

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 6th April 2005
AUTHOR/S: Director of Development Services

S/0070/05/F - Little Abington
**Conversion of Agricultural Buildings into 4 Dwellings and Erection of Garaging at
Ley Rectory Farm for Mr & Mrs Franklin**

Recommendations: Approval
Date of determination: 10th March 2005

Departure Application

Site and Proposal

1. The application relates to a 0.4 hectare (1 acre) site containing a group of agricultural buildings constructed from brick, flint, boarding, corrugated sheeting and slate and a silo located to the north of Ley Rectory Farmhouse, a two-storey gault brick and slate dwelling. Corrugated sheeting agricultural storage buildings are located to the north. No.3 Hildersham Road, accessed from the farm access alongside Ley Rectory Farmhouse which also serves the application buildings, lies to the south east. The A1307 and Hildersham Road are to the southwest and south respectively.
2. This full planning application, registered on the 13th January 2005 and amended by plan date stamped the 16th March 2005, proposes to convert an L-shaped range of buildings into 4 dwellings (3no. 3-bedroom units and 1no. 4-bedroom unit) and to demolish the remaining buildings and the silo within the site. An office would be provided within each of the units to facilitate working from home. It is also proposed to erect new car ports and stores for the dwellings. The application also involves the creation of a new farm access onto Hildersham Road. The density equates to 10 dwellings to the hectare.
3. As part of, and in support of, the application, details of the marketing synopsis for a Business Use (Class B1) of the buildings, including details of how and where the property has been marketed (by means of a board, the Cambridge Evening News, mailing of marketing particulars and via the agent's website) have been submitted. A list of people/groups to whom particulars were sent has also been submitted. The statement states that marketing has been fully under way for 12 months but no offers have been received. It comments that this is unsurprising set against a backdrop of huge oversupply of available office accommodation in Cambridge and the immediate surrounds coupled with very patchy demand, and concludes that there remains no prospect (in the foreseeable future) of letting these buildings as business units at a rental that would justify the associated conversion costs.

Relevant Planning History

4. An application submitted in July 2004 to convert the buildings into 4 dwellings and erection of garaging was withdrawn (**S/1522/04/F**).

5. Planning permission for the change of use of farm buildings to Business Use (Class B1) and erection of agricultural building was granted in August 2002 (**S/0842/02/F**). The scheme also involve the creation of a new farm access onto Hildersham Road.

Relevant Planning Policy

6. The site is within the countryside as defined in the Local Plan 2004.
7. Structure Plan 2003 **Policy P1/2** states that development in the countryside will be resisted unless the proposals can be demonstrated to be essential in a particular rural location.
8. Local Plan 2004 **Policy SE8** states that residential development outside village frameworks will not permitted.
9. Local Plan 2004 **Policies HG7** and **HG8** relate to affordable housing and exceptions sites respectively.
10. Local Plan 2004 **Policy EM9** states that the District Council will support proposals for teleworking schemes which bring home and workplace physically together by conversion of rural buildings outside village frameworks provided there would be no adverse impact on residential amenity, traffic, character and the environment generally.
11. Local Plan 2004 **Policy EN1** states that planning permission will not be granted for development which would have an adverse effect on the character and local distinctiveness of Landscape Character Areas (the East Anglian Chalk Landscape Character Area in this instance).
12. Paragraph 17 of **Planning Policy Statement 7** 'Sustainable Development in Rural Area' (2004) states that "The Government's policy is to support the re-use of appropriate located and suitably constructed existing buildings in the countryside where this would meet sustainable development objectives. Re-use for economic development purposes will usually be preferable, but residential conversions may be more appropriate in some locations, and for some types of building. Planning authorities should therefore set out in LDDs their policy criteria for permitting the conversion and re-use of buildings in the countryside for economic, residential and any other purposes, including mixed uses.

These criteria should take account of:

- a. The potential impact on the countryside and landscapes and wildlife;
- b. Specific local economic and social needs and opportunities;
- c. Settlement patterns and accessibility to service centres, markets and housing;
- d. The suitability of different types of buildings, and of different scales, of re-use;
- e. The need to preserve, or the desirability of preserving, buildings of historic or architectural importance or interest, or which otherwise contribute to local character.

Consultation

13. **Little Abington Parish Council** makes no recommendation but comments that “Both the SCDC Housing Survey and the Parish Plan questionnaire had identified a need for smaller housing in the village. We suggest consideration should be given to making some of the houses smaller to meet the identified need.”
14. **Chief Environmental Health Officer** raises no objections to the planning application but recommends that conditions requiring a site investigation relating to possible ground contamination and appropriate remedial works, the times during the construction period when power operated machinery shall not be used unless in accordance with agreed noise restrictions and driven pile foundations be attached to any approval. He also recommends an informative stating that there shall be no bonfires or burning of waste on site without his permission be attached to any permission.
15. **Environment Agency** raises no objections to the proposal but recommends that conditions relating to surface and foul water drainage are attached to any approval. It also makes advisory comments and recommends that Anglian Water be consulted.
16. **Anglian Water** has been consulted but has not made any comments.
17. At the time of application S/1522/04/F, the **Local Highway Authority** raised no objections but commented that the existing access should serve the residential development only and an alternative access should be provided to cater for the agricultural traffic leaving the farm.
18. The **County Council’s Chief Financial Officer** was consulted in relation to a possible financial contribution towards education provision but no comments have been received.

Representations

19. None received.

Planning Comments - Key Issues

20. The key issues in relation to this application are:
 - a. Whether there are any material considerations which outweigh the general presumption against residential development in the countryside; and
 - b. The impact of the development on the visual amenities of the countryside.
21. Where it is possible to convert rural buildings to an employment use (which is supported in principle by Local Plan Policy EM10), I have resisted a residential use of rural buildings (which would be contrary to the wording of Local Plan Policy SE8). However, in this instance, whilst the buildings are capable of being converted to a business use (and there is an extant planning permission for this), the agents contend, and the supporting information seems to indicate, that there is no prospect in the foreseeable future of letting these buildings as business units at a rental that would justify the associated conversion costs.
22. Whilst outside the village framework, the site is very close to it and, having regard to the information submitted by the agents and the advice in PPS7 (which states that, amongst other things, Local Planning Authorities should take into account the specific local economic and social needs and opportunities when considering applications for

the re-use of rural buildings), I consider that the principle of converting the buildings to a residential use would be acceptable in this instance. The units all include designated offices within the main body of the dwellings, although, in practice, it would be difficult to ensure that they were only used as offices and were not used for any other purpose.

23. Whilst new build car ports/stores are proposed and the garden areas for units 3 and 4 would encroach into the surrounding countryside, a number of existing buildings are to be removed as part of the scheme. Subject to compliance with the recommended conditions, which include conditions removing permitted development rights, and requiring the agreement of boundary treatments, a detailed schedule of works and requiring the removal of all those building on the site not forming part of the scheme, I consider that the impact of the development on the visual amenities of the countryside would be acceptable.
24. Subject to the recommended conditions, the scheme is considered to be acceptable in relation to highway matters, would provide for an acceptable level of amenity for the occupiers of the proposed dwellings and would not seriously harm the amenity of the occupiers of neighbouring properties.
25. I have given careful consideration to the Parish Council's understandable comment that consideration should be given to making some of the houses smaller to meet the identified local need, but consider that the proposed scheme is acceptable. A greater number of smaller units would lead to additional traffic and, by involving further internal and external sub-division, are likely to lead to further openings in the buildings and further encroachment into the countryside. However, in line with the recent resolution to approve a scheme for the conversion of agricultural buildings at Lordship Farm, Hinxtton, to 6 dwellings (S/1801/04/F), I consider that a commuted sum towards the provision of affordable housing should be sought in lieu of a requirement for any of the proposed dwellings to be 'affordable'. Being conversions, it is extremely unlikely that any Registered Social Landlord would want to take on any of the proposed dwellings.
26. Approval of the scheme would not significantly prejudice the implementation of the development plan's policies and proposals. If Members are minded to approve the application, it would not therefore be necessary to refer it to the Secretary of State.

Recommendation

27. Approval (as amended by drawing no. 04-7-02A date stamped 16.3.05) subject to the prior signing of a S.106 Agreement requiring the payment of a commuted sum towards the provision of affordable housing:
 1. Standard time condition A - (Reason A);
 2. No development shall commence until a schedule of proposed works detailing all those elements of the buildings involved in the conversion to be repaired, replaced, renewed, rebuilt or newly constructed, including below ground features and specifications of materials to be used, has been submitted to and approved in writing by the Local Planning Authority.

Any material variations considered necessary as work progresses shall also be so approved - (RC - To ensure that the scheme extensively involves only the conversion of the buildings by ensuring that the Local Planning Authority retains control over the extent of any rebuilding);

3. Prior to the commencement of development, an investigation of the site shall be undertaken to establish the nature and extent of any contamination and any remedial works to deal with contamination. This shall initially consist of a desktop study, which shall include details of the site history, development of a site conceptual model and a preliminary qualitative risk assessment. If any likelihood of contamination is indicated by the initial study, a further detailed site assessment shall be carried out which shall include intrusive investigations and which shall fully characterise the nature, extent and severity of contamination. Recommendations for a remediation strategy and post-remediation validation testing shall be included. Details of the site investigation and any necessary remediation strategy shall be submitted to and approved in writing by the Local Planning Authority before development commences. Remedial work shall be carried out in accordance with the approved details before any of the dwellings are first occupied - (RC - To protect future occupiers of the hereby permitted dwellings from possible contamination of the site);
4. Standard condition 51 'Landscaping scheme' - (RC51);
5. Standard condition 52 'Implementation of landscaping scheme - (RC52);
6. 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 with the Local 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 - (RC - To prevent the increased risk of pollution to the water environment);
7. Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted and agreed in writing with the Local 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 - (RC - To ensure a satisfactory method of surface water drainage);
8. Standard condition 60 (all) 'Boundary treatments' - (RC - To protect the rural character and appearance of the area);
9. Standard condition 21 - withdrawal of Permitted Development (Part 1 Classes A, B, C and E and, with the exception of the means of enclosure approved pursuant to condition 8, Part 2 Class A) - (RC - To protect the rural character and appearance of the area);
10. During the conversion and construction period, ... standard condition 26 (0800, 0800, 1800, 1300) 'Times when power operated machinery shall not be operated except in accordance with agreed noise restrictions ' - (RC26);
11. None of the dwellings hereby permitted shall be occupied until the new farm access, farm track, fencing and gate shown upon drawing no. 01-98/09A approved under planning reference S/0842/02/F has been laid out. The access shall thereafter be retained - (RC - In the interests of highway safety);
12. Before development commences, precise details of a scheme of sound insulation of the buildings shall be submitted to and approved in writing by the

Local Planning Authority. The approved scheme shall be implemented before the use commences - (RC - To protect future occupiers from noise and disturbance generated by the adjacent farm activities);

13. The existing buildings on the site not shown on drawing no. 04-7-01 shall be demolished before any of the hereby permitted dwellings are first occupied - (RC - To ensure that the development does not detract from the rural character and appearance of the area);
14. Details of any external lighting to be installed on the site shall be submitted to and approved in writing before it is first operated. No lighting other than in accordance with approved details shall be operated - (RC - To ensure that lighting does not harm the visual amenities of this countryside site).

Reasons for Approval

1. Although the development is not in accordance with South Cambridgeshire Local Plan 2004 Policy SE8, it is considered to be acceptable as a departure from the development plan for the following reasons: the proposal represents a suitable new use for these buildings and thereby ensure their future.
2. The development is considered to generally accord with the Development Plan in all other respects and particularly the following policies:
 - Cambridgeshire and Peterborough Structure Plan 2003: **P1/2 (Environmental Restrictions on Development)**;
 - South Cambridgeshire Local Plan 2004: **EM9 (Teleworking) and EN1 Landscape Character Area**.
3. The development is not considered to be significantly detrimental to the following material planning considerations, which have been raised during the consultation exercise: **The size of the units; and drainage.**

Informatives

A guidance document on the procedures for dealing with potential land contamination is available from the District Council's Environmental Health Department.

During conversion and construction, there shall be no bonfires or burning of waste on site except with the prior permission of the District Council's Environmental Health Officer in accordance with best practice and existing waste management legislation.

Should driven pile foundations be proposed, before development commences, a statement of the method for construction of these foundations should be submitted to and agreed by the District Council's Environmental Health Officer so that noise and vibration can be controlled.

Environment Agency's advisory comments as contained in its 24th January letter.

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning Policy Statement 7 'Sustainable Development in Rural Area' 2004

- Planning file Refs: S/0070/05/F, S/1801/04/F, S/1522/04/F and S/0842/02/F.

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