

Agenda Item 34.

ITEM NO:

Development Management Ref No	No weeks on day of committee	Parish	Ward	Listed by:
F/2014/2768	23/13	Wargrave	Remenham, Wargrave and Ruscombe	Major & Councillor Bob Pitts (if minded to refuse) Councillor John Halsall (if minded to approve)

Applicant	GTO Engineering m		
Location	Floral Mile, Bath Road, Hare Hatch, Reading	Postcode	RG10 9SQ
Proposal	Proposed demolition of existing buildings and the erection of a two storey extension to existing office building for the service repair and restoration of motor vehicles (Use Class B2) with ancillary accommodation car parking and landscaping.		
Type	Full		
PS Category	6		
Officer	Cris Lancaster		

FOR CONSIDERATION BY Planning Committee on 19/08/15
REPORT PREPARED BY Head of Development Management and Regulatory Services

SUMMARY

The proposal is a full application for development of the site by demolition of existing buildings and erection of a two-storey extension to the existing office building. The applicant is a specialist in the servicing and restoration of classic Ferrari's and the proposal falls within Class B2 (general industry) for the service repair and restoration of motor vehicles. The retained office will be used for administrative purposes and will incorporate visitor facilities, meeting / dining rooms, showroom, a lounge, museum and library.

The site is within Countryside and the Green Belt where development is strictly controlled. It is considered that the main determining issues are as follows:

- the effect of the proposed development on the character and appearance of the surrounding countryside;
- the effect of the proposed access arrangement on highway safety;
- whether the proposal would result in a sustainable pattern of development;
- whether the proposal is inappropriate development in the Green Belt for the purposes of the NPPF and development plan policy;
- impact on the openness and visual amenities of the Green Belt;
- whether any harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations and, if so, whether there exist very special circumstances that justify the development

In terms of Green Belt policy, it is considered that the proposal is 'inappropriate' development and is therefore unacceptable in terms of the principles set out in the NPPF and Wokingham's Local Plan. Given this, policy requires consideration of 'very special circumstances' which requires an assessment of whether the harm by reason of inappropriateness (or any other harm) is clearly outweighed by other considerations. Whilst the applicant does not agree that the development is 'inappropriate' a case has been submitted to justify the application by way of 'very special circumstances' which is summarised under the 'Applicants Points'.

The principle of an established and prestigious local business wishing to consolidate and remain in the Borough has considerable merit. There are obvious local employment benefits and the principle of inward investment is welcomed. In light of this and, in accordance with Article 31 of the Development Management Procedure Order 2015, the Council has adopted a pro-active approach to this application and has offered the applicant a number of opportunities to respond to issues raised by officers.

However, development in the Green Belt must be subject to the highest level of scrutiny and the tests to be applied in terms of establishing a case for very special circumstances against a National and Local Policy position of a presumption against inappropriate development are by necessity exacting. Against this the case advanced to justify the scale of development proposed in this Green Belt location is unconvincing and it is recommended that the application be refused.

PLANNING STATUS

- Countryside
- Green Belt
- Landfill 250m buffer
- A4 Green Route
- Badger sett consultation zone
- Land contamination
- Flood risk zone 1 (low)

RECOMMENDATION

That the Planning Committee authorises the REFUSAL OF PLANNING PERMISSION for the reasons set out below:

1. The proposed development would result in disproportionate additions over and above the size of the original building and is therefore considered to be inappropriate development which would be harmful to the visual amenities and openness of the Green Belt. Moreover the very special circumstances advanced by the applicant do not outweigh the potential harm to the Green Belt by reason of inappropriateness. Consequently there is an in principle objection to the development which does not accord with the National Planning Policy Framework (NPPF), Policy CP12 of the adopted Wokingham Core Strategy and Policy TB01 of the adopted Managing Development Delivery Local Plan.
2. The proposed development will result in a more intensive and intrusive form of development, adversely affecting the character of this countryside location. As such the development is considered to conflict with Policies CP1, CP3 and CP11

of the adopted Core Strategy and Policies CC01 and TB21 of the adopted Managing Development Delivery Local Plan.

PLANNING HISTORY

07486 F/2007/0595	Extension to office - Refused but allowed on appeal. Two storey side extension to an office - for the headquarters building - Refused but allowed on appeal
F/2013/1025	Demolition of Mabey HQ and associated buildings, and proposed erection of 70 bedroom Care Home with 39 parking spaces and vehicular access - Refused
F/2014/2157	Application for temporary planning permission for 3 years to allow the erection of a modular structure for the use by GTO Engineering for the service repair and restoration of motor vehicles (B2) use – Pending. Officers note: The building has subsequently been constructed without planning permission

SUMMARY INFORMATION

For Commercial

Site Area	2.18 hectares
Previous land use(s) and floorspace(s)	B1(a) offices (1229sqm) B2 general industry Total: 2080 sqm
Proposed floorspace of each use(s)	B2 general industry (3686sqm) (1531sqm will be demolished)
Change in floorspace (+/-)	+ 2155sqm
Number of jobs created/lost	25 created (50 total)
Existing parking spaces	64
Proposed parking spaces	64 (no net change)

CONSULTATION RESPONSES

Ecology	No objections subject to conditions.
Thames Water	Standard informatives are recommended
Berkshire	No objection subject to standard condition
Archaeology	
Drainage	No comments
Southern Gas	No comments
Waste Services	No comments
Environmental	No comments
Health	
SSE Power	No comments
Berkshire Fire and rescue	No comments
National Grid	No comments
Crime Prevention	No comments
Environment Agency	Standing advice and informatives. No objections

REPRESENTATIONS

Wargrave Parish Council - Objected to the application. The Parish Council considers

that the proposals bulk and mass represents an overdevelopment in the Green Belt and the proposal does not provide adequate highway sightlines to ensure the safety of highway users including those entering and exiting from the proposal.

Theresa May MP - has written in support of the application.

Cllr Bob Pitts (Ward Member) – Listed the application if officers were minded to refuse the application

Cllr John Halsall (Ward Member) - Listed the application if officers were minded to approve the application

APPLICANTS POINTS

The applicant submitted a supporting statement with the application. As a result of a number of fundamental concerns expressed by officers, a supplementary statement was submitted. This raises the following issues:

- The development will provide an opportunity to consolidate a number of related services on one site. It will bring about significant investment from classic Ferrari enthusiasts and high net worth individuals.
- It will have significant local economic and employment benefits (employment on the site will increase from 25 to 50 persons, some of whom will be apprentices from local schools).
- It is vital to consider how the very nature of the applicant's operations prevents the re-location to alternative premises on a standard industrial estate in an urban area. As discussed at length, GTO is not a standard car repair operation, quite the opposite, and hence its requirements in terms of size, location and employment are unique, warranting careful and appropriate consideration in planning terms.
- As part of this application, there is an opportunity to consolidate a number of other related services onto the site from outside Wokingham Borough that will help to create a hub of engineering, manufacturing, memorabilia, and hosting/conference facilities that will draw in significant inward investment to the Borough from classic Ferrari enthusiasts and high net worth individuals. It is essential that the economic benefits of the proposed development are given sufficient weight when determining the planning application. Accordingly, GTO's floor space and location requirements are unique, responding to demand from high net worth clients
- Some cars are worth in excess of £20 million each and GTO therefore requires absolute circumspection in terms of car movements and workshop content. For this reason, GTO could not feasibly be located in a standard industrial warehouse.
- GTO are dependent on their highly skilled staff, the vast majority of whom are based within Wokingham. The skills and knowledge of the existing staff base is fundamental to maintaining the success of the business and the unique operations currently carried out by GTO Engineering.
- Despite the Green Belt location, the site comprises extensive areas of hardstanding in addition to a number of substantial buildings. Accordingly, the site is brownfield and can be classified as 'previously developed'. Although the proposed development will result in a net gain of building volume, the resulting form of development will enable large amounts of land to return to open

landscape thereby significantly improving the openness and visual quality of large parts of the site. Therefore it is considered that the proposed development does not constitute inappropriate development and therefore there is no requirement to demonstrate very special circumstances in accordance with paragraph 89 of the NPPF (This aspect of the proposal is explained at length in the Planning Statement and Planning Statement Addendum). **(Officers note: this fundamental matter of principle is responded to under ‘Planning Issues’)**

- The applicant has produced three CGI’s (Appendix 1) which demonstrate that the visual quality of the site will be significantly enhanced as a result of the proposed development. The CGI shown in Appendix 1c demonstrates the view of the proposed development from the only publically available view. The degree of change is extremely modest and the visual quality will be enhanced as a result of the extensive landscaping.
- Evidently, both national and local Green Belt policy recognises the importance of retaining the openness of the Green Belt. This has been acknowledged in the design of the proposed development which seeks to increase the openness of large parts of the site by consolidating the built form into the part of the site which is already intensely developed and returning large parts of the site to open green land. In the case of the proposed development, it is considered that the Green Belt surrounding the site does not fit this definition of openness which the NPPF and Core Strategy policies are seeking to protect.
- The Green Belt map identifies the forms of development within the immediate vicinity of the site, including a number of extensively developed garden centres, residential and commercial development and a large area of agricultural poly-tunnels. Accordingly, it is reasoned that this area is not characteristic of typical open Green Belt land;
- Although the surrounding area is Green Belt, it is extensively developed and the proposed development is not at odds with the character of the area and will not conflict with the five purposes of including land within the Green Belt as set out in paragraph 80 of the NPPF
- It is considered that the case for resisting development in the Green Belt on the basis of protecting the ‘openness’ of the Green Belt is not justified in this circumstance, on the basis that this area of Green Belt does not characterise the ‘openness’ which the NPPF and Core Strategy Policy CP12 is seeking to protect. **(Officers note: this fundamental matter of principle is responded to under ‘Planning Issues’)**
- Previously submitted information contained an exhaustive search within Wokingham which identified the application site as the only one which is capable of meeting the company’s needs. As requested, we have undertaken further analysis of available stock outside the administrative boundaries of Wokingham Borough Council, to demonstrate that a site which meets the company’s needs cannot be identified outside the Borough.
- 88% of staff live within a 30 minute drive time of the application site. A list of the employees’ postcodes is attached as Appendix 5. GTO has been located within Wokingham for over 14 years and as such their staff have established links with the local area (a number of staff have children that attend local schools for example). If the company were forced to relocate to another district it would be very difficult to retain their existing staff base. Whilst it is acknowledged that some employees may be willing to commute longer distances it is unrealistic to expect the majority of staff to commute for over an hour and it is likely that they would seek new employment should this be necessary.

- Due to the success of the company GTO are currently in the process of recruiting an additional 15 members of staff in order to meet the demands of the business. In addition to the number of highly experience staff GTO have no less than 10 apprentices over the summer period, all from Wokingham Borough Council schools and it is anticipated that at least 5 of these apprentices will be offered full time roles.
- Review of comparable Green Belt development outside the Borough – Of the schemes which have been reviewed the McLaren Applied Technology Centre (MATC) in Woking is a good example of a comparable development which was granted planning permission despite being located within the Green Belt.
- Despite the very significant size of the building (and the existing McLaren buildings previously permitted in the Green Belt adjacent to the site) the LVIA concludes that there is no significant adverse visual impact as a result of the proposed development. This demonstrates that buildings of a very significant scale (the McLaren scheme is approximately 10 times the size of the GTO scheme) may be approved within the Green Belt. The McLaren site comprised open green field land, by contrast GTO are proposing to build on a previously developed brownfield site.
- As part of this application, there is opportunity to consolidate a number of other related services onto the site from outside Wokingham Borough. For example Oakley EMS is part of the group and is responsible for the manufacture of specialist engineering components and is currently based in Basingstoke

PLANNING POLICY

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

Wokingham Borough Local Development Framework

CP1 – Sustainable development

CP2 – Inclusive communities

CP3 – General Principle for development

CP4 – Infrastructure Requirements

CP6 – Managing Travel Demand

CP7 – Biodiversity

CP9 – Scale and location of development proposals

CP10 – Improvements to Strategic Transport Network

CP11 – Proposals outside Settlement Limits (including countryside)

CP12 – Green Belt

Managing Development Delivery Local Plan Document

Cross Cutting Policies

CC01 – Presumption in favour of sustainable development

CC02 – Development Limits

CC03 – Green Infrastructure, Trees and Landscaping

CC04 – Sustainable Design and Construction

CC05 – Renewable energy and decentralised energy networks

CC06 – Noise

CC07 – Parking
CC09 – Development and Flood Risk
CC10 – Sustainable Drainage

Topic Based Policies

TB01: Development within the Green Belt

TB21 – Landscape Character

TB23 – Biodiversity and development

Other guidance

Borough Design Guide Supplementary Planning Document (SPD) (Sections 8)
Sustainable Design and Construction SPD

PLANNING ISSUES

(1) It is considered that the main issues are as follows:

- the effect of the proposed development on the character and appearance of the surrounding countryside;
- the effect of the proposed access arrangement on highway safety;
- whether the proposal would result in a sustainable pattern of development;
- whether the proposal is inappropriate development in the Green Belt for the purposes of the NPPF and development plan policy;
- impact on the openness and visual amenities of the Green Belt
- whether any harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations and, if so, whether there exist very special circumstances that justify the development.

Character and appearance of the area including countryside

(2) The application site is located in the countryside and Policy CP11 of the adopted Core Strategy is the relevant policy against which to judge this development. The Wokingham Landscape Character Assessment identifies the site as falling within landscape character area H1 (Wargrave-Twyford-Arable Chalk Lowlands). The area around Twyford is relatively undeveloped with a strong agricultural nature. However, the local area is dominated by large nurseries and extensive car parking areas. The developer has sought to identify this character as a reason to justify the proposals. The supporting documentation suggests that the proposal would integrate into the natural landscape and that the accompanying landscape proposals would be of a high quality and sensitive to the defining characteristics of the area. Whilst the style of design of the proposed building may be appropriate in a different context, given the character of the rural landscape in which it would be located, it would be at odds with its overall surroundings.

(3) Although the landscaping proposals would help to limit views of the proposed building the proposal would still be visible from certain public viewpoints. In any case, irrespective of the extent to which the landscape proposals would screen the proposed building, the introduction of such a large footprint and its associated development into the countryside location proposed would have a detrimental impact on the character of the area. In any case the key test in a greenbelt location is the impact upon openness.

Highways

(4) The Highway Authority has no objections to the proposal. It is noted that the likely traffic generation will be less than the authorised use. Standard parking/turning and cycle parking conditions are recommended.

Sustainability

(5) As previously set out the application site is located in the countryside. If there are not very special circumstances which justify the development, there is no basis for disregarding sustainability matters concerning the location of the proposed development. The application site has limited access to local services and public transport. Consequently, both the operators and visitors to the site would be largely reliant upon the use of private motor vehicles to access services. However, the Council's Highways Officer notes that the traffic generation is less than the authorised use. The applicants have submitted a transport report which supports the applicant's contention that staff will largely be locally based, suggesting that many operational journeys will be relatively short. The applicant has also offered a travel plan, which if the application were approved, could be conditioned. On balance, it is considered that a reason for refusal based on sustainability could not be sustained.

Green Belt

(6) The NPPF makes it clear that 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.

(7) Green Belt serves five purposes:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

(8) Once Green Belts have been defined, local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.

(9) As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances

(10) 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, is clearly outweighed by other considerations

(11) A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:

- buildings for agriculture and forestry;
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- 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;
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

(12) Certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These are:

- mineral extraction;
- engineering operations;
- local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- the re-use of buildings provided that the buildings are of permanent and substantial construction; and
- development brought forward under a Community Right to Build Order.

(13) The NPPF is therefore a weighty material consideration in determination of this application.

(14) Policy TB01 of the MDD Local Plan re-iterates this position. It states:

1. The Green Belt is defined on the Policies Map.
2. Within the Green Belt, development for the purposes set out in paragraphs 89 and 90 of the National Planning Policy Framework and as set out in point 3 below will only be permitted where they maintain the openness of, and do not conflict with the purposes of including land in, the Green Belt.
3. The alteration and/or extension of a dwelling and the construction, alteration or extension of buildings ancillary to a dwelling in the Green Belt over and above the size of the original building(s) shall be limited in scale.

(15) The Council established through policy CP12 – Green Belt of the Core Strategy that there were no exceptional circumstances to warrant changes to the Green Belt boundary. The Green Belt is defined on the Policies Map.

Inappropriate development

(16) The applicant maintains that the proposal is not 'inappropriate development'. Officers fundamentally disagree with this contention.

(17) The NPPF states that the construction of new buildings is inappropriate in the Green Belt, subject to certain exceptions. One exception is the extension or alteration of a building, providing it does not result in disproportionate additions over and above the size of the original building.

(18) No definition of 'disproportionate' is given in the NPPF. It is considered therefore that whether the proposal is a disproportionate addition is primarily a matter of the increase in floor area, scale and bulk. The existing floorspace is 2080 sqm and the proposed is 3686 sqm. This is a substantial increase in floor area. The extension is also a substantial increase in scale and bulk, with the extension being in part higher than the original office building and extension in a bulky form away from the existing building. The applicant is seeking to argue that weight should be given to the substantial areas of hard standing which could potentially be used for open storage. It should be noted that the NPPF makes no reference to hard-standing in the context of disproportionate increase and since there is currently little or no open storage taking place, it is somewhat of a hypothetical argument anyway.

(19) The applicant has correctly pointed out that this is a brownfield site but Green Belt policy does not normally allow major expansion beyond the original footprint of buildings even in brownfield cases. Whilst re-use of buildings is not inappropriate, the NPPF advises that disproportionate addition is inappropriate.

(20) It is noted that the extension is to the rear and western side of the existing office building and will be visually separated from the front of that building by a landscaped courtyard. However, overall the extension is substantial and it would be difficult to judge it in any other way than as a disproportionate increase over and above the size of the original buildings. The applicant was made aware of this view during both pre-application discussions and again during the processing of this application having considered the supporting statements.

Openness of the Green Belt

(21) Openness is an essential characteristic of the Green Belt. The applicant has sought to respond to issues of openness. The applicants stated benefits are the consolidation of buildings on site and removal of substantial areas of hard-surfacing which could still be used for open storage, thus allowing greater landscaping elsewhere. Given that the overall impact is more built form, this seems to be more of a visual amenity argument that one associated with 'openness'. Openness is materially reduced by the proposals.

(22) The existing floorspace is 2080 the proposed floor space is 3686m² and increase of 78%. It is considered that this is a substantial increase in floorspace and as a result the quantity of volume increase is substantial. The scheme will materially reduce the openness of the Green Belt. The applicant considers that weight should be given to the removal of hard standing and the potential opportunities for open storage and creating substantial landscaped areas. However the NPPF only refers to buildings in assessing openness and whilst this would support a visual amenities case, it does not support an openness case. It is also considered that little weight should be given to a theoretical case for open storage compared to a position of construction of permanent

buildings.

(23) The applicant has also suggested in the supporting statement that 'it is considered that the Green Belt surrounding the site does not fit this definition of openness which the NPPF and Core Strategy policies are seeking to protect'. The applicant seeks to demonstrate this by identifying forms of development in the immediate vicinity of the site including a number of extensively developed garden centres, residential and commercial areas and a large area of agricultural poly-tunnels. The development therefore states that 'it is reasoned that this area is not characteristic of typical Green Belt land; its built form differentiates from open land which usually defines the Green Belt'. The applicant therefore concludes that the development is 'not at odds with the character of the area and will not conflict with the five purposes of including land within the Green Belt as set out in paragraph 80 of the NPPF'.

(24) The Council established through policy CP12 – Green Belt of the Core Strategy that there were no exceptional circumstances to warrant changes to the Green Belt boundary. The Green Belt is defined on the Policies Map. Neither the NPPF nor the Core Strategy seeks to divide the Green Belt into character areas and the applicants approach to Green Belt policy and openness in particular is clearly at odds with the policy approach that has to be taken in order to justify development in the Green Belt. Obviously there are a number of developments that pre-date the establishment of the Green Belt but nonetheless are within the designated land. The applicant also acknowledges that the Council has taken enforcement action against unauthorised development in the local area. To somehow imply that openness should be viewed differently in this area is at odds with the application of Green Belt policy. Conversely, it can be argued that in a Green Belt area that has already experienced development pressure, protection of openness is vitally important.

Visual amenities

(25) The scheme will bring benefits in terms of removal of large areas of hard standing and substantial opportunities for landscaping. In response to discussions, the applicants have produced a series of images to assist in consideration of the visual impact. Officers were not involved in selection of these and the applicant has not yet confirmed whether they are verified views. It is accepted that the proposed development is unlikely to be seen from many public viewpoints. However, it is not accepted that the public will not be aware of the significant change in scale of development or that it will not be readily seen from places other than those shown on the visuals as submitted. The applicant has referred to the scale of other developments in the vicinity. It is concluded that this development will substantially add to local built form and will be harmful to the visual amenities of the Green Belt.

Very special circumstances

(26) Given that it is considered that the proposal is inappropriate development that causes potential harm to the openness of the Green Belt, it is necessary to consider whether there are other considerations weighing in favour of the proposal. As a starting point, a case needs to be made for 'very special circumstances' to outweigh the harm associated with this form of development. Under Article 31, which requires a pro-active approach to be taken in determining application, the applicant has been given several opportunities to respond to this fundamental issue.

(27) The applicant restores vintage prestige vehicles. It is noted that the applicant has been located in the Borough for 14 years and employs a number of local people and therefore has no desire to leave the area. This is fully understood and appreciated.

(28) Local employment is a material consideration. It is noted that the applicant currently employs 25 staff and proposes to employ a further 25 including local students as apprentices. The applicant has suggested that if they have to move, skilled workers may not be willing or able to travel to the new site. Conversely, highly skilled specialist staff may be more likely to remain with the business even if it were to move. Again, much of this is a hypothetical and limited weight should be given.

(29) The applicant also refers to local economic benefits. This is not an unusual or exceptional position. However, the applicant has not sought to quantify this and therefore very limited weight could be given to this position. Furthermore the business successfully operates at the existing level and so economic benefit would not be lost, only the potential additional economic benefit gained through expansion.

(30) Although officers have sympathy with the applicant's wish to remain in the Borough and would fundamentally encourage this, when Green Belt policy is considered it is not sufficient to rely on the wishes of an applicant in this way. Again, very limited weight should be given to this. In any case, there is no reason why the business could not operate at a lower level of operation, similar to how it previously operated which would be less harmful to the green belt.

(31) The applicant refers in the recent supporting statement to a decision relating to Barnet Football Club at Underhill as an example to justify the proposals. This proposal was for a redevelopment of which a large part was within the existing stadium and the applicant's apparent reason for referring to this seems to be that it responded to issues of openness in allowing the proposals. If the applicant had looked further into the history of the Club it will have been seen that the wish to build a new stadium included proposals for redevelopment at Copthall Sports Centre, Mill Hill – London Borough of Barnet (Ref: LRP270/N5090/0/31). A key element of that application (which was called in for determination by the Secretary of State) was the Club's desire to remain in the Borough from which it draws its name and core support. The Club had the support of the Local Planning Authority and at the Inquiry advanced the case that this was 'appropriate development'. Notwithstanding this, the Inspector did not accept the appropriate development argument and gave little weight to the desire to remain in the Borough and dismissed the case on Green Belt terms.

(32) The prestigious nature of the activity and the desire to create an environment that is appropriate to the type of customers who will visit the premises is understood. There are locational advantages being on a major road, especially as the applicant has advised that many customers are arriving from abroad and the site is obviously convenient for travellers into and out of London Heathrow Airport. However, of itself, this does not provide sufficient evidence to justify the development in Green Belt policy terms. Indeed if any weight were to be given to this, then a number of alternative sites within 20-30 miles of the airport might emerge. There is no compelling reason that this use must be located in the Green Belt; similarly the use of a particularly prestigious rural site is not essential to the operation of the business and as such should be given limited weight.

(33) The applicant also states the wish to consolidate on a single site. Location within

an existing site, such as a Core Employment Area, was rejected as a result of customer expectations and security. Again consolidation can be seen as a wish of the company but it is by no means a compelling argument against a non-Green belt location. There is no reason why sites within an urban setting or core business area could not be secure.

(34)The applicant has also sought to draw a comparison with the McLaren Technology Centre, Chertsey Road, Woking, Surrey, GU21 4HYH. The following were considered to be very special circumstances which justify setting aside the Green Belt presumption:-

- The unique nature of the business activities of McLaren ATC;
- Their national significance;
- Their reliance on synergies derived from the proximity of the MTC and McLaren Performance Centre.

(35) The site originally received planning permission in 1997. The site was formerly a nursery and planning permission was granted following 'call-in'. The applicant states that the very special circumstances which were accepted for the McLaren scheme, albeit on a more extensive scale, are similar in nature to those which have been cited for the proposed development. The applicant notes that the GTO takes place on a smaller scale and on land more suited to redevelopment of the type proposed. The applicant states that supportive parallels can be drawn: in particular this demonstrates that the specific needs of a business in terms of consolidation of activities and the need for bespoke accommodation (including the need for security and privacy) can be considered to constitute very special circumstances of sufficient standing to allow the grant of planning permission.

(36) In response, although the GTO business is prestigious, it is not accepted that this is in the national interest. The core business is the refurbishment of Italian cars and whilst the business is highly regarded it is by no means unique. McLarens is a major developer of new technologies which places greater emphasis on the need for a high level of security and privacy, especially in a field where there is intense competition and new systems do need to be carefully guarded. GTO in contrast indicates that its customers desire privacy, which is not the same thing at all and there is no evidence to suggest that a location on an existing commercial/industrial site could not provide a suitable level of security. There is no evidence to suggest that the activities, although specialised, are highly sensitive.

(37)With the possible exception of the archives/museum/library, none of the activities is unusual in any car repair business and could equally be located on a sustainable site within the settlement area. Plenty of car repair businesses are located within settlements. Members may also wish to consider that since these are permanent buildings a personal consent would not normally be appropriate and that the applicant could sell the site with benefit of planning permission to any other form of similar activity.

Alternative sites

(38)The applicant has sought to look at alternative sites with a view to demonstrating that no suitable site exists for their operations. At the prompting of officers, the supplementary statement widened this to include sites outside of the Borough. This was regarded as important since although the applicant wishes to remain in the

Borough, it was considered that this was not enough to justify development in the Green Belt.

(39)The applicant produced a set of criteria against which to assess the sites. In summary these were:

- Site area
- Suitable to meet minimum floor space requirements
- Proximity to staff base
- High quality environment
- Security
- Access
- Availability

(40) This is a summary from Page 6 of the supplementary supporting statement and the sites are listed as an Appendix to that document.

(41) Unfortunately, the list gives extremely limited information against which to establish that sites were properly examined and rejected for sound reasons. It is also not considered that the criteria are sufficient to make a clear judgement to conclude that the application site is the only one available. It is also not accepted that the move was/is entirely time critical and that more time could have been taken to have sourced a site in a more appropriate location.

(42) In a number of ways the criteria are little more than aspirations for the type of site that the applicant wishes to occupy and do not in any way justify selection of this site against others. For instance, the applicant has an aspiration to have all operations on one site and it is likely that this will bring about efficiencies but this is not necessarily a justification for use of the application site or discounting alternatives.

(43) The applicants' previous operations took place on split sites and yet the business was able to thrive. There is nothing material in the supporting material to justify that this is the only operating model that would work.

(44)Proximity to a staff base is also to be encouraged but relocation of successful and prestigious organisations with specialised staff is by no means unusual. Examples include the relocation of the BBCs main operations to Manchester and relocation of the Met Office from Bracknell to Exeter. 'High quality environment' is not an untypical wish for most successful companies but is highly subjective. 'Security' could apply to many circumstances. The applicant refers to the need for its customers to have security and privacy. However, whilst this is understood, it does not lead to a conclusion that this site is the only one available. As mentioned elsewhere in the report, the applicant advises that many of the customers travel from abroad. If this is the main customer base then it means that a much wider search area is potentially possible.

(45) Overall, it is concluded that the search and elimination of sites is unconvincing and gives little weight to the case for 'very special circumstances' being made.

Landscape

(46)Trees and Landscape officers have commented that the Wokingham Landscape Character Assessment identifies the site as falling within landscape character area H1.

(Wargrave-Twyford-Arable Chalk Lowlands). The area around Twyford and Wargrave is relatively undeveloped with a strong agricultural nature. However, the area around Hare Hatch is dominated by large nurseries and extensive car parking areas. This is an important site within the Green Belt and located on a Green Route. There are a number of important mature trees on site and particularly (but not exclusively) on the green route frontage.

(47) The application is for a substantial building at the edge of the site, close to open countryside and adjacent to a mid-20th century building of some landscape visual amenity. It is considered that it will be especially important to get the planning right on a site such as this so that, should the site change hands again in the future, there are no dis-benefits for the site or the community accruing from any flexibility of approach taken to accommodate the business needs of the current prospective applicant.

(48) The Trees and Landscape officer is not convinced of the need for a green belt location or even a countryside or rural setting but can appreciate the need for a quality landscape or street scape and see that this large site would offer the prospective applicant the benefit of some control over the quality of their immediate environment.

Ecology

Bats and Trees

(49) The Ecology Officer is satisfied that the bat survey review of the trees proposed to be felled has established that these trees have limited potential to support bat roosts and that no further bat survey work on these trees is required prior to tree work provided that the precautionary approach outlined in paragraph 4.14 is secured by condition.

Bats and Lighting

(50) The Extended Phase 1 Habitat Survey (Clarke Webb Ecology Limited, Ref: Maybe House Rev 1, 23 February 2015) has recommended in paragraph 4.15 that external lighting onto the woodland edge / tree line should be minimised. It is also relevant that the lighting spill near the retained and compensatory roost features is minimised. It is understood that the lighting strategy (for biodiversity) has not yet been agreed but British Standard (BS) 42020:2013 (Biodiversity – Code of practice for planning and development) suggests a model planning condition that would be appropriate to secure the appropriate protection.

Bat in Buildings

(51) The revised Extended Phase 1 Habitat Survey (Clarke Webb Ecology Limited, Ref: Maybe House Rev 1, 23 February 2015) has included much greater detail about how the proposed bat roost loss can be adequately compensated within the proposed plans and detail about appropriate mitigation measures to follow during the work.

(52) The Ecology Officer has some reservations that the proposed compensation roosts identified as Roost 4 (Appendix 1, Bat Mitigation Strategy, paragraph A13) will not be durable as there is no specification as to the type and thickness of plywood to use and prone to predators. For durability and protection he would prefer to see a woodcrete based compensation roost used and there are a number of readymade designs available that could fit into the proposed spaces that have proven suitability. The

proposed location of the compensation roosts, Roost 4, is also of concern as under the eaves of the retained part of building B1 there will be different thermal properties to the current maternity roost location. This is of relevance as these compensation roosts provide continued ecological function for the local bat population whilst the new building is being constructed.

(53) The officer also has some reservations that the proposed compensation roosts identified as Roost 5 (paragraph A14 and figure A4) do not have any dimensions specified (apart from the opening) so it is hard to assess their suitability and relevance. The type of tile lining for the new building that Roost 5 will be installed in needs to be considered and clear instructions given for the contractors installing these roosts as to how Roost 5 will prevent bats coming into contact with any breathable membrane.

(54) Furthermore there are a few typographical errors in Appendix 1 (Bat Mitigation Strategy) that would require correction if we were to condition the strategy as is, in order to avoid confusion when it comes to implementation.

(55) Having listed these reservations, the officer comments that the number and location of the proposed compensation roosts is appropriate (provided a lighting design strategy for biodiversity is agreed). It could be argued that the final design of the compensation roosts will be agreed by Natural England and covered in the EPS derogation licence that must be obtained in order to demolish buildings with roosts in them (as recognised by the ecologist in paragraph 4.8) and therefore falls outside the concern of the local planning authority provided that they are confident that the EPS could be obtained. BS 42020:2013 (Biodiversity – Code of practice for planning and development) advises that a planning condition can be used to avoid an offence being made by the developer by ensuring that they obtain an appropriate licence. A condition is recommended.

(56) However, it should be noted that due to the time delay between the current ecological surveys, gaining planning permission, and implementation it is likely that to gain the EPS more, up to date activity surveys will be required by Natural England to confirm the current status of the roosts to be destroyed. It may be more appropriate to use a modified version of the above condition to allow some flexibility to the developer and ability for the local planning authority to control the maintenance / restoration of historical conservation status (from the 2012 survey) should it prove to be the case that an EPS licence is no longer required. A condition is recommended

Bat Enhancements

(57) The revised Extended Phase 1 Habitat Survey, Appendix 1, Bat Mitigation Strategy (Clarke Webb Ecology Limited, Ref: Maybe House Rev 1, 23 February 2015) has identified wildlife enhancement that can be easily implemented by the developer (see paragraph A15). Under NPPF it is appropriate to secure this enhancement by condition.

Flood risk & Drainage

(58) The NPPF carries forward the sequential approach to flood risk, establishing the development should be directed away from the areas at highest risk and, where development is necessary in areas at risk of flooding, it should be made safe without increasing flood risk elsewhere. Core Strategy Policy CP1 and MDD Local Plan policy

CC09 are consistent with this approach, requiring that new development should avoid increasing and where possible reduce flood risk.

(59) The Core Strategy, which was subject to a strategic Flood Risk Assessment, identifies the site as being situated in Flood Zone 1, where the risk of flooding is low and as such all forms of development - including 'more vulnerable' uses - are acceptable. Therefore, the proposal complies with the sequential test with regards flooding. In line with the guidance from the Environment Agency the use of Sustainable Urban Drainage systems is the most appropriate form of mitigation for a site of this nature and this can be secured by condition.

Environmental Health

(60) The proposal falls within Class B2 (General Industry) being a use that might create noise, dust or vibration. The site is remote from any sensitive receptors, including residential uses, and no adverse issues are considered to arise.

CONCLUSION

The site is within Countryside and the Green Belt where development is strictly controlled. It is considered that the main determining issues are as follows:

- the effect of the proposed development on the character and appearance of the surrounding countryside;
- the effect of the proposed access arrangement on highway safety;
- whether the proposal would result in a sustainable pattern of development;
- whether the proposal is inappropriate development in the Green Belt for the purposes of the NPPF and development plan policy;
- impact on the openness and visual amenities of the Green Belt
- whether any harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations and, if so, whether there exist very special circumstances that justify the development

In terms of Green Belt policy, it is considered that the proposal is 'inappropriate' development and is therefore unacceptable in terms of the principles set out in the NPPF and Wokingham's Local Plan. Given this, policy requires consideration of 'very special circumstances' which requires an assessment of whether the harm by reason of inappropriateness (or any other harm) is clearly outweighed by other considerations. The applicant does not agree that the development is 'inappropriate' This has not assisted the applicant. It is also considered that the applicant has misinterpreted 'openness' of the Green Belt, in particular through developing a case that this part of the Green Belt should be seen as having a different more developed character which should be given weight in determining the application. Conversely, it is considered that this further emphasises the need to resist this inappropriate development

The principle of an established and prestigious local business wishing to consolidate and remain in the Borough has some merit. There are obvious local employment benefits and the principle of inward investment is welcomed. In light of this and in accordance with Article 31 of the DMPO 2015, the Council has adopted a pro-active

approach to this application and has offered the applicant a number of opportunities to respond to issues raised by officers. This included giving the applicant an opportunity to respond to fundamental concerns and to further develop the case for very special circumstances including producing an extended site search to support the case for this site.

Notwithstanding this, it is considered that the case advanced to justify the development in this Green Belt and countryside location is unconvincing and it is recommended that the application be refused.

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