

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7th March 2007

AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S/0012/07/F - SAWSTON

Erection of Hostel Building at Dernford Farm, Stapleford for Hale Investment Properties UK Ltd

Recommendation: Approval

Date for Determination: 9th April 2007

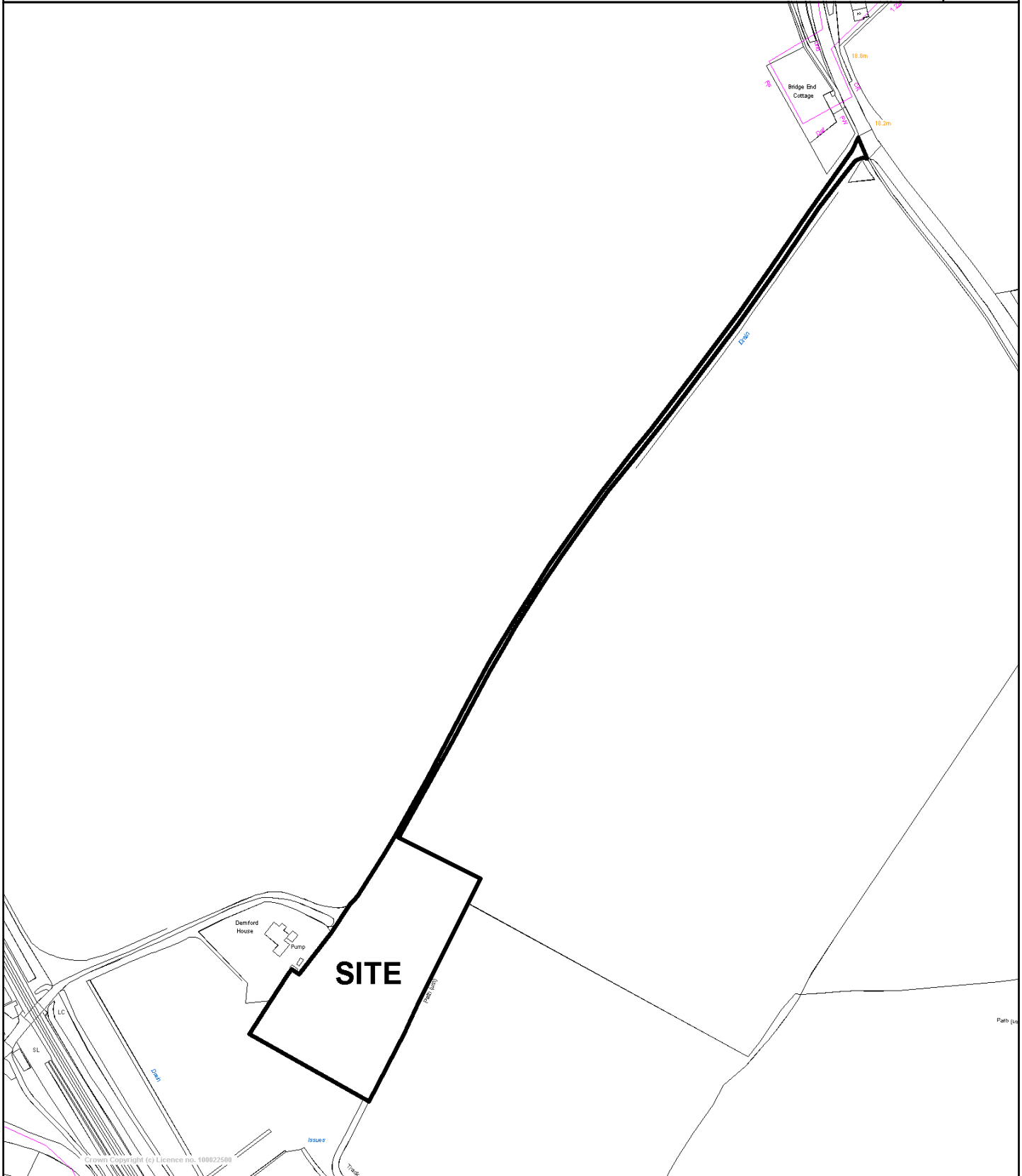
Notes:

This Application has been reported to the Planning Committee for determination because the Officer recommendation is contrary to the recommendation of Sawston Parish Council.

Departure Application

Site and Proposal

1. The application site is located in the countryside and Green Belt between the villages of Stapleford and Sawston on the west side of the A1301. It comprises a range of timber and render former agricultural buildings together with a brick bungalow. Beyond the western boundary of the site is a detached farmhouse. The site is accessed via an approximately 450 metre long unmade track.
2. Members may recall that, at Committee in November 2004, consent was granted for the change of use of the agricultural buildings to hostel accommodation for up to 50 agricultural workers and ancillary office accommodation, and for the use of the existing bungalow as warden controlled accommodation. Since consent was granted, one of the buildings sited near to the eastern boundary of the site (a single storey building to be used as a dining room/social area), has burnt to the ground and only the footprint of the building is now visible on the site.
3. The full application, submitted on 4th January 2007, and amended on 12th February 2007, seeks to erect a building on the site as a replacement for the structure that burnt down referred to in paragraph 2 above. It would have the same ridge and eaves heights (5.7m and 3m respectively) as the previous building. In addition, the width, depth and footprint of the building would be identical. The proposed replacement building would, however, include first floor accommodation with the dining/social and kitchen area sited at first floor level and 10 bedrooms (15 bed spaces) provided on the ground floor for the accommodation of agricultural workers. The building would comprise natural stained timber walls, a profiled metal sheeting roof, and grey painted timber windows. Openings at first floor level would be restricted to the north and west elevations of the building.
4. A supporting statement has been submitted with the application. This explains that the applicants wished to take the opportunity to rebuild the structure on the original



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footprint and height but to use the volume of the building more economically by creating 5 double and 5 single bedrooms in addition to the dining room/social space. It is stressed that there is no intention to increase the intensity of use/ number of bed spaces on the site. The bedspaces in the previous scheme were extremely cramped and, by incorporating bedroom accommodation in the replacement building, the accommodation within the northernmost building (Building A) can be made more spacious by reducing the number of beds from 41 to 26. A drawing has been submitted showing that the total number of bedspaces within this revised scheme (49) would be identical to that proposed within the previously approved application.

Planning History

5. **S/0771/04/F** – Application for change of use of agricultural buildings to hostel accommodation for agricultural workers and ancillary office accommodation together with erection of covered external area and use of existing bungalow as warden accommodation approved, following consideration at Committee in October and November 2004. Conditions of the consent sought to minimise disturbance to occupiers of the adjacent farmhouse by requiring: the acoustic insulation of the buildings; vehicles associated with the early morning transport of workers to be parked in a position away from the common boundary with the adjacent property; and the use of the nearest building (Building D) as offices only. An additional condition restricted the use of the hostel accommodation to agricultural workers to ensure that the use is appropriate to a rural area and in keeping with the aims of Policy P1/2 of the Structure Plan.
6. This permission was also subject to a legal agreement requiring the applicant/owner to undertake all reasonable endeavours to limit the use of motorised transport to and from the site in accordance with a scheme to be agreed with this Authority [which would include the involvement of local Members]; and to discourage vehicle movements during hours of peak school traffic (7.45 – 8.45am and 3.15 – 4.15pm).
7. **S/1967/06/F** – Application for erection of replacement building on the same site as that proposed within the current application was withdrawn. Like the current application, this building included first floor accommodation but was larger than the previous structure. It also incorporated 20 bed spaces but failed to demonstrate that there would be no increase in the intensity of use of the site. Officers had intended to refuse the application due to the proposed additional footprint/volume, to the extent of the proposed fenestration, and to the apparent increase in the number of farm workers that would be accommodated on the site.

Planning Policy

8. The site lies within the Green Belt and countryside. **Policy P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003 states that development will be restricted in the countryside unless proposals can be demonstrated to be essential in a particular rural location.
9. **Policy P1/3** of the Structure Plan requires a high standard of design and sustainability for all new development which minimises the need to travel and reduces car dependency.
10. **Policy P9/2a** of the Structure Plan restricts development in the Green Belt to that required for agriculture and forestry, outdoor sport, cemeteries or other uses appropriate to a rural area.

11. **Policy GB2** of the South Cambridgeshire Local Plan 2004 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 (in part):
- (a) “Buildings for agriculture or forestry;
 - (b) Buildings providing essential facilities for outdoor sports and recreation or for other uses of land which preserve the openness of the Green Belt and do not conflict with Green Belt purposes;
 - (c) The re-use of 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 permanent and substantial construction; and (d) the form, bulk and general design of the buildings are in keeping with their surroundings”.

Consultations

12. **Sawston Parish Council** objects to the application for the following reasons:
- (a) Poor road access onto busy A1301
 - (b) Too large a building
 - (c) Overdevelopment of site
 - (d) In Green Belt
 - (e) Must have restriction for use for ‘agricultural worker occupancy only’
13. **Stapleford Parish Council** raises no objections.
14. The comments of **Great Shelford Parish Council** will be reported verbally at the Committee meeting.
15. The comments of **Little Shelford Parish Council** will be reported verbally at the Committee meeting.
16. The comments of **Chief Environmental Health Officer** will be reported verbally at the Committee meeting.
17. **The County Archaeologist** states that the site is located in an area of high archaeological potential. There is evidence of Saxon and Medieval settlement in the area and recent archaeological investigations to the immediate north have identified extensive evidence of late prehistoric and Roman activity. A condition should therefore be added to any consent requiring a programme of archaeological investigation to be carried out.
18. **The Environment Agency** advises that the application, as submitted, does not consider sufficiently issues of foul and surface water drainage and pollution control. A condition requiring the submission and agreement of such details prior to commencement of development should therefore be added to any consent.
19. **The Cambridgeshire Fire and Rescue Service** requests that adequate provision be made for fire hydrants, by way of a Section 106 agreement or planning condition.
20. **The Countryside Services Team** raises no objections providing the footpath that runs through the site remains open and unobstructed at all times; that the applicant

ensures they have lawful authority to use the footpath for vehicular access to the site; and that the surface of the footpath is not altered without the consent of the County Council.

21. **The Ramblers Association** raises no objections providing the footpath is not obstructed during construction, that the surface of the path is not disturbed by increased traffic to the site, and that any signage is not obscured or damaged.

Representations

22. Letters of objection have been received from the occupiers of Dernford House and also from solicitors acting on behalf of Dernford House and the owners of the field (it is in separate ownership) adjoining the property that is the subject of the application. The main points raised are:
- (a) The building will put a greater strain on Dernford's limited well water supply and sewerage systems. Dernford is not connected to either mains water or mains sewerage. Water shortages, which have occurred in the past, are more likely to occur once the approved sand and gravel extraction programme gets underway;
 - (b) In the previous application, the attached field was to be converted into a sewerage reed bed to alleviate the problem of waste. This has not been constructed to date and was used last summer to accommodate over 15 tents for workers. The sewerage system should be in place prior to any further occupancy on the site;
 - (c) If the application is approved, the number of people accommodated on the site could be greater than max 50 specified within the previous application. Will the hostel accommodation be in addition to the tents and mobile homes occupied last summer, and how will numbers be restricted and monitored?
 - (d) The previous application stated that there would be little traffic increase, as workers would be bussed to and from the site. This has not happened and a fleet of cars is used to take workers to and from the site. The farmyard area has become unsightly and there are more cars than specified in the previous application;
 - (e) The access track is in a bad state of repair and more people on site will necessitate the use of more cars;
 - (f) The increased volume of traffic going directly onto this dangerous stretch of the A1301 poses a hazard for motorists, cyclists and pedestrians, including school children;
 - (g) Increased security risk for nearby residents. Dernford Bungalow was broken into last summer;
 - (h) There has been an increase in noise levels and if this application is granted there will be even more noise;
 - (j) The replacement building should be no bigger than the original and should conform to the design of a traditional barn.

Planning Comments – Key Issues

23. The key issues to consider in the determination of this application relate to:
- (a) Whether appropriate development in the Green Belt and, if not, whether there are any very special circumstances to justify the proposal;
 - (b) Impact on the character of the area and upon the openness of the Green Belt;
 - (c) Residential amenity;
 - (d) Highway safety;
 - (f) Effect on the public footpath;
 - (g) Drainage issues.
24. The principle of using the buildings as agricultural workers accommodation has previously been established in the granting of application reference S/0771/04/F. The implications of using the site for accommodating up to 50 people, in terms of noise, traffic, impact upon the openness of the Green Belt etc has previously been considered and deemed to be acceptable.
25. The erection of a new building contravenes Policy P9/2a of the Structure Plan which restricts development in the Green Belt to that required for agriculture and forestry, outdoor sport, cemeteries or other uses appropriate to a rural area. It also constitutes inappropriate development in the Green Belt under the terms of Policy GB2 of the Local Plan *unless very special circumstances can be demonstrated*. It is therefore necessary to consider whether there are the very special circumstances required to support inappropriate development in the Green Belt in this instance.
26. The application seeks to replace a building, that formed part of the original consent for agricultural workers hostel accommodation, with a building of identical size, albeit with the roofspace utilised to provide first floor accommodation. The like for like rebuilding of a fire damaged building is considered to represent the special circumstances required to support the application in principle. Compared to the previous withdrawn application, the size of the building has been reduced so that the footprint is identical to that of the original. In addition, in the previous application, the building had too many openings and the proposed fenestration was very regular and domestic in appearance. The original building had few openings and Officers considered the fenestration in the proposed replacement to be out of keeping with the character of an agricultural building and harmful to the character of the area. In this latest application, there are still more openings than in the original building. However, the number and design of the openings, particularly in the east side elevation, have been altered such that the impact of the building upon the character of the countryside and upon the openness of the Green Belt is now considered to be acceptable.
27. Concerns have understandably been expressed by the adjoining residents about the implications of approving additional accommodation on the site in terms of noise and disturbance, traffic etc. Members may recall that, when the scheme was approved at Committee in November 2004, it was considered to be acceptable only with strict conditions designed to minimise noise disturbance to the neighbour and a legal agreement seeking to minimise traffic movements. There were no conditions relating to the number of people that could be accommodated on the site, although the application showed the provision of 49 bed spaces. This latest application states that there would be no increase in the number of bed spaces and shows the number of people that would now be accommodated in the remaining buildings. Given that the application now includes extra floorspace, I consider it to be critical to restrict the number of people that can be accommodated on the site at any one time to 50, thereby ensuring that the implications of the proposal in terms of traffic movements, noise etc will be no greater than those of the original application.

28. I am aware that the site was used in the summer by agricultural workers housed in tents and mobile homes but, to the best of my knowledge, this use has now ceased. Certainly, the application makes no reference to accommodating people on the site in tents and mobile units and, should this situation occur again, this Council would need to consider whether it should take action to secure the cessation of such a use. The residents of the adjacent farmhouse have expressed concern about the volume of traffic using the site over the summer and the number of cars/vehicle movements associated with the use. I would like to stress that this has not been agreed or authorised by this Authority as part of the Section 106 Agreement. To the best of my knowledge, the 2004 permission for the use of the buildings has not been implemented to date and none of the details required by the conditions and legal agreement of this permission have been discharged. These conditions and legal agreement would need to be reapplied to this latest application should Members be minded to grant approval for the scheme. This includes the requirement for the submission and agreement of foul and surface water drainage details prior to the commencement of development and restricting the occupation/use of the building to agricultural workers only.
29. Having regard to the very special circumstances identified above, I do not consider that the application needs to be referred to the Secretary of State either under the Departures or the Green Belt Directions 1999 and 2005 respectively.

Recommendation

30. Approval, as amended by drawing number 06/1155:010A date stamped 12th February 2007, subject to a Deed of Variation (if required) in regard to the S.106 Agreement dated 13th September 2005 and to the following conditions:

Conditions

1. Standard Condition A – Time limited permission (Reason A);
2. Sc5a – Details of materials for external walls and roofs (Rc5aii);
2. Sc51 – Landscaping (Rc51);
4. Sc52 – Implementation of landscaping (Rc52);
5. Sc60 – Details of boundary treatment (Rc60);
6. Before the use of the building, hereby permitted, commences the building shall be acoustically insulated in accordance with a scheme that shall previously have been submitted to and approved in writing by the Local Planning Authority (Reason – To minimise noise disturbance to neighbouring properties);
7. Before the use of the building, hereby permitted, commences, a wall shall be constructed between Buildings B and D (in the position denoted on the attached plan ref 06/1155:010A) in accordance with a scheme that shall previously have been submitted to and approved in writing by the Local Planning Authority (Reason – To minimise noise disturbance to neighbouring properties);
8. Vehicles associated with the early morning transport of workers shall be parked immediately adjacent to the eastern edge of the wall shown between Buildings B and D (shown on the attached plan ref 06/1155:010A) and vehicles shall be started, loaded with passengers and driven directly off site from this location (Reason – To minimise vehicle noise disturbance to the adjacent dwelling);

9. 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 by 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. (Reason – To prevent the increased risk of pollution to the water environment);
10. 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 by 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. (Reason – To ensure a satisfactory method of surface water drainage);
11. The hostel accommodation, hereby permitted, shall not be used other than for the accommodation of agricultural workers only and for no other purpose (Reason – To ensure that the use is appropriate to a rural area and in keeping with the aims of Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003);
12. Sc66 – (Rc66) - Implementation of a programme of archaeological work;
13. No development shall commence until details of any external lighting 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 (Reason – To protect the amenity of the occupiers of the adjacent dwelling and the rural character of the Green Belt);
14. No more than 50 agricultural workers shall be accommodated in total within the building, hereby permitted, together with buildings A and B shown on drawing number 06/1155:010A (Reason – To ensure that this application would not result in an intensification in the use of the site, with consequent highway safety and residential amenity problems);
15. No further windows, doors or openings of any kind shall be inserted in the building, hereby permitted, including in the roofspace, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf (Reason – To ensure that openings that would not otherwise require permission are not added to the building with consequent harm to its appearance and impact upon the countryside and Green Belt).

Informatives

Reasons for Approval

1. Although the proposal represents the erection of a new building in the Green Belt, it will replace on a like for like basis the floorspace of a previous building and will be used to accommodate agricultural workers. It is considered therefore that very special circumstances exist to justify inappropriate development in the Green Belt in accordance with the following policies.
 - **Cambridgeshire and Peterborough Structure Plan 2003:**
 - P1/2** (Environmental Restrictions on Development)
 - P1/3** (Sustainable Design in Built Development)
 - P9/2a** (Green Belts)

- **South Cambridgeshire Local Plan 2004:**
GB2 (Development in the Green Belt)
2. The proposal is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity including noise disturbance
 - Highway safety
 - Visual impact on the locality and upon the openness of the Green Belt
 - Suitability of the buildings for conversion

General

1. This permission is subject to a Section 106 legal agreement dated 13th September 2005 attached to planning application reference S/0771/04/F;
2. The development must not encroach onto the footpath, any encroachment would constitute an obstruction, which is an offence under s.137 of the Highways Act 1980;
3. The public footpath must remain open and unobstructed at all times. Building materials must not be stored on it, and contractors' vehicles must not be parked on it;
4. The surface of the footpath must not be altered without the consent of the County Council Countryside Services Team (it is an offence under s1 of the Criminal Damage Act 1971 to damage the surface of a public footpath);
5. The footpath must not be used for vehicular access to the site unless the applicant is sure that they have lawful authority to do so (it is an offence under s34 of the Road Traffic Act to drive on a public footpath);
6. The County Council as Highway Authority is only responsible for maintenance of the surface up to footpath standard, for the purpose of legitimate use by members of the public in relation to that status; damage to the surface caused by non-public footpath use is repairable by those private users.
7. The applicant's attention is drawn to the comments of the Environment Agency set out in the attached letter dated 5th February 2007.

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

- Cambridgeshire and Peterborough Structure Plan 2003;
- South Cambridgeshire Local Plan 2004; planning application references S/0771/04/F, S/1967/06/F and S/0012/07/F.

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