

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee      7<sup>th</sup> December 2005  
**AUTHOR/S:** Director of Development Services

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**S/1954/05/F- Comberton**  
**Extension and Conversion of Agricultural Building into Day Care Children's Nursery**  
**At Fox's Bridge Farm for M. Tebbit**

**Recommendation: Refusal**  
**Date for Determination: 7<sup>th</sup> December 2005**

### **Departure Application**

#### **Site and Proposal**

1. Fox's Bridge Farm extends to approximately 289 hectares. The farm is mainly arable with an additional 269 hectares of grass and other uses.
2. This application, received on 12<sup>th</sup> October 2005, proposes the extension and conversion of an agricultural building into a day care children's nursery over two floors within the building. The proposals include the demolition of an existing lean-to so that an extension can be added to the west side of the building. A supporting statement was submitted with the application.
3. The building, the subject of this application, is currently used as a storage shed, which includes a caravan inside, and lies in close proximity to the residential dwelling at Fox's Bridge Farm. The building is of a traditional timber frame weatherboard construction under slate roof with a timber framed weatherboard lean-to attached to its rear.
4. This site is within the Green Belt, in the open countryside and outside any defined settlement.

#### **Planning History**

5. **S/0224/00/F**- Conversion of outbuilding into seasonal student accommodation, approved in March 2000.
6. **S/0544/05/PNA** - Erection of a farm access road (agricultural prior notification), agreed in June 2005.

#### **Planning Policy**

##### **Planning Policy Guidance Note 2: Green Belts**

7. **Paragraph 3.2** explains that inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

8. **Paragraph 3.8** explains that the re-use of buildings within the Green Belt is not inappropriate development providing:
- a) It does not have a materially greater impact than the present use on the openness of the Green Belt and the purposes of including land within it.
  - b) Strict control is exercised over the extension of re-used buildings, and over any associated uses of land surrounding the building which might conflict with the openness of the Green Belt and the purpose of including land in it.
  - c) The buildings are of permanent and substantial construction, and are capable of conversion without major or complete reconstruction.
  - d) The form, bulk and general design of the buildings are in keeping with their surroundings.

### **Planning Policy Statement 7- Sustainable Development in Rural Areas**

9. **Paragraph 1(iii)** states that accessibility should be a key consideration in all development decisions. Most developments which are likely to generate large numbers of trips should be located in or next to towns or other service centres that are accessible by public transport, walking or cycling, in line with policies set out in PPG13.
10. **Paragraph 1(iv)** notes that new building development in the open countryside away from existing settlements should be strictly controlled.
11. **Paragraph 6(v)** states that local planning authorities should support the provision of child care facilities, particularly where they benefit rural residents, but that they should be located within or adjacent to existing villages or settlements. It further states that access should be gained by walking, cycling and public transport.
12. **Paragraph 17** explains that the government's policy is to support the re-use of appropriately located and suitably constructed existing buildings in the countryside where this would meet sustainable development objectives.
13. **Paragraph 18** notes that local planning authorities should be supportive of the re-use of existing buildings that are adjacent or closely related to country towns and villages, for economic or community uses.

### **Cambridgeshire and Peterborough Structure Plan 2003**

14. **Policy P1/2** states that development in the countryside will be restricted unless the proposals can be demonstrated to be essential in a particular rural location.
15. **Policy P9/2a** notes that within the Green Belt new development will be limited to that required for agriculture and forestry, outdoor sport, cemeteries or other uses appropriate to the rural area.

### **South Cambridgeshire Local Plan 2004**

16. **Policy GB2** states that planning permission will not be granted for inappropriate development in the Green Belt unless very special circumstances can be demonstrated. Development is defined as 'inappropriate' unless it comprises; amongst others:

The re-use of the buildings provided that (a) the development does not result in a materially greater impact on the openness and purpose of the Green Belt; (b) strict control is exercised over any proposed extensions and associated uses of surrounding land; (c) the buildings are of a permanent and substantial construction and capable of conversion without major or complete reconstruction; (d) the form, bulk and general design of the buildings are in keeping with their surroundings.

17. **Policy EM10** explains that outside village frameworks planning permission will be granted for the change of use and conversion of rural buildings to employment use provided that:
- a) The buildings are of a permanent and substantial construction and are capable of conversion without major or complete reconstruction.
  - b) Conversion does not lead to a dispersal of activity on such a scale as to prejudice town and village vitality.
  - c) The form, bulk and general design of the buildings both before and after conversion are in keeping with their surroundings.
  - d) The buildings are capable of re-use without materially changing their existing character or impact upon the surrounding countryside.
  - e) Safe and satisfactory vehicular access can be provided together with adequate space within the curtilage to accommodate ancillary requirements such as car parking and lorry manoeuvring without significant detriment to the setting of the building and the landscape within which it is located.
  - f) The scale and frequency of traffic generated by the proposal can be accommodated on the road system without undue adverse effects.
18. **Policy CS11** supports day nurseries, crèche and playgroups within village frameworks subject to residential amenity, road safety, parking and visual considerations.

### **Consultations**

19. **Comberton Parish Council** - Approve, although would like to see a more realistic figure for traffic movement.
20. **Chief Environmental Health Officer** - Concerns over noise and the effects of development to nearby residents or occupiers. Recommends that conditions be added to any approval in respect of hours of use of power operated machinery during the period of alterations and the submission and approval of a site remediation strategy if a site survey reveals any contamination.
21. **Local Highways Authority** has no objection in principle subject to the vehicular access incorporating various geometric standards in terms of width, radii and visibility. The necessary splays can probably be achieved either within the highway verge (to the south) or over land within the applicant's control to the north. The latter should be included within the application site edged red. It is recommended that a suitable survey and junction layout plan be obtained.

22. **Cambridgeshire Fire and Rescue Service** comments that access for fire appliances may be considered inadequate. Responsibility for approving access and facilities for the Fire Service rests with the Building Control Department of the Local Authority.

### **Representations**

23. Letter received from the occupier of Brook Cottage, Royston Lane, Comberton stating that the proposals are fully endorsed as it is an appropriate use for a redundant building, is tasteful in design and the height of the building remains unchanged. However, there are objections to the extra traffic it will create in Royston Lane and it is suggested that a S106 be drawn up to reduce the effect of the traffic on the road (introduce road calming measures).

### **Planning Comments - Key Issues**

24. The site is located outside the village framework for Comberton and within the Green Belt.
25. The proposal therefore needs to be assessed against criteria in PPG2, PPS7, Policies P1/2 and P9/2a of the Structure Plan and policies GB2, EM10 and CS11 of the Local Plan.

### ***Design of the proposals and Green Belt***

26. The existing footprint of the building is 122 square metres, whereas the application proposals would create a footprint of 130 square metres. A lean-to of some 44sq.m will be demolished. New build will comprise some 52sq.m footprint. The use will involve two floors of accommodation. This increase in footprint is 6.5% with an increase in volume of 54 cubic metres (just under 10% increase in volume). The roofline of the extension is a reduced height and will fit between the barn and the adjoining building is used for seasonal harvest worker accommodation.
27. Under Local Plan Policy GB2 the re-use of buildings is allowed in the Green Belt provided that the development does not result in a materially greater impact on the openness and purposes of the Green Belt and the form, bulk and general design of the buildings are in keeping with the surroundings. The additional west elevation will have a greater impact on the Green Belt compared with the lean-to which will be demolished.

### ***Highway implications***

28. The application site is situated ½ mile from the A603 and 5 miles from the A1198 Wimpole junction, and 3.5 miles from junction 12 of the M11. It is worth noting the narrow, winding nature of the roads in the locality of the application site.
29. Within this context I have concerns about the adequacy of the road network and whether the level of traffic generation would be likely to have a detrimental effect on highways safety and convenience. This is not a view which is shared by the Local Highways Authority.

### ***Sustainability of the proposals***

30. The Applicant's statement explains that as a temporary measure the existing nursery has moved from the village of Harlton into Comberton itself, although this is not a long term proposal and cannot continue beyond July 2006. Information has been

submitted showing the current location of pupils attending the nursery, indicating that there is a wide distribution of pupils from both the immediate surrounding villages and from those as far away as Abbotsley, Swavesey, Babraham, Duxford and Steeple Morden. The Applicant states that as parents already travel some substantial distance to access this nursery there would be no greater impact upon the highway network. It is proposed to increase the availability of the nursery to include children from 6 months to 5 years (currently 2 to 5 years).

31. I consider this proposal does not meet the objectives of sustainable development. PPS7 states that access to child care facilities should be gained by walking, cycling and public transport. The location of the proposal means there would be no ready accessibility to public transport and walking or cycling would not be practical.

#### ***Montessori establishments and relation to other facilities***

32. The Applicant states that the proposed nursery is a private pre-school facility and not a feeder to any mainstream form of education and therefore cannot be compared to pre-schools which are attached to individual village or other primary schools.
33. Given this fact and the extensive area from where children are it is not considered that there is any justification at all for this specific site in geographical/catchment terms.

#### ***Alternative sites***

34. The Applicants supporting statement includes a sequential site assessment of other possible sites and alternative premises considered. This exercise seems to have been very superficial. There is no evidence of any contact with local commercial agents, or information on the site search area, extent of enquiries/market research, the site search criteria, duration of the exercise etc.
35. I do not consider a compelling case for the use of this site has been made and specifically in the context of the strong presumption against inappropriate development in national, County and Local Plan Policy applying to this open countryside location within the Green Belt.

#### ***Conclusion***

36. I consider the scale of the proposed extension to be inappropriate development within the Green Belt. No special circumstances have been demonstrated sufficient to warrant an approval as an exception to policy.

#### ***Recommendation***

37. Refuse, for the reasons given below.

#### ***Reasons for Refusal***

1. The application proposes new building on the site which results in an increase in footprint over the existing situation and hence a greater impact on the openness of the Green Belt. The proposal is therefore contrary to the South Cambridgeshire Local Plan 2004 Policy GB2 which defines inappropriate development in the Green Belt and states that the re-use of buildings will be accepted providing that the development does not result in a materially greater impact on the openness and purposes of the Green Belt. It would also

be contrary to Cambridgeshire and Peterborough Structure Plan 2003 Policy P9/2a which states that within the Green Belt, new development will be limited to that required for agriculture and forestry, outdoor sport, cemeteries or other uses appropriate to a rural area; and Cambridgeshire and Peterborough Structure Plan 2003 Policy P1/2 which states that development in the countryside will be resisted unless the proposals can be demonstrated to be essential in a particular rural location.

2. The proposed nursery is located outside the village framework for Comberton and is therefore contrary to the South Cambridgeshire Local Plan 2004 Policy CS11 which states that day nurseries will be granted approval within village frameworks. In addition the proposals are contrary to the principles of sustainable development and guidance contained within Planning Policy Statement 7 which at paragraph 6(v) states that local planning authorities should support the provision of child care facilities, particularly where they benefit rural residents, but that they should be located within or adjacent to existing villages or settlements and access should be gained by walking, cycling and public transport.

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

- Planning Policy Guidance Note 2- Green Belts (1995)
- Planning Policy Statement 7- Sustainable Development in Rural Areas (2004)
- Cambridgeshire and Peterborough Structure Plan (2003)
- South Cambridgeshire Local Plan (2004)
- Planning Application File S/1954/05/F

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