

## Unrestricted Report

### ITEM NO: 5

Application No.  
**22/00613/FUL**

Ward:  
Winkfield and Warfield  
East

Date Registered:  
14 July 2022

Target Decision Date:  
8 September 2022

Site Address:

**Land To The R/O Oak Tree Nursery Cocks Lane  
Warfield Bracknell Berkshire**

Proposal:

**Change of Use of land and building from Agricultural To Vehicle  
Repairs and Servicing**

Applicant:

Mr Nick Kerner

Agent:

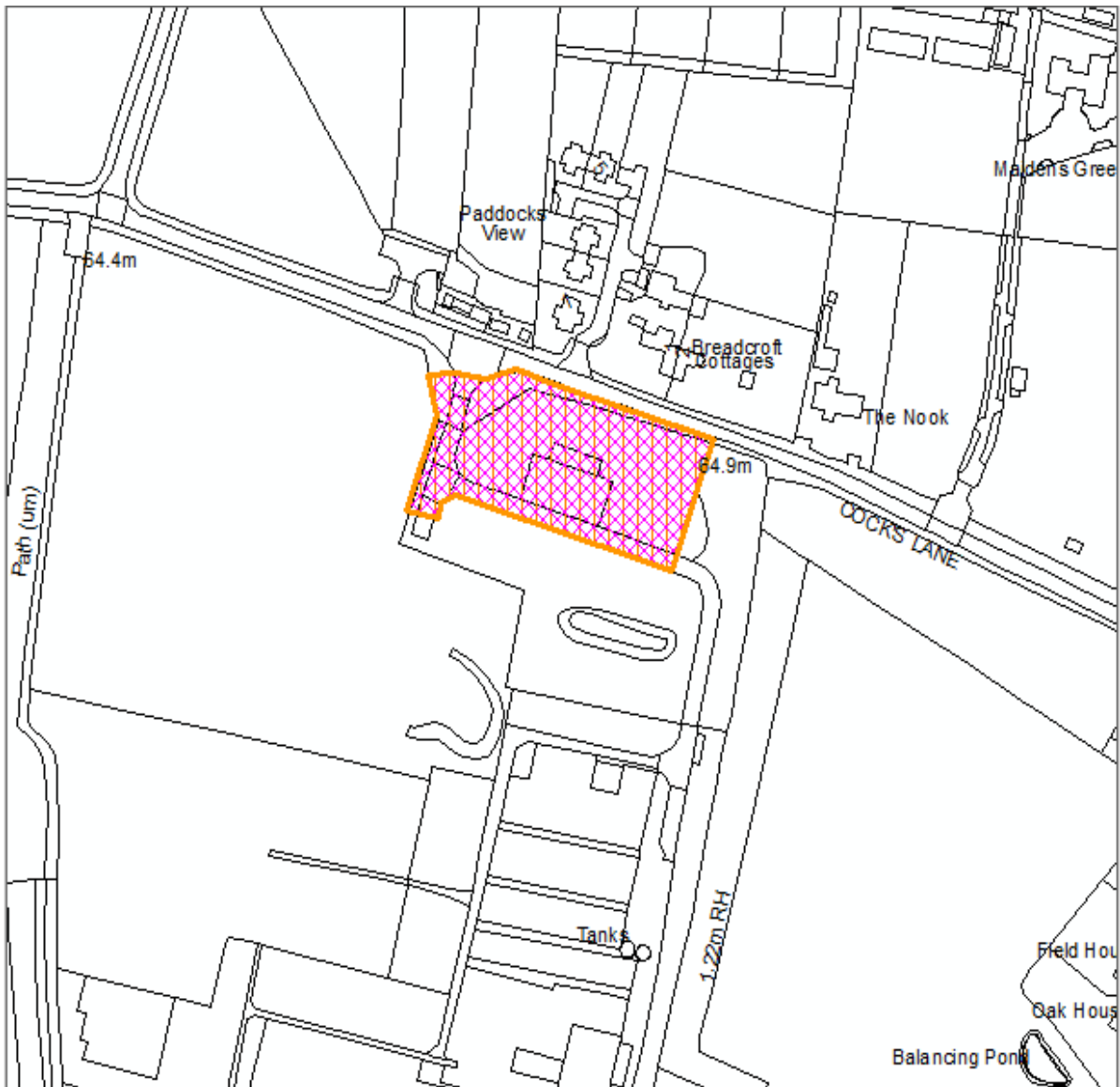
Mr John Hunt

Case Officer:

Sarah Horwood, 01344 352000

[Development.control@bracknell-forest.gov.uk](mailto:Development.control@bracknell-forest.gov.uk)

### Site Location Plan (for identification purposes only, not to scale)



## **OFFICER REPORT**

### **1.0 SUMMARY**

1.1 Paras 150 d) and e) of the National Planning Policy Framework (NPPF) state that the re-use of buildings (provided that the buildings are of permanent and substantial construction) and changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds) can constitute appropriate development in the Green Belt, provided that it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

1.2 The proposed change of use would however introduce an intensive commercial use to a site in the Green Belt which would significantly differ in character and intensity compared to the existing agricultural use. The proposal would result in a significant intensification of vehicle movements to and from the site, along with the external storage and parking of vehicles and other associated commercial requirements which would result in harm to the character and appearance of the area. This would result in a greater impact on the Green Belt compared to the existing agricultural use. Due to the intensification of use, this would in turn fail to safeguard the countryside from encroachment and result in an urbanising impact on the site. For these reasons, the proposal would be inappropriate development in the Green Belt.

1.3 It is acknowledged that both development plan policies and the Framework are supportive of economic growth in rural areas and the growth of small businesses, subject to ensuring that such proposals would be sensitive to their surroundings and not adversely impact upon the visual amenities of the area. The proposal would however result in harm to the visual amenities and character of the area, including its Green Belt location. There is no compelling evidence to demonstrate that there is an essential need for the business to be located in the Green Belt. The proposed use could operate from any suitable available location outside of the Green Belt and still provide the same associated economic benefits.

1.4 Whilst the proposal would not adversely impact upon the residential amenities of neighbouring occupiers, highway safety or biodiversity, this does not outweigh the identified harm to the openness of the Green Belt and the character and appearance of the area. No very special circumstances exist to outweigh the identified harm. The proposal would not preserve the openness of the Green Belt and would conflict with the purposes of including land within the Green Belt and it is therefore inappropriate development.

<b>RECOMMENDATION</b>
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Planning permission should be refused for the reason set out in Section 11 of this report.
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### **2.0 REASON FOR REPORTING APPLICATION TO THE PLANNING COMMITTEE**

2.1 The application has been reported to the Planning Committee at the request of Councillor Virgo to debate the impact of the proposal on the openness of the Green Belt, as the proposal will generate employment and will be a useful facility for horse owners.

### **3.0 PLANNING STATUS AND SITE DESCRIPTION**

<b>PLANNING STATUS</b>
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Green Belt
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3.1 The site lies to the south of Cocks Lane and comprises an existing agricultural building with existing hard surfacing to the northern, eastern and western sides utilised as a yard area connected to the existing agricultural use of the building.

3.2 The site is accessed from Cocks Lane via an existing goods entrance and internal access road which serves Oak Tree Nursery to the south of the site.

3.3 There are residential dwellings directly to the north of the site.

#### **4.0 RELEVANT SITE HISTORY**

4.1 The planning history is as follows:

20/00206/PAD - Application for Prior Notification for construction of Agricultural Barn for storage of agricultural equipment, straw and hay. Prior approval not required.

#### **5.0 THE PROPOSAL**

5.1 Planning permission is sought for a change of use of land and building from agricultural to vehicle repairs and servicing.

5.2 The proposed vehicle repairs and servicing business would be operated by NK4WD which provides local servicing and mechanical repairs of four-wheel drive vehicles, trailers and horse boxes/lorries. Prior to June 2021, NK4WD operated the business from Moat Farm, Winkfield Lane. After this date, the business moved to Levers Piece Farm, Ryehurst Lane and then relocated to Ashley Farm, Bottle Lane, Binfield.

5.3 The building subject to this application was constructed under agricultural permitted development rights. The proposal would result in a change of use of the barn from agricultural to a vehicle repairs/servicing workshop which would comprise vehicle ramps, work benches/storage areas, reception, office storage area, WC and kitchen. Externally, 2no. new doors are proposed on the northern and western elevations of the building as part of the proposal.

5.4 The existing hard surfacing around the barn would be resurfaced as part of this application with a permeable surface to provide staff and customer parking. The site is served by an existing access from Cocks Lane which provides a goods entrance to Oak Tree Garden Centre. This existing vehicular access arrangement would remain.

#### **6.0 REPRESENTATIONS RECEIVED**

##### Warfield Parish Council

6.1 Warfield Parish Council has submitted an observation asking for a condition that the site be used for vehicle repairs only and not for vehicle sales.

##### Winkfield Parish Council

6.2 Winkfield Parish Council has submitted an observation commenting that the following conditions should be applied:

1. The proposals do not result in light pollution to the local area.
2. Undertakings such as high pressure washing which will have impacts (for example noise pollution) on the local area be restricted.
3. Green screening of staff and customer vehicles be included in the proposals.

6.3 22no. separate postal addresses have objected to the proposal which raise the following matters:

- Impact of the proposal on neighbouring occupiers through noise, disturbance, pollution.
- Highway safety issues, including increased traffic and increased risk of accidents, impact on pedestrians.
- Impact of the proposal on the Green Belt, including impact on openness, encroachment into the Countryside, urbanisation of the site.
- There are no mitigating or exceptional circumstances to allow the proposal in the Green Belt.
- The proposal is contrary to planning policies.
- BFC's Green Belt Review 2016 concluded that parcels of Green Belt NW, SW and SE of Maidens Green crossroads singly and collectively make a significant contribution to the Green Belt. The role of this Green Belt in preventing encroachment contributes to its overall Significant Contribution to Green Belt purposes. The Review identified threats as 'pressure from land-use change' and 'encroachment into the countryside'. The relevant area for this application, SW of the A330 and B3022 junction (subparcel 9b) is, along with adjacent parcels, 'particularly at risk from incremental change and the consequent amalgamation of development. Limiting such pressures thus makes a significant contribution to Green Belt Purposes' (Green Belt Review).
- There is case law that agricultural buildings do not harm the Green Belt.
- The proposal would be an alien feature in the landscape.
- Have only seen a few hay bales and agricultural vehicles outside the barn.
- Appeal decisions have found the Council's current suite of countryside policies and/or the elements of these policies most important for assessing harm to the character and appearance of the countryside and should be considered.
- Saved Policy E4 of the BFBLP seeks to support small businesses but not where it would cause environmental problems (noise, etc.) or have an adverse effect on the character of the area which the proposal would.
- The proposal could merge the 2 settlements of Brockhill and Maidens Green in the event that the building could be changed to the proposed use and then residential use at a future date.
- The proposal would set a precedent for inappropriate development in the Green Belt.
- Increased housing developments in the Borough make Green Belt land more important to residents.
- Impact of the proposal on the character of the area.
- The applicant ran his business from Moat Farm, chose to vacate the site and to sell it for residential redevelopment. The barn on land to the rear of Oak Tree Nursery was erected in 2021 and then an application submitted to change it to vehicle repairs/servicing in July 2022. Why is the existing barn no longer required for agricultural purposes? If not used for agriculture, it should be removed.
- Other locations would be more appropriate to provide the proposed use.
- There are other vehicle repairs/servicing businesses that can accommodate equine/4x4 vehicles.
- Impact on wildlife.
- The proposed garage is unnecessary.
- Concern about whether there is a legitimate need for the agricultural building.
- If the application were approved then no further buildings should be erected without needing planning permission.

6.4 10no. letters of support received which raise the following matters:

- The business is an essential and valuable service to the community and if not provided in the area would mean having to travel further afield to obtain a similar service which would be inconvenient, more time, cost, adding to traffic.
- The business provides a high level of customer service.
- Nowhere else locally that provides such specialist services.
- The site benefits from good access on the A330.
- The proposal will not result in highway safety issues.
- The proposal will not result in impacts to neighbouring dwellings.
- Long standing local businesses should be supported.
- The Parish Councils are supportive of the proposal.
- The business is currently operating with a reduced service.
- The agricultural use comprises tractors, trailers being on site without any controls.
- Blueberry Farm an equine vet is close to this site which generates traffic movements.
- There have been former uses in the immediate area such as Baileys Garage and a pub which generated traffic on the A330.
- The site is adjacent to Maidens Green so is not isolated development in the Green Belt.
- The site is already used as a goods entrance to Oak Tree Nursery for deliveries by HGVs, etc.

## 7.0 SUMMARY OF CONSULTATIONS RESPONSES

### Environmental Health

7.1 No objection.

### Highway Authority

7.2 No objection.

### Biodiversity

7.3 No objection.

## 8.0 MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO DECISION

8.1 The key policies and guidance applying to the site and the associated policies are:

	<b>Development Plan</b>	<b>NPPF</b>
General policies	CS1 & CS2 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Green Belt	CS9 of CSDPD, Saved Policies GB1 and GB4 of the BFBLP	Consistent
Residential amenity	EN20 and EN25 of BFBLP.	Consistent
Transport	CS23 and CS24 of CSDPD	Consistent
Trees, biodiversity and landscaping	Saved policy EN1, EN2 and EN3 of BFBLP, CS1 of CSDPD.	Consistent
Small businesses	Saved Policy E4 of BFBLP.	Consistent
<b>Other publications</b>		

National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)
CIL Charging Schedule
Warfield Neighbourhood Plan

## 9.0 PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of development
- ii. Impact on residential amenity
- iii. Impact on character and appearance of surrounding area
- iv. Impact on highway safety
- v. Biodiversity
- vi. Drainage/flooding
- vii. Community Infrastructure Levy (CIL)

### i. Principle of Development

9.2 The site is located in the Green Belt as designated by the Bracknell Forest Policies Maps (2013). The following policies are therefore of relevance:

Section 13 of the NPPF refers to protecting Green Belt land.

9.3 Paragraph 137 states the Government attaches great importance to Green Belts. 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.

9.4 Paragraph 147 states inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

9.5 Paragraph 148 states 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.

9.6 Paragraph 149 states a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- 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.

9.7 Paragraph 150 states certain other forms of development 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. These are:

- a) mineral extraction;
- b) engineering operations;
- c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- d) the re-use of buildings provided that the buildings are of permanent and substantial construction;
- e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

#### Core Strategy Policy CS9: Development on Land Outside Settlements:

9.8 The Council will protect land outside settlements for its own sake, particularly from development that would adversely affect the character, appearance or function of the land; and

- i. Protect the defined gaps within or adjoining the Borough from development that would harm the physical and visual separation of settlements either within or adjoining the Borough. or
- ii. Maintain the Green Belt boundaries within Bracknell Forest and protect the Green Belt from inappropriate development.

#### Bracknell Forest Borough Local Plan - Policy GB1: Building in the Green Belt

9.9 Saved Policy GB1 states approval will not be given, except in very special circumstances, for any new building in the Green Belt unless it is acceptable in scale, form, effect, character and siting, would not cause road safety or traffic generation problems and is for one of the following purposes:

- (i) construction of buildings for agriculture or forestry; or
- (ii) construction of buildings essential for outdoor sport and recreation or other uses of land which preserve the openness of the Green Belt; or
- (iii) construction of buildings essential for cemeteries; or
- (iv) replacement, alteration or limited extension of existing dwellings; or
- (v) construction of domestic outbuildings incidental to the enjoyment of an existing dwelling.

9.10 Saved Policy GB2 of the BFBLP refers to the change of use of land within the Green Belt. The policy states there is a general presumption against change of use of land in the Green Belt unless the proposal relates to outdoor sport/recreation; cemeteries or other uses which protect the open, rural and undeveloped character of the area.

9.11 Saved Policy GB4 of the BFBLP - re-use and change of use of buildings within the Green Belt states:

Within the Green Belt, the change of use and adaptation of existing buildings will only be acceptable where:

- (i) the impact of the proposal on the existing open, rural, and undeveloped character of the Green Belt will not be materially greater than that of the present use; and

- (ii) strict control is exercised over the extension of re-used buildings, and the associated land around them which might conflict with the existing open, rural, and undeveloped character of the Green Belt; and
- (iii) the building is of permanent construction and its scale, design, bulk and form are in keeping with its surroundings; and
- (iv) the proposed change of use or adaptation would not be detrimental to the character of the building, its surroundings and landscape setting; and
- (v) the proposed change of use, within any individual building or complex of buildings within a close proximity, would not result in a net increase of more than 500 square metres of business, industrial, distribution or storage (use Classes B1 to B8) floorspace; and
- (vi) the proposal would not cause significant environmental, road safety or traffic generation problems; and
- (vii) the proposed change of use of the building is small scale and appropriate to a rural area."

9.12 The NPPF at para 150 d) allows for the re-use of buildings provided that the buildings are of permanent and substantial construction, however Saved Policy GB4 goes further than the NPPF and includes the 7 criteria listed above that the proposal should be assessed against. As this policy is not entirely in conformity with the NPPF, the approach set out within the NPPF takes precedence.

#### Warfield Neighbourhood Plan

9.13 The Warfield Neighbourhood Plan came into legal force as part of the Development Plan for Warfield Parish after approval at referendum (November 2022).

9.14 Paragraph 2.36 of the Plan states that the northern third of the neighbourhood plan area is designated through planning policy as Metropolitan Green Belt.

9.15 Paragraph 2.37 goes onto state that the Warfield Green Belt contains mainly agricultural smallholdings, land for equestrian use and dispersed properties and the hamlets

9.16 There are no specific policies within the Warfield Neighbourhood Plan that relate to development in the Green Belt.

9.17 In addition to the Green Belt policies, paras 84 and 85 of the NPPF refer to supporting a prosperous rural economy.

9.18 Para 84 states: Planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- b) the development and diversification of agricultural and other land-based rural businesses;...

9.19 Para 85 goes onto state: Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads.

9.20 Saved Policy E4 of the BFBLP relates to small businesses and states development involving a variety of sizes and types of building for the fostering of new businesses and the expansion of small existing ones will be permitted in appropriate locations except where it would result in:

- (i) Inconvenience or danger on the public highway or visual, other environmental or other problems; or



(ii) An adverse effect on the character of the area.

9.21 As the site is located within the Green Belt, the main considerations from a policy perspective are:

1. Whether the proposed development constitutes inappropriate development in the Green Belt;
2. Impact on the openness of the Green Belt and the purpose of including the land within the Green Belt.

Whether the proposal constitutes inappropriate development within the Green Belt

9.22 The application proposes the conversion and re-use of an existing agricultural building and the change of use of surrounding land for commercial use. Paras 150 d) and e) of the NPPF state that the re-use of buildings provided that the buildings are of permanent and substantial construction and changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds) can constitute appropriate development, provided that it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

9.23 The existing barn comprises a steel portal frame with concrete pad foundations and a concrete floor. The barn is braced with wind stays and rafter bracing. It is therefore considered that the existing building is of permanent and substantial construction and therefore capable of re-use/conversion. As such, the proposed re-use of the existing building accords with para 150 d) of the NPPF and is therefore appropriate development in principle in the Green Belt. The proposed change of use of the land surrounding the barn from agricultural to commercial use would not preserve the openness of the Green Belt and is therefore inappropriate development in the Green Belt.

9.24 One of the tests set out in BFBLP Saved Policy GB4 for the change of use and adaption of existing buildings within the Green Belt is that the building is of permanent construction. Other tests within the policy are more stringent than that set out at para 150 d) of the NPPF and are not consistent with the NPPF. It has been demonstrated that the building is of permanent and substantial construction in accordance with para 150 d) of the NPPF.

The impact on the openness of the Green Belt and the purpose of including the land within the Green Belt.

9.25 Para 137 of the NPPF states that the essential characteristics of Green Belts are their openness and their permanence. The term openness is not defined in the NPPF; however, case law often describes openness as the absence of built development. Development can have both a spatial and visual impact on the openness of the Green Belt and each case must be considered on its own merits.

9.26 Planning Practice Guidance on Green Belts (July 2019) sets out that when assessing the impact of a proposal on the openness of the Green Belt, this should be based on the circumstances of the case and can include both visual and spatial impacts and the degree of activity associated with a proposal, including traffic generation.

9.27 The NPPF states that certain forms of development are not inappropriate in the Green Belt provided that they preserve its openness and do not conflict with the purpose of including land within it. Para 150 d) states that the re-use of buildings provided that the buildings are of permanent and substantial construction can be considered appropriate development in the Green Belt subject to assessing impact on openness. Para 150 e) states that material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds) is appropriate provided that it preserves openness and does not conflict with the purpose of including land within the Green Belt.

9.28 During the course of the application, additional information has been submitted relating to the current agricultural business that operates from the site to enable a comparison to be made on whether the proposed use would result in a greater impact on the openness of the Green Belt when compared to the current use. The information provided by the planning agent in relation to the existing agricultural operation and the proposed use is set out below.

#### The Applicant's case

##### Existing agricultural operation

9.29 The existing agricultural use relates to a company known as Binfield Bales which trades in the growing, cutting and baling of hay and haylage and the baling of straw. The existing barn is used for the storage of hay and straw and the existing hard surfacing around the building (the yard area) is used for the parking of agricultural vehicles and equipment, along with wrapped haylage bales.

9.30 The main season for harvesting hay and straw is about six months running from May to September, with hay cut first and straw taken later after harvest. In good years where the weather is favourable it may be possible to take a second cut of hay from the grassland which may yield a further 400-500 bales. The hay and straw are harvested, baled and stored during summer and autumn. During this time, fresh supplies of hay and straw are plentiful and the price per bale is therefore lower. In winter and early spring, hay and straw supplies are lower and as the grass is not growing, demand for conserved fodder such as hay and haylage increases bale prices. This is when the applicant looks to make the majority of sales from storing the bales over summer.

9.31 In a normal year, the applicant aims to make about 1,000 bales of hay, 200 bales of straw and about 200 bales of Haylage. Larger bales are produced off the field, measuring around 0.8m x 0.8m x 2.5m and weighing around 250kgs (straw) to 400kgs (haylage) each. The applicant will also produce some smaller bales, measuring dimensions 0.45m x 0.35m x 1.0m, however, this is generally only off those fields where access with the larger baler is more difficult. Bales are taken from the field by tractor and trailer to the existing barn at about 15-24 (large bales) each time. This can account for a maximum of circa 250 tractor and trailer movements at the subject barn.

9.32 Other agricultural operations to manage the land include mowing and fertiliser spreading which can account for an average of 10-20 movements per week, generally from spring to autumn, and general maintenance of the land including ditching, repairs and hedge cutting which account for 2-10 movements per week. The applicant also keeps other items at the site connected to other enterprises run elsewhere, including a livestock trailer and equestrian items such as hurdles, etc. The associated traffic movements with these items are assumed at around 100 annually.

9.33 Vehicle movements during the winter months are mainly associated with hay, straw and haylage bale deliveries or collections. The applicant focuses on retail sales in smaller quantities, (typically 2-10 bales) rather than selling wholesale. Larger bales are often broken up and sold as smaller bales to horse owners for example. Bales are either collected from the barn or delivered in a 4x4 and trailer. This can create around 500 vehicle and trailer movements during the winter to early spring period.

9.34 The planning agent states that the existing enterprise can therefore generate 3,500 vehicle movements in the course of a year.

9.35 Agricultural operations for this particular enterprise are to a certain degree dictated by the weather. Most of the activity is undertaken outside of the barn such as unloading bales, breaking bales up into smaller bales, etc.

### Proposed use

9.36 The agent sets out that no additional buildings are required as part of the proposal. The existing hard surfacing around the building would be re-surfaced with a permeable surface for drainage purposes.

9.37 The Transport Statement which accompanies the application states that the proposed use could generate up to 67 traffic movements a day, more than the current use. However, vehicle movements would be spread out throughout the day, rather than occurring in shorter, more intense intervals.

9.38 The proposed parking layout would keep the majority of vehicles parked in bays in similar locations to the existing agricultural machinery. 4x4 vehicles are smaller than most of the larger agricultural equipment on site and would be less visible. There would however be more vehicles in total associated with the proposed use when compared to the existing.

9.39 The proposed use would occur within the building and operational hours could be controlled by planning condition.

9.40 The planning agent also states that:

- The vehicles repaired by the applicant are generally 4x4s etc. that do not look out of place in a Green Belt setting.
- The existing goods entrance to Oak Tree Nursery is already busy and used frequently by large goods vehicles.
- The building is not isolated, with other uses occurring in the area.

### The LPA's comments on the Applicant's case

9.41 As set out in the additional information provided by the planning agent, the current agricultural enterprise is relatively small scale and seasonal. The main season for harvesting hay and straw on site is between May and September. During the winter to early spring period, the applicant attempts to maximise profits by selling bales when demand is higher, and the price of bales therefore increase.

9.42 It is acknowledged that current agricultural activities occur outside of the barn, with the unloading of bales and the breaking up of larger bales into smaller bales for example. However, such uses are commonplace in the countryside, including the Green Belt. The external storage of agricultural related machinery such as tractors and trailers is also commonplace on agricultural landholdings.

9.43 The agricultural enterprise generates somewhere in the region of 3,500 vehicle movements per year. The proposed use for vehicle servicing and repairs would result in significantly greater activity on site when compared to the existing agricultural enterprise.

9.44 Based on predicted trip rates as set out in the accompanying Transport Statement, the proposed use could generate 67 two-way vehicle trips over the course of a typical weekday, equating to 335 trips over the course of a 5-day working week. Excluding weekends and typical public holidays in the UK, this could result in 16,884 vehicle trips per year, significantly exceeding that of the current agricultural use.

9.45 In conjunction with the significant increase in trip rates connected to the proposed use would be the associated parking/storage of vehicles around the building. Whilst awaiting repairs, servicing, etc, vehicles could be parked in dedicated parking bays but there would be a higher number of vehicles parked at the site when compared to the existing agricultural use (the proposed site layout plan indicates that 30no. dedicated parking bays would be provided on site). The formality of marked out bays and the substantial number of vehicles that could be parked/stored around the building at any given time would appear more formal and

urbanising than ad-hoc parking of agricultural machinery around an agricultural barn. The proposed use would lead to greater activity on site with the comings and goings of staff, customers, deliveries, increased noise and paraphernalia connected to the business such as a requirement for advertisements to be displayed on and around the building or tools, old tyres or parts, etc. temporarily stored around the building whilst awaiting disposal.

9.46 The proposed use would result in increased vehicle movements, external storage and parking of vehicles around the building and other associated requirements including increased comings and goings, deliveries, temporary external storage connected to the business, etc. on a permanent basis. This would result in a greater impact to the openness of the Green Belt when compared to the existing agricultural use and would in turn fail to safeguard the countryside from encroachment due to the significant intensification of use when compared to the agricultural use. The proposal would introduce an intensive commercial use to a site in the Green Belt which would not preserve openness, resulting in an urbanising impact on the site.

9.47 Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 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. No very special circumstances case has been put forward as part of this application.

#### Other considerations

9.48 There are other material considerations to be weighed in the planning balance.

9.49 Firstly, the proposal would provide a site from which NK4WD could operate. The planning statement sets out that the business would employ 5no. Mechanics, 1no. Workshop Technician, 2no. Service Advisors, a Parts Manager and an Administrator.

9.50 Paras 84 and 85 of the NPPF refer to supporting a prosperous rural economy. Para 84 states that planning decisions should enable the growth and expansion of businesses in rural areas. Para 85 goes on to state that planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements... it will be important to ensure that development is sensitive to its surroundings.

9.51 BFBLP saved Policy E4 relates to small businesses (defined at para 3.17 as development smaller than 500sqm) and states development involving a variety of sizes and types of building for the fostering of new businesses and the expansion of small existing ones will be permitted in appropriate locations except where it would result in:

- (i) Inconvenience or danger on the public highway or visual, other environmental or other problems; or
- (ii) An adverse effect on the character of the area.

9.52 Para 3.49 of the supporting text to Saved Policy E4 states small businesses provide a range of job opportunities and assist in the maintenance of a balanced local economy. There is often a shortage of suitable accommodation for new small businesses, existing businesses wishing to expand and businesses which are inappropriately located in residential areas.

9.53 Both Saved Policy E4 of the BFBLP and the NPPF are supportive of economic growth in rural areas and the growth of small businesses, subject to ensuring that such proposals are sensitive to their surroundings and not adversely impact upon the visual amenities of the area. Whilst the proposal would support a business in a rural area and generate employment, this must be balanced against the resulting harm to the visual amenities and character of the area, including its Green Belt location. As set out earlier in this report, the

proposal would introduce an intensive commercial use in the Green Belt with a significant increase in vehicle movements, external parking and associated activities resulting in harm to the character and visual amenities of the area, including the openness of the Green Belt when compared to the existing agricultural use.

9.54 A further consideration is whether there is a need for the business to be located in the Green Belt. The supporting information submitted with the application states that the client base for the business is local to the Winkfield area where there are a number of farmers and equestrian businesses that use NK4WD and that there is a need for the business to be relocated close to their existing client base. The supporting information goes on to state that the applicant has attempted to secure new premises and at the time of submission of the application had put in offers for both rent and purchase but to no avail.

9.55 Whilst the nature of the business and its client base are acknowledged, it has not been demonstrated that there are no alternative available sites outside of the Green Belt from which the business could operate and there is no compelling evidence to demonstrate that there is an essential need for the business to be located at this site. There is no reason that the business could not operate from an alternative location such as an industrial estate. Further, whilst the business focusses primarily on the service and repair of 4x4s and farm/equestrian related vehicles, there are no planning restrictions that could control the use to relate specifically to such vehicles. If the proposed use were considered appropriate in the Green Belt, it would be for an unrestricted use for the servicing and repair of any vehicles which could include domestic or commercial vehicles. As such, the business could operate from any suitable and available location. The economic benefits of the business, including generating employment could be provided in a more suitable location, not in a building located in the Green Belt. Letters of support are complimentary of the business and the service it provides and therefore it is assumed that clients would travel (within reason) to visit whatever location the business traded from.

#### Summary

9.56 Paras 150 d) and e) of the NPPF state that the re-use of buildings provided that the buildings are of permanent and substantial construction and changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds) can constitute appropriate development, provided that it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

9.57 For the reasons set out in this report, the proposed change of use of the agricultural building and surrounding land to vehicle repairs and servicing would introduce an intensive commercial use to a site in the Green Belt which would significantly differ in character and intensity compared to the existing agricultural use. The proposal would result in a significant increase in vehicle movements to and from the site when compared to the existing agricultural operation. There would also be the external storage and parking of vehicles around the building and other associated commercial requirements such as signage, tools, old tyres, etc. This would result in harm to the character and appearance of the area and result in a greater impact on the Green Belt compared to the existing agricultural use. Due to the intensification of use, this would in turn fail to safeguard the countryside from encroachment and result in an urbanising impact on the site. For these reasons the proposal fails to preserve the openness of the Green Belt and causes conflict with the purposes of including land within it and is therefore inappropriate development.

9.58 It is acknowledged that both development plan policies and the Framework are supportive of economic growth in rural areas and the growth of small businesses, subject to ensuring that such proposals would be sensitive to their surroundings and not adversely impact upon the visual amenities of the area. Whilst the proposal would support a business in the Green Belt and generate employment, this must be balanced against the resulting

identified harm to the visual amenities and character of the area, including its Green Belt location through the intensification of the proposed use when compared to the existing agricultural use. It is not considered that the proposed use operating from a Green Belt location and associated economic benefits would outweigh the identified harm to the Green Belt.

9.59 There is no compelling evidence to demonstrate that there is an essential need for the business to be located in the Green Belt. The proposed use could operate from any suitable and available location outside of the Green Belt and still provide the same associated economic benefits of employment, generating income, etc.

9.60 On balance, whilst the potential economic benefits of the proposal are acknowledged, these do not outweigh the harm to the openness of the Green Belt through inappropriateness and the intensification of activity of the proposed use when compared to the existing agricultural operation. No very special circumstances exist to outweigh the identified harm.

9.61 The proposal would not preserve the openness of the Green Belt and would conflict with the purposes of including land within the Green Belt through the increased level of activity connected to the proposed use when compared to the agricultural use, leading to encroachment into the countryside.

9.62 As such, the proposal would be contrary to Saved Policies GB2 and GB4 of the BFBLP, CS9 of the CSDPD and Section 13 of the NPPF. The remainder of this report will consider other material considerations relevant to this application.

## **ii. Residential amenity**

9.63 There are existing dwellings on the northern side of Cocks Lane, opposite the application site. Surrounding dwellings could have some views over and across the site, including of the proposed customer parking area. However, the resulting visual impact would not be so significant as to harm adjoining occupiers.

9.64 The application is accompanied by a BS4142 noise assessment which demonstrates that the noises generated as part of normal operations connected to the proposed use are unlikely to result in noise disturbance to adjoining occupiers. There will be rare occasions where noisier equipment is necessary such as angle grinding but this will be occasional. Hours of operation of the proposed use could be restricted by planning condition. Details of external lighting could also be controlled by planning condition in the interests of neighbouring occupiers.

9.65 Subject to conditions, the proposed use would not adversely affect the residential amenities of neighbouring occupiers and would be in accordance with 'Saved' policies EN20 and EN25 of the BFBLP and the NPPF.

## **iii. Impact on character and appearance of surrounding area**

9.66 The proposed change of use of the existing agricultural building and surrounding land to vehicle repairs and servicing would result in an intensive commercial operation on a site in the Green Belt. The proposed use would result in a significant increase in vehicle movements along with the open parking and storage of vehicles around the building when compared to the existing lawful agricultural use. This would result in harm to the visual amenities and character and appearance of the surrounding area.

9.67 As such, the proposal would be contrary to Saved Policy EN20 of the BFBLP, CS7 of the CSDPD and the NPPF.

#### **iv. Transport implications**

##### Access Arrangement

9.68 The site will be accessed via the existing service access to Oaktree Garden Centre. The existing access measures six metres wide and has gates which are setback 25 metres from the nearside carriageway edge. The width of the access increases to 22 metres where the access joins with Cocks Lane.

9.69 Visibility splays of 2.4m x 126m to the right by 2.4m x 128m to the left have been demonstrated.

9.70 A refuse lorry measuring 2.5m wide by 12m long as well as a lorry measuring 2.55m wide by 10m long will be able to easily enter and exit the site in a forward gear. The access is already designed to accommodate large delivery vehicles; therefore, the access is deemed sufficient to serve this development which will only likely accommodate cars, trailers and recovery trucks.

9.71 Crashmap has identified that there have been no reportable accidents at the existing vehicle access.

##### Parking Provision/requirement

9.72 The proposed development is to convert an existing agricultural barn at Oak Tree Nursery to a 465m<sup>2</sup> workshop for vehicle repairs.

9.73 To comply with the Local Authority's current Parking Standards SPD (2016), the following parking standards will apply:

Section 11 Sui Generis Vehicle Workshops - Staff: 1 space per 2 Staff & Customers: 3 spaces per service bay. As 4 ramps will be provided and 10 staff are proposed this generates a demand for 17 parking spaces.

Section 3 B1 (Offices, Light Industrial) - B1(c) Light Industry (business park) - 1:25 m2 NIA. The office/store and reception areas equate to 84sqm. This generates a demand for 4 car parking spaces.

9.74 The site therefore generates a total demand for 21 parking spaces.

9.75 28 parking spaces are proposed on site for staff and customers. In addition, 4 spaces would be provided for recovery vehicles and parts deliveries. The site would also have ample room to provide additional parking should it be required.

9.76 Each parking space will have more than 6m in front to ensure all vehicles can enter and leave the site in a forward gear.

9.77 At this stage, details on how the internal access road and parking spaces will be surfaced have not been provided. A permeable surface should be provided. While the parking spaces could be gravelled, the internal access road around the building should be more hardwearing. This could be secured by condition.

### Vehicle Movements

9.78 To ascertain accurate vehicle speeds and traffic volumes along Cocks Lane in the vicinity of the site access, the applicant has carried out 24/7 Automated Traffic Counts (ATC's) either side of the site access between Wednesday 18th May 2022 and Tuesday 24th May 2022.

9.79 The full results are within Appendix A of the Transport Statement and have been summarised within Table 3.1 of the Transport Statement. Table 3.1 indicates that Cocks Lane east of the site entrance has a five-day average two-way vehicle flow of 4,564 vehicles per day and a seven-day average two-way vehicle flow of 4,419 vehicles per day, with vehicles speeds in excess of the 30 miles per hour speed limit.

9.80 Table 3.1 indicates that Cocks Lane west of the site entrance has a five-day average two-way vehicle flow of 4,639 vehicles per day and a seven day average two way vehicle flow of 4,489 vehicles per day, with vehicles speeds significantly below the 60 miles per hour speed limit.

9.81 In addition, the applicant has also carried out a 24/7 ATC survey at the site access to determine the volume and size of vehicles currently using the existing site access.

9.82 Table 3.2 of the Transport Statement details that the highest daily weekday flow using the access is 85 vehicles per day, with an average weekday flow of 72 vehicles per day consisting of an average flow of 12 goods vehicles per day.

9.83 The applicant has used TRICS to identify the potential increase in vehicle numbers from the proposed development. The applicant has used category 15 -Vehicle Services/A - Vehicle Repair Garage (Slow Fit).

9.84 Para 5.1 of the Transport Statement states that the proposed development is expected to generate 5 two-way vehicle trips in the morning peak period and 6 two-way vehicle trips in the evening peak period. Over the course of a typical weekday, the proposed development is anticipated to generate 67 two-way vehicle trips.

9.85 This predicted increase is not considered to have a detrimental effect on the existing private access road or to Cocks Lane and the surrounding area.

### Cycle Provision

9.86 Given the sites' location, it is not considered that staff would cycle to the site. The large workshop will provide ample room to accommodate bicycles should it be required.

### Refuse Provision

9.87 A designated area for waste and recycling containers is proposed.

9.88 As such, no adverse highway safety implications would result from the proposal, in accordance with Policy CS23 of the CSDPD and the NPPF.

## **v. Biodiversity**

9.89 An initial ecological appraisal (Derek Finnie Associates) accompanied the application. The appraisal however did not include the findings of a desk study and therefore did not consider fully the habitats and species in the surrounding area to enable a full assessment to be undertaken. Limitations with the initial appraisal included information relating to great crested newts, the site's suitability for protected and/or notable species and any avoidance, mitigation or compensation measures required.



9.90 Further information has since been provided to the LPA to fully consider the ecological impacts of the proposals. The additional information shows that there are no records of great crested newts within a 350m radius and no records of protected or notable species for the site or immediate surroundings, and the eDNA results for the pond to the south were negative.

9.91 It has therefore been demonstrated to the satisfaction of the LPA that the proposal would not have an adverse impact on ecology and subject to the imposition of a condition relating to biodiversity enhancements, the proposal would be in accordance with CS1 and CS7 of the CSDPD and the NPPF.

#### **vi. Drainage/flooding**

9.92 The existing building and existing hardstanding/yard area surrounding the building is on land outside of Flood Zones 2 and 3 and is also on land that is not identified as at risk of surface water flooding.

#### **vii. Community Infrastructure Levy (CIL)**

9.93 Bracknell Forest Council commenced charging for its Community Infrastructure Levy (CIL) on 6th April 2015.

9.94 The proposed use is not CIL liable in accordance with the Council's Charging Schedule for CIL.

### **10.0 CONCLUSION**

10.1 Paras 150 d) and e) of the NPPF state that the re-use of buildings provided that the buildings are of permanent and substantial construction and changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds) can constitute appropriate development, provided that it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

10.2 The proposed change of use of the agricultural building and land to vehicle repairs and servicing would introduce an intensive commercial use to a site in the Green Belt which would significantly differ in character and intensity compared to the existing agricultural use. The proposal would result in a significant intensification of vehicle movements to and from the site when compared to the existing agricultural operation, along with the external storage and parking of vehicles around the building and other associated commercial requirements which would result in harm to the character and appearance of the area. This would result in a greater impact on the Green Belt compared to the existing agricultural use. Due to the intensification of use, this would in turn fail to safeguard the countryside from encroachment and result in an urbanising impact on the site. For these reasons the proposal would be inappropriate development in the Green Belt.

10.3 It is acknowledged that both development plan policies and the Framework are supportive of economic growth in rural areas and the growth of small businesses, subject to ensuring that such proposals would be sensitive to their surroundings and not adversely impact upon the visual amenities of the area. The proposal would result in harm to the visual amenities and character of the area, including its Green Belt location through the intensification of the proposed use when compared to the existing agricultural use.

10.4 There is no compelling evidence to demonstrate that there is an essential need for the business to be located in the Green Belt. The proposed use could operate from any suitable and available location outside of the Green Belt and still provide the same associated economic benefits of employment, generating income, etc.

10.5 It is acknowledged that subject to conditions the proposal would not adversely impact upon the residential amenities of neighbouring occupiers, highway safety or biodiversity and that some letters of support have been received (as well as objections).

10.6 Paragraph 148 of the NPPF states that substantial weight should be given to any harm to the Green Belt. On balance, whilst the potential economic benefits of the proposal are acknowledged, these do not outweigh the harm to the openness of the Green Belt and character and appearance of the surrounding area through the intensification of activity of the proposed use when compared to the existing agricultural operation. No very special circumstances exist to outweigh the identified harm. The proposal would not preserve the openness of the Green Belt and would conflict with the purposes of including land within the Green Belt and would harm to the character and appearance of the area.

10.7 As such, the proposal would be contrary to Saved Policies EN20, GB2 and GB4 of the BFBLP, CS1, CS7 and CS9 of the CSDPD and Section 13 of the NPPF. The application is therefore recommended for refusal.

## **11.0 RECOMMENDATION**

11.1 That the application be REFUSED for the following reason:

The proposal fails to preserve the openness of the Green Belt and conflicts with the purposes of including land within it and is therefore inappropriate. There are no 'very special circumstances' or other material considerations which outweigh the harm to the Green Belt. The proposal is therefore contrary to Saved Policies GB2, GB4 and EN20 of the Bracknell Forest Borough Local Plan, Policy CS1, CS7 and CS9 of the Core Strategy Development Plan Document, and the NPPF.

Doc. Ref: Uniform 7/DC/Agenda

The application file to which this report relates can be viewed on-line at the Council's Time Square office during office hours or online at [www.bracknell-forest.gov.uk](http://www.bracknell-forest.gov.uk)

