

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation
Control Committee

AUTHOR/S: Director of Development Services

6th October 2004

S/1691/04/F – Ickleton
Removal of Agricultural Occupancy Condition (Condition 2 of Planning Permission SC/60/222) to Allow Unrestricted Occupation of No. 35 Church Street

Recommendation: Approval

Conservation Area

Site and Proposal

1. The application site is occupied by a detached bungalow sited on the south side of Church Street just inside the village framework. The bungalow is one of a pair constructed in the early 1960's subject to an agricultural occupancy condition.
2. The full application, submitted on 12th August 2004, seeks to remove the agricultural occupancy condition of the original planning consent.

Planning History

3. SC/60/222 – Planning permission granted for Nos. 33 and 35 Church Street subject to agricultural occupancy condition.

Planning Policy

4. **Policy HG17** of the South Cambridgeshire Local Plan 2004 states:

“The relaxation of an agricultural occupancy condition will only be permitted where it can be demonstrated the dwelling is no longer required by the unit or those working, or last working, in the locality in agriculture or forestry or a widow or widower of such a person, and to any resident dependents. When considering applications to relax such a condition, the District Council will require evidence of the steps taken to market the dwelling with the occupancy condition”.

The supporting text to this policy states, in paragraph 4.43, that an agricultural occupancy condition will not be discharged “...unless the dwelling has, since construction, become incorporated into an expanded village and now lies within a village framework, under which circumstances the relevant settlement policies will take precedence over Policy HG17”.

5. The site lies within the village Conservation Area. **Policy P7/6** of the County Structure Plan 2003 requires development to protect and enhance the quality and distinctiveness of the historic built environment, whilst **Policy EN30** of the South Cambridgeshire Local Plan 2004 requires new development in a Conservation Area to either preserve or enhance the character of the area.

Consultation

6. **Ickleton Parish Council** objects to the application stating:

“The Parish Council would prefer to see the proper process of the house being offered for sale with the agricultural occupancy condition for 12 months. It is their policy to encourage any low cost housing. They would like to see the possibility of someone employed locally, who fulfils the agricultural occupancy condition, being given the chance to purchase a house in the village at a cost which is below the open market value.”

7. **The Conservation Manager** raises no objections.

Representations

8. None

Planning Comments – Key Issues

9. The key issues to consider in the determination of this application are:
- The loss of a dwelling with an agricultural occupancy condition;
 - Impact upon the Conservation Area.
10. The site lies inside the village framework. Policy HG17 makes it clear that, where a dwelling has become incorporated into a village framework since its construction, settlement policies will take precedence over the normal requirement for a property to marketed with an agricultural occupancy condition for a 12 month period. As any new dwelling constructed within the village framework would not be subject to such an occupancy restriction, there are no planning reasons to prevent the removal of the condition in this instance.
11. The application does not involve any physical alteration to the dwelling. As such, there would be no adverse impact upon the character of the Conservation Area.

Recommendations

12. Approval:
1. Standard Condition A – Time limited permission (Reason A).

Informatives

Reasons for Approval

1. The approved development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003: P7/6** (Historic Built Environment);
 - **South Cambridgeshire Local Plan 2004: HG17** (Relaxation of Agricultural Occupancy Condition) and **EN30** (Development in/adjacent to Conservation Areas)

2. The proposal conditionally approved is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Loss of agricultural dwelling
3. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.

Background Papers: the following background papers were used in the preparation of this report: Cambridgeshire and Peterborough Structure Plan 2003; South Cambridgeshire Local Plan 2004; File Refs: S/1619/04/F and SC/0222/60.

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