy also requires the planning system to contribute to and enhance the natural environment by minimising impacts on biodiversity, providing net gains in biodiversity where possible.
- 3.50 In addition to the UK Biodiversity Action Plan, proposals for development should have regard to Local Biodiversity Action Plans, including those produced at District and County level. Furthermore, the National Planning Policy Framework at paragraph 174-177 indicates the importance of avoiding impacts on protected species and their habitat where impact is considered to occur, requires appropriate mitigation to offset the identified harm.
- 3.51 The proposed development involves the demolition of existing buildings which requires the Local Planning Authority to take into account any potential impacts of demolition of a building on any Bat species which may be utilising the building as a hibernation or summer roost (which could include a maternity roost).
- 3.52 This overview initially is based on the consideration of the standard declaration Bat Template which the applicant uses to provide information

regarding the type of building being demolished, its date of construction and constructional details including any avenues or access to any voids or crevices. The template indicated little prospect of Bat species being present within the existing building. Officers concur with this view.

- 3.53 It is considered that the development has the scope through a landscaping scheme to provide biodiversity enhancement opportunities for wildlife through the undertaking of native planting in the form of trees and hedgerows which constitute enhancement measures which would contribute to the Government's aims under Paragraph 170(d) of the National Planning Policy Framework 2019, which requires all development to demonstrate measurable biodiversity net-gain.

Very Special Circumstances.

- 3.54 As cited under the Economic Section of this report, it is considered that despite constituting inappropriate development by definition due to the increased scale, including the height of the development, as compared to the existing built form it is considered in this case that very special circumstances do exist which materially outweigh the harm in Green Belt terms. The economic considerations in this instance are capable of being attributed significant weight which outweigh the lesser and negligible harm that the development would cause to Green Belt openness.

#### **4 CONSULTATIONS AND REPRESENTATIONS**

- 4.1 **Stambridge Parish Council:** No response recorded.

- 4.2 **Rochford District Council Arboricultural and Ecology Adviser:** No objection.

- 4.3 Initially commented that formal avenues of ornamental Tree species should be avoided in favour of native hedgerow species providing increased connectivity with existing adjacent tree belts and hedgerows with occasional standard trees provides improved landscape value and wildlife value. No objection to revised Landscape Plan.

**Essex Police:**

- 4.4 Indicated that insufficient details had been provided in support of the application with regards to crime prevention through environmental design (CPTED) by integrating nationally approved Police preferred 'Secured by Design' commercial accreditation to this development.

**Natural England:** No objection

- 4.5 Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

**Essex County Council Built Heritage and Conservation:** No objection

- 4.6 Subject to conditions relating to the approval of samples of materials to be used within the development.

**London Southend Airport:** No objection

- 4.7 Advised that any external lighting required should be EASA compliant.

**Essex County Council Lead Local Flood Authority:** No objection

- 4.8 Subject to standard conditions relating to the submission of details relating to surface water drainage and controlling discharge rates.

**Rochford District Council Economic Development and Regeneration:**  
Support

- 4.9 Sets out the National Planning Policy objectives and further specific research relating to the provision of commercial space within the district and indicate that this respect it considers that proposal respects these aims and will provide a range of new business accommodation on part of a farm site that is currently surplus to requirements. The farm in question has a track record of hosting a small number of start-up businesses on the site, and the proposal has the potential to further add to the local ecosystem of small business in a rural part of Rochford District, contributing to both the diversification of the farm and the growth of rural employment opportunities.

**Essex County Council Specialist Archaeological Advice:** No objection

- 4.10 Outlines that there are no records of archaeological remain in the vicinity such as to be affected by this proposal.

**Third Party Representations**

- 4.11 1 representation has been received from the occupier of Lee Lotts, Great Wakering indicating that a Public Right of Way, Stambridge FP21, runs north/south directly through the proposed development. It crosses the area outlined in red on the Location Plan indicating the site of the development. If this application is approved, it requests that a condition should be attached stating that access to this footpath must remain unobstructed at all times both during and after construction.

**5 EQUALITY AND DIVERSITY IMPLICATIONS**

- 5.1 An Equality Impact Assessment has been completed and found there to be no impacts (either positive or negative) on protected groups as defined under the 'Equality Act' 2010.

## 6 CONCLUSION

- 6.1 The development proposed is significantly reduced in its scale as compared to the recently refused planning application (reference 19/00926/FUL). Despite an increased scale, in comparison to the existing buildings, it is however considered that the effects of this increased scale in Green Belt terms is negligible such that no finding of harm can be found in the development sufficient to support the application being refused. There are considered in this case to be very special circumstances which prevail and which when balanced against the consideration of harm by definition (inappropriate development) materially outweigh the harm identified.



Marcus Hotten

Assistant Director, Place and Environment

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### Relevant Development Plan Policies and Proposals

National Planning Policy Framework (2019)

Planning Practice Guidance

Rochford District Council Local Development Framework Allocations Plan (2014)

Rochford District Council Local Development Framework Core Strategy (2011) - Policies CP1 (Design), ENV1 (Protection and Enhancement of the Natural Landscape and Habitats and the Protection of Historical and Archaeological Sites), ENV10 (BREEAM), T1 (Highways), T6 (Cycling and Walking), T8 (Parking Standards), GB1 (Green Belt Protection), GB2 (Rural Diversification and Recreational Uses), ED1 (Employment Growth).

Rochford District Council Local Development Framework Development Management Plan - Policies DM1 (Design of New Developments), DM10 (PDL), DM11 (Existing Businesses in the Green Belt), DM12 (Rural diversification), DM30 (Parking Standards) DM31.

Essex Parking Standards Design & Good Practice (September 2009)

The South Essex Economic Development Needs Assessment (EDNA) 2017, a study

The Essex Grow-On Space Feasibility Study, conducted by SQW and commissioned by Essex County Council in October 2016

**Background Papers**

None.

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