

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Development and Conservation Control Committee 2<sup>nd</sup> August 2006  
**AUTHOR/S:** Head of Planning Services

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**S/1152/06/F – Little Abington**  
**Extensions to and Conversion of Agricultural Buildings into 4 Dwellings at**  
**Ley Rectory Farm - for Mr G Boswell**

**Recommendation: Approval**  
**Date of determination: 8<sup>th</sup> August 2006**

### Departure Application

#### Site and Proposal

1. The application relates to a 0.4 hectare (1 acre) site containing a group of agricultural buildings constructed from brick, flint, boarding, corrugated sheeting and slate located to the north of Ley Rectory Farmhouse, a two-storey gault brick and slate dwelling. Corrugated sheeting agricultural storage buildings are located to the north. No.3 Hildersham Road, accessed from the farm access alongside Ley Rectory Farmhouse, which also serves the application buildings, lies to the south east. The A1307 and Hildersham Road are to the southwest and southeast respectively.
2. This full planning application, registered on the 13<sup>th</sup> June 2006, proposes to extend and convert an L-shaped range of buildings into 4 dwellings (2 no. 3-bedroom units and 2 no. 4-bedroom units) and to demolish the remaining buildings within the site. An office would be provided within each of the units to facilitate working from home. It is also proposed to erect the new car ports and stores for Units 1-3 approved under reference S/0070/05/F but now not build the approved car port for Unit 4. Garaging for Unit 4 would be provided by converting an existing building. The density equates to 10 dwellings to the hectare.

#### Relevant Planning History

3. Planning permission for the change of use of farm buildings to Business Use (Class B1) and erection of agricultural building was granted in August 2002 (**S/0842/02/F**). The scheme involved the creation of a new farm access onto Hildersham Road.
4. An application submitted in July 2004 to convert the buildings into 4 dwellings and erection of garaging was withdrawn (**S/1522/04/F**).
5. Planning permission for the conversion of this L-shaped range of buildings into 4 dwellings (3no. 3-bedroom units and 1no. 4-bedroom unit), each incorporating an office, the demolition of the remaining buildings and the silo within the site, the erection of new car ports and stores for the dwellings and the creation of a new farm access onto Hildersham Road was granted in October 2005 under reference **S/0070/05/F** following the completion of a S.106 Agreement requiring the payment of an affordable housing contribution of £16,000 (index linked) in lieu of on-site provision.

6. An application submitted in February 2006 to extend and convert the buildings into 4 dwellings was withdrawn (**S/0345/06/F**).

#### **Relevant Planning Policy**

7. The site is within the countryside as defined in the Local Plan 2004 and the Local Development Framework Submission Draft 2006.
8. Structure Plan 2003 **Policy P1/2** states that development in the countryside will be resisted unless the proposals can be demonstrated to be essential in a particular rural location.
9. Local Plan 2004 **Policy SE8** states that residential development outside village frameworks will not be permitted.
10. Local Plan 2004 **Policies HG7** and **HG8** relate to affordable housing and exceptions sites respectively.
11. Local Plan 2004 **Policy EM9** states that the District Council will support proposals for teleworking schemes which bring home and workplace physically together by conversion of rural buildings outside village frameworks provided there would be no adverse impact on residential amenity, traffic, character and the environment generally.
12. Local Plan 2004 **Policy EN1** states that planning permission will not be granted for development which would have an adverse effect on the character and local distinctiveness of Landscape Character Areas (the East Anglian Chalk Landscape Character Area in this instance).
13. Local Development Framework Development Control Policies Submission Draft January 2006 **Policy HG/8** relates to the conversion of buildings in the countryside for residential use and states:
  1. Planning permission for conversion of rural buildings for residential use will not generally be permitted. Planning permission will only exceptionally be granted where it can be demonstrated, having regard to market demand or planning considerations:
    - a. Firstly it is inappropriate for any suitable employment use; and
    - b. Secondly it is inappropriate for employment with residential conversion as a subordinate part of a scheme for business re-use.
  2. Any conversion must meet the following criteria:
    - c. The buildings are structurally sound;
    - d. The buildings are not of a makeshift nature and have not been allowed to fall into such a state of dereliction and disrepair that any reconstruction would require planning permission as a new building;
    - e. The buildings are capable of re-use without materially changing their existing character or impact upon the surrounding countryside;

- f. The form, bulk and general design of the buildings are in keeping with their surroundings;
  - g. Perform well against sustainability issues highlighted by policy DP/1.
3. Any increase in floor area will not be permitted except where it is necessary for the benefit of the design, or in order to better integrate the development with its surroundings. Future extensions of such buildings will not be permitted. Incidental uses such as car parking and storage should be accommodated within any group of buildings, or on well related land where landscaping can reduce the visual impact of the new site.
  4. Development must be in scale with the rural location. Residential uses must be located close to local services and facilities, and in an accessible location with a choice of means of travel, including non-motorised modes. The cumulative impact of the conversion of a number of buildings on adjoining sites or the local area will also be considered.
  5. Residential conversion permitted as a subordinate part of a scheme for business re-use, will be secured by planning condition or agreement to ensure the occupation of the dwelling remains directly related to the operation of the enterprise. The dwelling part of the unit must be interdependently linked with the commercial part. A live-work unit should have a minimum of 40m<sup>2</sup> of definable functional workspace in addition to the residential element. Internal uses may be horizontally or vertically split. The workspace must be flexible, and capable of accommodating a range of employment uses.
14. The Government's Planning Policy Statement 7: "Sustainable Development in Rural Areas," states at PARA 17 "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. Re-use for economic development purposes will usually 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.

### **Consultations**

15. **Little Abington Parish Council** recommends approval stating "We note that there is no provision within the scheme for affordable housing and would be interested to know if there is any possibility of a financial contribution towards affordable housing to benefit the village."
16. At the time of application S/0070/05/F, the **Environment Agency** raised no objections to the proposal but recommended that conditions relating to surface and foul water drainage were attached to any approval. It also made advisory comments and recommended that Anglian Water be consulted.
17. At the time of application S/0070/05/F, the **Anglian Water** was consulted but did not make any comments.
18. At the time of application S/1522/04/F, the **Local Highway Authority** raised no objections but commented that the existing access should serve the residential

development only and an alternative access should be provided to cater for the agricultural traffic leaving the farm.

### **Representations**

19. None received. The statutory consultation period expires on 25<sup>th</sup> July.

### **Planning Comments – Key Issues**

20. The principle of converting these buildings into 4 dwellings was established by the granting of permission under reference S/0070/05/F and I consider that the principle of converting the buildings into residential use is supported by LDF Policy HG/8. Information submitted as part of application S/0070/05/F demonstrated that there was no prospect in the foreseeable future of letting these buildings as business units at a rental that would justify the associated conversion costs.
21. The differences between this scheme and the scheme approved under reference S/0070/05/F are that: it is now proposed to extend the main barn by providing a first floor over the existing single storey lean-to at the western end; a 14.7m x 7.8m x 5.2m high single storey extension is now proposed extending to the north from the western end of the main barn; revisions are proposed to the approved external alterations to the buildings; and it is not now proposed to erect the car port for Unit 4 approved under reference S/0070/05/F.
22. The main issues to consider in relation to this application are therefore:
- a. Whether there is any justification for the proposed extensions to the buildings, particularly in terms of HG/8 which sets out a presumption against any increase in floor area except where it is necessary for the benefit of the design, or in order to better integrate the development with its surroundings; and
  - b. Whether the proposed external alterations maintain the rural character and appearance of the buildings.
23. A statement submitted as part of the application states that: the existing scheme is poorly planned and not well thought out, including the offices taking up large chunks of the living and dining rooms; and the removal of the existing buildings to the north of those to be converted will visually open up the site from the open countryside to the west and A1307 to the southwest allowing views of the access and car ports. A photograph has also been submitted which purports to show the boarding and pantile roof barn/stables that stood where the proposed single storey extension is now proposed prior to the erection of the 1960s concrete frame building and the statement also contends that the extension would maintain the farmyard enclosure. Having considered these points, as the approved car port for Unit 4 is now not to be erected and, with the demolition of those buildings shown to be demolished, the scheme now proposed would still result in a significant reduction in buildings on the site, I consider the proposal to be acceptable.
24. The approved scheme (S/0070/05/F) involved an irregular arrangement of openings. The current scheme maintains this character and is considered to satisfactorily maintain the rural character and appearance of the buildings.
25. Other matters, including the provision of a new farm access, should be secured by safeguarding conditions. In relation to the comments of the Parish Council, the S.106 Agreement entered into at the time of permission S/0070/05/F, to which any approval

of this application would also be subject, requires the payment of an affordable housing contribution in lieu of on-site provision.

26. As it is considered that approval of this application would not significantly prejudice the implementation of the development plan, it would not be necessary to refer the application to the Secretary of State should Members be minded to approve it.

### **Recommendation**

27. Approval

1. Standard time condition A (3 years) (Reason A);
2. Any material variations to the approved 'Schedule of Proposed Works' received 20.5.05 under reference S/0070/05/F considered necessary as work progresses shall be submitted to and approved in writing by the Local Planning Authority (RC To ensure that the scheme extensively involves only the conversion of the buildings by ensuring that the Local Planning Authority retains control over the extent of any rebuilding);
3. No development shall commence until details of the new bricks and the colour of the new weatherboarding referred to in the approved 'Schedule of Proposed Works' received 20.5.05 under reference S/0070/05/F and details of the joinery have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details (RC To ensure the satisfactory appearance of the development);
4. Standard condition 51 (RC51); Landscaping scheme.
5. Standard condition 52 (RC52); Implementation of landscaping.
6. 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 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);
7. Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted to and agreed in writing with the Local 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 ensure a satisfactory method of surface water drainage);
8. Standard condition 60 (all) (RC To protect the rural character and appearance of the area) - Details of the site boundaries.
9. Standard condition 21 Withdrawal of Permitted Development (Part 1 Classes A, B, C and E (Enlargement and alterations to dwellings and erection and maintenance of buildings and enclosures) and, with the exception of the means of enclosure approved pursuant to condition 8, Part 2 Class A (Erection, construction, maintenance, improvement or alteration of means of enclosure) (RC To protect the rural character and appearance of the area);
10. During the conversion and construction period, ... standard condition 26 (0800, 0800, 1800, 1300) (RC26);
11. None of the dwellings hereby permitted shall be occupied until the new farm access, farm track, fencing and gate shown upon drawing no. 01-98/09A approved under planning reference S/0842/02/F has been laid out. The access shall thereafter be retained (RC In the interests of highway safety);
12. Before development commences, precise details of a scheme of sound insulation of the buildings shall be submitted to and approved in writing by the

- Local Planning Authority. The approved scheme shall be implemented before the use commences (RC To protect future occupiers from noise and disturbance generated by the adjacent farm activities);
13. The existing buildings on the site shown to be removed on drawing no. 214-A3-02a shall be demolished before any of the hereby permitted dwellings are first occupied (RC To ensure that the development does not detract from the rural character and appearance of the area);
  14. Details of any external lighting to be installed on the site shall be submitted to and approved in writing before it is first operated. No lighting other than in accordance with approved details shall be operated (RC To ensure that lighting does not harm the visual amenities of this countryside site);

### **Reasons for Approval**

1. Although the development is not in accordance with South Cambridgeshire Local Plan 2004 Policy SE8, it is considered to be acceptable as a departure from the development plan for the following reasons: the proposal represents a suitable new use for these buildings and thereby ensure their future.
2. The development is considered to generally accord with the Development Plan in all other respects and particularly the following policies:
  - Cambridgeshire and Peterborough Structure Plan 2003: P1/2 (Environmental Restrictions on Development)
  - South Cambridgeshire Local Plan 2004: EM9 (Teleworking) and EN1 Landscape Character Area)
3. The development is not considered to be significantly detrimental to the following material planning considerations, which have been raised during the consultation exercise:
  - financial contribution towards affordable housing

### **Informatives**

This site is subject to a Deed of Unilateral Covenant and Undertaking pursuant to S.106 of the Town and Country Planning Act dated 3<sup>rd</sup> October 2005.

A guidance document on the procedures for dealing with potential land contamination is available from the District Council's Environmental Health Department.

During conversion and construction, there shall be no bonfires or burning of waste on site except with the prior permission of the District Council's Environmental Health Officer in accordance with best practice and existing waste management legislation.

Should driven pile foundations be proposed, before development commences, a statement of the method for construction of these foundations should be submitted to and agreed by the District Council's Environmental Health Officer so that noise and vibration can be controlled.

The applicant's attention is drawn to the Environment Agency's advisory comments contained in its 24<sup>th</sup> January 2005 letter enclosed with this Decision Notice.

**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
- South Cambridgeshire Local Development Framework Submission Draft January 2006
- Planning file Refs: S/1152/06/F, S/0345/06/F, S/0070/05/F, S/1801/04/F, S/1522/04/F and S/0842/02/F

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