OFFICER REPORT

Case No: 25/00673/FUL **Full Planning Application**

Proposal: Change of use of stable block (equine use) and store (B8) to storage, office and welfare space (retrospective) (B8 and E g(i))

Location: Pasturelands Taylors Lane Buckden

Applicant: Mr Andrew Magee

Grid Ref: 518669 267959

DESCRIPTION OF SITE AND APPLICATION

This application seeks approval for the change of use of a stable block and store to storage, office and welfare space (Use Classes B8 and E (g(i)) at Pasturelands, Taylors Lane, Buckden. This application is retrospective with works having been completed in October 2024.
The site is located north-west of the settlement of Buckden and is located south of Taylors Lane, Buckden and is accessed via an existing access track from the highway. The site is located within Flood Zone 1.

This application has been accompanied by a covering letter/supporting statement. A highways technical note and additional information has also been received during the course of the application following concerns raised by the Local Highway Authority.

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.

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
LP10: The Countryside
LP11: Design Context
LP12: Design Implementation
LP14: Amenity
LP15: Surface Water
LP16: Sustainable Travel
LP17: Parking Provision and Vehicle Movement
LP19: Rural Economy
LP30: Biodiversity and Geodiversity
LP31: Trees, Woodland, Hedges and Hedgerows
LP33: Rural Buildings

Buckden Neighbourhood Plan 2020-2036 - adopted November 2020

Transport 2 - Traffic Impact Mitigation
Biodiversity 1 - Protecting
Biodiversity 2 - Net Gains
Landscape 1
Landscape 2

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

24/02148/FUL - Change of use of land to open storage and extension to hardstanding, remodelling an existing earth bund and creation of an earth mound as a drainage solution (part retrospective) - Pending consideration.

22/01684/S73 - Variation of condition 2 (approved plans) of application 20/01614/FUL - Approved.

22/0369/FUL - Widening of existing access - Approved.

21/02383/FUL - Change of use of land from agriculture to open storage/commercial business use (Use Class B8) ancillary to the use of adjacent commercial buildings including extension to hardstanding following demolition of buildings (retrospective). Retention and remodelling of earth mound - Refused.

21/02384/CLED - Application under Section 191 of the Town and Country Planning Act 1990 for a lawful development certificate for the existing use of buildings and land for commercial business purposes comprising workshop and storage uses with ancillary office (Class E(g)(iii) and B8) in Unit 1, Workshop and storage uses (Class B2 and B8) in Unit 2, and commercial artists spray workshop and storage uses (Class E(g)(iii) and B8) in Unit 3 - Approved.

20/01614/FUL - Replace barn (with the benefit of Class Q Prior Approval for 2 homes) with 2 new dwellings - Approved.

CONSULTATIONS

National Highways - No objections.

Cambridgeshire County Council Highway Authority - Following receipt of amended and additional information which clarifies the use of the units and provides vehicle movements associated with the storage use, no objections to the proposal. No significant effect upon the Public Highway should result from the proposal.

Cambridgeshire County Council Lead Local Flood Authority - The application does not appear to have any surface water flood risk or drainage implications therefore no comments to make. The application us for a change of use only. Whilst this proposal will not result in an increase in impermeable area, we strongly encourage the use of sustainable drainage techniques (SuDS) to take account of the effects of climate change. Recommend an informative on any permission.

Huntingdonshire District Council Environmental Health - No objections to the proposal.

REPRESENTATIONS

One letter of objection was received during the course of the application raising concerns over the following matters:

- Impact on the environment - noise and disturbance/pollution
- Impact on traffic and transportation - congestion, highway safety and damage to road
- Impact on the character and appearance of the area;
- Impact on neighbouring properties;
- Conflict with planning policy.

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 consists of:

o Huntingdonshire's Local Plan to 2036 (2019)
o Cambridgeshire & Peterborough Minerals and Waste Local Plan (2021)
o St Neots Neighbourhood Plan 2014-2029
o Godmanchester Neighbourhood Plan (2017)
o Houghton and Wyton Neighbourhood Plan (2018)
o Huntingdon Neighbourhood Plan (2019)
o Bury Village Neighbourhood Plan (2021)
o Buckden Neighbourhood Plan (2021)
o Grafham and Ellington Neighbourhood Plan 2020-2036 (2022)
o Great Gransden Neighbourhood Plan 2021 to 2036 (2023)
o The Stukeleys Neighbourhood Plan 2022 to 2036 (2023)
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 and Visual Amenity
o Residential Amenity
o Highway Safety
o Flood Risk and Surface Water
o Biodiversity

*The Principle of the Development

The site is located within the boundary for the Buckden Neighbourhood Plan (2021), however is located outside of the built-up area of Buckden and is therefore classified as countryside land in accordance with the adopted Huntingdonshire Local Plan. Policy LP10 of the adopted Local Plan states that development in the countryside will be restricted to the limited and specific opportunities as provided for in other policies of this plan.

The Buckden Neighbourhood Plan states that proposals for business development which provide for local employment opportunities and which make a positive contribution to supporting the rural economy are acceptable, subject to satisfying criteria. An assessment of the proposal against the criteria within Section 10.3 of the Buckden Neighbourhood Plan (Business Policies) is carried out in greater detail throughout this report.

Policy LP19 of the adopted Local Plan states that a proposal for the expansion of an established business within its existing operational site will be supported. It is also worth noting that paragraph 88 of the National Planning Policy Framework (2024) states that decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings.

Given the proposed development seeks to expand the existing commercial operation immediately adjacent to an existing established commercial use within the wider site of Pasturelands, the proposal is therefore considered to satisfy Policies LP10 and LP19 in this regard as well as paragraph 88 of the National Planning Policy Framework (2024).

Policy LP33 of the adopted Huntingdonshire Local Plan to 2036 states that a proposal for the conversion of a building in the countryside will be supported where it can be demonstrated that the building is

(i) redundant or disused;
(ii) of permanent and substantial construction;
(iii) not in such a state of dereliction or disrepair that significant reconstruction would be required; and
(iv) structurally capable of being converted for the proposed use.

Whilst the application is retrospective, the submitted supporting statement claims the building was redundant as it was no longer required for equestrian use. The intention was for these equestrian facilities to be used as a high-class equestrian livery. However, a change in personal circumstances and subsequent business growth on the wider site meant that it was impractical for the buildings to be used for equestrian use. Accordingly the stable block has been subdivided into six small business units and the store/tack room into an office unit. Given the recent planning history and the expansion of the existing business on site, the Local Planning Authority are satisfied that the building is redundant in its current use. Furthermore, following a review of the submitted information and a site visit undertaken by the case officer, the Local Planning Authority are satisfied that criteria (ii), (iii) and (iv) are satisfied in this instance.

Policy LP10 goes on to state that all development in the countryside must
(a) seek to use land of lower agricultural value in preference to land of higher agricultural value;
(b) recognise the intrinsic character and beauty of the countryside; and
(c) not give rise to noise, odour, obtrusive light or other impacts that would adversely affect the use and enjoyment of the countryside by others.

The application site previously comprised of a stable block and associated tack room/store, and therefore the proposal would not result in the loss of agricultural land. The proposal therefore is in accordance with Policy LP10 criterion (a).

As discussed in following sections of this report, the Local Planning Authority are satisfied that criterion (b) and (c) are met.

Overall, the proposal is considered to be in accordance with Policies LP2, LP10, LP19 and LP33 of the Huntingdonshire Local Plan and the Buckden Neighbourhood Plan in this regard and therefore 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 Upon the Character of the Area

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 Policies LP10 and LP33 of the adopted Local Plan, the Buckden Neighbourhood Plan, the Huntingdonshire Design Guide SPD and Section 12 of the National Planning Policy Framework (2024).

This application seeks retrospective approval for the change of use of a stable block and store to storage, office and welfare space (Use Classes B8 and E g(i)) at Pasturelands, Taylors Lane, Buckden.

The proposed change of use has not resulted in any external alterations to the existing buildings and therefore would not result in any visual harm to the character and appearance of the existing site, streetscene of Taylors Lane or the wider countryside. Furthermore, the buildings are well related to existing buildings within the wider site - which are also in commercial uses.

As such, the proposal is deemed to be in accordance with Policies LP10, LP11, LP12 and LP33 of Huntingdonshire's Local Plan to 2036, the Buckden Neighbourhood Plan, 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.

Given the size and nature of the uses (internal storage, offices and welfare space) and the distance to the closest neighbouring residential properties (approximately 90m north-west), the Local Planning Authority are satisfied that the development would not result in any detrimental impacts on neighbouring properties amenities. A condition will be imposed restricting the use of the buildings to those applied for only.

Huntingdonshire District Council Environmental Health Officer has been consulted on the application and has no objections to the proposal with regard to noise and disturbance.

It is also worth noting that no external alterations are proposed as a result of the change of use.

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.

The proposed development would be accessed via the existing vehicular access off Taylors Lane which serves the wider Pasturelands site. This application has been accompanied by a Highways Technical Note, which includes a traffic survey.

Due to the expansion of the site the stable block has been subdivided into six business units and the store/tack room into an office unit. The majority of the converted space is required for a combination of ancillary storage, welfare and office space for use by existing businesses on the wider site. Units 2 and 5 have been let to local businesses for storage space and are primarily used for the storage of tools, machinery and materials.

Given the majority of the units are utilised by the existing businesses within the wider site - aside from two units which are considered to generate low traffic movements - the Local Highway Authority are satisfied with the findings of the submitted report and additional information provided

on traffic movements and conclude that the proposed development would not result in an over-intensification of the use of the site and its existing access.

It is worth noting that as Taylors Lane abuts the trunk road network, National Highway have been consulted on the application and have raised no objections to the proposed development.

Furthermore, the Local Planning Authority are satisfied there is adequate space for off-street car parking within the site and space for vehicle turning to ensure vehicles enter the public highway in a forward gear.

As such, the proposal is considered acceptable in terms of its impact on highway safety and therefore accords with Policy LP17 of Huntingdonshire's Local Plan to 2036, the Buckden Neighbourhood Plan, and Section 9 of the National Planning Policy Framework (2024) in this regard.

*Flood Risk

The application site lies within Flood Zone 1 in accordance with Environment Agency mapping and the Huntingdonshire Strategic Flood Risk Assessment (2024).

The flood risk vulnerability of the proposed development is 'more 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 and minor development, sequential and exception tests are not required.

The Lead Local Flood Authority (LLFA) have been consulted on the application and have no objections to the change of use of the buildings as there does not appear to be any surface water flood risk or drainage implications.

Given the low flood risk and minor scale of development, officers are satisfied that full details of the surface and foul water drainage can be secured as part of building regulations and other relevant legislative requirements in this instance.

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.

It should be noted that as of the 2nd of April 2024, a mandatory 10% Biodiversity Net Gain (BNG) is applicable, as per Schedule 7A of the Town and Country Planning Act 1990. In this instance it is considered that the development would be exempt from the requirements of Biodiversity Net Gain Legislation as it involves a change of use where there is no or only a de minimis impact on onsite habitat.

Furthermore, Local Planning Authorities records indicate no presence of protected species in the area.

As such, the proposal is broadly considered to 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

The proposed development is considered to be compliant with the relevant national and local policy as it is:

* Acceptable in principle
* Would not be harmful to the character or appearance of the area;
* Would not have a significantly detrimental impact upon the amenity of neighbours;
* Would not be detrimental to highway safety in the locality;
* Is acceptable with regards to the impact on biodiversity;
* There are no other material planning considerations which lead to the conclusion that the proposal is unacceptable.

Taking national and local planning policies into account, and having regard for all relevant material considerations, it is recommended that planning permission be granted, subject to the imposition of appropriate conditions.

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CONTACT OFFICER:
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