

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

4 June 2014

**AUTHOR/S:** Planning and New Communities Director

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**Application Number:** S/2008/13/OL

**Parish(es):** Dry Drayton

**Proposal:** Erection of buildings to form garden centre together with access and car parking and provision of World War 1 living museum

**Site address:** Hackers Fruit farm, Huntingdon Road, Dry Drayton CB23 8HD

**Applicant(s):** c/o Agent (Andrew S Campbell Associates)

**Recommendation:** Refuse

**Key material considerations:** Principle of development Whether the development is appropriate in the Green Belt and open countryside. Need for 'Very Special Circumstances' justifying Development in the Green Belt and open countryside

**Committee Site Visit:** 03 June 2014

**Departure Application:** Yes

**Presenting Officer:** John Koch

**Application brought to Committee because:** Major development proposal in Green Belt and open countryside. Significant level of interest.

**Date by which decision due:** 12 November 2013

### Updates to the Report

#### Agenda report paragraph 51 – Representations on behalf of the applicant

Having viewed the officer's report, the applicant's agent has written further as follows:

**1. Enabling Development** - We have made it fundamentally clear in discussions and correspondence that the LWFL scheme could not go ahead without the infrastructure provided for the garden centre. This was set out in both my email from myself to Ross Leal,

copy of which you had on 13th February and by Tony Bowman, again to Ross Leal on 18th February. Both emails demonstrated that the proposals are inter dependant and that the LFWL proposal could not go ahead without the investment in roads and infrastructure to be made by the garden centre proposal. What is said in your paragraph 63 therefore is fundamentally incorrect.

**2. Consistency with the NPPF** - Your paragraph 65 concludes that the development does not fall within the exceptions for development within the Green Belt as set out in the NPPF or within the Council's own adopted planning policies. Nothing can be further from the truth. An outdoor "living museum" is appropriate development in the Green Belt in accordance with paragraph 89 of the NPPF. Facilitating an access for a cemetery/crematorium is appropriate development in accordance with paragraph 89 of the NPPF. Facilitating local transport infrastructure, as in this case is appropriate development in accordance paragraph 90 of the NPPF. We also, pointed out that a garden centre has a recreational function, and thus in part it is appropriate development in accordance with paragraph 89 of the NPPF. Supporting businesses and saving them from closure, and creating employment is both consistent with the NPPF and the Council's own planning policies.

**3. Character of the Area** - Paragraphs 59 and 60 and Reason 2 talk about "a significant change in the character and appearance of the site". However, there is no mention of the fact that the road proposals as now agreed and which surround the Hackers site of themselves fundamentally affect the rural appearance of the application site irretrievably.

**4. Very Special Circumstances** - There can be no doubt that LWFL proposals will be a remarkable proposal that is undoubtedly of national importance. All of the enabling of this proposal constitutes very special circumstances.

I could go on about the Retail Assessment and highway/footpaths/cycleways but I won't. The above fundamental errors if they had not been made would have led to an entirely different and I would suggest favourable conclusion that would allow the development to proceed. There is certainly no basis on a proper analysis for the statement in paragraph 66 of your report that "refusal of planning permission is strongly recommended". We would hope therefore that the report will be corrected so that it represents a fair reflection of proposals before the Committee.

In response to the above, the response of officers is as follows:

Paragraph 63 of the committee report effectively questions whether the WW1 Museum fundamentally requires the garden centre development in order to provide funding to deliver it. The applicant asserts that this is the case and members will need to come to a view on the validity of this statement.

The submitted information does not say anything about roads/infrastructure. Paragraph 63 seeks to make it clear that officers believe the WW1 Museum could happen without funding from the Nursery. It is correct that the roads would need to be funded by the garden centre. That said and in an alternative (more acceptable) location the WW1 Museum would not require the roads to share with the garden centre.

The transport infrastructure in the wider A14 sense would also happen without the proposal. While the road proposals would clearly an impact on the visual amenity of the area, officers consider they have nothing like the impact of the large area to be developed in the proposal.

Paragraph 51 of the report rehearses the potential benefits and significance of the WW1 Museum. The rest of the report perhaps underplays this potential significance, particularly in this commemorative year.

Clearly, if members do decide that the WW1 Museum is a development that they wish to promote and that it has more than just local significance, this could be considered as a very special circumstance that clearly outweighs the inappropriateness of the garden centre and any other harm that may be identified.

The recommendation in paragraph 66 is that refusal is “strongly recommended”. In hindsight, this might be seen as two-one-sided given the potential significance of the Museum part of the proposal. Nonetheless, it is important to understand that the application needs to be considered in the round and brings with it a large garden centre and related development that officers feel will have a significant impact in green belt and landscape terms.

Given that the proposal has to be considered on this basis, officers still conclude, albeit with some reluctance, that the application should still be refused for the reasons set out in the report.

**Contact Officer:** John Koch – Team Leader  
Telephone: (01954) 713268