

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 3rd August 2005
AUTHOR/S: Director of Development Services

S/0881/05/F - Barton
Overflow Car Park (Retrospective Application), Land At Burwash Manor Barns For M Radford

Recommendation: Refusal
Date for Determination: 29th June 2005

Departure Application

Adjacent Conservation Area

Site and Proposal

1. Burwash Manor Farm comprises a Grade II Listed house and farmyard served by a long driveway (approximately 150 metres) from New Road at the eastern end of the village. A group of buildings within the site are in commercial use and occupied by a number of small businesses, which includes a significant amount of retail activity.
2. This retrospective application, registered on 4th May 2005, proposes the change of use of a 0.120ha area of agricultural land to the east of the current site to a car park. A plan submitted with the application shows the provision of 37 parking spaces.
3. The site is outside the village framework and Conservation Area but in the Cambridge Green Belt.

Planning History

4. Planning consent was granted for the commercial use of the site in 1993 (**Ref: S/0491/93/F**). The layout plan approved as part of that application showed the provision of 50 car parking spaces within the site.

Planning Policy

5. **Policy P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003 ("The County Structure Plan") restricts development in the countryside unless it can be demonstrated to be essential in a particular location.
6. **Policy P7/6** of the County Structure Plan states that Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.
7. **Policy GB2** of the South Cambridgeshire Local Plan 2004 states that planning permission will not be granted for inappropriate development in the Green Belt unless very special circumstances can be demonstrated. Car parking is not one of the categories of development listed as being appropriate. This reflects the objectives of Policy P9/2a of the Structure Plan 2003.

8. **Policy EN28** of the Local Plan 2004 seeks to preserve the setting of Listed Buildings. It states that the District Council will resist and refuse applications which would dominate the Listed Building or its curtilage buildings in scale, form, massing or appearance; would damage the setting, well-being or attractiveness of a Listed Building; would harm the visual relationship between the building and its formal or natural landscape surroundings; or would damage archaeological remains of importance unless some exceptional, overriding need can be demonstrated, in which case conditions may be applied to protect particular features or aspects of the building and its setting.
9. **Policy EN30** of the South Cambridgeshire Local Plan 2004 seeks to ensure that new development preserves or enhances the special character and appearance of Conservation Areas and their setting.
10. Advice contained in **Planning Policy Guidance Note 2 – Green Belts** states that inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In view of the presumption against inappropriate development, the Secretary of State will attach substantial weight to the harm to the Green Belt when considering any planning application or appeal concerning such development.

Consultation

11. **Barton Parish Council** recommends approval but comments: “Concerned that it is a retrospective application. Suggest a condition requiring vegetative screening to mitigate the impact on views from New Road. Request a condition that it is not used for overnight or permanent parking – especially of vans or vehicles larger than cars.”
12. The **Conservation Manager** states that this development has a clear and significant impact on the setting of the listed agricultural group and the open countryside. While it would appear that the parking is necessary to service the business, the current form of the car park is of a rough appearance, which detracts from both the approach to the historic building and is evident across the open countryside. It is suggested that the boundaries of the site need to be properly enclosed by extending the hedgerow around the parking area, to include tree groups. The objective should be to minimise the visual impact of the car parking area by extensive boundary and internal planting. The rows of parking spaces should be divided by new standard (semi-mature) tree planting. The Conservation Manager is of the opinion that the application should not be approved in this form and that the applicant be advised that detailed landscape plans are a minimum requirement if this proposal is to be considered appropriate.

Representations

13. Letters have been received from the occupiers of 19 and 21 Mailes Close, objecting to the application on the following grounds:
14. The description ‘overflow’ implies that the car park will be used only in busy periods. This is not the case; vehicles are parked there on a daily basis, although the car park is most heavily used at weekends and holidays when its impact on the amenities of local residents is greatest. Commercial vehicles are parked there overnight.
15. This development is on ancient meadow land outside the built up area of the village, within the Green Belt. As such it is an unnecessary and unsightly intrusion into the

open countryside. In addition to it being visually unattractive the car park generates noise and in the winter months light pollution from car headlights as it is used after dark.

16. The development, associated as it is with a commercial use, represents the kind of creeping urbanisation, which can only threaten the character of Barton as a small village in a rural location.
17. The development sets a precedent for commercial uses within the Green Belt and open countryside separating Barton from Cambridge
18. There are other locations within this site where the car park could be located where it would be less intrusive as it would be within the built up area of the village and surrounded by buildings.

Applicants' Representations

19. In a letter accompanying the application from the applicant's agent it is pointed out that the application site comprises an area of 0.120ha and is accessed from the approach road to Burwash Manor Barns (from New Road). The surface of the car park, currently laid out as a mix of hogging and gravel, provides an informal and reversible form of development and has been used for overflow purposes for more than four years. The site itself is well screened from the public domain (which includes the public highway) benefiting from the established on-site boundary hedging.
20. It is acknowledged that the site lies within an area of designated Green Belt and that at all tiers of development planning policy the accepted approach to development in the Green Belt is consistently articulated. The objectives of Green Belt policy are clearly understood (firstly, the permittance of 'appropriate' development only, and secondly, the preservation of the rural character and openness of the Green Belt) and based upon this approach it is suggested that the development, in its proposed form, is compliant.
21. GB2 lists criteria in which development is considered appropriate, although the list is arguably 'buildings based' and not directly applicable to land use in which an engineering operation (i.e. the layout of a car park) is still considered development. It goes on to add that development is defined as inappropriate unless it comprises buildings providing essential facilities for outdoor sports and recreation, for cemeteries, or for other uses of land which preserves the openness of the Green Belt and do not conflict with Green Belt purposes. Whilst it is acknowledge that the proposed does not fully comply with the above in the definitional sense, it remains to be a use of land which adequately preserves the openness of the Green Belt, compounded by the fact that any such use will only be in instances where an excess arises over and above the identified parking provision contained within the courtyards. Furthermore the policy in the emerging Local Development Framework suggests that associated uses, such as car parking will be considered against the need to maintain the openness and landscape character. The proposed car park, in terms of size, materials used, function, and the landscape context in which is located, is not considered to be contrary to these policies on the basis that 'openness' will be retained.

Planning Comments – Key Issues

22. The key issue to consider with this application is whether the proposal is 'appropriate development' in the Green Belt and if not whether very special circumstances have been demonstrated to warrant approval of the proposal as a Departure.
23. In my view the construction of a car park in the Green Belt is inappropriate development. The parking of cars and other vehicles is clearly visible from New Road and prejudices the openness of the Green Belt, although suitable landscaping could help to reduce this impact.
24. If the car parking requirements for the existing commercial use of the site are assessed against the maximum car parking standards set out in the Local Plan 2004 a maximum provision of 63 spaces could be justified. The approved layout plan for the site provides for 50 car parking spaces. Having visited the site I accept that it may be difficult to provide the car parking as shown in its entirety in a safe manner, however, there are areas within the site where car parking is indicated on the approved plan but not currently being used for that purpose. In my view an additional area of car parking which is shown as being capable of accommodating 37 cars cannot be justified, as it would result in a total provision above the maximum standards set out in the Local Plan 2004. In addition the applicant has not demonstrated that additional car parking could not be provided elsewhere, on land outside of the Green Belt. No very special circumstances have been demonstrated to justify inappropriate development in the Green Belt.

Recommendation

25. Refuse
 - A. The proposed creation of a car park in the Cambridge Green Belt is inappropriate development by definition and as such is contrary to the provisions of Policies P9/2a of the County Structure Plan 2003 and GB2 of the South Cambridgeshire Local Plan 2004. In addition the creation of a car park in this position would prejudice the openness of the Green Belt. It is the view of the Local Planning Authority that the applicant has not demonstrated that very special circumstances exist to warrant a departure being made from the Development Plan and Planning Policy Guidance 2, "Green Belts" aimed at protecting the integrity and openness of the Green Belt.
 - B. Enforcement Action be instigated to cease the use of the land for the parking of vehicles and to secure the removal of hoggins, gravel or other material which has been deposited on the land. Compliance period 3 months. Subject to a review of all material considerations appertaining at the time, to instigate prosecution proceedings in the event of non-compliance with the Enforcement Notice(s).

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
- S/0881/05/F

Contact Officer: Paul Sexton – Area Planning Officer
Telephone: (01954) 713255