

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee  
**AUTHOR/S:** Planning and New Communities Director

3 July 2013

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**S/0681/13/FL – OVER**  
**Replacement buildings and change of use to office space (B1a) at Land**  
**opposite 55 Fen End**  
**for Mr Andrew Sandham, Neoven Limited**

**Recommendation: Approve Conditionally**

**Date for Determination: 17 June 2013**

**Notes:**

**This Application has been reported to the Planning Committee for determination because the recommendation of the Parish Council conflicts with the recommendation of officers.**

**Members will visit the site on 2 July 2013.**

**Site and Proposal**

1. The site comprises agricultural storage buildings located outside of the village framework of Over and adjacent to a designated County Wildlife Site to the north.
2. The proposal involves the refurbishment and extension of building 1; the demolition and replacement of buildings 2 and 3 and the total demolition of building 4 as shown on the submitted site layout plan (49CFene1-02). The existing permitted use of the site is, by default, agricultural use in the absence of any previous planning permissions and the proposal would change this to B1a office use.
3. Vehicular access remains as existing and 5 parking spaces (including one disabled space) would be provided on the site with further hardsurfacing to its eastern end.

**Planning History**

4. No history.

**Planning Policy**

5. The **National Planning Policy Framework** promotes a presumption in favour of sustainable development having regard to the soundness of the development plan and the policies therein. It confirms that planning obligations should only be sought where they are necessary to make the development acceptable in planning terms; they directly relate to the

development; and are fairly and reasonably related in scale and kind to the development.

**Local Development Core Strategy 2007:**

6. ST/6 Group Villages

**South Cambridgeshire LDF Development Control Policies DPD, 2007:**

7. DP/1 Sustainable Development  
DP/2 Design of New Development  
DP/3 Development Criteria  
DP/7 Development Frameworks  
ET/4 New Employment Development in Villages  
ET/7 Conversion of Rural Buildings for Employment  
ET/8 Replacement Buildings in the Countryside  
NE/6 Biodiversity  
NE/14 Light Proposals  
NE/15 Noise Pollution  
TR/1 Planning for More Sustainable Transport  
TR/2 Car and Cycle Parking Standards

**South Cambridgeshire LDF Supplementary Planning Documents (SPD):**

8. District Design Guide SPD – adopted March 2010  
Landscapes in New Developments SPD - adopted March 2010

**CONSULTATIONS**

9. Over Parish Council – Recommends refusal "The proposal would constitute a new-build outside the village framework. The building has not previously been used for agricultural purposes and therefore its conversion to office space does not comply with the appropriate policy. The new build element of the proposal would be an unacceptable development in the countryside. The use of agricultural land for any other purpose should not be permitted. The proposal would also be an unacceptable alteration of the character of the rural area. We would also like to recommend that if the Council were minded to grant this application then permission should be granted to the applicant rather than attaching to the property."
10. Local Highway Authority - Recommends the following: appropriate surface water drainage to the access; no unbound material next to the highway; any gates to be set back 5m from the highway; and a traffic management plan.
11. Ecology Officer - No objections to submitted ecological report. The findings in this instance do not show any evidence of bat or bird habitats within the existing building structures.
12. Environmental Services - No objections.
13. Tree Officer - The trees are not afforded and statutory protection but are important to the screening of the site. Works shall be carried out in accordance with the submitted Arboricultural report.

**Representations**

14. None

## **Planning Comments – Key Issues**

15. The main issues to consider in this instance are: the principle of the development, visual impact, access, travel, parking, highway safety, ecology and other issues.

### **Principle of Development**

16. The existing site comprises existing storage buildings, many of which are in a poor state of repair. The proposal would redevelop the site to create small scale economic development in a location, which is very close to the village framework boundary approximately 10m to the west of the site. The development would create 4-5 new jobs and is considered to represent sustainable economic development that is sensitive in scale to the location. Consequently, the proposal would positively contribute to sustainable economic growth, providing a wider range of local employment opportunities very close to the village framework in accordance with Policy ET/4 and Chapter 3 of the NPPF.
17. The existing barn-like buildings appear relatively dilapidated with the exception of building 1 and consequently not all of the buildings are capable of conversion in accordance with Policy ET/7. However, building 1 would be capable of conversion and the proposed rear extension to this building is considered justified in order to facilitate functional office space.
18. The replacement of buildings 2 and 3 is supported under Policy ET/8 given the volume and floor space of these new buildings is very similar to the existing.
19. Consequently, the principle of the development is accepted with regard to Policies ET/4, ET/7 and ET/8 and there is considered to be no strong reason why it is reasonable or necessary to grant permission only to the applicant rather than the land in this instance, as suggested by the Parish Council. Such an approach is also contrary to the advice in paragraph 94 of 'Circular 11/95: Use of conditions in planning permission' - which states that "if a service, or the employment it generates, is needed in an area, there is no planning reason why it should be provided by one firm rather than another. Commercial and industrial buildings in an area of open countryside will not become more acceptable because their occupancy is restricted, nor will the expansion of a local firm necessarily lead to less pressure for further development (e.g. housing) than the arrival of a firm from outside. The Secretaries of State therefore regard such conditions as undesirable in principle."

### **Visual Impact**

20. The site is rural and agricultural in character and the proposal aims to reinforce this character by emulating the scale and appearance of the existing barns on the site. This can be seen in the detailing of buildings 2 and 3 which comprise pantiles, timber cladding, large apertures and timber braces. Both the rear extension to building 1 and the car port to building 2 would be subservient in height with a low roof profile to appear in scale and character with the surrounding area.

21. The tree group to the north of the site is considered an important visual feature to the site and the rural character of the area. The proposal would lead to the loss of some of the ash trees along this boundary and the pruning of other trees. Further planting would ensure that the development is assimilated well into the area and therefore conditions are recommended to ensure that the proposed tree protection methods are carried out with the submitted tree report and details of any new boundary treatment are agreed prior to commencement of the development.
22. External lighting is not proposed but in future could lead to excessive light pollution given the open, rural environs; consequently, a condition is recommended to control this aspect of the site.

### **Access, Travel, Parking and Highway Safety**

23. The existing access to the site is proposed to be retained and sufficient car and cycle parking would be provided on site commensurate to the requirements of Policy TR/2, which requires 5 spaces for the total office space (102m<sup>2</sup>). Travel movements to the site would not be significant for a small scale employment site like this and this is highlighted in the submitted transport statement. The nearest bus stop is at the junction of the High Street and Fen End and this is within walking distance of the application site. The scheme would therefore benefit from its close proximity to the village framework and the available means of alternative transport modes such as public transport, walking and cycling.
24. The recommended conditions of the Local Highways Authority are acknowledged but are not considered necessary with regard to the existing access and gates, which already provide a clear 5m space for vehicles to park clear of the highway carriageway as measured on the submitted site plans. The proposed gates would also open inwards towards the site to avoid overhanging the highway verge. Some loose gravel is present at the access and a condition is appropriate to prevent further unbound material from being laid in the site within 6m of the highway boundary.
25. The site has ample space for parking and deliveries during the course of the works and therefore a site traffic management plan is not considered necessary in this instance. An informative is recommended to encourage wheel washing facilities on the site for construction vehicles.

### **Ecology**

26. No objections are raised by the ecology officer with regard to the impact of the development upon ecology and biodiversity.

### **Other Issues**

27. The submitted plans include details for works to building 5 which is not included or located within the application site. Any granting of consent in this application will therefore not in turn grant permission for works to building 5, which may require separate planning consent.

## **Conclusion**

28. The development is considered to represent sustainable economic development on the edge of the village framework of Over that would appear compatible with the rural character of the area and its surroundings in accordance with the aims and objectives of Policies DP/2, DP/3, ET/4, ET/7 and ET/8.

## **Recommendation**

29. Approve, subject to the following conditions:

### **Conditions**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 49CFENE1-01; 49CFENE1-02, 49CFENE1-03B, 49CFENE1-05A, 49CFENE1-06B and 49CFENE1-09.  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
3. No development shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
4. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected and a timescale for its implementation. The boundary treatment shall be completed in accordance with the approved details and shall thereafter be retained.  
(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
5. The permanent spaces to be reserved on the site for parking and manoeuvring shall be provided in accordance with the layout shown on drawing number 49CFENE1-03B before the first occupation of any one of the B1a use buildings, hereby permitted, and shall thereafter be maintained for this purpose only  
(Reason – In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
6. No unbound material shall be used in the surface finish of the access within 6 metres of the highway boundary of the site.

(Reason – To avoid displacement of loose material onto the highway in the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

7. Tree protection shall be carried out in accordance with the recommendation set out in the tree survey report (by Lesley Dickinson Ltd, dated April 2013), unless otherwise agreed in writing with the Local Planning Authority.

(Reason – To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)

8. During the period of demolition and construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.

(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

9. No external lighting shall be provided or installed within the site other than in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.

(Reason -To minimise the effects of light pollution on the surrounding rural area in accordance with Policy NE/14 of the adopted Local Development Framework 2007.)

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development within Class A of Part 41 of Schedule 2 of the Order shall take place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.

(Reason – To ensure that any future additions do not materially increase the impact of the site upon its rural surroundings in accordance with Policies DP/2 and ET/7 of the adopted Local Development Framework 2007.)

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire LDF Development Control Policies DPD, adopted July 2007
- South Cambridgeshire LDF Supplementary Planning Documents (SPD): District Design Guide SPD.

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