

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

2<sup>nd</sup> April 2008

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

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### **S/0132/08/F - FULBOURN**

#### **New Access Road at Queens Farm, Wilbraham Road for Mr John Lacey**

#### **Recommendation: Refusal and Breach of Condition Notice**

**Date for Determination: 17<sup>th</sup> March 2008**

#### **Notes:**

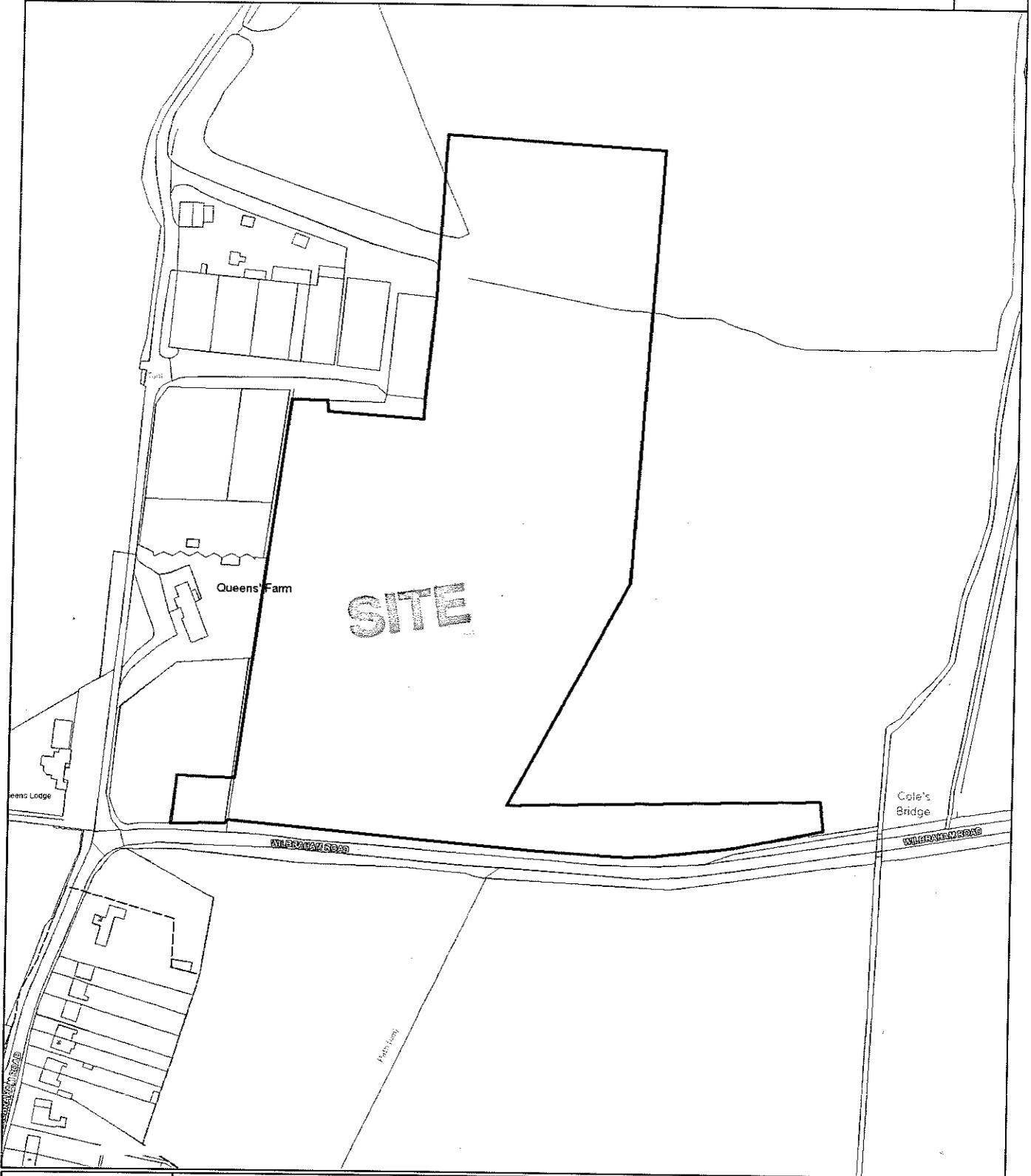
**This Application has been reported to the Planning Committee for determination at the request of Local Member, Councillor Neil Scarr.**

**Members will visit this site on Wednesday 2<sup>nd</sup> April 2008.**

#### **Site and Proposal**

1. Queens Farm lies to the north of Fulbourn within the Green Belt. It is accessed off Wilbraham Road at the point where the road turns east towards Great Wilbraham. A treed area to the east of the existing access point lies between the main farmhouse and Wilbraham Road. At the entrance to the farm drive is a relatively modern farmhouse to the west of the driveway with another farmhouse, on the eastern side, some 100 metres further on. 120 metres beyond this house is a large range of farm buildings previously used as turkey sheds, machinery workshops, machinery stores and grains stores. These buildings have been converted for commercial uses. Beyond these buildings is a well-screened car-storage compound, beyond which is another large range of farm buildings 200 metres to the north, including to the south of these a new grain store. The farm is generally flat, however the land rises towards the north-west by approximately 10 metres.
2. The application site itself is an agricultural field measuring approximately 7.35 hectares. It has a frontage to Wilbraham Road of approximately 93 metres, marked with a well-established hedgerow, planted 10-12 years ago. In the neighbouring field to the east is a track running on a north-south axis that serves as a public right of way between Fulbourn and Little Wilbraham.
3. This full application, received 21<sup>st</sup> January 2008, seeks planning permission for a new access road, approximately 340 metres long, off Wilbraham Road, approximately 80 metres east of the existing access point. A length of hedgerow to the road frontage will have to be removed. Visibility splays of 4.5 metres by 90.0 metres towards the west and 4.5m by 215 metres to the east are proposed within the highway verge. The access will be 7.3 metres wide for a distance of 30 metres back from the main road, narrowing to 3 metres wide. A passing bay is proposed approximately 100 metres from the new junction. The junction shall have 15 metre kerb radii on each side of the new junction. It is indicated that a new landscaping belt on the eastern side of the access road and new hedge to the road frontage, set back behind the

S-0132-08-F



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visibility splays, will be planted. The application is accompanied by a Design and Access Statement and an Appraisal of the new access to Queens Farm.

## **Planning History**

### ***The farm complex***

4. Two houses approved in the mid-1970s and 1997. Original barns, grain stores, workshops built in the 1950s. Turkey buildings added 1976 and 1996. The Intervention Store built 1970s with two small additions in the early 1980s.
5. Following difficulties in the turkey market, consent was granted in 2001 and 2003 to use some buildings for B1, B2 and B8 Use (light industrial, general industrial and warehousing).
6. In 2004, consent was granted to use the 1950's building for B8/storage use (ref. **S/0852/03/F**). Whilst this latter use has not yet commenced, the former turkey buildings are used by an engineering company.
7. In January 2006 a "grain store", was refused on grounds of lack of justification for the need of such a building.
8. At the April 2006 Committee (Item 37) permission was granted for a grain dryer building. This was granted on the basis that the building was also a specialist grain drying facility and not just storage and that the redundant building (the subject of this application) would be removed from agricultural use. A further permission was granted at February 2007 Committee (Item 15) for the same building but on a slightly different siting, closer to the main complex of buildings.
9. Planning application **S/0804/07/F** granted planning permission for the widening of the existing farm access off Wilbraham Road and the change of use of three buildings, total floor area 2538m<sup>2</sup>, to general industrial, Use Class B2.
10. A recent application to re-clad the buildings permitted change of use under ref. **S/1154/04/F** was approved.

### ***The access road***

11. Planning permission was sought under application ref. **S/1925/05/F** for a new access at a similar point to that now proposed. This application was refused on the following grounds:
  - 1) The proposed development fails to satisfy the criteria set out in Policy GB2 of South Cambridgeshire Local Plan 2004 and is therefore defined as inappropriate development within the Green Belt. Inappropriate development is by definition harmful to the Green Belt; as such the proposal is contrary to Policy P9/2a of the Cambridgeshire and Peterborough Structure Plan 2003 and Policy GB2 of South Cambridgeshire Local Plan 2004 which states planning permission will not be granted for inappropriate development within the Green Belt unless very special circumstances can be demonstrated.
  - 2) The proposed development, by reason of the provision and scale of the new roadway, comprising a significant amount of new hardstanding and kerbing and lack of compensatory planting, will erode the open nature of this part of the

Green Belt and result in traffic movements being created in an area open to wider countryside views. The application is therefore contrary to Policy GB2 of South Cambridgeshire Local Plan 2004 which aims to protect the rural character and openness of the Green Belt.

- 3) The applicant has not demonstrated that there are any very special circumstances which clearly override the harm to the Green Belt both by reason of inappropriateness and the harm identified above. The proposal is therefore contrary to Policy GB2 of South Cambridgeshire Local Plan 2004 which states planning permission will not be granted for inappropriate development within the Green Belt unless very special circumstances can be demonstrated.

## **Planning Policy**

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

12. **Policy P9/2a - Green Belt** defines the extent to which urban growth around Cambridge will be limited in order to preserve the character of Cambridge, maintain and enhance the quality of its setting, and to prevent communities merging into one another and the city. In the Green Belt development is limited to appropriate rural uses such as for agriculture.

### ***South Cambridgeshire Local Development Framework Core Strategy 2007***

13. **Policy DP/1 - Sustainable Development** states development will only be permitted where it is demonstrated that it is consistent with the principles of sustainable development, as appropriate to its location, scale and form.
14. **DP/2 Design of New Development** requires all new development to be of a high quality design and indicates the specific elements to be achieved where appropriate. It also sets out the requirements for Design and Access Statements.
15. **DP/3 Development Criteria** sets out what all new development should provide, as appropriate to its nature, scale and economic viability and clearly sets out circumstances where development will not be granted on grounds of an unacceptable adverse impact e.g. residential amenity and traffic generation.
16. **Policy GB/1 - Development in the Green Belt** states that there is a presumption against inappropriate development in the Green Belt, as defined in section 3 of Planning Policy Guidance 2 (PPG2): Green Belts.
17. **Policy GB/2 - Mitigating the Impact of Development in the Green Belt** requires appropriate development in the Green Belt to be located and designed so that it does not have an adverse effect on its rural character and openness and subject to appropriate landscaping.
18. **Policy NE/4 - Landscape Character Areas** limits development to that which respects and retains or enhances the local character and distinctiveness of the individual Landscape Character Area in which it is located.
19. **Policy NE/6 - Biodiversity** requires new developments to aim to maintain, enhance, restore or add to biodiversity. The District Council will refuse development that would have an adverse significant impact on the population or conservation status of protected species, priority species or habitat, unless the impact can be adequately mitigated by measures secured by planning conditions. Previously developed land

will not be considered to be devoid of biodiversity. The re-use of such sites must be undertaken carefully with regard to existing features of biodiversity interest. Development proposals will be expected to include measures that maintain and enhance important features whilst incorporating them within any development of the site.

20. **Policy TR/1 - Planning for More Sustainable Travel** states planning permission will not be granted for developments likely to give rise to a material increase in travel demands unless the site has a sufficient standard of accessibility to offer an appropriate choice of travel by public transport or other non-car travel modes. The amount of car parking provision in new developments should be minimised, and compatible with their location. Developments should be designed from the outset with permeable layouts to facilitate and encourage short distance trips by cycle and walking. Safe and secure cycle parking shall be provided.

### **Consultation**

21. **Fulbourn Parish Council** recommends refusal on grounds that "...this is a substantial road in the Green Belt and would be very prominent. Both roads have hazards. The proposed road is wider than the existing highway. The existing road is on a corner but traffic has to slow down because of the corner. The proposed road is exiting onto a straight piece of road where traffic tends to be travelling quickly or accelerating".

22. **Great Wilbraham Parish Council** recommends refusal noting that:

- a) It is not convinced that road safety will be improved by this application either for the access to the site or for residents of Great Wilbraham and Fulbourn.
- b) It is worried that the new road will still result at times in vehicles waiting to enter the site from both sides, which is a reason given for needing the new access. Any vehicles waiting to access the site from Fulbourn will be hidden by the blind bend. Passing bays could be added to the current road to improve safety.
- c) HGV and HCV traffic has increased considerably recently and it is receiving numerous complaints from parishioners. The roads are being damaged, minor accidents occur and safety is compromised. Some of this traffic is undoubtedly going to the Queens Farm site. As planning permission was granted several years ago for small industrial use only, it is extremely concerned that this has already been exceeded beyond the original intention. There are several businesses operating from the site, including two engineering companies which generate the heavy traffic.
- d) It is of the opinion that the new access road would greatly change the character of the area and is unconvinced that overall the road safety for Great Wilbraham and Fulbourn residents would be improved by this application. The original reasons for refusal are still applicable.

23. **Local Highway Authority** comments:

"The visibility splay to the left on exit from the proposed new access is 90 metres, yet lies within a stretch of road on which the legal speed limit is 60 mph. This would normally produce a requirement for a 125-metre visibility splay.

However, the speed limit up to the bend to the west is 30 mph, and this speed limit is further reinforced by a tight right hand bend with severely limited forward visibility, which would act as a speed-reducing feature.

Therefore, at the point at which a driver would become aware of a vehicle exiting the proposed access, they would be moving at a speed at which they could control their speed to safely take into account the presence of the exiting vehicle.

Therefore no objection is raised to the proposed access road, subject to the following conditions being placed upon any permission that the Planning Authority is minded to grant in regard to this application: -

The proposed access road must provide a minimum carriageway width of 7.5 metres for the first 30 metres measured from the existing channel line of Wilbraham Road.

The junction entry and exit radii must be a minimum of 15 metres.

The developer must provide the vehicular visibility splays as shown on the drawings and these visibility splays must be maintained free of obstructions to visibility over 600 mm high.

Please add an informative to the effect that the granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works”.

24. Further clarification has been sought on the suitability of the existing access, if improved in line with recent planning permissions; subsequent comments have been received:

“It was the opinion of the Highway Authority at that time that the improvements would offset the detriment resulting from the change of use.

There have been no significant changes on the network immediately around the site to warrant a revision of that opinion, and so the works proposed then would still be seen as acceptable and suitable for purpose”.

25. **Landscape Design and Ecology Officers’** comments will be reported verbally.

### **Representations**

26. Councillor Scarr commented:

“I would like to request that this application for an access road at Queen's Farm be considered by the Planning Committee with a site visit. I am making this request on the grounds that the present access is apparently unsatisfactory for the levels of usage associated with the industrial units at the farm, being situated on a corner. The development of alternative jobs in the industrial units is one that I have welcomed in the light of the continued loss of NHS jobs from Fulbourn (our previous largest employer), and I believe that committee at that time agreed with me. I would like committee albeit with a different make-up to evaluate the contention that the current access cannot be mended and the benefit to the community of the new industrial units, versus the presumption of harm caused by any development in the Green Belt. Not least because this is an issue which we may from time-to-time meet up with in most of our villages”.

27. A resident at 6 Stonebridge Lane, Fulbourn has commented that there are no safety reasons for this new access road at the site. Of greater concern is the access road to the site through Fulbourn village with an increased number of cars driving through the village. She queries whether a road linking Queens Farm to Teversham Road has been considered?

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

28. The key issue in assessing this application is the impact upon the Green Belt, highway safety and local employment.
29. It is clear from the Local Highway Authority's comments on the scheme that it would not result in harm to the public highway if controlled by appropriate planning conditions. Notwithstanding this, the starting point in determining this application is the impact upon the Green Belt. The proposal is not required for agricultural purposes and, as such, is "inappropriate development" according to the definitions within PPG2: Green Belts.
30. Paragraph 3.15 of PPG2: Green Belts state that "the visual amenities of the Green Belt should not be injured by proposals for development within or conspicuous from the Green Belt which, although they would not prejudice the purposes of including land in Green Belts, might be visually detrimental by reason of their siting, materials or design". The proposed access would be harmful to the visual amenity of the Green Belt in that, although replacement landscaping is proposed, the need for large kerb radii, and significant widths of junction and access road will in themselves result in an erosion of the appearance and character of the rural landscape by introducing extensively engineered elements into the rural area. This would be with subsequent harm to one of the key objectives of the Cambridge Green Belt; to "maintain and enhance the quality of its setting".
31. The onus is on the applicants to demonstrate that there are very special circumstances which would outweigh the harm caused it by allowing such development. In the application it is argued that the very special circumstance is the "...considerable safety benefits that will be offered by the proposals, over and above the access agreed as part of the change of use proposals at Queens Farm". Letters from two tenants on the site, who experience difficulties at the junction of the existing access road, have been submitted with the Design and Access Statement. In light of the fact that there is an acceptable alternative, as confirmed by the Local Highway Authority, already benefiting from permission i.e. the implementation of improvements to the existing access, as required by planning conditions on the relevant permissions, it is not considered that this amounts to a very special circumstance.
32. It is noted that letters submitted with the application and by the Local Member suggest that the access is required to serve the business units, which provide valuable employment opportunities. The relevant planning permissions were granted on the basis that adequate access could be provided through the implementation of the approved access improvements. The loss of employment use is not a likely consequence of refusing this permission and would not amount to a "very special circumstance" if put forward by the applicant.
33. It is noted that the changes of use have taken place in breach of planning conditions requiring junction improvements and road widening at the existing junction. The problems currently being experienced by the occupants might best have been avoided by the applicant having simply complied with these conditions before

allowing the units to become occupied. Subject to the site survey to confirm that the access has not been improved in accordance with the planning permissions for change of use and the awaited comments of the Local Highway Authority, it is recommended that the application be refused and a Breach of Condition Notice be served.

### **Recommendation**

34. A. Refusal.

### **Reasons**

- 1) The proposed development fails to satisfy the criteria set out in PPG2: Green Belts for appropriate forms of development and as such fails to accord with Policy GB/1 of South Cambridgeshire Local Development Framework adopted 2007. It is therefore defined as inappropriate development within the Green Belt that by definition is harmful to the Green Belt. Planning permission will not be granted for inappropriate development within the Green Belt unless very special circumstances can be demonstrated.
  - 2) The proposed development, by reason of the provision and scale of the new roadway, comprising a significant amount of new hardstanding and kerbing, will erode the open nature of this part of the Green Belt and result in traffic movements being created in an area open to wider countryside views. The application is therefore contrary to Policy GB/1 South Cambridgeshire Local Development Framework adopted 2007, which aims to protect the rural character and openness of the Green Belt.
  - 3) The applicant has not demonstrated that there are any very special circumstances which clearly override the harm to the Green Belt both by reason of inappropriateness and the harm identified above. The proposal is therefore contrary to Policy GB/1 South Cambridgeshire Local Development Framework adopted 2007, which states planning permission will not be granted for inappropriate development within the Green Belt unless very special circumstances can be demonstrated.
35. B. That a Breach of Condition Notice be served requiring existing access road and junction improvements to be carried out in accordance with Condition 6 of Planning Permission reference S/0852/03/F.

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

- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning File Refs: S/0852/03/F, S/0804/07/F, S/1925/05/F, S/1154/04/F and S/0132/08/F
- Documents referred to in the report including appendices on the website only and reports to previous meetings

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