

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

5th September 2007

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

S/1203/07/F - SAWSTON

Change of Use of Farm Building and Annexe to Fork Lift Truck Training Centre at Building D, Dernford Farm for C Sales

Recommendation: Approval

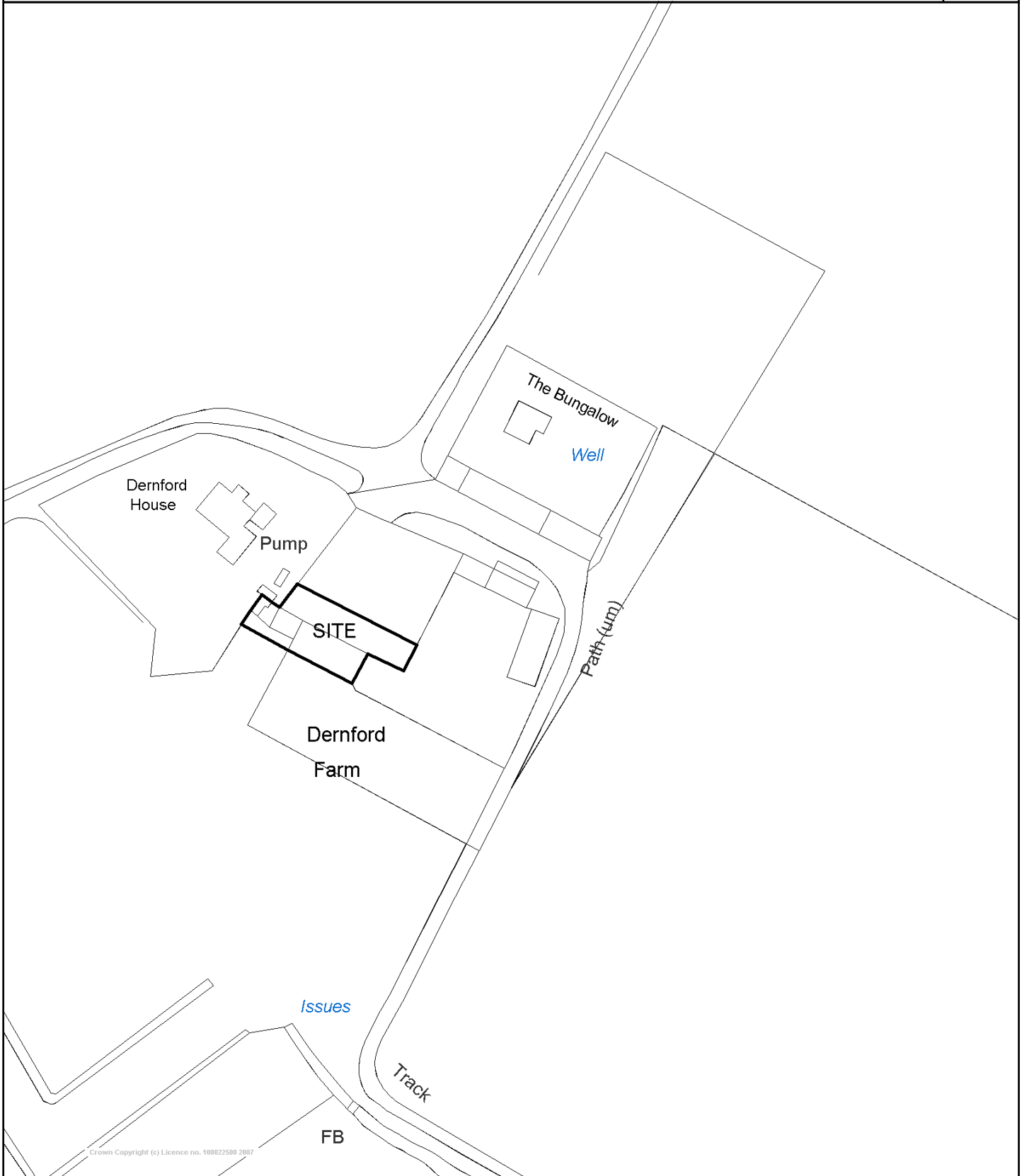
Date for Determination: 13th August 2007

Notes:

This Application has been reported to the Planning Committee for determination because the Officer recommendation is contrary to the recommendation of the Parish Council. It was referred to Committee by Chairman's Delegation Meeting on 8th August 2007.

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 single storey timber former agricultural building, situated within an enclosed courtyard, accessed via an approximately 450 metre long unmade track. Beyond the western boundary of the site is a detached farmhouse. The barn forms part of the Dernford Farm complex for which planning permission has been granted for use as agricultural workers hostel accommodation. Within that consent, the barn that is the subject of the current application (Building D) was to be used as offices, in connection with the administrative function of the site. Although some of the buildings are in use as hostel accommodation, Building D has never been converted.
2. The full application, submitted on 18th June 2007, seeks to change the use of the building to a fork lift truck training centre. The application has been accompanied by a supporting statement which explains that the building was to be used as offices for Watson Agricultural, the company who manage the hostel accommodation. However, it is unlikely that the administrative side of the business will expand in the foreseeable future and they therefore wish to enter into a medium term leasing arrangement with a fork lift truck training company, who currently visit businesses in the region to train in house forklift truck operatives. The proposed facility would provide a valuable and badly needed service to local businesses by providing weekly teaching courses for 3 operatives and 1 operative on a day refresher course. 2 instructors would work full time in the centre, 1 in the classroom and 1 in the fork lift truck section. Only 1 electrically operated forklift would be housed on the premises and the building would be set out to simulate a work place environment. The use would operate on a normal working week arrangement (between 8am and 6pm) and there would be no weekend or holiday working. It is estimated that there would be approximately 8 vehicle movements per day.



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Scale 1/1250 Date 21/8/2007

Centre = 546968 E 250723 N

September 2007 Planning Committee

Planning History

3. **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 in order to protect the amenities of occupiers of the adjacent dwelling. 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.
4. 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).
5. Following the granting of permission, one of the buildings burnt down. Application reference **S/1967/06/F**, which sought to erect a replacement building on the site of Building C, was withdrawn. 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.
6. **S/0012/07/F** – Revised application for a replacement building on the site of Building C approved at Committee in March 2007 subject to the same conditions and legal agreement as the original consent.

Planning Policy

7. 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.
8. **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.
9. **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.
10. **Policy P2/6** of the Structure Plan encourages sensitive small - scale employment development in rural areas where it contributes to, amongst others, enabling the re-use of existing buildings.
11. **Policy GB/1** of the Local Development Framework 2007 states that there is a presumption against inappropriate development in the Green Belt, as defined within Section 3 of PPG2: Green Belts. Development is defined as inappropriate unless it

comprises (in part) 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.

12. Local Development Framework **Policy DP/3** states that permission will not be granted for proposals that would have an unacceptable adverse impact on (amongst other issues): residential amenity, from traffic generated, on village character, on the countryside or from undue environmental disturbance.
13. **Policy ET/7** of the 2007 Local Development Framework states that the change of use of buildings in the countryside for employment use will be permitted providing:
 - a) The buildings are structurally sound;
 - b) The buildings are not makeshift in nature and are of permanent, substantial construction;
 - c) The buildings are capable of re-use without materially changing their existing character or impact upon the surrounding countryside; and
 - d) The form, bulk and general design of the buildings are in keeping with their surroundings.

Incidental uses such as car parking and storage should be accommodated within the group of buildings. In addition, employment generated must be in scale with the rural location, with developments resulting in significant numbers of employees or visitors only located near to larger settlements or accessible by public transport, cycling or walking.

Consultations

14. **Sawston Parish Council** objects to the application for the following reasons:
 - a) Change of use from agricultural use;
 - b) Access problems when road reverts to original size when gravel extraction stops;
 - c) Green Belt site;
 - d) Would open the floodgates for setting up of small industrial site.
15. **Stapleford Parish Council** raises no objections.
16. The comments of **Great Shelford Parish Council** will be reported verbally at the Committee meeting.
17. The comments of the **Environmental Health Officer** will be reported verbally at the Committee meeting.
18. The comments of the **Local Highways Authority** will be reported verbally at the Committee meeting.
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 County Council Countryside Services Team** raises no objections providing the footpath that runs through Dernford Farm 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** states that the application does not acknowledge the existence of the public footpath that crosses Dernford Farm. There seem to have been various changes to the footpath in and around Dernford Farm and this would be a good opportunity to review their route, signage etc. No specific objections are raised to the proposal 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. Letter of objection received from the occupiers of the adjacent dwelling, Dernford House. Concern is expressed about new gates that have been installed at the entrance to the courtyard within which Building D is located. These are over 2 metres high and are not in keeping with farm style gates. Should the fork lift truck training centre be given permission, stipulations such as it being just 1 truck and no more than 8 vehicles should be adhered to.

Planning Comments – Key Issues

23. The key issues to consider in the determination of this application relate to:
- a) Whether this is 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;
 - e) Effect on the public footpath.
24. The principle of providing an alternative use for Building D has previously been established in the granting of application reference S/0771/04/F. The change of use of the building is appropriate development in the Green Belt in principle. Conditions of that consent restricted the occupation of the hostel accommodation for use by agricultural workers only and also restricted the use of Building D to offices only, in order to protect the amenities of occupiers of the adjacent dwelling. There were no conditions specifically linking the use of the offices to the hostel accommodation and the use of the building for alternative purposes would not compromise any conditions of the original planning consent for the conversion of the buildings at Dernford Farm. I do not therefore have any objections, in principle, to the creation of a separate unrelated use providing the scale of the use is such that it would not give rise to neighbour amenity or highway safety concerns, and providing the use can be accommodated in a way that would not harm the openness of the Green Belt.

Impact on the character of the area

25. The only physical changes proposed to the building are 2 rooflights in the north elevation, which would provide light to the classroom and reception area. Providing these are appropriately designed (eg – conservation style rooflights), I am satisfied that they would not harm the character of the building or increase its impact upon its surroundings. The barn sits within an enclosed courtyard area and I consider that ancillary uses such as car parking can be accommodated within this courtyard, thereby minimising the visual impact of the proposed use and its impact on the

openness of the Green Belt. The proposal therefore complies with Policies P1/2, P2/6 and P9/2a of the Structure Plan and GB/1 and ET/7 of the Local Development Framework.

26. The occupiers of the adjoining property, Dernford House, have raised concerns about a pair of gates that have been inserted at the entrance to the courtyard. These gates are unauthorised and I have recently written to the applicant's agent requesting that they be removed and replaced with a more appropriate form of boundary enclosure, details of which could be secured by way of condition.

Residential amenity

27. I am awaiting the comments of the Environmental Health Officer in respect of the impact of the proposed use upon the amenities of residents of the adjacent dwelling to the west. The building has an extant consent for office use. According to the information set out within the application form and accompanying statement - there would only be up to 3 people working on the site (2 full time and 1 part time) and 4 operatives being trained there at any one time. The use would also only operate between the hours of 8am and 6pm on weekdays and there would be no weekend or Bank Holiday working. In my opinion, the proposed use would be extremely low key in nature and, providing conditions are attached to any consent restricting the number of employees/trainees using the site at any one time, together with the hours of operation, to those specified within the application, the impact of the use appears to be acceptable in residential amenity terms.
28. A fork lift truck training centre would fall within a D1 use class. As well as non-residential education and training centres, this use class also encompasses (amongst other things) health centres, crèches, public halls and libraries. These uses clearly have the potential to generate a significantly greater level of activity and traffic movements than specified within the application. It would therefore be essential to restrict the use to that specified within the application, thereby ensuring the premises cannot be converted to an alternative D1 use without planning permission.

Highway safety

29. I am presently awaiting the comments of the Local Highways Authority in respect of the highway safety implications of the proposal. The application proposes to use the existing narrow access rather than the wider access created to serve the adjacent quarry site and the LHA's comments will therefore be based on this assumption.

Effect on public footpath

30. A public footpath crosses through the Dernford Farm site. No specific objections have been raised by either the County Council or the Ramblers Association to the proposal providing appropriate informatives are added to any consent.

Recommendation

31. Providing no objections are raised by the Local Highways Authority or the Environmental Health Officer, approval:

Conditions

1. Standard Condition A – Time limited permission (Reason A);

2. The use, hereby permitted, shall not commence until details of the rooflights 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 ensure the rooflights would not detract from the rural character of the building)
3. Notwithstanding the provisions of Article 3 and Schedule 2 of the Town and Country Planning General (Permitted) Development Order 1995 (or any order revoking and re-enacting that order), the premises shall not be used other than as a fork lift truck training centre only and for no other purpose (including any other purposes in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that order).
(Reason – In order to minimise traffic generation, to protect the amenities of occupiers of the adjacent dwelling and to maintain the rural character of the area)
4. The number of employees working on the application site at any one time shall not exceed 3 and the number of operatives trained on the site at any one time shall not exceed 4.
(Reason – To ensure that the scale of the use does not generate a volume of traffic movements or activity that would result in highway safety problems or cause disturbance to residents of the adjoining dwelling)
5. The use, hereby permitted, shall not be carried out on the premises before 8am on weekdays nor after 6pm on weekdays (nor at any time on Saturdays, Sundays or Bank Holidays), unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions.
(Reason – To minimise noise disturbance to adjoining residents)
6. Sc60 – Details of boundary treatment (Rc60);
7. Other than the rooflights shown within drawing number 07/1190:003, no 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)
8. Prior to 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.)
8. Prior to 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 satisfactorily method of surface water drainage.)

Reasons for Approval

1. The approved 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), P9/2a (Green Belts) and P2/6 (Rural Economy)
 - **Local Development Framework 2007:** GB/1 (Development in the Green Belt), DP/3 (Development Criteria) and ET/7 (Conversion of Rural Buildings for Employment)
2. The proposal conditionally approved is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity

General

1. 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. If advice is required on where the boundaries of the right of way are, the Definitive Map Officer at Cambridgeshire County Council should be contacted for assistance;
2. 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;
3. 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);
4. 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 s.34 of the Road Traffic Act to drive on a public footpath);
5. 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.

Background Papers: the following background papers were used in the preparation of this report: Cambridgeshire and Peterborough Structure Plan 2003; Local Development Framework 2007; Planning application references S/0771/04/F, S/1967/06/F, S/0012/07/F and S/1203/07/F.

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