

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 2nd November 2005

AUTHOR/S: Director of Development Services

**S/1818/05/F - Girton
General Purpose Agricultural Building at Manor Farm, Manor Farm Road
for Mr & Mrs K Dawson**

**Recommendation: Approval
Date for Determination: 17th November 2005**

Site and Proposal

1. The application site measures 1.16 hectares, (2.86 acres) in area, and is an owner occupied area of land that forms part of Mr and Mrs Dawson's small agricultural holding, and formerly part of the larger Manor Farm. Manor Farm has a small conglomeration of buildings sited approximately 80 metres south of the site, which are let by Cambridgeshire County Council with Manor Farm. Several barns erected by Mr Dawson, who until recently farmed Manor Farm, have been removed following the end of his tenancy. Mr Dawson retains a right of access over the farmyard. The site forms part of an agricultural land holding totalling 4.9 hectares, including rented land.
2. Girton Cottage, a privately owned residential dwelling, is located in between Manor Farm and the site, and is located 22 metres south of the site boundary. The application site is bound on all sides by an established hedge. The southwest facing boundary, which abuts Girton Cottage, is slightly higher and is denser. Beyond the hedge on the southeast boundary is a public footpath.
3. This full planning application, received on the 22nd September 2005 seeks permission for the siting of a general-purpose agricultural building. The barn is to be used for the storage of hay and straw produced by the applicant and some associated farm equipment/machinery. The barn, which is to measure 18.29 metres in length by 9.14 metres in width, and will be 4.88 metres in height, is to be sited adjacent to the south west boundary of the site, set 40 metres back from the field access, due north of Girton Cottage.

Planning History

4. A Prior Notification of Agricultural Development application, (ref. **S/2144/04/PNA**), received on the 20th October 2004 sought consent for the same general purpose agricultural building sited on the same parcel of land. The barn was again to be sited adjacent to the southwestern boundary of the site albeit 8 metres closer to the field access. Objections were raised to the siting and appearance of the barn due to the relationship with Girton Cottage and the resultant overbearing affect.
5. A subsequent application for prior notification of agricultural development (ref. **S/0756/05/PNA**) was found to be invalid and has not been determined. This was due to the applicant's agricultural holding having reduced in size after the application was submitted, following his retirement and cessation of his lease of Manor Farm from the County Council. The agricultural holding was as a result below the 5.0 hectares threshold at which the building could be claimed to be 'permitted development' under

the agricultural class of the 'General Permitted Development Order'. The applicant's agent was advised that full planning permission would be required.

Planning Policy

6. The site is located within the Green Belt. **Planning Policy Guidance Note 2** (Green Belts), **Policy P9/2a** of the Cambridgeshire and Peterborough Structure Plan 2003, ('Structure Plan') and **Policy GB2** of the South Cambridgeshire Local Plan 2004, ('Local Plan') seeks to restrict inappropriate forms of development within the Green Belt. The siting of agricultural buildings is considered appropriate providing the openness of the Green Belt is maintained.
7. **Policy P1/2** of the Structure Plan seeks to restrict development in the countryside unless the proposals can be demonstrated to be essential in a particular rural location.
8. **Policy P1/3** of the Structure Plan states that a high standard of design and sustainability should be adopted for all new forms of development.

Consultations

9. **Girton Parish Council** – Refuse. The Council objects to its continued concerns about right of access and the impact on Girton Cottage.
10. **Environment Agency** – No objection. Informatives are recommended.

Representations

11. None received.

Planning Comments – Key Issues

12. The key issues are the need for the building in this rural location, impact of the proposed structure on the openness of the Green Belt, and the impact on the residential amenities of Girton Cottage.

Essential to the particular rural location

13. The applicants produce hay and straw from the holding and earn a small income from the sale of the straw and hay they produce. There is a need to store both the hay/straw bales and associated farming equipment inside. The applicant has estimated that at any one time the maximum amount of storage for bales of hay are 2000 bales and 500-600 of straw. In addition they have three tractors, a mower and trailer in addition to other equipment, which now has to be stored in the open.
14. The applicants have limited options with regard to the location of such a building, as this is the only parcel that they own themselves.

Green Belt

15. To avoid unnecessary intrusion in the Green Belt and open countryside, additional agricultural buildings should ideally be grouped together. In this instance, as explained in the paragraph above, the proposed barn is to be sited on a separate parcel of land, 80 metres north of Manor Farm. This is the only land that the applicant owns, making an alternative location difficult to achieve.

16. Whilst the barn is not incorporated within the built up farmyard, it is my opinion that the proposed structure will not adversely affect the openness of the Green Belt. The majority of the structure will be well screened by the boundary planting. Being sited adjacent to existing buildings, (Girton Cottage and Manor Farm) the proposed barn would not be viewed as a stand-alone structure.
17. The proposed barn is a standard design. Given its location it is my view that the proposed structure will have a relatively unobtrusive visual impact. The roof and wall sheeting of the proposed barn is to be coloured dark green ensuring the building does not appear incongruous within the rural landscape.

Impact on Girton Cottage

18. The proposed barn is to be sited to the north of Girton College and will be located on the opposite side of a dense hedge, a minimum of 26 metres from the rear most point of the adjacent dwelling. Whilst the proposed barn measures 18.29 metres in length and 4.88 metres in height, in this application the barn has been re-sited further away from the field access to improve the relationship with Girton Cottage.
19. Following objections being raised to a previous application, the applicant has considered, at length, the potential to re-site the barn further away from Girton Cottage. Overhead power lines cross the centre of the site running diagonally in a southwest–northeast direction. EDF Energy had advised that for safety reasons the barn must not be sited within 18 metres of the lowest conductor on the 132kV steel tower line that crosses the site. The proposed barn abuts this defined safety zone and therefore the maximum clearance to Girton Cottage has been provided.
20. The proposed barn is to be used for the storage of hay, straw and some equipment and machinery. Whilst, due to seasonal changes the contents of the barn will vary, the barn will not be used to accommodate livestock. Given the revised location and proposed use, the siting of the barn, with regards to Girton Cottage, is considered acceptable.

Rights of Access

21. The Parish Council has raised concerns regarding the access. However no reason has been given for this objection. As part of the previous application the Countryside Access Team at Cambridgeshire County Council recommended informatives be added to any planning permission. These draw the applicants' attention to relevant points of law regarding the impact of the development on the adjacent public right of way.

Recommendation

22. It is recommended that the application be approved subject to the following conditions:
 1. Standard Condition A – Time limited permission (Reason A) - 3 years;
 2. Sc60 – Details of boundary treatment (Rc60);
 3. No development shall take place until details of the provisions to be made for nesting birds, particularly barn owls, together with details of the timing of the works, have been submitted and subsequently approved in writing by the local planning authority. The works shall be completed in accordance with the approved details.
(Reason: To comply with Policy EN14 of the Local Plan 2004, which encourages the provision of features for protected species within farm buildings.)

4. The agricultural building, hereby approved, shall be removed and the land restored to its former condition, should the use of the building for agricultural purposes permanently cease.
(Reason: To protect the openness of the Green Belt should the use of the building for agricultural purposes permanently cease.)

Informatives

Environment Agency

1. All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used.
2. Soakaways are proposed for the disposal of uncontaminated surface water. Percolation tests should be undertaken, and soakaways designed and constructed in accordance with BRE Digest 365 (or CIRIA Report 156), and to the satisfaction of the Local Authority. The maximum acceptable depth for soakaways is 2 metres below existing ground level. If after tests, it is found that soakaways do not work satisfactorily alternative proposals must be submitted. **Soakaways will not be permitted in contaminated ground.**
3. Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.
4. Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking or re-enacting that Order), any oil storage tank shall be sited on an impervious base and surrounded by oil tight bunded walls with a capacity of 110% of the storage tank, to enclose all filling, drawing and overflow pipes.
5. The facilities must comply with the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations 1991.
6. Agrochemicals and pesticides should be stored and used in such a manner that will not lead to pollution.
7. Liquid and solid animal/vegetable wastes and associated contaminated waters shall be stored and disposed of in a manner that will not lead to pollution of surface or underground waters.
8. All drums and small containers used for oil and other chemicals shall be stored in bunded areas which will not drain to any watercourse, surface water sewer or soakaway.
9. Facilities should be provided to ensure that waste and oil is stored and disposed of in a manner that will not lead to pollution.
10. Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.

Cambridgeshire County Council – Countryside Access Team

11. The footpath must remain open and unobstructed at all times. Building materials must not be stored on it and contractors' vehicles must not be parked on it (it is an offence under s137 of the Highways Act 1980 to obstruct a public right of way).
12. The footpath must not be used for vehicular access to the site unless the applicant is sure that they have lawful authority to do so (it is an offence under s 34 of the Road and Traffic Act to drive on a public footpath).
13. No alteration to the surface of the footpath is permitted without the consent of Cambridgeshire County Council (it is an offence under s1 of the Criminal Damage Act 1971 to damage the surface of a public right of way).
14. The County Council as Highway Authority is only responsible for maintenance of the surface up to footpath standard, for the purpose of the legitimate use by

members of the public in relation to that status; damage to the surface caused by non-public footpath use is repairable by the private users.

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003: P1/2** (Environmental Restrictions on Development), **P1/3** (Sustainable design in built development) and **P9/2a**(Green Belt).
 - **South Cambridgeshire Local Plan 2004: GB2** (General Principles).
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity
 - Public Rights of Way
 - Ecology

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

- Planning Policy Guidance Note 2 (Green Belts)
- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning files: S/1818/05/F, S/0756/05/PNA and S/2144/04/PNA.

Contact Officer: Melissa Reynolds – Senior Planning Assistant
Telephone: (01954) 713237