

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 1st February 2006

AUTHOR/S: Director of Development Services

S/2192/05/F - Fen Drayton

**Expansion of Existing Nursery Facilities to Retain Tree Plantation,
Provide 3 Greenhouses, Together With a Change of Use for 11 Showgardens,
Area for Storage and Supply of Hard and Soft Landscaping Materials;
Erection of a Reception/Office Building;
Retention of Existing Barn for Ancillary Storage and Staff Facilities; Car Parking and
Construction of a Vehicular Access to Huntingdon Road for Bannold.**

**Recommendation: Minded to Approve: Application to be Referred to the
Secretary of State for Consideration as a Departure.**

Date for Determination: 15th February 2006

MAJOR APPLICATION

DEPARTURE FROM THE DEVELOPMENT PLAN

Site and Proposal

1. The site comprises 2.23 hectares land in the rural area to the south-west of Fen Drayton, close to the slipway to the A14 eastbound. The land was formerly in use as a nursery, having a large single-storey agricultural building and a number of glasshouses in poor condition. There are several storage bins with soils, sand and gravel, together with disused plant, equipment and vehicles on the site. A crop of Norwegian Spruce grows at the south eastern end of the site.
2. Access to the site is from Mill Road. The northwest boundary of the site adjoins the rear garden areas of a pair of dwellings, Nos 1 and 2 Mill Road. To the north east of the site, there are more nurseries. To the south west, the site is bounded by Huntingdon Road, where there is a mature hedgerow boundary. To the south east, the site adjoins a warehouse unit in use by Cambridge Produce Brokers.
3. The application, dated 14th November 2005, as amended by plans received 19th January 2005, proposes the establishment of a centre for the display of show gardens and the purchase of the various landscaping materials and plants on display. This would entail the erection of 3 greenhouses adjacent the north west boundary, together with the formation of display areas for 12 showgardens. An area for storage and supply of hard and soft landscaping materials is to be formed centrally within the site. A reception/office building is to be erected, using a reclaimed barn (17th century oak framed). The existing agricultural building is to be retained and used for ancillary storage and staff facilities. Areas for customer car parking (31 spaces) and goods vehicle loading/unloading are to be provided, together with a separate area for staff parking (9 spaces). The existing vehicular access to Mill Road is to be retained for the adjoining dwelling only, and a new vehicular access to Huntingdon Road is to be formed. Disused structures and vehicles will be cleared from the site.

Planning History

4. Planning permission for the formation of the existing access onto Mill Road was granted in 1990 (**S/2647/89/F**).

Planning Policy

Planning Policy Statement 7 (Sustainable Development in Rural Areas)

5. The Government's policy is to support the re-use of appropriately located constructed existing buildings in the countryside where this would meet development objectives. Re-use for economic development purposes will be preferable, but residential conversions may be more appropriate in some locations and for some types of building. Planning authorities should therefore set out in LDDs their policy criteria for permitting the conversion and re-use of buildings in the countryside for economic, residential and any other purposes, including mixed uses.

6. Cambridgeshire and Peterborough Structure Plan 2003:

P1/1 (Approach to Development)- development should be located where travel distances by car can be minimised, walking and cycling encouraged and where good transport accessibility exists or can be provided.

P1/2 (Environmental Restrictions on Development)- development will be restricted in the countryside unless the proposals can be demonstrated to be essential in a particular rural location.

P2/5 (Distribution, Warehousing and Manufacturing) – these uses will only be permitted on sites with good access to rail freight facilities, and to motorways, trunk or other primary routes.

P2/6 (Rural Economy) – sensitive small-scale development in rural areas will be facilitated where it contributes, *inter alia*, to supporting new and existing businesses; to farm or rural diversification where appropriate to the rural area; to the re-use of existing buildings; towards helping to maintain or renew the vitality of rural areas.

P8/1 (Sustainable Transport – Links between Land Use and Transport) – LPA's should ensure that new development provides appropriate access from the highway network that does not compromise safety.

7. South Cambridgeshire Local Plan 2004:

EM10 (Conversion of Rural Buildings and Future Extensions) – outside village frameworks planning permission will be granted for the change of use and conversion of rural buildings to employment use subject to a number of provisions including:

- The buildings do not require major reconstruction;
- The conversion will not prejudice village vitality;
- The appearance after conversion is in keeping with the surroundings;
- The conversion does not materially change the material character of the building or the surrounding countryside;

- Safe access and satisfactory provision for parking and turning of vehicles can be achieved without detriment to the setting of the building or the surrounding landscape;
- Scale and frequency of traffic generated can be accommodated on the road system without undue effects.

Paragraph 5.49 states: “Because most rural buildings in South Cambridgeshire are small the potential scale of activity of converted buildings will usually be similarly modest. Any elements of increased floorspace contained within conversion proposals will be strictly controlled and usually limited to that which may be necessary to achieve an enhanced design or integrate the scheme with its surroundings”.

Policy SH10 (Farm Shops and Nurseries) Sales from farms and nurseries of produce and/or craft goods will be permitted, subject to other policies in the Plan, provided they:

- (1) Only sell goods of which the majority must be produced on the farm or in the locality;
- (2) Do not generate a traffic problem;
- (3) Do not create a nuisance or create a visual intrusion;
- (4) Do not adversely affect the setting or character of existing development.

The supporting text indicates “ The District Council is concerned about sporadic development in the open countryside but is aware of the special cases of nurseries and farm shops which can assist the viability of existing enterprises. Whilst nurseries and farmers may sell goods produced in the holding, there has been a trend for such outlets to include a wider range of goods including goods which are not produced locally. Operating with lower overheads, these sales could have adverse effect on the economic viability of existing shopping facilities in nearby villages. Nursery and farm sales should therefore be restricted to those goods which are primarily produced at the site.”

Policy SH12 (Garden Centres): Garden centres will not be permitted unless they conform to the following criteria:

- (1) Convenience sales will not be permitted where it would have a significant adverse impact, either individually or cumulatively, on the viability and vitality of the existing the Rural and Limited Rural Growth Settlements in South Cambridgeshire, or other village centres;
- (2) Not be located within the countryside or in such a location that the visual amenities of the countryside would be adversely affected;
- (3) Be well related in scale and character to the settlement or surrounding development;
- (4) Be conveniently located and well related to the primary road network and accessible by public transport, cyclists and pedestrians;
- (5) Not create local traffic difficulties;
- (6) Not prejudice the residential environment; and
- (7) Not conflict with other policies and proposals in the Structure and Local Plans.

The supporting text states,” Garden centres are different from nurseries because the retail activity undertaken is not ancillary to the growing of stock on the site. Therefore, whilst they can be large users of land, garden centres do not need to be located in

the countryside. A garden centre is wholly a retail activity and can be accommodated on retail warehouse parks or on the edge of existing urban areas. However, like petrol filling stations and farm shops, they can benefit from lower overheads and should not be permitted to sell convenience or other goods where it could undermine the viability of village shops which are better located to serve the entire population, not just those with ready access to motor car.”

Policy EN3 (Landscaping and Design Standards for New Development in the Countryside) – new development in the countryside should reinforce local distinctiveness in terms of scale, design, layout, materials and landscaping.

Policy Fen Drayton 1: Within the area of the former Land Settlement Association Estate, planning permission will not be granted for housing or commercial development unless it is directly related to the effective operation of local agriculture, horticulture, forestry or other uses appropriate to a rural area. The supporting text indicates that the former estate is the subject of a 1937 Planning Agreement which restricts the use of land, buildings and dwellings to those of agriculture and horticulture.

Consultations

8. **Fen Drayton Parish Council** – Approval, no further comments.
9. **Council’s Trees and Landscape Officer** – comments awaited.
10. **Highway Authority** – no objection subject to a limited alteration to the design of the vehicular access.
11. **Highways Agency** – The HA considers it likely that the majority of visitors to the site will use the A14. The Agency is satisfied that this development will not generate enough traffic to have a significant impact on the A14 during peak periods. A smaller car park should be provided and the company required to implement a travel plan to encourage sustainable travel to the site.
12. **Environment Agency** – The site is within an area of environmental concern, where landfill gas may be present. The EA recommends conditions to be attached to require submission of details of protection from landfill gas and foul/surface water drainage.

Representations

Agent

13. The agent has indicated the firm will be relocating from Waterbeach, where 8 full-time staff are employed. The proposed business is expected to employ 10-12 full-time staff.
14. Operating hours are to be 7.30am-5.00pm (9.00am general public) Mondays to Fridays and 9.00am to 1.00pm Saturdays, and at no time Sundays or Bank Holidays.
15. The full text of the agent’s statement is attached at **Appendix 1**.
16. In response to the concerns raised by the objector, the agent has indicated that the previous nursery business failed because the extent of diversification was not sufficient. He states that the business will be a landscape gardening service with a

significant element of plants for sale. He denies that his statement is misleading. The full text of the agent's supplementary statement is attached at **Appendix 2**.

Third Party Representations

17. The occupier of the adjacent nursery on Mill Road has objected to the scheme.
- Not a horticultural use, but an aggregates and stone yard. The greenhouses and open ground growing will be only a minor part of the business.
 - Not in keeping with the surrounding area.
 - Precedent for other non-horticultural uses in the land settlement area.
 - Poor screening of the site when viewed from his land.
 - A large increase in volumes of aggregates compared with existing.
 - Overprovision of car parking spaces
 - The way the proposal is presented is very misleading.

A copy of this correspondence is reproduced at **Appendix 3**.

Planning Comments

Proposed Use

18. The site lies in the rural area and former Land Settlement Association Area. Policy Fen Drayton1 and other policies in the Structure and Local Plans indicate that use of land in this area should be for horticulture or other agricultural purposes, or other uses appropriate to a rural area. The proposed use involves retailing of a proportion of imported goods, and as such it cannot be considered as fully horticultural. The agent has indicated that the existing area of Norway Spruce that is being grown at the south eastern end of the site is to be continued for sale as part of the enterprise. This area occupies some 20% of the site. For this reason, the proposed mixture of uses of the site do not fall within the definition of agriculture or any use class i.e. they form a *sui generis* use. The proposal falls to be considered as an exception to countryside policies in the Structure and Local Plans.
19. Similarly, the proposal does not neatly fall within either shopping policies SH10 or SH12. The proposal does not comply with criterion (1) of SH10, as the majority of goods sold will not be produced on the site or in the locality. I consider that, provided a minimum of 20% of the site area is reserved for the growing of plants either in the open or under glass, as is currently proposed, an exception to this aspect can be made, given compliance with other criteria in each policy. The range of goods to be sold should be restricted so as to exclude any unrelated to the proposed use, in order to avoid any undue impact on the viability of village shops in the locality. I do not consider that the use will create a nuisance to nearby residents, given the proposed operating hours, the closure of the existing access and the proposed siting of the new access on Huntingdon Road. There is mature natural screening on all external boundaries at present. Provided this is retained and strengthened where necessary, and subject to the comments of the Trees and Landscape Officer, I do not believe that there is likely to be any visual intrusion into the countryside. I recommend that a condition be attached in the event of planning permission being granted to limit the height of bulk stored materials, to prevent any visual intrusion in the future.

20. The applicant has been seeking a relocation for some time. The existing site north of Bannold Road is allocated for residential development by virtue of Policy Waterbeach 1 and Policy SE2 of the Local Plan 2004.

Highway Safety

21. The site is well located to benefit from access to and from the A14. Neither the Local Highway Authority nor the Highways Agency has objected in principle. The amendments requested by each have been passed to the applicant and amended plans received. Subject to their comments on the amended plans, the proposal appears to be satisfactory from the highway safety point of view. I recommend that a condition be attached in the event of planning permission being granted to require the submission of a travel plan to encourage sustainable travel to the site.
22. In the event of Members being minded to grant planning permission, the application will be referred to the Secretary of State as a departure from the development plan.

Recommendation

23. Subject to no objections being received from the Local Highways Authority and Highways Agency to amended plans received 19th January 2006, and to the comments of the Council's Trees and Landscape Officer, that the application be referred to the Secretary of State and, if he does not call it in, that it be approved as amended and subject to the conditions set out below:
- 1) Standard Condition A – Time limited permission (Reason A);
 - 2) Sc5a – Details of materials for external walls and roofs (Rc5aii);
 - 3) Sc51 – Landscaping (Rc51);
 - 4) Sc52 – Implementation of landscaping (Rc52);
 - 5) Sc60 – Details of boundary treatment (Rc60);
 - 6) Sc5f – Details of materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas (Reason – To minimise disturbance to adjoining residents);
 - 7) Height of stored materials to be limited to 4.0m;
 - 8) Minimum 20% of site area to be reserved for the growing of trees and plants for sale;
 - 9) No sale of goods other than trees, plants, gardening products or hard surfacing materials to take place from the site;
 - 10) Workshop and staff room to be used for no other purpose, including display or sale of goods or materials;
 - 11) Hours of operation to be limited to 7.30am-5.00pm (9.00am general public) Mondays to Fridays and 9.00am to 1.00pm Saturdays;
 - 12) Landfill gas protection details;
 - 13) Foul and surface water drainage details;
 - 14) Travel plan details to be submitted.
- + any conditions required by the Local Highways Authority, Highways Agency or Trees and Landscape Officer

Informatives

Reasons for Approval

1. The development is considered generally to accord the following policies in the Development Plan:
 - **Cambridgeshire and Peterborough Structure Plan 2003: P2/6** (Rural Economy)
 - **South Cambridgeshire Local Plan 2004: P2/5** (Distribution, Warehousing and Manufacturing)
Policy EN3 (Landscaping and Design Standards for New Development in the Countryside)

The development is considered to be acceptable as an exception to other policies in the Development Plan, notably **Cambridgeshire and Peterborough Structure Plan 2003 P1/2** (Environmental Restrictions on Development), and **South Cambridgeshire Local Plan 2004 EM10** (Conversion of Rural Buildings and Future Extensions), **Policy SH10** (Farm Shops and Nurseries), **Policy SH12** (Garden Centres) and **Fen Drayton 1** because of the limited visual intrusion into the countryside, the proximity to the A14 which will afford safe vehicular access with minimal use of the rural road network, the retention of a significant element of a horticultural use, and the limited impact on the viability and vitality of village centres in South Cambridgeshire.

2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity including overlooking issues
 - Highway safety
 - Visual impact on the locality

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 file Ref. S/2192/05/F.

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