

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

3 November 2010

AUTHOR/S: Executive Director (Operational Services)/
Corporate Manager (Planning and New Communities)

S/1106/10/F – GREAT ABINGTON

**External Alterations and Conversion of Agricultural Building to Residential Dwelling
at Barn Adjacent 44 North Road for Mr R.H. Rogers and Mrs M. de Ville Rogers**

Recommendation: Refusal

Date for Determination: 14 September 2010

Notes:

This application has been reported to the Planning Committee for determination at the request of the Local Member, Cllr Orgee and because the Parish Council's recommendation conflicts with the officer recommendation.

Site and Proposal

1. The 0.07 hectare (ha) site is located outside the Great Abington village framework and within the countryside. It lies on the former Land Settlement Association Estate that originally comprised a number of dwellings with smallholdings. The existing agricultural barn is a detached, black timber weatherboarding/ red brick plinth and red pantile building that has a hardstanding to the side and a grassed area to the front. Access is via North Road that is a single track private road with passing bays, and is also a public footpath. The land drops to the west.
2. No. 44 North Road is a dwelling with a detached outbuilding, situated to the west of the site. Open fields lie to the south and east. A small dwelling is situated on the opposite side of the road.
3. This full planning application, received 20 July 2010, proposes conversion to a residential dwelling and external alterations that comprise new openings in all elevations. The existing hardstanding would be used for parking and bin storage. A new, bound gravel driveway would be provided to the front of this area to provide separate access from the road. A 1.8 metre high close boarded fence and gates would be erected between the driveway and parking area. The application is accompanied by the signatures of 18 local residents in support of the application.

Planning History

4. A planning application for conversion of the barn and outbuilding into a residential dwelling and garage under reference **S/0651/08/F** was dismissed at appeal in December 2008. The main reasons for refusal related to the principle of the provision of a new dwelling in the countryside and that information had not been submitted at the time that would rule out a sole employment use or a mixed employment and residential use.
5. Planning permission was granted for this agricultural building under reference **S/1545/92/F** in November 1992.

Planning Policy

6. Local Development Plan Policies

South Cambridgeshire LDF Development Control Policies DPD, 2007:

DP/1 Sustainable Development

DP/2 Design of New Development

DP/3 Development Criteria

DP/4 Infrastructure and New Developments

DP/7 Development Frameworks

NE/4 Landscape Character Areas

NE/6 Biodiversity

NE/11 Flood Risk

HG/8 Conversion of Buildings in the Countryside for Residential Use

SF/10 Outdoor Playspace, Informal Open Space, and New Developments

SF/11 Open Space Standards

TR/1 Planning for More Sustainable Travel

TR/2 Car and Cycle Parking Standards

7. South Cambridgeshire LDF Supplementary Planning Documents (SPD):

Open Space in New Developments SPD - Adopted January 2009

Biodiversity SPD - Adopted July 2009

Landscape in New Developments SPD - Adopted March 2010

District Design Guide SPD - Adopted March 2010

8. National Planning Guidance

Planning Policy Statement 1 (Delivering Sustainable Development)

Planning Policy Statement 3 (Housing)

Planning Policy Statement 7 (Sustainable Development in Rural Areas)

9. Circulars

Circular 05/2005 Planning Obligations

Circular 11/95 The Use of Conditions in Planning Permissions

Consultation

10. **Great Abington Parish Council** – Recommends approval and comments that it is a building that would be suitable for conversion to a dwelling.

11. **Local Highways Authority** – Requires conditions in relation to the provision of pedestrian visibility splays, the hard surfacing of the driveway within 6 metres of the road, and adequate surface water drainage from the driveway. Considers the use of bound gravel unacceptable, for despite the control measures proposed, loose material could still spread on to the adopted public highway. Such a material represents a hazard to footway users. Requests informatives in relation to the position of gates and works to the public highway.

12. **Landscape Design Officer** – Has concerns with regards to the design of the close boarded fences and gates and states that they should be set back from the front elevation of the building. Considers that a post and rail fence and hedge would be more appropriate. Queries the position of the access. Suggests some low hedging or limited tree planting along the frontage. Details of species and fencing to be agreed.

13. **Ecology Officer** – Comments that he is happy to accept that the proposed barn conversion is unlikely to have any adverse impact upon barn owls or breeding birds. The ecologist identified a small number of bat droppings as Pipistrelle bat. Following night time investigation the ecologist does not consider the site to be a significant roost (i.e. a maternity roost) for the Pipistrelle bats. I am happy to accept this view. “The ecologist proposes careful working procedures to mitigate any potential harm and the submitted Protected Species Survey report includes such measures. A condition should be used to secure a scheme of mitigation and enhancement for bats.”
14. **Building Inspector** – Considers that the building is capable of conversion.
15. **Rights of Way and Access Team** – States that the access to the site is via public footpath No. 6, Great Abington and requests informatives in relation to the lawful use of the footpath.
16. **External Consultant (Valuer)** – Comments that whilst the market has been depressed during the marketing period, the site has a number of factors that would detract from its saleability including its rural location, restricted means of access, significant costs of conversion, limited plot size, and lack of any planning consent prior to selling. The guide price is therefore considered excessive and in light of the above factors, the property’s open market, freehold, vacant possession as existing with potential for alternative uses without planning permission value is £150,000 as at September 2010 but would have remained unchanged since April 2009. In addition, it is considered that there has been very limited marketing of the site other than advising local agents and displaying within shop windows and websites.
17. **Environmental Health Officer** – Concerned that problems could arise from noise and requests conditions in relation to the hours of use of power operated machinery. Also suggests informatives in relation to the use of pile driven foundations and the burning of waste on site.
18. **Contaminated Land Officer** – Comments that the application is for conversion of a barn (with the potential to store unknown material) to a dwelling. Recommends that a condition is attached to any consent to in relation to a detailed investigation into contamination and mitigation measures to address possible contamination.

Representations

19. The occupier of **60 North Road** comments that the barn has never been an agricultural building and that the development would urbanise the area. Queries whether policy has changed to allow conversion of agricultural buildings.
20. The **Local Member** supports the application and considers the decision is based upon the interpretation of Policy HG/8. He comments that a number of applications within the area have been allowed following differing interpretations of policy.

Planning Comments – Key Issues

21. The key issue to consider in the determination of this application is the principle of the conversion of the barn to a residential dwelling in the countryside.

Principle of Residential Conversion

22. The principle of the conversion of the barn to a residential dwelling in the countryside is not supported in principle unless the development complies with Policy HG/8 of the South Cambridgeshire Local Development Framework Development Control Policies

DPD 2007 and paragraphs 17 and 18 of Planning Policy Statement 7 (Sustainable Development in Rural Areas). These documents generally support the conversion of buildings in the countryside but state that they should be considered for re-use by economic development purposes or mixed economic development and residential uses before sole residential uses. Policy HG/8 also sets out detailed criteria that need to be complied with before a residential conversion is considered acceptable. This includes whether the property is considered inappropriate for commercial or a mixed use through the demonstration of planning considerations or market demand, as well as issues such as whether the building is structurally sound, the building is capable of re-use without changing its character or impact upon the surrounding countryside, and sustainability.

23. The Inspector that determined the previous application for a similar development that was dismissed at appeal in 2008 considered that the planning considerations and viability report put forward at that time did not demonstrate that the property was inappropriate for employment purposes or mixed employment and residential purposes. He stated that “the building clearly has the potential to be re-used for such purposes in terms of its structure, size, appearance, and location.” He commented that economic factors change with time and accepted that “whilst the current market demand did not support the case for employment re-use, it is not regarded as a decisive factor by itself as there are a range of other planning considerations that act to support the possibility of the building being re-used for employment purposes”.
24. A marketing report has been submitted with the application that demonstrates that the property has been on the open market through various different channels for a time period of at least 12 months. It was marketed with the potential for commercial uses, mixed commercial/residential purposes, or holiday lets (subject to planning permission) at a price of £265,000. Very limited interest was shown in the property with eight parties contacting the estate agent and three parties contacting the owners direct. Three parties showed a commercial interest. Two arranged viewings were carried out and no offers made. The reasons outlined in the report as a result of feedback from the prospective purchasers included the building was unsuitable for the required purposes, too remote location, and too expensive for the commercial user. The main interest was for residential use. The estate agent has concluded in respect of the lack of demand by commercial users that the building is not suitable for the majority of commercial uses relating to light industrial/ workshop manufacture, the demand in the marketplace is severely restricted for office accommodation, the access road is unsuitable for commercial vehicles, there is a lack of demand for general business use due to the recession, the 40 square metres requirement for workspace within a live/work unit was an issue, and that the surrounding area is predominantly residential.
25. Given the low level of interest in the property, the Council has employed an independent consultant to value the property to ensure that it was being marketed at the correct price in relation to the potential uses for commercial, live work or holiday lets purposes. The result of this valuation is that the property is worth £150,000 and has been marketed at an excessive price given its rural location, restricted means of access, significant costs of conversion, limited plot size, and lack of any planning consent prior to selling. Therefore, whilst it is noted that the property market is slow, the Council considers that the price should be reduced to reflect its true value and marketed widely at that price for a period of 12 months before conversion to a dwelling is deemed acceptable in principle.
26. With regards to the other criteria in Policy HG/8, the building is considered structurally sound and not of a makeshift nature that would not involve reconstruction work to enable its re-use. The building is of substantial and permanent construction and the only alterations required are the creation of internal floors, insulation and revised

openings. A structural report has been submitted with the application and its contents are agreed by the Building Inspector.

Character and Appearance of the Area

27. The form, bulk and general design of the building is considered to be in keeping with its surroundings and the proposed alterations would not materially change the appearance of the building upon the countryside. Whilst it is acknowledged that a number of openings would be inserted into the front and rear elevations of the building, these would be limited and reflect the style of openings in agricultural buildings and not domesticate the simple character of the existing barn. A first floor would be created internally but no extensions are proposed externally that would increase the footprint. The existing hardstanding to the side of the building would remain and be utilised for parking and the storage of waste bins. This would ensure that such ancillary uses are well related to the building. A new fence and gate would be erected to screen this area from public view. A new access would be created to the front but this would be in keeping with the character and appearance of the area as a result of its design and materials. A condition could be attached to any consent to control future development on the site such as the erection of extensions, outbuildings, fences/walls, and hardstanding. This would ensure the development remains compatible with its surroundings.
28. Landscaping is encouraged on the site in order to enhance the rural character and appearance of the area. The submission of a landscape plan would be a condition of any consent.

Sustainability Issues

29. The site is located approximately 1km from the centre of the village of Great Abington, a 'group village', where there are a range of services and facilities. The use would be sustainable and in scale with its location. The village would be easily accessible by walking and cycling via footpaths. There is a good bus service within the village that links with Cambridge and Haverhill. The proposal would not therefore result in sole reliance on the private car.

Highway Safety

30. Access to the site is via a private road but the main access to the public highway is at the junction with North Road and the old A11 and North Road and Pampisford Road. Although visibility on to the public highway is substandard in both locations, the limited intensification in the use of the road as a result of the development would not be detrimental to highway safety. This is due to the existing volume of traffic that uses the junctions. Two parking spaces would be provided on site. Conditions should be attached to any consent to ensure the provision of pedestrian visibility splays. An informative should advise of the need for surface water drainage measures to be provided adjacent the driveway. Given the rural nature of the site and the use of unbound gravel to the driveway to the existing dwelling, the use of bound gravel is considered acceptable. A block paved driveway would have an urban appearance that would be out of keeping with the character of the area.

Biodiversity

31. A biodiversity survey was submitted with the application. Although it acknowledges that bat droppings were found in the barn and that it has the potential to provide a habitat for roosting bats, none were observed and it was suggested that it may be an occasional use. No evidence of barn owls or nesting birds was found. The proposal is not therefore considered to have a significant impact upon the population or

conservation interest of protected species subject to a condition that secures a scheme of mitigation and enhancement for bats. It would also not adversely affect any important trees that contribute to the visual amenity or habitat of the area.

Neighbour Amenity

32. The proposal is not considered to seriously harm the amenities of neighbours. Whilst it is noted that there would be two first floor roof lights serving bedrooms in the west facing roof slope of the building that would face towards a number of windows in the east side elevation of No. 44 North Road, these would not result in overlooking that would lead to a loss of privacy, due to the distance of more than 30 metres between the openings. This exceeds the minimum measurements for window-to-window distances set out in the Council's Design Guide.

Land Contamination

33. The existing barn has the potential to have been used for the storage of agricultural machinery and fuels that may have resulted in land contamination to the soil or water supply. A condition should be attached to any consent that requires an investigation into contamination.

Developer Contributions

34. The South Cambridgeshire Recreation Study 2005 identified a shortfall of play space within Great Abington. No public open space is shown within the development. The increase in demand for playspace as a result of the development requires a financial contribution of £3,104.38 (index linked) towards the provision and management of open space off-site and in the village to comply with Policy SF/10 of the LDF. This would be secured via a legal agreement that would be a condition of any consent. The applicants have confirmed their agreement to such a contribution.
35. The South Cambridgeshire Community Facilities Assessment 2009 states that Great Abington has indoor community space that is of a good standard. However, due to the increase in the demand for the use of this space from the development, a financial contribution of £523.93 (index-linked) is sought towards the provision of new facilities or the improvement of existing facilities in order to comply with Policy DP/4 of the LDF. This would be secured via a legal agreement that would be a condition of any planning consent. The applicants have confirmed their agreement to such a contribution.
36. South Cambridgeshire District Council has adopted the RECAP Waste Management Design Guide. In accordance with the guide, developers are requested to provide for the household waste receptacles as part of a scheme. The fee for the provision of appropriate waste containers is £69.50 per house. This would be secured via a legal agreement that would be a condition of any planning consent. The applicants have confirmed their agreement to such a contribution.

Other Matters

37. The site lies within flood zone 1 (low risk). The development would not significantly increase the risk of flooding to the site and surrounding area.
38. The storage of waste has been provided for on site.
39. The access to the site is via a public footpath. Informatives will be attached to any consent to advise of points in relation to the lawful use of the footpath.

Recommendation

40. Refusal

The Council considers that the applicants have not demonstrated through market demand or planning considerations that the existing agricultural building is inappropriate for conversion to any suitable employment use or part employment/residential use. Whilst it is acknowledged that the property has been marketed for a period of time, the price was not considered to accurately reflect the current use value, potential employment use or employment/residential use of the building. The conversion of the barn to a residential dwelling is therefore unacceptable in principle and the proposal is contrary to Policy HG/8 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 that seeks to resist the conversion of rural buildings residential use outside village frameworks and in the countryside.

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

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents: Open Space in New Developments, Biodiversity, Landscape in New Developments, and District Design Guide
- Planning Policy Statements 1, 3 and 7
- Planning File References: S/1106/10/F, S/0651/08/F and S/1545/92/F

Contact Officer: Karen Pell-Coggins - Senior Planning Officer
Telephone: (01954) 713230