

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 5th October 2005
AUTHOR/S: Director of Development Services

S/1499/05/F - Great Abington
Agricultural Dwelling at Meadowbrook Farm, Cambridge Road for C M Baker

Recommendation: Approval
Date for determination: 27th September 2005

Site and Proposal

1. The site, which extends to 0.2 hectare/0.5 acres, and its immediate surrounds is occupied by three mobile homes (one used as a farm shop, one lived in by the applicant and the third currently vacant), a blockwork and corrugated sheeting store and adjacent roofless barn, a corrugated sheeting vehicle store, timber, scrap vehicles, machinery and timber clad storage buildings. It is well-screened from the A1307 to the west by a belt of predominantly pine trees (10-15m high). There is a group of deciduous trees to the south. Undulating countryside, including the agricultural unit, extends to the north.
2. This full application, received on the 2nd August 2005 and accompanied by a Flood Risk Assessment and Agricultural Appraisal, proposes the erection of a 15m x 7m x 6.6m high 'A-frame' two-bedroom agricultural dwelling with accommodation on two floors. The dwelling would be raised up on posts by 0.4m so that the ridge would be 7m above ground level. A 3.5m diameter wind turbine, mounted on a 30m high pole supported by 4 guy wires, to provide power for the dwelling is also proposed. The dwelling and turbine would be accessed from the existing access and drive from the A1307. The proposed finished floor level of the dwelling of 31.15m AOD is approximately 800mm above the existing ground level of the part of the site on which the dwelling is proposed, albeit the site rises to the southwest to a height of 31.15m AOD.

Planning History

3. A planning application for an agricultural dwelling and wind turbine was refused in November 2004 under reference **S/2029/04/F** for the following reason:

"South Cambridgeshire Local Plan 2004 Policy CS5 states that planning permission will not be granted for development where the site is liable to flooding, or where development is likely to: (1) increase the risk of flooding elsewhere by materially impeding the flow or storage of flood water; (2) increase flood risk in areas downstream due to additional surface water runoff; or (3) increase the number of people or properties at risk unless it is demonstrated that these effects can be overcome by appropriate alleviation and mitigation measures. Cambridgeshire & Peterborough Structure Plan 2003 Policy P6/3 states that, if development is permitted in areas where flood protection is required, flood defence measures and design features must give sufficient protection to ensure that an unacceptable risk is not incurred, both locally and elsewhere.

The site is identified within the Environment Agency's Flood Zone Maps to be at risk of flooding from the adjacent River Granta. In the absence of a Flood Risk Assessment that demonstrates that the proposed development is outside the 1 in 100 year flood plain or that any development which results in the loss of flood plain has a proposed scheme of compensatory works which prevent any loss of the 1 in 100 year flood plain due to the development, the Local Planning Authority is not satisfied that the development would not be at risk of flooding and/or would not exacerbate flooding to existing property. The proposal is therefore contrary to South Cambridgeshire Local Plan 2004 Policy CS5 and Cambridgeshire & Peterborough Structure Plan 2003 Policy P6/3."

4. An earlier application for an agricultural dwelling and wind turbine was withdrawn (**S/2103/03/F**).
5. Planning permission was granted for a replacement agricultural mobile home for a temporary period, expiring at the end of December 2004, in March 2002 (**S/0040/02/F**).
6. Permission for an agricultural dwelling was refused in October 2001 (**S/1527/01/F**) for the following reasons:
 1. *"The submitted supporting agricultural information indicates that the farming enterprise at Meadowbrook Farm is not sufficiently well established to either fully support a full time worker nor finance the construction of a new dwelling. As such it neither satisfies the requirements of annex 1 of Planning Policy Guidance Note 7 nor of Policy HG24 of the Deposit Draft Local Plan 1999.*
 2. *With the lack of satisfactory agricultural justification the proposed new dwelling in the countryside would be contrary to Policy SP12/1 of the Cambridgeshire Structure Plan which restricts development in the countryside to that which is essential to the effective operation of local agricultural, horticultural and other acknowledge countryside pursuits."*
7. Permission for a mobile home for a temporary period, expiring at the end of June 2001, was granted in April 1998 (**S/1760/97/F**).

Planning Policy

8. The site is within the countryside as defined in the Adopted Local Plan 2004.

Countryside policies

9. Structure Plan 2003 **Policy P1/2** states that development will be restricted in the countryside unless the proposals can be demonstrated to be essential in a particular rural location.
10. Local Plan 2004 **Policy HG16** states that, in the countryside, new dwellings will only be permitted on well established agricultural units where it can be demonstrated that there is a clear, existing functional need relating to a full-time worker, and that suitable existing buildings in the area are not available or the conversion of appropriate nearby buildings would not provide suitable accommodation. It also states that, where a new dwelling is permitted, this will be subject to a condition ensuring that the occupation will be limited to a person solely or mainly working, or last working, in the locality in agriculture or forestry or a widow or widower of such a person, and to any resident dependants.

11. **Planning Policy Statement 7 (PPS7)** 'Sustainable Development in Rural Areas' (2004) states (at paragraph 3 of Annex A) that new permanent dwellings should only be allowed to support existing agricultural activities on well-established agricultural units, providing:
- (a) there is a clearly established existing functional need;
 - (b) the need relates to a full-time worker, or one who is primarily employed in agriculture;
 - (c) the unit and the agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so;
 - (d) the functional need could not be fulfilled by another dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation; and
 - (e) other normal planning requirements are satisfied.

At paragraph 9 of Annex A, it states that agricultural dwellings should be of a size commensurate with the established functional requirement.

12. Local Plan 2004 **Policy EN3** requires that, where development is permitted in the countryside, the scale, design and layout of the scheme, the materials within it, and the landscaping works are all appropriate to the particular 'Landscape Character Area' (the East Anglia Chalk Area in this instance), and reinforce local distinctiveness wherever possible. Structure Plan 2003 **Policy P1/3** requires a high standard of design and sustainability for all new development.

Flood Risk

13. Local Plan 2004 **Policy CS5** states that planning permission will not be granted for development where the site is liable to flooding, or where development is likely to: (1) increase the risk of flooding elsewhere by materially impeding the flow or storage of flood water; (2) increase flood risk in areas downstream due to additional surface water runoff; or (3) increase the number of people or properties at risk unless it is demonstrated that these effects can be overcome by appropriate alleviation and mitigation measures and secured by planning conditions or planning obligation providing the necessary improvements which would not damage interests of nature conservation.
14. Structure Plan 2003 **Policy P6/3** states that, if development is permitted in areas where flood protection is required, flood defence measures and design features must give sufficient protection to ensure that an unacceptable risk is not incurred, both locally and elsewhere.

Renewable energy

15. Local Plan 2004 **Policy EN60** states that the District Council will support and encourage proposals for the use of renewable energy resources subject to other policies in the plan.
16. Structure Plan 2003 **Policy P7/7** states that proposals for generating energy from renewable energy sources such as wind will be favourably considered.

It also states that Local Planning Authorities will consider areas of search for generating energy from wind in locations that: attain adequate wind speeds; do not cause unacceptable impact on residential amenity or to the local environment; and can be efficiently connected to new or existing energy demands.

Consultations

17. **Great Abington Parish Council** recommends refusal stating “Original Application (2003) stated that 40 free range breeding sows (=approx 650 piglets per year) and acknowledged that the land was liable to flood. 2004 Application (refused by SCDC) due to flood risk. Planning Committee should see letters from Dr Arno and Dr Michison (adjoining downstream landowners) re S/2029/04/F Application. There is no mention of pigs in the current Application so NO need for onsite accommodation in the Parish Councils view. Doesn’t meet the requirement for an Agricultural Workers dwelling. REFUSE on grounds of flooding (Flood Risk Assessment does NOT tally with actual flood incidents reported by neighbours and known to the Parish Council and villagers. No longer a husbandry need for a dwelling. It is noted in the Hannah-Reed report of the possibility of further dwelling in the future. This would be absurd given the known flood risk. A property in an area of known flooding should be REFUSED. Need for a wind turbine is not proven.”
18. At the time of application S/2103/03/F, the **Ecology Officer** stated that he supports organic production, in principle, as it integrates a range of wildlife within the crop.
19. The **Chief Environmental Health Officer** raises no objections.
20. At the time of application S/2103/03/F, the **Local Highway Authority** stated that, given its previous comments on S/1527/01/F, it would be difficult to sustain an objection to the proposal on highway grounds. It did however state that the access crossing of the highway verge must be to its specification and the existing access road should be suitably surfaced to prevent mud and debris being carried onto the A1307.
21. At the time of application S/2029/04/F, the **County Council’s Senior Farms Officer** stated that, in his opinion, there is a functional need for a dwelling and, albeit only just, the proposal meets the necessary financial tests. In relation to this application, the Council’s Agricultural Consultants (Acorus) concludes that the business satisfies the key tests of PPS7 Annex A both in terms of functional requirement and financial viability. Its full comments are reproduced as an Appendix. In coming to its view, the Consultants were asked to take account of the Parish Council’s comments.
22. The **Environment Agency** has considered the submitted Flood Risk Assessment and raises no objections to the proposal subject to the imposition of conditions relating to the finished floor level of the dwelling, requiring the undercroft to be open, the removal of the mobile homes, the provision of a high level path, no ground raising and foul water drainage. A copy of the Parish Council’s comments and the letters it refers to has been forwarded to the Environment Agency. Any further comments received will be reported verbally at the meeting.
23. In relation to the wind turbine, at the time of application S/2103/03/F, the **Ministry of Defence, NATS (Navigation, Spectrum & Surveillance), Cambridge City Airport** and the **CAA’s Directorate of Airspace Policy** all raised no objections.

Representations

24. At the time of application S/2029/04/F, the Occupiers of Abington Lodge (the letters referred to by the Parish Council in its comments) objected on the following grounds: flood risk; the turbine would be an eyesore; and precedent for further turbines.

Planning Comments – Key Issues

25. The main issues in relation to this application are flood risk and whether there is a demonstrable need for an agricultural dwelling on the site. The previous application for a dwelling of the same size and design as now proposed and the wind turbine was refused on the grounds of flood risk only. The design of the dwelling is slightly unusual but is considered to be acceptable and would not seriously detract from the visual amenities of the countryside. Development Plan policies support renewable energy initiatives in principle and, given the slim line nature of the pole and guys, the limited size of the blades and the existing landscaping, I consider that the turbine would also not seriously detract from the visual amenities of the countryside. The proposal is also considered to be acceptable in terms of highway matters subject to a condition requiring the surfacing of the access crossing of the highway verge in order to prevent mud and debris being carried onto the A1307.
26. Application S/2029/04/F was refused on the recommendation of the Environment Agency on the basis that, in the absence of a Flood Risk Assessment that demonstrates that the proposed development is outside the 1 in 100 year flood plain or that any development which results in the loss of flood plain has a proposed scheme of compensatory works which prevent any loss of the 1 in 100 year flood plain due to the development, the Local Planning Authority was not satisfied that the development would not be at risk of flooding and/or would not exacerbate flooding to existing property. A Flood Risk Assessment has been submitted as part of this application and, having carefully considered it, the Environment Agency has withdrawn its objection to the proposal subject to the imposition of safeguarding conditions. The Flood Risk Assessment and survey information demonstrates that whilst the site is located within the Environment Agency's indicative low to medium risk flood zone, the majority of the site is above the Environment Agency's interpolated design flood event water level of 30.85m AOD which places the site within the low flood risk band.
27. The Council's Agricultural Consultants have also considered the functional and financial justification for the dwelling afresh and have reiterated the view expressed by the County Council's Senior Farms Officer at the time of application S/2029/04/F, namely that there is sufficient functional justification for the dwelling and the proposal meets the necessary financial tests.

Recommendation

28. Approval
1. Standard Condition A – Time limited permission (Reason A.)
 2. SC5a – Details of materials for external walls and roofs (RC To ensure the satisfactory appearance of the development.)
 3. SC51 – Landscaping (RC51.)
 4. SC52 – Implementation of landscaping (RC52.)

5. The finished floor level of the dwelling hereby permitted shall be 31.15m AOD unless otherwise agreed in writing by the Local Planning Authority (RC To provide a reasonable freeboard against flooding.)
6. The dwelling shall have an undercroft which shall be open at all times in line with the flood risk assessment (RC To ensure free flow of water during times of flood.)
7. The two existing mobile home on the site shall be removed from the floodplain before the occupation of the new dwelling in line with the flood risk assessment (RC To ensure that flood storage is maintained.)
8. Before commencement of the development, a high level path, details of which (to include route and levels) shall previously have been submitted to and approved in writing by the Local Planning Authority, shall be constructed from the farmstead to the A1307 in line with the flood risk assessment (RC To ensure dry pedestrian access and egress during times of flood.)
9. No ground raising shall take place within the floodplain, including spoil heaps, construction of walls, fences and/or roadways (RC To prevent loss of flood storage and flood flow across the floodplain.)
10. Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted to and agreed in writing with the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme (RC To prevent the increased risk of pollution to the water environment.)
11. The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants (RC The dwelling would not have been permitted unless an essential need for an agricultural worker to be resident on the site had been demonstrated.)
12. Before development commences, details of a scheme for the surfacing of the existing access crossing of the highway verge shall be submitted to and approved in writing by the Local Planning Authority; the approved scheme shall be carried out before the dwelling hereby permitted is first occupied (RC To prevent mud and debris being carried onto the A1307 in the interests of highway safety.)

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:** P1/2 (Environmental Restrictions on Development), P1/3 (Sustainable Design in Built Development), P6/3 (Flood Defence) and P7/7 (Renewable Energy Generation)
 - **South Cambridgeshire Local Plan 2004:** HG16 (Agricultural Dwellings), CS5 (Flood Protection) and EN3 (Design Standards for New Development in the Countryside)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise: need for the dwelling and turbine; flood risk; visual impact of turbine; precedent for further turbines; and highway safety.

Background Papers: the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning Policy Statement 7 'Sustainable Development in Rural Areas' 2004
- Planning file Refs: S/1499/05/F, S/2029/04/F, S/2103/03/F, S/0040/02/F, S/1527/01/F and S/1760/97/F.

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