

19/00989/FUL

Prime Oak Ltd

SWINDON

MAJOR

Cllr Roger Lees

Prime Oak Whitehouse Lane Swindon DY3 4PE

Demolition of existing buildings and redevelopment to include erection of 9 no. new houses with associated access, parking and garden areas.

1. BACKGROUND, SITE DESCRIPTION AND PLANNING HISTORY

1.1 BACKGROUND

1.1.2 Whilst this is a free-standing planning application and is thereby capable of being determined in isolation, it is considered relevant to briefly outline the background to this application.

1.1.2 The Applicants, Prime Oak, are a high-profile manufacturer and employer within the District who celebrated 20 years in business in 2019. Theirs is a quality timber based sustainable product, drawing customers from the length and breadth of the UK.

1.1.3 Prime Oak's current business headquarters, the subject of this application, is located at Whitehouse Farm, Whitehouse Lane, Swindon, which is located within the Green Belt in close proximity to Highgate Common.

1.1.4 The Company, due to their continued success story, has now outgrown their current site and with their aspirations in terms of further growth, and the associated additional jobs that this will generate, they have identified the vacant site of the former Sage Aluminium Products Ltd on Heath Mill Road, Wombourne as their favoured location for new purpose built premises. That site has been purchased and is now owned by Prime Oak Ltd, thereby demonstrating the Company's intention to reinvest in the District and its workforce.

1.1.5 A separate planning application has been submitted to the Council for the redevelopment of the site in Heath Mill Road for the erection of new factory with associated offices, storage facilities, parking and service areas for the design and manufacture of timber framed buildings which would be the new headquarters for Prime Oak Ltd. The realisation of that development is intrinsically linked to this current application which would see resulting funds ploughed back into the Company to fund the erection of the proposed purpose-built new premises as proposed under application 19/00990/FUL.

1.2. SITE DESCRIPTION

1.2.1 The application site consists of the existing business premises for Prime Oak Ltd (i.e. the Applicant) and takes the form of a selection of former agricultural buildings previously associated with Whitehouse Farm, which were converted to their current primarily industrial use following permissions granted in 2003 and 2004.

1.2.2 The site is located within the Green Belt, approximately 1 mile (1.5km) to the west of Swindon village with 6no. existing residential properties in close proximity which along with

the application site makes up a small cluster of development within this otherwise relatively remote location.

1.2.3 Whitehouse Lane is a single-track public highway featuring no public footway and occasional pull-in opportunities to allow vehicles to pass one another. I can imagine that existing delivery and despatch vehicles in particular have some difficulty in negotiating this narrow highway, with knock-on impacts upon other users of the highway. I am also acutely aware that at weekends, high-days and holidays the surrounding lanes can become quite busy with vehicles as people travel to enjoy Highgate Common.

1.2.4 To the west of the site, beyond an existing agricultural field, which falls gently from east to west, lies an unmade car park and a bridle path which affords immediate access to Highgate Common and the network of rights of way which criss-cross this much loved natural resource, which is designated as a Site of Special Scientific Interest (SSSI). The application site is visible from this publicly accessible location when looking back in an easterly direction.

1.2.5 To the east, north and south of the site lies open countryside and agricultural land, with the topography such that the land falls in a north-west, west, and south-west direction. Whitehouse Lane itself rises in a west to east direction.

1.2.6 The application site itself is linear in nature, extending from Whitehouse Lane in a generally north direction, with the majority of existing buildings on site concentrated towards the southern half of the site, with parking; service yard and storage towards the north end of the site. The site has an approximate area of 1.04 hectares (2.5 acres).

1.2.7 The site is accessed via an existing gated entrance from Whitehouse Lane behind which lies a small and over-subscribed staff car park. A single access driveway permeates the site, located towards the eastern boundary of the site. The site itself falls from south to north-west.

1.2.8 The existing buildings on site are former agricultural buildings with a mixture of brick/block or faced weatherboard finishes. Profile sheeting is the predominant roofing material. I noted from my visit to the site that those buildings used as offices have a better finish than the industrial buildings, which is perhaps understandable especially when receiving customers. I also noted a large area of external timber storage, focused to the north-west corner of the site. The size of these sections of timber gives a clear indication that delivery vehicles must be of a not insignificant size in order to transport such raw materials to the site.

1.2.9 A pair of semi-detached dwellings (known as Glencoe and Lochinver) lie to the west of the site, with the latter of these sharing a contiguous boundary with a section of the application site. 3 no. detached properties are located to the east of the site. I also noted a sizeable detached dwelling which is accessed via the application site itself which appears to have been constructed following the permission granted under application 07/00218/FUL (as summarised below), and I am advised that currently this property is owned/occupied by one of the Prime Oak Ltd business partners.

1.2.10 The site falls within the Green Belt and is located within Flood Zone 1 and is thereby not in an area at high risk or likelihood of fluvial flooding. None of the buildings are of architectural or historic interest or special merit. As stated above, nearby Highgate Common is a designated Site of Special Scientific Interest (SSSI).

1.3 RELEVANT PLANNING HISTORY

1.3.1 The planning history is summarised as follows:

2003: Change of use of buildings to (1) Class B2 to facilitate fabrication of timber framed buildings and (2) Class B8 to facilitate storage of timber - Approved (03/01005/COU).

2004: Demolition of buildings and change of use of redundant pig building to offices and rest room and installation of water treatment plant - Approved (04/00256/COU).

2007: Demolition of existing dwelling and associated buildings and construction of replacement dwelling with modified access - Approved (07/00218/FUL).

1.3.2 It is noteworthy that the permissions granted by applications 03/01005/COU and 04/00256/COU both include planning conditions restricting the industrial use specifically to the fabrication of timber buildings, associated storage and offices. That is to say, the B2 (fabrication), B8 (storage) and B1 (offices) are specific to that particular use/operation, but not the current operator as no "personal" condition was imposed. This means that the premises if vacated could be occupied by a similar form of operation, but the use of the site and premises for other businesses which might fall within the B2 General Industrial use class category would not be permitted and planning permission for such a change of use would be required.

1.3.3 The Government's recently introduced changes to the Use Classes System in England, on 21 July 2020, have no bearing or other direct implication upon that previously imposed restriction by condition.

2. APPLICATION DETAILS

2.1 The application as originally submitted proposed the demolition of all existing buildings on site and the redevelopment of the site for residential purposes, with 8no. dwellings. However, in responding to concerns I had expressed regarding the height and layout of part of the proposed development (which I expand upon later in this report) the scheme was subsequently amended, culminating in the revised scheme with 9no. houses now proposed.

2.2 The application has been accompanied by a full suite of plans and documents, including:

- o Planning Statement.
- o Design and Access Statement.
- o Arboricultural (Tree) Survey.
- o Transport Statement.
- o Preliminary Ecological Appraisal (supplemented by a subsequent detailed emerging Bat Survey).
- o Flood Risk Assessment (FRA) and Surface Water Drainage Strategy
- o Landscape and Visual Appraisal.
- o Geo-environmental Desk Study.

2.3 The application as amended proposes the erection of 9no. open market houses to replace the existing buildings and the existing use of the site by Prime Oak Ltd for the manufacture of timber framed buildings and associated offices, storage and facilities.

2.4 The proposed housing type/mix is summarised as follows:

- o 2 x 2 bedroom semi-detached houses.

- o 2 x 3 bedroom semi-detached houses.
- o 4 x 3/4 bedroom detached houses.
- o 1 x 4/5 bedroom detached house.

2.5 It is noteworthy that each proposed property includes a home office which are shown in addition to the bedrooms indicated. In most, but not all, cases these offices do appear to be of a size such that, depending upon the future occupiers' preferences, they could be utilised as an additional bedroom or other habitable rooms (e.g. games room; TV room; guest room). That said, and being particularly mindful of the current restrictions many are experiencing in terms of office working (with this report being compiled during the Covid-19 Pandemic of 2020), moving forwards, and with increasing numbers of people adjusting to working from home, it is possible that more new homes will start to include home office accommodation, if not as standard then certainly as an option.

2.6 Furthermore, in all cases these home offices are located at ground floor level which offers a degree of flexibility and potential "future proofing", providing an opportunity for lifetime homes and/or accommodation for a dependant relative should the need arise. I also note that in the case of the three/four and four/five-bedroom properties that in those cases, a bedroom is indicated on the ground floor. Again, that room could be used for other purposes or as shown, as a Guest Room. Regardless this ground floor bedroom offers future proofing options for those properties.

2.7 The layout and design of the proposed development is such that it takes its influences from a traditional farmstead, complete with one of the proposed new dwellings taking the appearance of "the farmhouse". The remaining properties take their design influences from traditional farm buildings, with a mixture of single storey, one and half storey and two storey buildings, in a mixture of redbrick and timber cladding. Natural slate roof tiles are proposed to pitched roofs.

2.8 The centrally located two storey, five bedroom house, features a Dutch-barn style roof with profile sheet curved roof, with the properties on either side subservient to this feature property, with gable roofs featuring throughout the remainder of the development.

2.9 Finished materials are contemporary but with traditional leanings. Opportunities to maximise natural light and solar heat are fully exploited, with full height feature windows evident within the end gables of several properties. Upper floors feature "letter-box" or linear windows in some cases, supplemented by roof lights, to maximise natural light into the buildings, but at the same time respect privacy of future occupiers.

2.10 Each property features a minimum of 2no. parking spaces, with 7no. of the properties also featuring integral double garages. Private amenity for each property varies in terms of depth and overall layout, to reflect this farmstead style of layout, which brings with it a feeling of small courtyards linked by a single shared access.

2.11 To the north end of the site, a shared communal amenity space is also indicated. This doubles as a necessary area to deal with surface and foul water, with below ground treatment plant to be located therein, subject to detailed design. This area will also allow access through onto the fields beyond.

2.12 The submitted Design and Access Statement provides a detailed breakdown, on a plot by plot basis, of the respective internal layouts and the elevational finishes and confirms that each property will be equipped with an Electric Vehicle (EV) charging point.

2.2 Pre-Application Advice

2.2.1 The proposed development, along with the "sister" application (19/00990/FUL) for the proposed new headquarters for Prime Oak Ltd at Heath Mill Road, Wombourne, has been the subject of pre-application discussions with Council Officers. Such discussions pre-date my personal involvement with this proposed development however I have seen summary notes of those discussions, which in terms of the Whitehouse Lane site indicates that the following matters were raised by Officers and which needed to be considered within the subsequent planning application:

- o Previously developed nature of the site in the Green Belt and the planning policy implications.
- o Business case for relocation from the current premises/site.
- o Potential impact upon the landscape.
- o Matters of detailed design of the then proposed houses and suggested preferences in terms of alternative design solution.
- o Height restrictions on site.
- o Restoration and enhancement of existing landscaping.
- o Proximity to Highgate Common and visibility of the site from existing public rights of way.
- o Affordable Housing requirements and housing need when considered against Council's housing supply.
- o Secure by Design expectations.

3. POLICY CONTEXT

3.1 Located within the Green Belt.

3.2 Adopted Core Strategy

National Policy 1: The Presumption in Favour of Sustainable Development

Core Policy 1: The Spatial Strategy for South Staffordshire

GB1: Development in the Green Belt

Core Policy 2: Protecting and Enhancing the Natural and Historic Environment

EQ1: Protecting, Enhancing and Expanding Natural Assets

EQ4: Protecting and Enhancing the Character and Appearance of the Landscape

Core Policy 3: Sustainable Development and Climate Change

EQ5: Sustainable Resources and Energy Efficiency

EQ6: Renewable Energy

EQ7: Water Quality

EQ9: Protecting Residential Amenity

Core Policy 4: Promoting High Quality Design

EQ11: Wider Design Considerations

EQ12: Landscaping

Core Policy 5: Infrastructure Delivery

EQ13: Development Contributions

Core Policy 6: Housing Delivery

H1: Achieving a Balanced Housing Market

H2: Provision of Affordable Housing

H4: Delivering Affordable Housing

Core Policy 11: Sustainable Transport

EV11: Sustainable Travel
EV12: Parking Provision
Core Policy 13: Community Safety
CS1: Designing Out Crime
Appendix 5: Parking Standards
Appendix 6: Space About Dwellings Standards

3.3 The National Planning Policy Framework (NPPF) taken as a whole, in particular Sections 5, 6, 9, 11, 12, 13 and 15.

3.4. Supplementary Planning Guidance and Documents

Design Guide SPD 2018
Affordable Housing and Housing Mix SPD 2014
Draft Affordable Housing and Housing Mix SPD 2019
Sustainable Development SPD 2018
Green Belt and Open Countryside SPD 2014

4. CONSULTATION RESPONSES

No Councillor Comments received.

Swindon Parish Council - Objection. *(Comments provided verbatim).*

The proposed development is contrary to the Local Plan and GB1 as the proposed housing development is not appropriate in Green Belt. It will detract from the openness of the countryside. The proposed development is contrary to the Local Plan and Core Policy 11 as it does not provide sustainable travel opportunities. The site is well outside the village boundary and bordering on the Parish of Bobbington. The development would generate an isolated community of 8 homes that would be totally reliant on private motor vehicles resulting in an unsustainable development that is contrary to the NPPF. The road for ingress/egress to the site is subject to national Speed Limit and is without any footway, cycle path or street lighting, which will effectively restrict travel to and from the location to motor vehicles. The site is totally unsustainable and contrary to supporting any measures to mitigate the Climate Emergency declared by SSSC. The provision of an electrical charging point for EV to each home is considered tokenism considering there is no obligation to use such vehicles. This provision does not outweigh other factors such as lack of footway, cycle lane or street lighting. The proposed development is contrary to the Local Plan and Core Policy 13 as it is an isolated community and residents will be vulnerable to crime due to the isolation.

Housing Strategy Officer Housing - *Amendments have been made to the housing mix, replacing Plot 8 (a 5 bedroom property) with 2 x 2 bedroom properties. Whilst the introduction of 2 bedroom homes is welcomed, the new mix does not reflect that suggested in previous comments (i.e. 35% 2 bed, 45% 3 bed and 20% 4+ bed) and is still therefore not considered compliant with Policy H1. Over 50% of the development remains as 4 and 5 bedroom homes, compared to a need for just 11% in the Strategic Housing Market Assessment (SHMA), which would add to the housing market imbalance in the area. There are also significant concerns about the size of the proposed 2 bedroom properties. They are extremely large for the number of bedrooms being provided; as an indicator of this, the internal floorspace is more than double that required by the nationally described space standard. This will have implications for property affordability and because of the increased*

cost to buyers, the properties are unlikely to make a satisfactory contribution to the 2 bed need identified in the SHMA e.g. for young families.

In order to comply with Policy H1, the proportion of 4/5 bedroom properties should be reduced further and the proportions of 2 and 3 bedroom homes increased to better reflect the mix proposed above. In addition, any 2 bedroom properties proposed should be significantly reduced in scale in order to improve affordability and ensure they will be appropriate to meet the identified need.

Affordable housing - a financial contribution in lieu of onsite affordable housing provision is considered acceptable in this case due to lack of Registered Provider (RP) interest. The contribution is calculated using the formula outlined in the Affordable Housing SPD. The required financial contribution will therefore be £231,000. This contribution is based on 9 dwellings with the current layout and floorplans and may be subject to change should the number of dwellings or floorplans change.

Strategic Planning Team Manager - *The comments provided by this internal consultee are reproduced verbatim as follows, despite some duplication/cross-over in terms of comments relating to Housing Mix and Affordable Housing:*

Green Belt - The application site is occupied by an existing employment use, with a number of associated light industrial buildings. As such, the site constitutes previously developed land. Paragraph 145(g) of the National Planning Policy Framework (NPPF) allows for the partial or complete redevelopment of previously developed land (excluding temporary buildings), subject to any proposal not having any greater impact on openness than the existing development. Subject to the case officer confirming that the buildings proposed for demolition are not 'temporary', the development may therefore fall within this category of appropriate Green Belt development within the NPPF. The applicant has submitted volume and footprint comparisons which appear to indicate a noticeable reduction in built footprint and volume within the site as a result of the proposed scheme. Subject to the case officer confirming the accuracy of these plans, this may help to establish that there is no greater impact on openness when compared with the existing development. However, it may also be necessary to consider the proposal's distribution of built mass across the site as this may be material to the degree to which the proposal impacts on openness. It currently appears that no elevations of the existing buildings on site have been provided, meaning it is difficult to draw a conclusion on this important point. This extra information is likely to be necessary before it can be concluded that the proposal is an acceptable form of Green Belt development under the terms of paragraph 145(g) of the NPPF.

Sustainability/Employment site loss - The site lies in a physically isolated location within the District's Green Belt, approximately a mile to the west of the village of Swindon (a Local Service Village). The site is currently occupied by an existing industrial/employment use in the form of Prime Oak Buildings. Paragraph 79 of the NPPF indicates that isolated rural housing will not generally be supported. Equally, Core Policy 1 of the Core Strategy indicates that outside of the service villages any housing growth will be limited to rural housing growth to meet affordable housing needs. However, these impacts should be weighed against the benefits of the scheme, which may include an evidenced and substantial reduction in vehicular trips to and from the existing site, as set out in the applicant's submitted Transport Assessment. The case officer should confirm the findings of this assessment with the Highways Authority. Notwithstanding this, the Transport Statement does appear to suggest a substantial sustainability benefit from allowing the relocation of the existing employment use, as the evidence would suggest it would lead to a substantial reduction in unsustainable

transport movements to and from the existing site. This substantial benefit should be taken in the balance with the conflict with Core Policy 1 of the Core Strategy. Equally, Policy EV1 of the Core Strategy does not support the loss of employment sites. However, Policy EV1 also allows for the redevelopment of employment sites if one of a closed list of criteria can be satisfied. These criteria include where redevelopment of a site would allow the retention of a business in the area by providing funding for an alternative site or premises and where there would be a substantial planning benefit by permitting an alternative use, for example by removing a use which introduces residential amenity issues. When taken together with the separate planning application submitted by Prime Oak on land in Wombourne Enterprise Park (19/00990/FUL) it is clear that the application would help to facilitate the relocation of the existing business onto a larger site within an existing industrial estate within the District. Therefore, the proposal is considered to meet the requirements of Policy EV1 of the Core Strategy.

Visual impact - Due to the topography and the woodland planting in the surrounding landscape, views to the site will primarily arise from the public rights of way to the west of the site (at Highgate Common's eastern edge) and those experienced from White House Lane to the south of the site. The submitted landscape and visual appraisal offers a satisfactory analysis of the key landscape and visual receptors in this context. In particular, it offers examples of the typical views which are likely to be experienced of the site from users of the adjacent public open space (Highgate Common). The views experienced from viewpoint 3 and 4 are rightly identified as being of the greatest sensitivity to new development. I concur with the findings of the submitted landscape and visual appraisal that a development with an appropriate colour palette and of a similar or reduced ridge line to the existing industrial units will have some impact on viewpoints 3 and 4, but that the beneficial effects of removing the existing industrial units and introducing satisfactory mitigatory planting would offset these impacts. However, at this time the only comparison offered between the existing and proposed buildings is in the form of a footprint and volume comparison plan, meaning there is no clear evidence that the site would achieve the reduction in ridge heights indicated by the landscape and visual appraisal. This is particularly a concern given the visual bulk and size of the two storey elements of plots 3, 4 and 5. Notwithstanding this, the design approach undertaken to inform the development is supported. In particular the application successfully responds to its rural context through use of a diverse variety of building types, drawing inspiration from 'Dutch' barns and typical farmstead buildings to create a series of courtyards. This successfully avoids the risk of the development overtly appearing as a suburban housing estate in the wider landscape. Given the above, it is likely that the proposal will be able to meet the requirements set out in of Policy EQ4 and Policy EQ11(e) of the Core Strategy, subject to provision of information which confirms the proposals would maintain/reduce the ridge heights of the site's built form, particular at the site's northern extent. To secure the provision of the necessary landscape mitigation measures, a detailed landscape planting scheme and maintenance plan should be secured for both the residential site and area of woodland planting as a pre-commencement condition.

Affordable Housing- The NPPF confirms that affordable housing should only be sought on major developments (i.e. 10 or more dwellings or a site size of more than 0.5 hectares). The site size for this development is 1.03 hectares, therefore the Council's adopted policy on affordable housing applies. Policy H2 and the adopted Affordable Housing and Housing Mix SPD confirm that developments of 2 or more dwellings in villages outside the settlement hierarchy are required to make an affordable housing contribution. On sites of 5-9 dwellings, the relevant contribution is 20 percent affordable housing, split 50:50 between social rent and shared ownership. In this case then, the affordable housing requirement based on the current layout would be for one social rented dwelling and one shared ownership dwelling.

The applicant has provided evidence to demonstrate that the affordable units cannot be provided on site due to an absence of interest from Registered Providers. The principle of providing an offsite financial contribution in lieu of onsite provision is therefore acceptable. The financial contribution will be calculated based on the formula set out in the adopted Affordable Housing and Housing Mix SPD.

Housing Mix - Policy H1 confirms that housing development should provide a mixture of property sizes, types and tenures in order to meet the needs of different groups of the community. It particularly encourages the provision of more 2 and 3 bedroom properties across all areas of the district in order to better balance the local housing market. Mix should also be informed by local need as identified in the Strategic Housing Market Assessment. The latest assessment confirms in this area:

Market housing - there is a substantial need for 2 and 3 bedroom homes, with a small need for 1 and 4 bedroom homes.

The Council considers the provision of 10% of properties as bungalows a suitable contribution. It is noted that a number of the proposed properties provide downstairs bedroom accommodation which is welcomed in order to meet the changing needs of occupiers. This flexibility should be retained as much as possible whilst making the required changes to the housing mix.

Internal Space - The Council has an adopted policy on internal space in Appendix 6 of the Core Strategy. The 2015 Written Ministerial Statement indicates that existing policies relating to internal space should now be interpreted by reference to the nearest equivalent national standard. Therefore the Council expects all new housing developments to meet the nationally described space standards (NDSS). The properties currently exceed the required standard but the applicant must ensure these requirements continue to be met when changes to the housing mix are made.

County Highways - No objections, subject to conditions. Also comment that although ordinarily this site would be viewed as unsustainable for a residential development due to its location, approval of the proposed development has been considered appropriate due to the present use of the site (for employment purposes).

County Council Flood Risk Management Team - No objections.

Conservation Officer - No objections.

Environmental Health Manager - No objections.

Arboricultural Officer - No objections.

County Planning (Minerals and Waste) - No objections.

Severn Trent Water - No objections.

Environment Agency - An initial objection was raised due to lack of information regarding potential pollution to controlled waters. However, following receipt of additional information, the Environment Agency has confirmed that it would withdraw its previous objection provided that a suitable condition is imposed focusing on the need for a remediation strategy. The Environment Agency has provided the full text of the condition it would require, which takes the form of a phased investigation and remediation strategy

requirement, and I can confirm that this condition is appropriate and relevant and will be imposed as requested.

Natural England - *No objections.*

School Organisation Team - *No objections.*

County Ecologist - *No objections, following the receipt of the Emerging Bat Survey, subject to suitable conditions.*

Staffordshire Wildlife Trust - *No comments received.*

County Archaeologist - *No objections.*

Ramblers Association - *No objections.*

Campaign to Protect Rural England (CPRE) - *No comments received.*

Cadent Gas Limited - *No comments received.*

Open Spaces Society - *No comments received.*

Badger Conservation Group - *No comments received.*

Staffordshire Fire and Rescue - *No comments received.*

Crime Prevention Design Advisor - *No comments received.*

5.2 Third Party Representations - 2no. letters of objection have been received from the occupiers of the neighbouring semi-detached dwellings raising the following issues of concern:

- o The farm was sold to Prime Oak to use for their sole purpose.*
- o Building a housing estate would destroy the wildlife and Green Belt that we have around us.*
- o Privacy - At least two houses overlooking the entirety of my garden.*
- o Loss of trees.*
- o Loss of light.*
- o Extreme impact on Wildlife, including protected species.*
- o Alleged discrepancies with visuals within submitted documents.*
- o The proposed development would form a new anonymous, isolated suburban estate settlement in the Green Belt some 2 kilometres from the village of Swindon and would not be connected to any infrastructure.*
- o The proposal obliterates White House Farm farmstead and could cause a precedent for future conversion of other farmsteads in the area.*
- o Traffic would also increase, say 16 plus vehicles especially evenings and at night.*
- o Light pollution at night would be a problem.*
- o As far as demolition goes, if the application should be granted, I have concerns about asbestos in the buildings. Most of the buildings were erected during the 1960s and 1970s and are clad in asbestos sheeting, both roof and sides. This would be a hazard to us living right alongside during demolition.*
- o Swindon already has 5 years supply of housing land.*

5. APPRAISAL

5.1 The application has been called to Planning Committee by Councillor Lees.

5.2 Key issues

- o Principle of development.
- o Sustainable credentials of the site and development.
- o Impact upon the character and openness of the Green Belt.
- o Visual impact of the development when viewed from surrounding countryside and Highgate Common.
- o Design and layout of development.
- o Housing mix.
- o Impact upon residential amenity.
- o Highways impact.
- o Ecological impact.
- o Other matters.
- o Business case.
- o S106 Agreement

5.3 Principle of development

5.3.1 The application site is located within the Green Belt. Paragraph 134 of the NPPF confirms that the Green Belt serves five purposes, one of which (sub-paragraph c) is stated as: "to assist in safeguarding the countryside from encroachment."

5.3.2 Paragraph 145 (of the NPPF) advises that local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt, with notable exceptions including, of particular relevance to the current application, sub-paragraph g), which allows for:

"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 existing development."

5.3.3 The Glossary at Annex 2 of the NPPF provides the definition of previously developed land, and specifically excludes land that is or was last occupied by agricultural or forestry buildings. Whilst it is the case that the application site consists of buildings which were originally built for agricultural purposes, by dint of the planning permission(s) granted in 2003 and 2004 those buildings and the associated land have been lawfully used for industrial purposes, albeit limited to specific use for the manufacture of timber buildings.

5.3.4 Nevertheless, whilst restrictions are in place which limit the industrial use to specific processes, by condition, the lawful use is an industrial (B2) use and as such I am satisfied that in terms of Paragraph 145 g) the proposed development qualifies. Therefore, the development is acceptable, in principle, and is therefore supported by the NPPF and Policy GB1 of the adopted Core Strategy, subject to considerations in terms of the impact on the openness of the Green Belt, which are addressed later in this report.

5.4 Sustainable credentials of the site and development

5.4.1 At the heart of the NPPF is a presumption in favour of sustainable development, with Paragraph 8 of the NPPF identifying the three overarching objectives in achieving sustainable development, these being economic, social and environmental objectives. These are interdependent objectives and need to be pursued in mutually supportive ways, so as to secure net gains across the objectives.

5.4.2 As indicated earlier, the application site is located alongside a small cluster of existing residential dwellings in a relatively remote and rural location, outside of any recognised development boundary. Access to the site is via a single carriageway, with occasional pull-in opportunities. There is no footway alongside the highway.

5.4.3 Not surprisingly given this location, there are no public transport services and no shops or facilities within close proximity, with the nearest such services found within the village of Swindon, approximately 1 mile away. Future occupiers, as with residents of the existing houses would, therefore, be heavily reliant on private motor vehicles.

5.4.4 Against this backdrop, there is no denying that in terms of a sustainable location, the merits of the site are questionable. However, this is no virgin greenfield site, rather it is a previously developed site and is currently occupied by an industrial based business. Current employers, with the exception of a few hearty souls who might cycle to work, will almost certainly travel to the site by car. A fact acknowledged by County Highways in their response.

5.4.5 It is the case that there are numerous existing examples of similarly located isolated clusters and/or ribbons of housing development scattered around the District, and whilst most of these are older and more longstanding, in some cases more recent additional infill development has occurred in such locations.

5.4.6 Nevertheless, Paragraph 79 of the NPPF indicates that isolated rural housing should not generally be supported. Equally, Core Policy 1 of the adopted Core Strategy indicates that outside of the service villages any housing growth will be limited to rural housing growth to meet affordable housing needs. However, I consider that these requirements should be weighed against the benefits of the scheme, which include an evidenced and substantial reduction in vehicular trips to and from the existing site, as set out in the applicant's submitted Transport Assessment. As indicated by the Council's own Strategic Planning Team Manager, this substantial benefit should be taken in the balance with the conflict with Core Policy 1 of the Core Strategy.

5.4.7 Furthermore, and being especially mindful of Policy EV1 of the adopted Core Strategy which, amongst other things provides in principle support for the redevelopment of this existing employment site at sub-paragraph EV1 d) on the basis of: "the economic benefits to the area (that) would result by allowing development, by facilitating the retention of a business in the area through funding a new site or premises." As stated elsewhere in this report, the aspirations of the Applicant is to relocate to new purposes built premises within an established industrial/employment site in nearby Wombourne, which would allow for the growth and expansion of the business from the current 49 employees to an anticipated 100 employees. A fully detailed planning application has been submitted for such a facility (Council ref: 19/00990/FUL) and the applicants have already purchased the proposed new site, demonstrating a genuine commitment to relocating and reinvesting in their workforce and the District.

5.4.8 To my mind, this factor weighs in favour of the sustainable arguments regarding this planning application and the proposed development, which from an economic and social perspective would facilitate the retention and increase in jobs within the District and deliver a small number of new homes. From an environmental perspective, the effective reuse of this previously developed land is a recognisable benefit, removing an arguably incompatible industrial use.

5.4.9 As for the sustainable credentials of the design of the development itself, the accompanying Planning Statement indicates that this would incorporate sustainable construction techniques and materials, including the use of reclaimed materials where possible and sustainable drainage solutions.

5.4.10 All plots would feature EV charging points and will feature fenestration that maximises the use of natural light and heat sources. The orientation of the site offers opportunities for solar panel installations, although none are proposed at this juncture. Retrofitting would be a realistic option.

5.4.11 I am satisfied that the Application reflects the requirements of Core Policy 3 and Policy EQ5 of the adopted Core Strategy. I accept that in terms of its location and lack of access to public transport, the site and proposed development falls short of the Council's aspirations. However, and with reference to paragraph 2.7 of the Sustainable Development SPD, it is recognised that whilst such matters are important in considering matters of sustainability;

".... There may be many other material considerations in judging a development's sustainability in determining whether a proposal represents sustainable development (site location and access to public transport) will be considered in the round alongside any other material considerations in determining a site's sustainability."

5.4.12 In light of all of the above, I take the view that, on balance, the proposed development does amount to a sustainable form of development and is thereby in line with the NPPF and the Council's Policy NP1 of the adopted Core Strategy.

5.5 Impact upon the character and openness of the Green Belt

5.5.1 As previously indicated, in line with Paragraph 145 g) of the NPPF, the nature of the development is such that it falls within one of the listed exceptions to the presumption against inappropriate development in the Green Belt. However, it is a requirement of that particular sub-paragraph that the redevelopment of previously developed land such as this should not have a greater impact on the openness of the Green Belt than the existing development.

5.5.2 The starting point in considering the impact on openness must be an appreciation of the nature and extent of the existing built development across the site. The existing buildings were originally built for agricultural purposes and including those where the current site occupiers, Prime Oak, have made some cosmetic enhancements they still take the general form and appearance of modern utilitarian agricultural buildings at heart.

5.5.3 The site falls from north to south, with a gradual overall fall in levels of some 3.5m, the result being that the buildings in the northern half of the site appear to "sit down", when compared to the southern half of the site. Existing buildings come in an assortment of sizes and build heights but are principally single and two storey pitched roof buildings, with either

brick/block and/or timber clad finishes. The buildings are orientated both east-west and north-south, with the main concentration located within the southern half of the site, with buildings also positioned directly adjacent to the east and west boundaries of the site, again in this southern half of the overall site.

5.5.4 The buildings start to thin-out in terms of concentration within the third quarter of the site, and also features a greater proportion of single storey buildings, with the final quarter of the site, to the north end of the site, open and used for external storage of materials; some staff car parking; and acts as the service yard for delivery/dispatch vehicles.

5.5.5 The application has been accompanied by a Landscape and Visual Appraisal as well as the Design and Access Statement. Context elevations have also been provided, which overlays the outline of the existing built development/heights on top of the proposed development.

5.5.6 Based upon these Context elevations, the build heights of the existing development generally vary between some 8 to 9m and 5 to 6m, with the lowest existing ridge height, to the current office buildings, being nearer to 3 to 4m in height.

5.5.7 What is also noticeable is that, particularly along the western boundary of the site, the buildings are positioned such that they closely abut and/or overlap one another, the result being that there is little in the way of gaps or other relief between the buildings along this key boundary which currently appears as an almost continual or uninterrupted built form.

5.5.8 The proposed layout, as with the current site, concentrates development to the western half of the site. There is a mix of east-west and north-south orientations, and a variety in build heights, with gaps between properties which together break-up what could, had it not been handled sensitively, have resulted in a single solid mass of built development. However, that is thankfully not the case.

5.5.9 The build heights, and roof designs vary, with the centrally located Dutch barn style of property being the most distinctive building, yet its actual impact would not be significant or strident in my view, with its roof height some 7.6m. Other properties proposed, with the possible exception of Plot 7 which takes the appearance of a farmhouse, feature great variety in roof heights, ranging between 5.3m (min) and 8.8m (max), but with the concentration of heights ranging between 5.6m and 7.6m above ground level.

5.5.10 The originally submitted scheme, for 8no. units, was such that I had concerns regarding the build heights at the northern end of the development in particular. At my request, amendments have been made, along with matters relating to housing mix which is discussed later in this report. The amended scheme for 9no. houses reduced the height and mass of the buildings at this northern end of the development and across the site where heights do increase (compared to the current buildings), there are other areas where the opposite is the case. Balancing these two variations, I do find that visually the impact upon openness of the proposed development will be no greater than the existing development and would, in my opinion, be marginally better.

5.5.11 To further illustrate this, and whilst I accept that a simple number comparison in terms of floor areas and volumes only paints part of the picture, the existing and proposed figures are noteworthy and read as follows:

- o Existing Floor Area - 2,800sq.m

- o Proposed Floor Area -2,126sq.m
- o Existing Building Mass - 12,947cu.m
- o Proposed Building Mass - 8,971cu.m

5.5.12 Clearly, based upon these figures, the proposed replacement would have a lesser impact than the existing, and would be in accordance with Policy GB1 d), in terms of replacement buildings, as well as paragraph 7.2 of the Green Belt and Open Space SPD . Even so, as I have set out above, I have considered it appropriate and entirely necessary to consider the overall physical differences between the existing and proposed, with the latter better spaced and generally of less impact, despite some height fluctuations.

5.5.13 Paragraph 7.3 of the Green Belt and Open Space SPD recognises that it can sometimes be preferable for replacement buildings to be positioned differently if this can assist or improve openness. In this regard I consider that the revised layout and build heights to be satisfactory and would not have a greater impact on the openness of the Green Belt than the existing development and thereby is in accordance with Paragraph 145 g) of the NPPF and Policy GB1 of the adopted Core Strategy.

5.6 Visual impact of the development when viewed from surrounding countryside and Highgate Common

5.6.1 As indicated above, the application has been accompanied by a Landscape and Visual Appraisal which, amongst other things, recognises that the most significant and sensitive viewpoints of the site are from the bridleway accessed off Whitehouse Lane, to the west of the site, and which falls within Highgate Common. Having taken the opportunity to view the site from a number of publicly accessible vantage points myself, I completely concur that these viewpoints, facing eastwards across open fields towards the site, are the most sensitive and critical.

5.6.2 Views during the demolition and construction phases would be particularly prominent and in the short term unsightly, but the same could be said of any development site and that would be a temporary phase only. I have therefore focused my observations on the longer-term impact.

5.6.3 Currently, views from this location look up across fields over rising ground towards woodland on the ridge that forms the skyline. The application site sits below this woodland when viewed from these vantage points, and when scanning the view from south to north the existing red-brick semi-detached houses on Whitehouse Lane are the most immediately visible and striking. Thereafter, the skylights within the first of the existing industrial buildings catches the eye. A stark profile metal roof on the next building, complete with a metal chimney flue, appears somewhat incongruous and beyond this, to the north of the site, the building heights reduce and are in part lost behind a section of bright green conifer hedge. Open storage and associated vehicles are the final noticeable feature within the site, although my eye was taken by a pair of brightly coloured structures, which appeared to be within the adjoining agricultural field and thereby outside of the application site.

5.6.4 There is no doubt in my mind that the proposed development would be clearly seen from these same viewpoints, which are perpendicular to the longest edge of the development site. Even so, the ridge lines of the proposed development are deliberately kept lower at the northern half of the site and even though the new houses are designed and so positioned to replicate the existing uneven roof lines and feature facing materials which would have a rural appearance, the new houses would be visible to the naked eye.

However, over the distances involved, it may not be immediately obvious that these are actually new homes rather than replacement agricultural buildings.

5.6.5 The submitted Landscape and Visual Appraisal does state that the sensitivity of this viewpoint or receptor is high, with a magnitude of change assessed as medium, but draws the conclusion that the effect, whilst adverse, would remove some existing incongruous features and provide an opportunity to enhance landscape character which would be beneficial. Suitable landscape enhancements and mitigation, it is stated would afford the opportunity for the site to be made more harmonious with its surroundings.

5.6.6 I have fully considered the matter of visual impact from what few public vantage points there are, with a particular focus upon the views from Highgate Common, and I conclude that the development would be acceptable in this regard and satisfies the requirements of Policies EQ4 and EQ11 e) of the adopted Core Strategy.

5.7 Design and layout of development

5.7.1 I have assessed the design and layout against Policy EQ11 and the South Staffordshire Design Guide, as well as with the reference to Section 12 of the NPPF, which sets out the Government's guidance with regard to achieving well-designed places.

5.7.2 In many respects, the layout is rather dictated by the linear nature of the site, but despite this the Architect has delivered a layout that offers variety and interest which, to my mind, sets a high bar for other potential such schemes to be judged against. In my opinion, the development proposed amounts to a high-quality scheme.

5.7.3 As I have already identified, the development as proposed takes its leanings from a traditional farmstead style of layout, and in this regard such a preference was expressed by Council Officers during pre-application discussions, which pre-dated my involvement with this application. Even so, I wholeheartedly agree that such a form of development is entirely appropriate in this rural setting and distinctly preferable to a more conventional housing scheme, which would have looked completely out of place in my opinion.

5.7.4 I have previously summarised matters relating to build heights, compared with the existing and concluded that these are favourable and as such there is no need to labour that point again here. The mixture of red-brick and vertical and horizontal timber cladding, along with aluminium fenestration preserves the agricultural feel of these proposed new homes, and I particularly favour the variety of finishes and ridge heights evident within plots 1, 2, 4, 5, 8 and 9. Furthermore, their siting and respective orientation gives the sense and feeling of traditional farmstead courtyards.

5.7.5 The variety and interest in the house types and their respective elevational treatments across the entire site ensure that repetition of house types is avoided, and careful thought has been given to the relationship between the respective properties to ensure that the amenity of future residents is respected and preserved.

5.7.6 Opportunities to retain and supplement existing landscaping have been taken, and I have every confidence that subject to a suitable landscape scheme and management plan that the overall appearance and environment for future occupiers will be a pleasant. The communal landscaped area at the north end of the site will be an asset to the development and will help to disguise the necessary below ground drainage function of this area as previously described.

5.7.7 Hard landscaping consists of block paving and other paved areas, along with short sections of tarmac finish, particularly at the access from Whitehouse Lane. The main section of communal access and turning areas, which make-up the courtyard areas, would be in a resin-bounded gravel finish. Exact details of all such finishes would be subject to suitable conditions.

5.7.8 I am satisfied that the design and layout of the development is on all fours with the Council's aspirations as set out in Policy EQ11 of the adopted Core Strategy, as well as the South Staffordshire Design Guide.

5.8 Housing mix

5.8.1 Members will have noted the comments made by your Housing Strategy Officer and Strategic Planning Team Manager, as set out above, in terms of the proposed housing mix. Whilst they acknowledge and welcome the amendments made to the house types since the initial submission, they maintain concerns regarding the mix which they correctly state is still weighted in favour of larger properties.

5.8.2 The stated preference in terms of the housing mix in this case is stated as being:

2 Bedroom Houses -	35%
3 Bedroom Houses -	45%
4+ Bedroom Houses -	20%

5.8.3 The proposed housing mix, based upon the flexibility of the three/four and four/five-bedroom properties as proposed, including those amendments already secured amounts to:

Where 3/4 bedroom houses are treated as 4 bedroom properties:

2 x 2 Bedroom Houses =	22%
2 x 3 Bedroom Houses =	22%
5 x 4+ Bedroom Houses =	56%

or;

Where 3/4 bedroom units are treated as 3 bedroom properties:

2 x 2 Bedroom Houses =	22%
6 x 3 Bedroom Houses =	66%
1 x 4+ Bedroom Houses =	12%

5.8.4 At first glance, comparing the above percentages, the disparity between that being sought and that on offer appears great, certainly in terms of the four-bedroom scenario. However, when dealing with such relatively low numbers of units in the first place, it would only take the addition of 1 or 2 additional smaller units to start to redress the balance to something nearer to that sought.

5.8.5 I am completely respectful and understanding of the comments made by the Housing Strategy Officer and Strategic Planning Team Manager. The request and reasoning for further alterations to the mix is understood. However, I am mindful that a change to the mix

as suggested would lead to an increase in the overall number of houses across the site, which I do think would be likely to have a greater urbanising effect as a result.

5.8.6 It has already been accepted by the Housing Strategy Officer that in this location the site has proven to be of no interest to Registered Providers of Affordable Housing. It strikes me that, in a similar vein, a greater concentration of smaller market homes as is being requested would not prove to be overly attractive. I do not envisage the site in this location as being an attractive location for those seeking their first home or for those seeking to downsize in retirement, partly due its remote location and the reliance upon a private car.

5.8.7 Furthermore, with changes to the mix, the resulting commuted sum payment in lieu of Affordable Housing would also change, most likely upwards, which would have the multiple impact of increasing the commuted sum payment; increasing the build costs; and, reducing the value of the site and the properties. As previously indicated, and described in more detail elsewhere in this report, the applicants are reliant upon the return from this site so that they can reinvest in their proposed new development elsewhere in the District. I consider that the further changes to the housing mix and the knock-on costs would be likely to have a significant adverse financial impact.

5.8.8 I have fully considered the consultation responses I have received with regard to the housing mix and I acknowledge that based upon the preferred mix stated above that the development would not fully accord with Policy H1 of the adopted Core Strategy. However, as a counter balance to this I have attributed weight to the desirability of supporting Prime Oak Ltd to relocate within the District and thereby preserve existing jobs, with the prospect of further job creation also, in line with Policy EV1 of the adopted Core Strategy.

5.9 Impact upon residential amenity

5.9.1 Policy EQ9 along with Appendix 6 "Space About Dwellings Standards" of the adopted Core Strategy set out the Council's requirements and expectations with regard to protecting residential amenity, not only of existing neighbouring residents but also the future occupiers of a development.

5.9.2 Within the development, I am satisfied that the layout and in particular window relationships in respect of habitable rooms meets the requirements of Appendix 6 of the adopted Core Strategy. I do note that Plots 6 and 7 do feature ground floor side facing bi-folding doors at the rear which open out onto their respective patios. In the case of Plot 6, I note what must be considered to be secondary window facing sideways towards Plot 6. I consider it appropriate for this window to be obscure glazed. In all other regards, I find fenestration positions and details to be acceptable.

5.9.3 All private gardens are of a regular shape and suitable size and are in no way contrived thereby ensuring that they are all acceptable in terms of length and area, again in line with Appendix 6 of the adopted Core Strategy.

5.9.4 Members will have noted the objections raised by the immediate neighbours to the site, as summarised above, which includes concerns about alleged loss of privacy and overlooking.

5.9.5 It is the case presently that despite the existing relationship to what is, after all, an industrial site despite looking out onto the side walls of an existing block and clad former agricultural building and the impact of employee and delivery vehicle movements, the

existing neighbours currently enjoy a high level of amenity, not least by virtue of the rural nature of this area. Views facing northwards from the rear of the neighbouring semi-detached properties fronting Whitehouse Lane are over open fields, and in a westerly direct again over fields towards Highgate Common. Such views would be unaffected by the development.

5.9.6 I accept that the introduction of new homes instead of the blank walls of an industrial building bring with it a different relationship, with Plots 1 and 2 being of most direct impact upon these existing properties, with Plot 1 in particular introducing a private garden and window openings, primarily at ground floor (with only a single first floor window) where currently there is only parked cars and a blank elevation. Even so, existing intervening trees are to be retained and supplemented by additional hedgerow planting and the distance from the corner of the nearest existing property, known as Lochinver, to the aforementioned first floor window would be some 24m and at a 45 degree angle. Appendix 6 of the adopted Core Strategy seeks for a minimum of 21m separation between facing windows. That being the case, the layout and relationship between Plot 1 and Lochinver is acceptable despite the concerns expressed by the neighbour.

5.9.7 I have assessed all other relationships between existing neighbouring properties and the proposed development, and I find no contravention of the Council's minimum distance requirements. I conclude, therefore, that there would be no adverse impact upon residential amenity and as such the development is in accordance with Policy EQ9 of the adopted Core Strategy.

5.10 Highways impact

5.10.1 Access to and egress from the site will be via the existing single access point from Whitehouse Lane, in the same way as the existing industrial premises are accessed. There is currently no footway along the public highway, nor is there any street lighting. No such features are proposed, nor are they considered necessary in this rural location.

5.10.2 Whitehouse Lane is subject to the national speed limit. The application is accompanied by a Transport Statement which, amongst other things, compares the existing traffic, vehicles types and trip generation with that which would be generated by the proposed development and concludes that the trip generation would be significantly less.

5.10.3 County Highways concur with this conclusion and raise no objections subject to suitable conditions relating to the surfacing and layout of the site access.

5.11 Ecological impact

5.11.1 The application has been accompanied by Preliminary Ecological Appraisal and following a request for more specific details and evidence from the County Ecologist, supplemented by a subsequent detailed emerging Bat Survey.

5.11.2 The County Ecologist has confirmed that, subject to suitable conditions, that there are no outstanding matters or concerns regarding and ecological impact and thereby no objections.

5.11.3 Furthermore, with the introduction of a suitable landscape scheme and management plan, which would include the enhanced communal landscape area at the north end of the site, there are opportunities to enhance the ecological characteristics of the site itself, albeit

that is surrounded by open countryside already. I am satisfied that the development accords with Policy EQ1 and EQ12 of the adopted Core Strategy.

5.12 Other matters

5.12.1 From a flooding and drainage perspective, subject to further details being submitted by condition to address the Environment Agency's requirements with regard to groundwater protection, there are no matters of concern. The site lies within Flood Zone 1; a SuDS drainage scheme is achievable and onsite foul drainage treatment is capable of being satisfactorily provided, again subject to details.

5.12.2 The Localism Act 2011 introduced changes to primary planning legislation such that local financial considerations are capable of being material considerations when arriving at a planning decision. The weight to be attributed to such matters lies with the decision taker.

5.12.3 In this case, I consider that the local financial considerations would include increased Council Tax payments; potential New Homes Bonus income; local employment opportunities during construction; the protection of existing jobs; and, the prospect of further employment as the Company continues to grow, once relocated to its proposed new site.

5.12.4 I have considered the nature of the development in this rural location, and whilst I have previously concluded that the overall visual impact would be no greater than the existing development, I am conscious that unless suitably controlled, future alterations and additions to the proposed properties may have a further impact, and could have implications in terms of the amenity of neighbours. I am therefore minded to suggest a planning condition removing certain householder permitted development rights.

5.13 Business case

5.13.1 Put simply, the proposed development is pivotal to the future plans of the Prime Oak and the associated expansion of the workforce. Notwithstanding the current Covid-19 Pandemic situation, and the impact upon many businesses, it is the case that business has continued to thrive for Prime Oak during "lock down", with no let-up in customer enquiries and productivity maintained and increasing thanks to many more new enquiries regarding the Company's products, no doubt at least in part as a result of more and more people having to work from home and seeking a home office.

5.13.2 Prime Oak has outgrown their current site and is faced with the prospect of their business being genuinely hamstrung if it cannot expand. Existing facilities are limited and other than the rural location itself there is little in the way of staff facilities. The opportunities to expand on their current site, even before the implications of the Green Belt location is factored-in are, at best, limited.

5.13.3 Against this back drop the only realistic prospect is to relocate, and as indicated earlier in this report a suitable site has been identified and purchased by Prime Oak Ltd. Furthermore, a detailed planning application, along with all the associated costs, has been submitted to deliver a new purpose built headquarters for the company within a recognised and sustainable employment area, within the South Staffordshire District. This would help secure the Company's future and allow for growth, and with it the realistic opportunity to double the workforce from the current 49 staff to an estimated 100 employees.

5.13.4 This would all only be possible if the Prime Oak can realise a healthy return on its current site via its redevelopment for residential purposes, which would allow the income generated from the sale and redevelopment of the site to be reinvested in the new site. Of course, the current site could not be developed until Prime Oak has relocated, but in securing permission for the redevelopment of the site the Company would be able to secure the necessary funding for their prospective site.

5.13.5 The economic benefits of securing the long term future of this high profile company within the District, and with it realistic prospects for its future growth are, in my opinion, material considerations in relation to this current application and carry significant weight in the planning balance. In this regard the development accords with Policy EV1 d) of the adopted Core Strategy, which provides support for redevelopment proposals which would facilitate the retention of a business in the area (District) through funding a new site or premises (again, in the District).

5.13.6 That said, I do recognise that whilst policy support does exist (under Policy EV1 d)), there does not appear to be any guidance or formal mechanism set out within the policy to ensure that in granting permission for the redevelopment of the site the current occupiers (Prime Oak Ltd) do relocate within the District. In this regard, it is worth restating that Prime Oak Ltd has already purchased their proposed new site in Heath Mill Road, Wombourne; has submitted a detailed full planning application for the proposed new headquarters (ref: 19/00990/FUL); and, has commissioned all necessary reports; surveys; and architectural drawings. This all indicates, to me, a genuine commitment to relocating and reinvesting in the District.

5.13.7 Nevertheless, in order to provide an even greater level of comfort to the Council, the Applicant has agreed to a suggested Section S106 Obligation which would tie the redevelopment of the current site (under this application) to the redevelopment of the proposed new site (under application 19/00990/FUL). That is to say, the proposed new houses on their current site could not be developed unless and until the Company had relocated to their proposed new site in Heath Mill Road.

5.14 S106 Agreement

5.14.1 As confirmed above, it is recognised that the proposed development, due to the size of the site, triggers a need for affordable housing provision in accordance with Policy H2 of the adopted Core Strategy.

5.14.2 However, the Applicant has provided clear evidence that no Registered Provider has shown any interest in taking Affordable Houses on this site. This position has been recognised and accepted by the Council's Housing Strategy Officer who has confirmed that in these circumstances a financial contribution in lieu of on-site provision would be acceptable, in accordance with Policy H2 of the adopted Core Strategy.

5.14.3 The contribution is calculated using the formula outlined in the Affordable Housing SPD. The required financial contribution will therefore be £231,000. This contribution is based on 9no. dwellings with the current layout and floorplans.

5.14.4 The Applicant has provided written confirmation agreeing to this figure and has instructed Solicitors to act on their behalf in this matter.

5.14.5 Furthermore, as indicated above (at para 6.13.7), a further S106 Obligation is deemed necessary to restrict the redevelopment of the application site for houses until Prime Oak Ltd has developed and occupied their proposed new site at Heath Mill Road, Wombourne. To this end, the following wording has been agreed with the Applicants and their Solicitors, on the assumption that the "sister" application is approved of course:

"The approved residential redevelopment of the application site, which is currently occupied as the business premises of the Applicant (Prime Oak Ltd), shall not commence unless and until the Applicant (Prime Oak Ltd) has constructed and occupied its proposed new premises within the South Staffordshire District, at Heath Mill Road, Wombourne, (as approved under planning application 19/00990/FUL), in accordance with Policy EV1d) of the adopted Core Strategy"

5.14.6 Again, the Applicant has provided written confirmation agreeing to this S106 clause and has instructed Solicitors to act on their behalf in this matter.

5.14.7 Regulation 122 of the Community Infrastructure Regulations 2010 says that a planning obligation may only constitute a reason for granting planning permission for a development if the obligation is:

- (a) necessary to make the development acceptable in planning terms,
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development

5.14.8 The planning obligations have been assessed against Regulation 122 and for the reasons given consider they are necessary to make the development acceptable in planning terms, are directly related to the development and are fairly and reasonably related in scale and kind to the development. Accordingly, they may be a reason to grant planning permission in this case.

6. CONCLUSIONS

6.1 This is a Green Belt location, however, the development has been found to be acceptable, in principle, for the reasons set out above. The development would have no greater impact on openness of the Green Belt than the status quo and would remove an existing incompatible, non-conforming, and unsustainable industrial use which sits adjacent to a small number of dwellings in a rural location.

6.2 The sustainability of the site in terms of its physical location and lack of access to public transport is clearly questionable. However, Sustainable Development is multifaceted with location and accessibility just one consideration, as clearly recognised in the Council's Sustainable Development SPD and I have concluded, very much in the round, that this development does meet the economic; social; and, environmental objectives set out within the NPPF and does therefore amount to Sustainable Development.

6.3 I accept that the proposed housing mix is not fully compliant with Policy H1 of the adopted Core Strategy, but I have weighed that policy shortfall against the benefits that allowing the site's redevelopment will help deliver in terms of the retention and expansion of a valued and high profile employer within the District, in line with Policy EV1 of the adopted Core Strategy. To my mind, the wider benefits that the scheme can help to deliver outweigh the shortcomings in terms of full compliance with the preferred housing mix and full adherence to Policy H1.

6.4 In all other regards the development has been fully assessed in terms of detailed matters of design and appearance; potential impact upon Highgate Common; impact upon neighbouring properties; and with due consideration of the relevant technical matters at play in this case, such as highways; drainage and water quality; and, ecological issues.

6.5 The application is found to be in accordance with Policies GB1, EQ1, EQ4, EQ5, EQ7, EQ9, EQ11, EQ12, H2, EV1, and EV12 of the adopted Core Strategy, and I therefore recommend that the application be supported for the reasons set out above.

7. RECOMMENDATION – Delegate APPROVAL to the Team Manager to issue the decision on completion of a satisfactory Section 106 agreement. If by 16 February 2021, the Section 106 Agreement has not been fully executed by all the parties, the Chairman is to have delegated authority to agree a further short extension to allow for final execution and completion of the Agreement.

Subject to the following condition(s):

1. The development to which this permission relates must be begun not later than the expiration of 3 years beginning with the date on which this permission is granted.
2. The development shall be carried out in complete accordance with the approved plans and details contained in the application:

Location Plan drawing No Whitehouse/01
SLP Plan drawing No. 7982-03-001
Site Layout drawing No. 7982-03-004 Rev A
Site Layout drawing No. 7982-03-005 Rev B
Plot 1 Plans and Elevations drawing No. 7982-03-006
Plot 2 Plans and Elevations drawing No. 7982-03-007
Plot 3 Plans and Elevations drawing No. 7982-03-008
Plot 4 Plans and Elevations drawing No. 7982-03-009
Plot 5 Plans and Elevations drawing No. 7982-03-010
Plot 6 and 7 Plans and Elevations drawing No. 7982-03-011
Plot 8 Plans and Elevations drawing No. 7982-03-012 Rev A
Plot 9 Plans and Elevations drawing No. 7982-03-013
Context Elevations drawing No. 7982-03-014 Rev A

3. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

- (1) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site
- (2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.

(3) The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

(4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

4. Before any development takes place a scheme for the provision and implementation of foul drainage and surface water drainage works shall be submitted for approval of the Local Planning Authority, which shall include full technical details of the proposed foul treatment plant. The development shall not be occupied until the approved scheme has been completed.
5. The development hereby permitted shall not be brought into use until the access driveway, parking, servicing and turning areas have been provided in accordance with the approved plans.
6. Prior to commencement of any site works including vegetation clearance and demolition, submission of precautionary method statements for the prevention of accidental harm to protected species, specifically bats and lizards, shall be submitted to and approved by the Local Planning Authority. Thereafter such works shall be undertaken in accordance with the approved methodology.
7. Removal of vegetation and demolition of buildings shall be undertaken outside of bird nesting season (1st March to end August.) If this is not possible then a suitably qualified ecologist shall check the areas concerned immediately prior to the clearance works to ensure that no nesting or nest-building birds are present. If any nesting birds are present, then the vegetation or buildings shall not be removed until the fledglings have left the nest.
8. The development hereby permitted shall not be commenced until an off-site traffic management scheme comprising of:

Routing of Construction vehicles.

Wheel washing facilities.

Measures to remove any mud or other deleterious material deposited on the highway.

Car parking facilities for staff and visitors.

Timetable for implementation.

has been submitted to and approved in writing by the Local Planning Authority. The approved traffic management scheme shall thereafter be implemented prior to any works commencing on site.

9. Before development commences details of the finished floor levels of the buildings shall be submitted to the Local Planning Authority for approval. The development shall be carried out to the approved levels.
10. Prior to the commencement of the development, a Landscape and Ecological Management Plan (LEMP) to cover the management of habitats within the communal open space/landscape area at the north of the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the open space/landscape area shall be retained and maintained in accordance with the approved LEMP.
11. No works above damp-proof level shall take place until full details of all external lighting of the properties, parking areas and access driveway have been submitted to and approved in writing by the Local Planning Authority. The external lighting scheme should be designed in accordance with Bat Conservation Trust / Institution of Lighting Professionals Guidance Note 08/18 Bats and artificial lighting in the UK and shall include a lighting contour plan that demonstrates there will be minimal impact on receptor habitats such as hedges.
12. No works above damp-proof level shall take place until full details and specifications of both hard and soft landscaping works have been submitted to and approved in writing by the local planning authority, in accordance with the Landscape Strategy (dwg no. 1136 001 B) and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures; proposed and existing functional services above and below ground (e.g. drainage and sewers, power and communication cables, pipelines etc. indicating lines, manholes supports etc.); retained historic landscaping features and proposals for restoration, where relevant.

Soft landscape works shall include [planting plans, to include native species planting and the gapping-up of existing hedgerows; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation and future management program]. Any plants or trees that are removed or die or become seriously damaged or diseased within a period of 5 years from the date of planting shall be replaced with others of similar size and species in the next planting season, unless the local planning authority gives written consent to any variation.

13. Notwithstanding the information shown on the plans hereby approved, before the development is first occupied details of all boundary treatments around and within the site shall be submitted to and approved in writing by the Local Planning Authority. Boundary treatments for the proposed gardens shall include gaps of a minimum of 130sq.mm at ground level at 10m distances or shall not seal to the ground between post to allow wildlife to pass unhindered, and shall thereafter be retained in the approved form and position throughout the life of the development.
14. No works above damp-proof level shall take place until details and samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Local

Planning Authority. Thereafter, development shall be carried out in accordance with the approved details.

15. Details of the type and location of biodiversity enhancement measures including:

- 1 group of 3 number swift boxes
- 2 number house sparrow terraces on or integrated into north- or east- facing brickwork of the new buildings
- 5 number 1B Schwegler bird boxes in the following sizes: 2 x 26mm Hole, 2 x 32mm Hole, 1 x Oval Hole positioned on suitable trees along the northern and southern sides of the development,
- 2 number bat boxes of Schwegler 1F type or similar to be located on trees in the south west of the site
- 5 number bat tubes (Schwegler 2ER type) or boxes (Schwegler 1FF type) to be installed on or within walls of new buildings on south or south west sides

shall be submitted to and approved in writing by the local planning authority. The approved measures shall be incorporated into the scheme and be fully constructed prior to occupation of the buildings and retained as such thereafter.

16. The side (north facing) ground floor secondary window serving the dining room to Plot 6 shall be fitted with obscure or fritted glazing and maintained as such throughout the lifetime of the development.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) (or any subsequent equivalent order revoking and re-enacting that Order with or without modification) no development within the following classes of development shall be carried out to the dwellings hereby approved without the prior approval of the Local Planning Authority:

Schedule 2, Part 1,

Class A - enlargement, improvement or other alteration of a dwellinghouse.

Class B - additions etc to the roof of a dwellinghouse.

Class C - other alterations to the roof of a dwellinghouse.

Class E - buildings etc incidental to the enjoyment of a dwellinghouse.

Class G - chimney, flue or soil and vent pipe.

Schedule 2, Part 1

Class A - gate, wall, fence or other means of enclosure.

Reasons

1. The reason for the imposition of these time limits is to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. In order to define the permission and to avoid doubt.
3. To ensure that the development does not contribute to, or is not put at unacceptable risk from/adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework and Policy EQ7 of the adopted Core Strategy.

4. To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimize the risk of pollution, in accordance with policy EQ7 of the adopted Core Strategy.
5. In the interests of public and highway safety and convenience and to conform to the requirements of policy EQ11 of the adopted Core Strategy.
6. In order to protect any protected species on the site in accordance with EQ1 of the adopted Core Strategy.
7. In the interest of biodiversity in accordance with Policy EQ1 of the adopted Core Strategy.
8. In the interests of public and highway safety and convenience and to conform to the requirements of policy EQ11 of the adopted Core Strategy.
9. To safeguard the amenity of the area in accordance with policy EQ11 of the adopted Core Strategy.
10. In the interest of biodiversity in accordance with Policy EQ1 of the adopted Core Strategy.
11. In order to protect any protected species on the site and to control the night time visual impact of the development in this rural setting in accordance with EQ1 of the adopted Core Strategy.
12. In the interests of amenity and to ensure a satisfactory form of development in accordance with policies EQ11 and EQ12 of the adopted Core Strategy.
13. In the interest of biodiversity and to provide unrestricted access for wildlife in accordance with Policy EQ1 of the adopted Core Strategy
14. To safeguard the amenity of the area in accordance with policy EQ11 of the adopted Core Strategy.
15. In the interest of biodiversity in accordance with Policy EQ1 of the adopted Core Strategy.
16. To safeguard the privacy of neighbouring residents in accordance with Policy EQ9 of the adopted Core Strategy.
17. To protect and preserve the openness of the Green Belt and the character and appearance of the surrounding countryside, in accordance with Policies GB1 and EQ11 of the adopted Core Strategy and the National Planning Policy Framework.
18. Proactive Statement - In dealing with the planning application the Local Planning Authority has worked in a positive and proactive manner by agreeing amendments to the application and in accordance with paragraph 38 of the National Planning Policy Framework 2019.



Prime Oak, Whitehouse Lane, Swindon, DUDLEY DY3 4PE