

Item No. 12

APPLICATION NUMBER	CB/16/01768/FULL
LOCATION	Water Lane Farm, Biggleswade Road, Upper Caldecote, Biggleswade, SG18 9BP
PROPOSAL	Conversion of farm offices to dwelling
PARISH	Northill
WARD	Northill
WARD COUNCILLORS	Cllr Mr Firth
CASE OFFICER	Donna Lavender
DATE REGISTERED	27 April 2016
EXPIRY DATE	22 June 2016
APPLICANT	Mrs Maudlin
AGENT	Richard Beaty (Building Design) Limited
REASON FOR COMMITTEE TO DETERMINE	Relative of Councillor Caroline Maudlin

RECOMMENDED DECISION **Recommended for Approval, subject to conditions**

Reason for Recommendation

The proposal for residential development is contrary to Policy DM4 of the Core Strategy and Development Management Policies Document 2009, however the Council is unable to demonstrate a 5 year housing supply and as such development should be considered in the context of sustainable development. The application site is considered to be a sustainable location for planning purposes and presents special circumstances which would outweigh any harm by way of its inappropriateness. The proposal would have no impact on the character and appearance of the area and is also considered to be acceptable in terms of highway safety and neighbouring amenity and therefore accords with Policy DM3 of the Core Strategy and Development Management Policies Document (2009) and the Council's adopted Design Guidance (2014).

Site Location:

The application site consists of an agricultural barn used as an office use in association with Water Lane Farm also within its grounds, which was given permission in 2012 under planning reference CB/12/01266/FULL.

The site is not located within the Upper Caldecote Settlement Envelope however the site is designated as falling within an Area of Archaeological Interest.

The Application:

Permission is sought for the change of use of the barn from farm office to C3 (Residential) Use. No changes are proposed to the external appearance of the unit however a small external amenity space is proposed alongside parking provision for 2 cars.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Section 6 -Delivering a wide choice of high quality homes

Section 7 - Requiring good design

Section 11- Conserving and enhancing the Natural Environment

Section 12 - Conserving and enhancing the Historic Environment

Core Strategy and Development Management Policies - North 2009

CS2 - Developer Contributions

CS14 - High Quality Design

DM3 - High Quality Design

DM4 - Development Within and Beyond Settlement Envelopes

DM12 - Horticulture & Redundant Agricultural Sites

DM14 - Landscape and Woodland

DM15 - Biodiversity

Development Strategy

At the meeting of Full Council on 19 November 2015 it was resolved to withdraw the Development Strategy. Preparation of the Central Bedfordshire Local Plan has begun. A substantial volume of evidence gathered over a number of years will help support this document. These technical papers are consistent with the spirit of the NPPF and therefore will remain on our website as material considerations which may inform further development management decisions.

Supplementary Planning Guidance/Other Documents

1. Planning Obligations Strategy, 23 October 2009
2. Written ministerial statement by Brandon Lewis on support for small-scale developers, custom and self-builders, Published 1st December 2014
3. Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

Application Number	CB/15/04056/PAPC
Description	Pre Application Non Householder Advice: change of use of office to a dwelling.
Decision	Advise Released
Decision Date	30/11/2015

Application Number	CB/12/01266/FULL
Description	Proposed farm office building and car park
Decision	Full Conditional Approval
Decision Date	24/05/16

Parish Council

1. Northhill Parish Council Resolved to approve this proposal. (27/05/16) -

Consultees:

1. CBC Highways Officer No Objection

(11/05/16) -

2. CBC Archaeologist No Objection
(16/05/16) -

3. CBC Rights Of Way No Objection
Officer (16/05/16) -

4. Internal Drainage No Objection, subject to an informative in respect of the
Board (24/05/16) - investigation of existing soakaways.

5. CBC Ecology No Objection, subject to the imposition of an informative
(06/06/15) - notify the applicant of their responsibilities if any bats are
found during the course of any works.

Other Representations:

None received

Determining Issues:

The main considerations of the application are;

1. **Principle**
2. **Affect on the Character and Appearance of the Area**
3. **The Historic Environment**
4. **Neighbouring Amenity**
5. **Highway Considerations**
6. **Other Considerations**

Considerations

1. Principle

- 1.1 The site lies outside of the settlement envelope of Upper Caldecote and is located in land regarded as open countryside. The adopted policies within the Core strategy and Development Management Policies 2009 limit new housing development on unallocated sites to within settlement envelopes (Policy DM4). Upper Caldecote is designated as a large village and Policy DM4 limits new housing development to small scale development. On the basis of Policy DM4 a residential proposal outside of the settlement envelope would be regarded as contrary to policy. However it is necessary for the Council to consider whether material considerations outweigh the non-compliance with this Policy.
- 1.2 Further to a recent appeal decision at Henlow, at the time of writing this report, the Council cannot demonstrate a 5 year supply of deliverable housing, and therefore policies with respect to the supply of housing (including Settlement Envelopes) are deemed out of date as per paragraph 49 of the NPPF. The NPPF (paragraph 14) advises that where the development plan is absent, silent or out of date that permission should be recommended for grant unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the development.
- 1.3 The National Planning Policy Framework carries a presumption in favour of

Sustainable Development. There are three dimensions to sustainable development which require consideration such as economic, social and environmental roles. Paragraph 9 of the NPPF states that these roles are mutually inclusive and as such in order to achieve sustainable development all three of the dimensions should be sought simultaneously.

- 1.4 Upper Caldecote is classified as a Large Village under Policy CS1 of the Core Strategy for the North with access to a variety of community facilities including Caldecote Lower School, a post office, Anglican church, Methodist chapel, antiques shop, garage, GM Growers, cricket club, football pitches and changing rooms, tennis courts, netball court, children's park and two newsagents. The village is served by a bus service which stops on Biggleswade Road a short walk from the site. The proposal is a conversion and therefore the use of the building would not result in further erosion of existing open space or countryside. Therefore the village can be regarded as a sustainable location as it provides employment opportunities; services which serve the residents social needs and the development would have no environmental impact. The provision of housing is a benefit of the scheme which should be given some weight however on the basis that the development would be small scale; it would not constitute a significant contribution to our 5 year housing supply and therefore is not given significant weight.
- 1.5 In addition, Policy DM12 of the Core Strategy for the North supports proposals for the re-development or conversion of redundant or disused buildings within agricultural sites providing that the scale, layout and design of the proposal are reflective of their setting, and whereby they have a suitable relationship with the existing local facilities and road network. In this instance, the unit has only been used in association with the agricultural business since its construction in 2014 and is not considered disused or redundant however it is close proximity to the main highway network and village core and the building would still retain a function which is supportive of the agricultural enterprise which is considered in greater detail in paragraph 1.6 of this report. The NPPF goes further to support schemes for the conversion of disused buildings providing that they would lead to an enhancement of their immediate setting or whereby there is an essential need for a rural worker to live permanently near their place of work.
- 1.6 The supporting statement supplied with the application details special circumstances that the current occupier of the farm cottage on the site, is semi-retired and unable to carry out the manual tasks of the farm. The owner requires assistance from her son and family in this capacity. The intention is to allow her son to live in the main residence on the site and use the current office building (the subject matter of this application) in a residential capacity for herself. This allows for independent living whilst also allowing the applicant to continue with the administrative functions she still carries out on the site in connection with the agricultural business. The office function would return to the main residence and some rooms of the proposed new residence would be utilised for storage in association with the agricultural use.
- 1.7 The office unit is currently not redundant or disused and has only recently been provided, however the NPPF is supportive of the reuse of buildings within rural locations and its reuse would not result in a demonstrable amenity impact. The

development can be regarded a small scale within a sustainable location and further to the special circumstances presented in support of the conversion of the unit for residential purposes and due to the fact that unit would still be utilised in ancillary function in association with the agricultural nature of the site, it is considered that the proposal would conform to policy DM12 of the Core Strategy for the North and Section 6 of the NPPF.

2. Affect on the Character and Appearance of the Area

- 2.1 No external changes or additional openings are proposed as a result of the conversion. Hardstanding and green space already exists within the site which can accommodate parking and amenity and whilst a 1.8 metre high boundary fence is proposed to demarcate the proposed garden space, the proposal would not adversely affect on the overall character of the site. As such, it is considered that the proposal would conform with policies CS14 & DM3 of the Core Strategy for the North of Central Bedfordshire, the Central Bedfordshire Design Guide and Section 7 of the NPPF.

3. Neighbouring Amenity

- 3.1 The building is far enough away from any neighbouring houses outside of the site to ensure that no harm would be caused to living conditions. The building is sufficient distance away from the farm house that there would be no resultant overlooking as a result of residential occupation.
- 3.2 The layout plan demonstrates that an adequate level of external amenity for a 1 bedroom unit has been provided for future occupiers in accordance with the Central Bedfordshire Design Guide. However given the limited width of the garden space, pd rights will be removed for additional buildings and extensions to the unit, to ensure an adequate level of amenity can be retained for future occupiers. Furthermore the floorplans provided demonstrate adequate internal amenity standards.
- 3.3 Whilst bin storage and collection points have not been identified on the layout plan, there are sufficient spaces within the site to accommodate such facilities and as such this could be secured by condition. Therefore the proposal in this regard, would conform with policy DM3 of the Core Strategy for the North of Central Bedfordshire, the Central Bedfordshire Design Guide and section 7 of the NPPF.

4. Highway Considerations

- 4.1 No changes are proposed to the existing access. Two parking spaces are proposed for the 1 bedroom dwellinghouse, in accordance with the Councils Parking Standards. The existing parking area which was previously used in conjunction with the office building will be unchanged and remains in use for any associated meetings and workshops that would be facilitated within the main residence of the farm. As such, the proposal is not considered to be prejudicial to highway safety and no objections have been raised by the Councils Highways Officer in this regard. The proposal therefore is considered to be in accordance with DM3 of the Core Strategy for the North and Section 4 of the NPPF.

5. Other Considerations

5.1 Archaeology

The proposed development site lies partly within the historic core of the settlement of Upper Caldecote (HER 17129) and under the terms of the *National Planning Policy Framework* (NPPF) this is a heritage asset with archaeological interest. However, the nature of the proposals is such that there is unlikely to be a major impact upon any surviving archaeological remains. As such, no objection has been raised by the Councils Archaeologist to this application on archaeological grounds and therefore the proposal would accord with Section 12 of the NPPF.

5.2 Ecology

The building has been in active use and therefore it is unlikely there is a presence of bats or other protected species. In the event that any species are identified during the conversion works, an EPS license will need to be obtained from Natural England. As such, it is considered that the proposal would accord with Policy DM15 of the Core Strategy for Central Bedfordshire and Section 11 of the NPPF.

5.3 Rights of Way

Whilst the building is near to the public right of way (adjoining its southern boundary), the proposal would not see any encroach upon it and would not prevent its use. As a result, no harm would be caused to the Right of Way.

5.4 Pre-Application Advice

Advice was sought on the potential conversion of this unit to residential in 2015 under reference CB/15/04056/FULL. Advice was given that the change of use would not constitute permitted development under an Agricultural notification and that special circumstances would need to be demonstrated. This matter was fulfilled in the statement accompanying this planning application.

5.5 Financial Contributions

Significant weight should be given to the National Planning Policy Framework, which calls for the achievement of the three dimensions of sustainable development: economic, social and environmental. It is considered that Policy CS2 of the Core Strategy for the North is in accordance with the National Planning Policy Framework. This states that developers are required to make appropriate contributions as necessary to offset the cost of providing new physical, social, community and environmental proposals.

In this case, the applicant has not submitted or signed an agreement for Section 106 Unilateral Undertaking. However given the fact that the proposal is for only 1 dwellinghouse within a sustainable location, it would not give rise to the requirement for significant education or community infrastructure contributions, therefore it is considered that the proposal would not conflict with the requirements of the National Planning Policy Framework to provide sustainable development, and with policy CS2 of the Core Strategy for the North.

5.6 Human Rights issues

The proposal raises no Human Rights issues.

Equality Act 2010

The proposal raises no Equality issues.

Recommendation:

That Planning Permission be Recommended for Approval subject to the following:

RECOMMENDED CONDITIONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The dwelling hereby approved shall not be occupied until details of the bin storage & collection areas have been submitted to and approved in writing by the Local Planning Authority and the bin storage/collection areas have been implemented in accordance with the approved details. The bin storage & collection areas shall be retained thereafter.

Reason: In the interest of amenity.
(Policy DM3 of the Core Strategy for the North & Section 7, NPPF)

- 3 Notwithstanding the provisions of Part 1, Class A of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions to the building(s) hereby permitted shall be carried out without the grant of further specific planning permission from the Local Planning Authority.

Reason: To control the external appearance of the building/s in the interests of the amenities of the area and to ensure an adequate external amenity space is retained.
(Policy DM3 of the Core Strategy for the North & Section 7, NPPF)

- 4 Notwithstanding the provisions of Part 1 Class E of Schedule 2 to the Town and Country (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no buildings or other structures shall be erected or constructed within the curtilage of the property without the grant of further specific planning permission from the Local Planning Authority.

Reason: To control the development in the interests of the visual amenity of the area and to ensure an adequate external amenity space is retained.
(Policy DM3 of the Core Strategy for the North & Section 7, NPPF)

- 5 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 08.50.21 (Proposed Plans), 08.50.22A (Block Plan) & CBC 001 (Site Location Plan).

Reason: To identify the approved plan/s and to avoid doubt.

INFORMATIVE NOTES TO APPLICANT

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the National Planning Policy Framework (NPPF) and the Core Strategy for North Central Bedfordshire.
2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
3. The applicant is advised that in the event that any protected species are identified during the conversion works, you will be required to apply for an EPS license for the mitigation of protected species prior to the commencement of works. Details of the application process can be found on via the following web link:
<https://www.gov.uk/government/publications/european-protected-species-apply-for-a-mitigation-licence>
4. The Buckingham & River Ouzel Internal Drainage Board advise that it is essential that ground conditions be investigated and if found satisfactory, the soakaways constructed in accordance with the latest Building Research Establishment Digest.
In the event that ground conditions are found not to be suitable for soakaway drainage, any direct discharge to the nearby watercourse will require the Board's prior consent. Please contact the Internal Drainage Board at Vale House, Broadmead Road, Stewartby, Bedford. MK43 9ND - Telephone (01234 767995) - E-mail contact@idbs.org.uk
5. Please note that the unnumbered drawings submitted in connection with this application have been given unique numbers by the Local Planning Authority. The numbers can be sourced by examining the plans on the View Planning Application pages of the Council's website www.centralbedfordshire.gov.uk.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35

The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

DECISION

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