OFFICER REPORT

Case No: 24/02416/FUL Full Planning Application

Proposal: Change of use of an Agricultural Grain/Storage Barn to a Children's Play Barn and associated external alterations

Location: Barn 47 St Judiths Lane Sawtry

Applicant: MS KELSEY PETERS

Grid Ref: 517169 282639

DESCRIPTION OF SITE AND APPLICATION

The site comprises an existing barn with hardcore surfaced area to the north and a grassed verge area to the west. The site is situated in the southern part of Sawtry and there is an existing vehicular access to St Judiths Lane. The floor area of the existing building is approximately 450sqm with the overall site approximately 0.1ha.

This application seeks approval for the change of use of an existing agricultural grain/storage barn to a children's play barn and associated external alterations at St Judith's Lane, Sawtry.

The site is in close proximity to a Grade II* Listed Building (47 St Judiths Lane) and two Grade II Listed Buildings (No. 38 and Barn, 47 St Judiths Lane).

This application has been accompanied by the following:

- Design, Access, Planning and Heritage Statement
- Transport Statement
- Flood Risk Assessment

Officers have scrutinised the plans and have familiarised themselves with the site and surrounding area.

NATIONAL GUIDANCE

The National Planning Policy Framework (NPPF 2024) sets out the three objectives - economic, social and environmental - of the planning system to contribute to the achievement of sustainable development. The NPPF 2024 at paragraph 10 provides as follows: 'So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).'

The NPPF 2024 sets out the Government's planning policies for (amongst other things):

* delivering a sufficient supply of homes;
* building a strong, competitive economy;
* achieving well-designed, beautiful and safe places;
* conserving and enhancing the natural, built and historic environment.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Planning Practice Guidance and the National Design Guide 2021 are also relevant and material considerations.

For full details visit the government website: https://www.gov.uk

PLANNING POLICIES

Huntingdonshire's Local Plan to 2036 - adopted May 2019

LP1: Amount of Development
LP2: Strategy for Development
LP4: Contributing to Infrastructure Delivery
LP5: Flood Risk
LP6: Waste Water Management
LP8: Key Service Centres
LP11: Design Context
LP12: Design Implementation
LP14: Amenity
LP15: Surface Water
LP16: Sustainable Travel
LP17: Parking Provision and Vehicle Movement
LP22: Local Services and Community Facilities
LP30: Biodiversity and Geodiversity
LP31: Trees, Woodland, Hedges and Hedgerows
LP34: Heritage Assets and their Settings

Sawtry Neighbourhood Plan 2022-2036 - adopted December 2023

Policy SNP5 - Community Facilities
Policy SNP9 - Off-street parking and electric vehicle charging point
Policy SNP11 - Business and employment

Local policies are viewable at https://www.huntingdonshire.gov.uk

Supplementary Planning Documents (SPD) and Guidance:

Huntingdonshire Strategic Flood Risk Assessment (2024)
Huntingdonshire Design Guide Supplementary Planning Document 2017
Developer Contributions SPD 2011
Huntingdonshire Landscape and Townscape SPD (2022)
Cambridgeshire Flood and Water SPD 2017

The National Design Guide (2021)

* C1 - Understand and relate well to the site, its local and wider context
* I1 - Respond to existing local character and identity
* I2 - Well-designed, high quality and attractive
* B2 - Appropriate building types and forms
*M3 - Well-considered parking, servicing and utilities infrastructure for all users
* N3 - Support rich and varied biodiversity
* H1 - Healthy, comfortable and safe internal and external environment
* H2 - Well-related to external amenity and public spaces
* H3 - Attention to detail: storage, waste, servicing and utilities

Local policies are viewable at https://www.huntingdonshire.gov.uk

PLANNING HISTORY

24/00523/FUL - Change of use of an agricultural grain/storage barn to a children's play barn and insertion of external doors - Withdrawn.

23/02072/P3MPA - Converting current grain store to a children's farm-themed birthday party barn with an additional door - Refused.

CONSULTATIONS

Sawtry Parish Council - Recommend approval. "Looking to employ 2 staff, would be good if from Sawtry. All previous issues have been dealt with. No issues now other than what is max capacity? But happy to approve."

Cambridgeshire County Council's Highway Authority - Recommend refusal of planning permission due to St Judith's Lane being inadequate to serve the proposed development by reason of restricted carriageway width, inadequate pedestrian infrastructure and lack of passing places. The proposed development would intensify the use of the inadequate approach road infrastructure to an unacceptable degree resulting in unacceptable impact on highway safety.

Huntingdonshire District Council's Environmental Health - No objections.

REPRESENTATIONS

No third-party representations were received during the course of the application.

SUMMARY OF ISSUES

When determining planning applications, it is necessary to establish what weight should be given to each plan's policies in order to come to a decision. The following legislation, government policy and guidance outline how this should be done.

As set out within the Planning and Compulsory Purchase Act 2004 (Section 38(6)) and the Town and Country Planning Act 1990 (Section 70(2)) in dealing with planning applications the Local Planning Authority shall have regard to have provisions of the development plan, so far as material to the application, and to any other material considerations. This is reiterated within paragraph 48 of the NPPF (2024). The development plan is defined in Section 38(3)(b) of the 2004 Act as "the development plan documents (taken as a whole) that have been adopted or approved in that area".

In Huntingdonshire the Development Plan relevant to this application consists of:

o Huntingdonshire's Local Plan to 2036 (2019)
o Cambridgeshire & Peterborough Minerals and Waste Local Plan (2021)
o Sawtry Village Neighbourhood Plan 2022 to 2036 (2023)

The statutory term 'material considerations' has been broadly construed to include any consideration relevant in the circumstances which bears on the use or development of the land: Cala Homes (South) Ltd v Secretary of State for Communities and Local Government & Anor [2011] EWHC 97 (Admin); [2011] 1 P. & C.R. 22, per Lindblom J. Whilst accepting that the NPPF does not change the statutory status of the Development Plan, paragraph 2 confirms that it is a material consideration and significant weight is given to this in determining applications.

The main issues to consider are:

o The Principle of Development
o Design, Visual Amenity and Impact on Heritage Assets
o Residential Amenity

o Highway Safety
o Flood Risk and Surface Water
o Biodiversity

*The Principle of the Development

The site is located in the southern corner of Sawtry, which the adopted Huntingdonshire Local Plan to 2036 identifies as a Key Service Centre (Policy LP8). The site is also situated within the boundary for the Sawtry Neighbourhood Plan to 2036.

Initially, consideration should be given as to whether the site is located within the built-up area of Sawtry. The adopted Local Plan defines a built-up area as "a distinct group of buildings that include 30 or more homes. Land which relates more to the group of buildings rather than to the surrounding countryside is also considered to form part of the built-up area.".

The Local Planning Authority are satisfied that the site relates more to the group of buildings to the north, east and south than to the open countryside to the west and further south and as such consider it to form part of the built-up area of Sawtry.

Policy LP8 states that a proposal for development on a site which is additional to those allocated in the Local Plan, will be supported where it is located within a built-up area of a Key Service Centre. As the site is located within the built-up area, the proposal is deemed to be in accordance with Policy LP8 of the adopted Local Plan.

The proposal seeks approval for the change of use of an existing, disused agricultural barn to a children's play barn with associated works at St Judiths Lane, Sawtry. Accordingly, Policy LP22 (Local Services and Community Facilities) of the adopted Local Plan and Policies SNP5 (Community Facilities) and SNP11 (Business and Employment) of the Sawtry Neighbourhood Plan are considered relevant in this instance.

Policy LP22 of the adopted Local Plan states that a proposal for a new local service or community facility within a built-up area will be supported where it:

(a) is of a scale to serve local needs;
(b) comprises up to a maximum or 600m2 net internal floorspace for a main town centre use; and
(c) provides for a new service or facility or it retains or enhances an existing service or facility; including though the provision of premises suitable for mixed use or multiple community functions.

Given the scale of the existing building and the size of the settlement to which it would serve - a Key Service Centre settlement, as well as smaller settlements in the surrounding area, the Local Planning Authority are satisfied that the proposal would satisfy criteria (a) of Policy LP22.

The proposed use (children's play barn) is a main town centre use in accordance with the National Planning Policy Framework (2024). As the existing building would measure an internal floorspace of 450m2 with no extensions proposed, the proposal would satisfy criteria (b) of Policy LP22.

Furthermore, the proposal would provide a new service within the settlement of Sawtry and therefore satisfy criteria (c) of Policy LP22.
Policy SNP5 of the Sawtry Neighbourhood Plan states that development proposals that result in the provision of new community facilities will be supported subject to the proposal not adversely affecting residential amenity or the living conditions of the occupiers of neighbouring properties; the proposal will not lead to traffic congestion or adversely affect the free flow of traffic; and access arrangements and off-street parking including cycle parking to promote active travel can be satisfactorily provided.

The criteria for Policy SNP5 are discussed in greater detail in the following sections (Residential Amenity and Highway Safety) of this report. It is also worth noting that Policy SNP11 of the Sawtry Neighbourhood Plan states that development proposals related to new employment facilities will be supported in principle where they are within the built-up area or on land well-related to the built-up area of Sawtry.

As such, the principle of development is considered to be acceptable in this instance, subject to all other planning matters being addressed.

*Design, Visual Amenity and Impact on Heritage Assets

The Local Planning Authority is required to ensure that special regard is given to preserving the listed buildings and their settings in relation to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This is also reflected in Policy LP34 of the Huntingdonshire Local Plan to 2036 and Section 16 of the National Planning Policy Framework.

Policy LP11 of the Local Plan states that a proposal will be supported where it is demonstrated that it responds positively to its context. Policy LP12 states that new development will be expected to be well designed and that a proposal will be supported where it can be demonstrated that it contributes positively to the area's character and identity and successfully integrates with adjoining buildings and landscape. This is also reflected in the Huntingdonshire Design Guide SPD and Section 12 of the National Planning Policy Framework (2024).

This application seeks approval for the change of use of an agricultural grain/storage barn to a children's play barn and associated external works at St Judiths Lane, Sawtry. The external alterations include the insertion of doors to the existing building, the provision of a car park and the installation of boundary treatments. The site is in close proximity to a Grade II* Listed Building (47 St Judiths Lane) and two Grade II Listed Buildings (No. 38 and Barn, 47 St Judiths Lane).

The proposed doors would be installed on the northern (uPVC/aluminium in anthracite grey) and western (wicket door to fit the existing wrought iron barn sliding door in matching materials) elevations. The doors are considered to be acceptable in scale and design and would not result in any harm to the character or appearance of the existing barn or wider site.

The principal Listed Building is a large red brick structure with 'Dutch gables' that was built in the late 1500s and extended in 1672. Just to the east is a Grade II listed timber framed barn. The main dwelling would likely have been built for the lord of the manor and in the latter years of the 17th Century become the main house of the manorial farm. Although in relatively close proximity to Manor House, the modern barn is clearly separate from the historic farmyard and listed buildings.

The main impact of the proposed change of use on the setting of the nearby Listed Buildings would be in the creation of a car park to the north of the barn. However, the Council's Conservation Officer has considered this to be an improvement on the current gravel yard area and will have no impact on the significance of Manor House.

Overall, the proposal is considered to be acceptable in terms of design and appearance and would not result in any harm to the setting of the nearby Listed Buildings. As such, the proposal is deemed to be in accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies LP11 and LP12 and LP34 of Huntingdonshire's Local Plan to 2036, the Huntingdonshire Design Guide SPD and Section 12 of the National Planning Policy Framework (2024) in this regard.

*Residential Amenity

Policy LP14 of the Local Plan to 2036 states a proposal will be supported where a high standard of amenity is provided for all users and occupiers of the proposed development and maintained for users and occupiers of neighbouring land and buildings.

The application site lies adjacent to a number of residential dwellings on Aversley Road to the east, Hill View Care Home to the north and Manor House Farmhouse to the south.

As this application seeks approval for the change of use of an existing building with no extensions proposed, the proposal is not considered to result in any detrimental overbearing, overshadowing, overlooking or loss of light impacts on any neighbouring residential properties amenities over and above the existing arrangements.

Furthermore, with regards to noise and disturbance impacts on the neighbouring residential properties, it is proposed to install sound absorbing material to be fixed to the inside elevations of the existing barn. This is considered acceptable subject to a condition requiring further details to be submitted and approved. It is also proposed to erect 2m high close boarded fencing on the northern and eastern sides of the car park. The proposed fencing will help to screen the parking area as well as ensuring that the neighbouring properties are not adversely affected by vehicular movement in the parking area. It is noted that the existing yard area associated with the farm is currently not screened or restricted in terms of how it may be utilised.

Given the proximity to a number of residential properties in the immediate vicinity, conditions would be imposed on any planning permission granted to ensure the installation and retention of the sound insulating material (to be agreed by the Local Planning Authority) and secure opening hours (9am-7pm). However, given the existing use of the site, the proposal is not considered to adversely affect the residential amenity of neighbouring properties to such a degree to warrant a refusal of planning permission.

Therefore, taking the above factors into consideration, the proposal is considered to be acceptable with regard to its impact on residential amenity and therefore accords with Policy LP14 of Huntingdonshire's Local Plan to 2036, the Huntingdonshire Design Guide SPD and Section 12 of the National Planning Policy Framework (2024) in this regard.

*Highway Safety

Policies LP16 and LP17 of the Local Plan to 2036 seeks to ensure that new development incorporates appropriate space for vehicle movements, facilitates access for emergency vehicles and service vehicles and incorporates adequate parking for vehicles and cycles.

Paragraph 116 of the National Planning Policy Framework states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

The proposal would be accessed via an existing vehicular access off St Judiths Lane, that is subject to a 30mph speed limit. This application has been accompanied by a Transport Statement following concerns raised by the Local Highway Authority on the previous application (24/00523/FUL).

For the majority of St Judiths Lane, it is a single vehicles width narrowing to around 3.4m in some locations with narrow verges and adjacent ditches/drains in places. There are no pedestrian facilities on St Judiths Lane between Holborn View and the application site. Based on survey data, there are between 130-200 movements per day (average 150) with a near equal split between pedestrian and vehicular traffic.

The traffic generation related to the proposed development has been established through the TRICS (Trip Rate Information Computer System) and indicates that the proposed use could generate approximately 156 vehicle movements per day - roughly equating to a housing development of between 25-30 dwellings. The submitted Transport Statement states that development is expected to increase from 160 movements per day to circa 280 movements per day - resulting in an increase of approximately 75% or nearly double the existing flows with the majority of movement being vehicle traffic.

Given the increase in vehicle and pedestrian movements resulting from the development and taking into consideration the inadequate infrastructure and limitations along St Judiths Lane, the proposal would intensify the use of the highway network to an unacceptable degree and would therefore result in unacceptable impacts on highway safety.

Furthermore, given the existing physical highway constraints along St Judiths Lane, the Local Highway Authority have concluded there is very limited potential for improved footway or passing bay provision in mitigation of the proposal.

In terms of parking provision nineteen car parking spaces are proposed, set either side of a central access point. There is therefore considered to be adequate off-street car parking spaces within the site to cater to the proposed use.

In response to the Highway Authority objections the Applicants Highway Consultant has provided further information.
They note that vehicular peaks and pedestrian trip peaks do not exist at the same time.

They question the comparison the Highway Authority has drawn with new housing generation and the conclusion that the proposed development is equivalent to around 30 new dwellings and consider that under such assumptions the distribution of traffic through the day would be significantly different, with an accentuated peak in the morning and the evening weekdays and an imbalance between pedestrian and vehicle numbers. They consider that the (recommended) refusal is therefore based on the large percentage increase in all modes of traffic, rather than consideration of the actual numbers and a commentary in respect of road capacity and accident risk.

They go on to state that in the TA, whilst there was no evidence of traffic exceeding the speed limit of 30mph during the surveys, the impact of the proposed additional traffic may be reduced by slowing all traffic further and by introducing both reactive speed signs at the fringe of the village and by introducing a 20mph speed limit. The effect would be to reduce average speeds and to maintain a quiet lane environment that can be shared by those in and out of vehicles - a Traffic Regulation Order would be needed to change the current 30mph speed limit.

They consider that the Highway Authority has made no comment on these mitigation aspects or the ability to consider alternatives such as carriageway marking/colour and signage.

They also consider that in terms of effect, there would be a marginal increase in accidents with the development - from none at the present time i.e. around 100 to 150 more vehicular trips down the lane per day and whether that change is likely to have any impact - single digit changes per hour.

The Parliamentary Advisory Council for Road Safety (PACTS) said in 2024, 'speed limits should ideally reflect inherent risk. The challenge is that to meet the demands of the safe system we would have to set speed limits much lower than they are now. Drivers wouldn't find this credible. This is why moving towards a safe system would be such a good idea - taking those first steps, changing speed limits and operating speeds so we are closer to those survivable speeds. We would undoubtedly see casualty numbers reduce. And, in time, we should see some additional benefits coming from in vehicle systems that may mean that in due course we can meet somewhere in the middle.'

They therefore consider that there are initiatives that will help mitigate the additional traffic and take on board the PACTS views - signage of pedestrians and children, reactive speed signs at the approaches to the site, reducing the speed limit to 20mph and moving it further from the village boundary etc.

The Highway Authority has been re-consulted on these additional comments and have confirmed that while they refer to offering reduced speed limits and reactive signage, the lane is single width with very few spaces for pedestrians to take refuge on this already well used pedestrian recreational route. Therefore, it would still be mixing higher levels of vehicles in with pedestrians making it uncomfortable for anyone walking within the location. Accordingly, they are maintaining their objection stating that in relation to the increase in vehicle and pedestrian movements resulting from the development and given the inadequate infrastructure to enable vehicles to pass both other vehicles and non-vehicular travel modes, it is considered that due to the intensification of use of the sub-standard highway, the proposal would be prejudicial to conditions of highway safety.

As such, the proposal would be contrary to Policy LP17 of Huntingdonshire's Local Plan to 2036 and Section 9 of the National Planning Policy Framework (2024) in this regard and planning permission should be refused accordingly.

*Flood Risk

The application site lies within Flood Zone 1 in accordance with Environment Agency mapping and the Huntingdonshire Strategic Flood Risk Assessment. This application has been accompanied by a Flood Risk Assessment.

The flood risk vulnerability of the existing and proposed uses is 'less vulnerable' in accordance with the Planning Practice Guidance, which is compatible with land within Flood Zone 1. Furthermore, as stated in paragraph 176 of the National Planning Policy Framework (2024), as the application seeks approval for the change of use of an existing building, sequential and exception tests are not required.

It is also worth noting that the proposal would utilise an existing area of hardsurfacing to provide the car parking area and no other external alterations that would increase flooding within the site or on surrounding land would occur.

As such, the proposal is considered to be acceptable with regard to its impact on both flood risk and surface water and therefore accords with Policies LP5, LP6 and LP15 of Huntingdonshire's Local Plan to 2036 and Section 14 of the National Planning Policy Framework (2024) in this regard.

*Biodiversity

Paragraph 187 of the NPPF (2024) states planning policies and decisions should contribute to and enhance the natural and local environment. Policy LP30 of the Local Plan to 2036 requires proposals to demonstrate that all potential adverse impacts on biodiversity and geodiversity have been investigated and ensure no net loss in biodiversity and provide a net gain where possible, through the planned retention, enhancement and creation of habitats and wildlife features, appropriate to the scale, type, and location of development.

The existing building is a concrete framed barn which is clad and roofed with fibre cement sheeting, with the lower sections being constructed of brick. It is on hard standing with negligible biodiversity potential. It is therefore considered that there would be no net loss in biodiversity. Given that the proposal involves the reuse of an existing building and yard and there is considered the be limited scope within the application site boundary to secure any enhancements, it would not be reasonable to require the applicant to demonstrate net gain in biodiversity through the

imposition of a condition. In this instance, it is considered that the proposal complies with Policy LP30 as it ensures no net loss in biodiversity.

As of the 2nd April 2024, mandatory biodiversity net gain (BNG) is applicable on small sites as per paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended)). However, in this instance the application is considered to be exempt as the application relates to a change of use where there is no/only a de minimis impact on onsite habitat.

Overall, the proposal is deemed to broadly be in accordance with Policy LP30 of Huntingdonshire's Local Plan to 2036 and Section 15 of the National Planning Policy Framework (2024) in this regard.

*Conclusion

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

As a result of the increase in vehicle and pedestrian movements resulting from the development and taking into consideration the inadequate infrastructure and limitations along St Judiths Lane, the proposal would intensify the use of the highway network to an unacceptable degree and would therefore result in unacceptable impacts on highway safety.

The proposed development is therefore considered to be contrary to Policy LP17 of the adopted Huntingdonshire Local Plan to 2036 and Section 9 of the National Planning Policy Framework (2024).

Taking national and local planning policies into account, and having regard for all relevant material considerations, it is concluded that the proposed development is contrary to policy and is not acceptable. The proposed development is considered to be in conflict with the Development Plan when taken as a whole and is not acceptable. There are no overriding material considerations that indicate that permission should be granted in this instance.

Therefore, it is recommended that the application be refused.

CONTACT OFFICER:
Enquiries about this report to **Jennifer Wallis**