

Planning Statement

**Full planning application for
the change of use of
agricultural buildings to Class
E(g)(iii) and B8 use with
associated external
alterations, car parking and
landscaping**

at

**Church Farm
Church Road
Hempstead
CB10 2PA**



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1.0 INTRODUCTION

- 1.1 This application relates to the change of use of agricultural buildings to E(g)(iii) (industrial processes which can be carried out in a residential area without detriment to its amenity) and B8 (storage) use, along with some minor external alterations, and the creation of 32 allocated parking spaces, 9 cycle parking spaces along with associated landscaping. The land currently already benefits from hardstanding areas which will be utilised for the parking.
- 1.2 The buildings subject to this application are located to the north of the highway which runs between Hempstead and Great Sampford in a loop. The site sits on the edge of the built up area in Hempstead. There are a number of buildings on site, some of which have been joined together. Most buildings will not need any further work to facilitate their conversion, however the open sided barns will require some new walls/rollershutter doors, additional windows are proposed, and some re cladding will take place, along with general repairs.
- 1.3 In terms of the uses proposed, the applicant deliberated over what would be most appropriate given the location. On balance, and to ensure that the buildings will be desirable to tenants, E(g)(iii) and B8 uses are proposed. These uses will result in minimal transport movements to and from the site, and are therefore deemed most appropriate for former farm buildings in this location, with the proposed vehicle movements being offset by the loss of the existing agricultural traffic movements.
- 1.4 All of the buildings have been used as agricultural buildings, most recently storing grain, and agricultural machinery. As mentioned above, one of the buildings has been in B8 use for in excess of 20 years. The holding has alternative grain storage facilities, these buildings are subsequently used sparingly for agricultural storage purposes for the last decade or so. The buildings are old and in need of modernisation, they are no longer required for agricultural purposes.



2.0 BACKGROUND AND PROPOSAL

- 2.1 The buildings in question have been in agricultural use since construction, but are no longer fit for purpose given their age and design. Modern agricultural storage buildings are vast buildings with height and capacity advantages over these older buildings at Church Farm, this in order to store larger modern agricultural vehicles and equipment as well as grain, along with associated dryers. In order to secure a viable long term use for the buildings a E(g)(iii) and B8 use is proposed. The current buildings are impractical and not compliant with new regulations. The grain store at the site is so low and the doorway so small the applicants have to keep two old small trailers to solely use for that barn, which is costly and less safe than modern trailers. The traditional buildings are still used for agriculture but very lightly, just storage of small old machinery items. During harvest they are intensively used for agricultural storage, but this amounts to only a small number of weeks per year. The applicant also seeks to include both uses at the site to ensure a successful uptake on the space, particularly post Covid19 and the uncertainties of how this will affect the successful rental of both uses.
- 2.2 Many of the buildings are currently partially redundant and last used for general agricultural storage, most recently grain and agricultural machinery storage (although one building is in a B8 use (building B8)), primarily they are used during harvest. The holding has a central farmyard for alternative grain and machinery storage facilities elsewhere, and is increasingly transferring agricultural storage to this alternative yard due to the constraints associated with these buildings and increased efficiency of using a central yard to operate from. The current grain store on this site has recently been deemed as not compliant with the latest Red Tractor Farm Assurance requirements, which is a main factor in considering new uses for the buildings. The space here is therefore essentially redundant for future agricultural purposes and rather than the buildings continuing to remain empty and fall further into disrepair, the applicants are looking at investing in the buildings and bringing in commercial tenants, which in turn will bring employment to the local area.



2.3 Other buildings on site have decreased in use partly due to the fact that grain is no longer stored intensively at the site (although a small amount is still stored at the farm) and partly due to the condition of the buildings, which are in need of some investment so that they can be used to their full potential once again.



2.4 The internal layout of the building is not shown as part of this application, as until occupants are signed up, it is not entirely possible to know precisely how the buildings will be internally subdivided. Internal removable partitions will be inserted when the subdivision of the space is formally determined by the demand. The buildings have subsequently been designed as a flexible space to either accommodate a single tenant, or subdivided for a number of smaller business tenants, which is more likely on the larger buildings, rather than the smaller ones.

2.5 The precise uses can be summarised as follows:

Barn 1 (@ 694 sqm) = B8 use

Barn 2 (@ 1061 sqm) – B8 use

Barn 3 (@ 222 sqm) – E(g)(iii) use

Barn 4 (@ 213 sqm) – E(g)(iii) use

Barn 5 (@ 393 sqm) – B8 use

Barn 6 (@ 277 sqm) – B8 use

Barn 7 (@ 70 sqm) – B8 use

Barn 8 (@ 65 sqm) – B8 use

3.0 PLANNING HISTORY

3.1 There is no relevant planning history on the farm buildings in the last 30 years. Furthermore, there are no relevant planning applications adjoining or abutting the site.

4.0 NATIONAL PLANNING POLICY

4.1 The National Planning Policy Framework (NPPF) is a material consideration in determining planning applications.

4.2 The NPPF places a particular emphasis on building a strong competitive economy with paragraph 81 stating:



“Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.”

4.3 Paragraph 84 is also relevant to this proposal in its support for a prosperous rural economy. It states that *“Planning policies and 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”* and enable *“the development and diversification of agricultural and other land-based rural businesses”*.

4.4 And having particular regard to rural areas, paragraph 85 goes on to stipulate that:

“Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.”

5.0 LOCAL PLANNING POLICY

5.2 Local Policy comprises the Local Plan adopted in 2005. The most relevant policies are mentioned below, whilst others may be pertinent to the application, they are covered in section 6 of this report. The Council have withdrawn their new Local Plan following major flaws found after the first round of hearings. Work has now begun on a new Local Plan however this is at a very early stage.



5.3 Local Plan policies most relevant to this proposal are as follows:

- S7 Countryside
- E5 Re use of Rural Buildings
- GEN1 Access
- GEN2 Design
- GEN8 Vehicle Parking Standards

Local Plan policy S7 is concerned with protecting the countryside, it is a restrictive policy whereas the NPPF takes a more positive approach. It states;

“The countryside to which this policy applies is defined as all those parts of the Plan area beyond the Green Belt that are not within the settlement or other site boundaries. In the countryside, which will be protected for its own sake, planning permission will only be given for development that needs to take place there, or is appropriate to a rural area. This will include infilling in accordance with paragraph 6.13 of the Housing Chapter of the Plan. There will be strict control on new building. Development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set or there are special reasons why the development in the form proposed needs to be there.”

5.4 The ‘Compatibility Assessment Document’ prepared by Ann Skippers on behalf of the Council confirms that policy S7 is not fully in accordance with the NPPF and that the more stringent parts of the policy need to be justified by local circumstance. The provision of residential dwellings is now at the forefront of government policy due to the shortage of housing in the country. Furthermore in this instance the fallback position must be given appropriate weight in the decision making process.

5.5 Policy E5 is concerned with the re use of rural buildings. Specifically it states that *“The re-use and adaptation of rural buildings for business uses, small scale retail outlets, leisure uses or for tourist accommodation will be permitted in the countryside, including the Metropolitan Green Belt, the Countryside Protection Zone and beyond, if all the following criteria are met:*

a) The buildings are of a permanent and substantial construction;



b) They are capable of conversion without major reconstruction or significant extension;

c) The development would protect or enhance the character of the countryside, its amenity value and its biodiversity and not result in a significant increase in noise levels or other adverse impacts;

d) The development would not place unacceptable pressures on the surrounding rural road network (in terms of traffic levels, road safety countryside character and amenity)."

5.5 The commentary in the 'Compatibility Assessment' document for this policy states that *"LPAs should take into account the economic and other benefits of the best and most versatile agricultural land. However, economic growth is supported in rural areas to create jobs and prosperity and a positive approach to sustainable new development should be taken. The sustainable growth and expansion of all types of business and enterprise in rural areas both through the conversion of existing buildings and well designed new buildings is supported. The development and diversification of agricultural and other land-based rural businesses is promoted. Sustainable rural tourism and leisure developments which benefit businesses, communities and visitors are supported where they respect the character of the countryside."*



6.0 CONSIDERATIONS

The Principle of Development

- 6.1 Focusing first on the principle of the proposal, the site lies in the countryside wherein policy S7 states the forms of development that will be deemed appropriate. This does not make any reference to the re-use of existing buildings (although this is of course permitted within more up to date NPPF). Therefore, policy S7, as well as being out of date for many purposes, is of limited relevance to these host proposals, this is also confirmed in the 'Ann Skippers Compatibility Assessment Document' which assesses each Local Plan policy against the NPPF in order to ascertain the weight that can be afforded to each policy.
- 6.2 The most pertinent policy in the plan allows for the conversion of rural buildings into commercial uses (E5). This section of the report clarifies that the proposals are fully in compliance with the most pertinent policy in the Local Plan, and therefore should be supported. Policy E5 states that the principle of the conversion of a rural building is appropriate development provided that, *the building is of permanent and substantial construction*; there is little doubt over each of the buildings permanence, they have been in place for many years, being used for agricultural storage purposes. They are generally block/brick built, the majority fully enclosed and of solid construction. There is little doubt that the buildings are of substantial construction compared to many agricultural buildings which are the subject of conversion.
- 6.3 *Capable of conversion without major reconstruction or extension*; There are no plans to extend any of the buildings, and the height is not proposed to be altered. Externally, other than the general refurbishment of the buildings, the only changes will be adding new fenestrations including additional up and over doors to some of the buildings and adding walls to open sided buildings. All work will, overall, improve the appearance of buildings and see them brought back in to use.



6.4 *The development would protect or enhance the character of the countryside, its amenity value and its biodiversity and not result in a significant increase in noise levels or other adverse impacts;* As previously mentioned the appearance of all the buildings will be enhanced by these proposals. It would bring the buildings back into a proper use and be of benefit to the local community as well as providing employment and business space, although physical works to the buildings are limited. The proposals would not have any detrimental impacts upon biodiversity, with the buildings being unsuitable for bats. Finally, noise levels at the site will not be increased above those of the existing farming enterprise, whilst there are no neighbours of the site within 30 metres of the buildings (this being the applicants property), with the next nearest neighbour across the road, 35 metres from the buildings.

6.5 *The development would not place unacceptable pressures on the surrounding rural road network (in terms of traffic levels, road safety countryside character and amenity);*

Church Road is a 30 mph road. An assessment of recent Personal Injury Accident (PIA) records for the local area has been carried out which demonstrates how there have been no recorded accidents along Church Road during the most recent five-year period (2016 to 2020). This indicates that Church Road currently operates in a safe and suitable manner for all road users.

6.6 The village of Hempstead is located approximately 200 metres west of the site and contains several small amenities such as 'The Bluebell Inn' pub. The nearest set of bus stops to the site are located adjacent to the pub and the southbound stop consists of a sheltered arrangement with supporting timetable information. Both stops are served by bus routes '60' and '438'. Bus route '60' operates an average of 4 daily services during the week and connects to locations such as Haverhill, Radwinter, Saffron Walden and Audley End, whilst bus route '438' is a school bus service.



- 6.7 Whilst the change of use could allow for flexible commercial uses to operate within the unit, given the sites location and the proposal in hand, it is likely that the change of use would result in either B2 (industry) or B8 (storage) uses operating at the site. The proposed development would continue to be served by the existing site access from Church Road. Speed surveys have been undertaken which demonstrate that Church Road is very lightly trafficked with an average of 8 two-way vehicle movements recorded during the busiest weekday peak hour period. The average speed west bound 27.5 mph and 31.1 mph eastbound.
- 6.8 The Transport Assessment submitted as part of this application demonstrates that, even with all the buildings utilised for commercial purposes, the transport impacts would not be severe. Parking and cycle provision is shown in accordance with the uses proposed.
- 6.9 The existing agricultural unit could have generated up to 30 daily movements, of which a high proportion would have comprised slow moving agricultural vehicles, such as tractors with trailers. Some of the buildings at the site could take advantage of the unexpended permitted development rights, such as Class Q and/or Class R and further increase vehicle movement without the need for express planning consent, as well as the building in B8 use, would increase this number still.
- 6.10 Taking all things into account, we do not consider that this change of use proposal would subsequently create significant highway impacts, and subsequently should not be refused on highway grounds.
- 6.11 Further, the level of additional activity should have a negligible impact on the surrounding roads. On this basis, it is considered that that the proposed development would not lead to any significant highway impacts in terms of capacity or highway safety and therefore meets the requirements of Paragraph 109 of the NPPF which 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 would be severe”*.
- In addition, if this building is not permitted a change of use, it will remain empty and fall into disrepair.



Sustainability and Employment

- 6.12 Sustainability is of course fundamental to the planning system, and it is recognised that any new Local Plan will seek the majority of new employment uses to be sustainably located. In this case it is accepted that the site lies outside the defined settlements and within a rural location. It does not therefore fit squarely with the general thrust of the above commentary.
- 6.13 However, there is continued demand for commercial uses in rural locations given the number of people who in fact live in such areas. Locations such as Church Farm can therefore serve to reduce commuting times for those who live nearby, whilst supporting local rural economies. Further, the conversion of an existing buildings is far more sustainable than erecting new ones. The applicants have received numerous enquiries from local residents and local businesses for commercial space to let, despite never advertising or marketing such space, therefore indicating demand for such uses.
- 6.14 Government policy, as set out in the NPPF, is clear in its support for rural economic growth. Government has also recently launched a new round of business development grant funding through the Rural Development Programme for England (RDPE). This provides a grant of between £20,000 and £175,000 for new and existing small businesses, and to farmers for non-agricultural diversification. The aim is to secure new jobs within rural areas, and improve business and productivity. This proposal is eligible for funding, and the applicants have submitted their Expression of Interest. This programme highlights Government's approach to supporting the rural economy.
- 6.15 Paragraph 84 of the NPPF makes it very clear that sites to meet local employment need may have to be found in locations that are not well served by public transport. In such cases, three criteria are set out as follows:
- The development must be sensitive to its surroundings;
 - The development should not have an unacceptable impact on local roads;



- The development should exploit any opportunities to make the location more sustainable;

6.16 Turning to the first point, the proposals have been designed to respect the simple form and character of the existing buildings. Externally a high quality landscaped car park is proposed to the perimeter of the existing concrete hard standing. Furthermore, the additional planting is proposed to assimilate the buildings with its rural surroundings. It should therefore be viewed as sensitive to its surroundings.

6.17 Turning to the second bullet point, this application has been robustly assessed in terms of the highway impacts, both in this report and the appended Site Access Appraisal. Paragraph 105 of the NPPF also recognises that *'opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making'*.

6.18 Finally, paragraph 84 requires that opportunities to make the location more sustainable should be exploited. This can include improved access on foot, by cycle, or public transport. Sustainable Transport Modes is of course defined in the NPPF Glossary as *"Any efficient, safe and accessible means of transport with overall low impact on the environment, including walking and cycling, low and ultra low emission vehicles, car sharing and public transport"*.

6.19 In this case the site is located approximately 200 metres from the village centre (as the crow flies) and its bus stops. These buses provide services to surrounding larger settlements. Furthermore, with the current uptake of cycling, there is no reason that this site cannot be easily accessed by bicycle.

6.20 There is also a good network of footpaths and bridleways in the local area which will be unaffected by the proposal but can provide opportunities to reach the site on foot or cycle. Provision is made for cycle parking and shower facilities to encourage cyclists. Provision will also be made for electric vehicle (EV) charging within the car park to encourage the use of low carbon vehicles.



- 6.21 All attempts to exploit opportunities to make the location more sustainable have therefore been considered in accordance with the final bullet point above. But ultimately it is accepted that visitors to the site will be mostly reliant on private vehicles. Paragraph 84 of the NPPF accepts that *“sites to meet local business and community needs in rural areas may have to be found... in locations that are not well served by public transport.”*
- 6.22 The buildings are not excessive in size and will not generate a significant number of movements which would result in highway safety issues. The uses proposed are not ones which will see a significant increase in vehicular movements, and the change of use will see the removal of agricultural vehicles permanently. It will provide a benefit to the local economy by meeting the needs of local businesses who may otherwise be commuting further into towns further afield.
- 6.23 Although the majority of visitors may travel by car, the applicant is providing EV charging facilities, and it is likely that the majority of journeys by car will be short. Any harm associated with the location of this site for an industrial/storage conversion should therefore be deemed minimal in sustainability terms, especially in relation to the benefits set out below in relation to enhancements to landscaping and biodiversity, and support for the rural economy.
- 6.24 Regard should also be had to Part 3 Class R of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). This allows for agricultural buildings to change use to flexible commercial uses subject to a Prior Approval process. This would allow for the buildings to change use to B1 office/light industrial use without the need for full planning permission. This clearly demonstrate central governments position on such conversion, one of general support. It should also be noted that one building at the site already contains a B8 use, this use has been occurring for in excess of 20 years but forms part of this application.



6.25 Finally, sustainability has also been fundamental to the design and layout of the buildings. Both buildings have been designed additional glazing to make use of passive solar gain, and will be well-insulated to minimise heating requirements. The applicant also intends to install an air source heat pump to provide underfloor heating throughout both the buildings where required. The re-use of these building also takes advantage of its existing embodied carbon.

Design, Layout and Character

6.26 The design proposes to respect the simple agricultural form and characteristics of the existing buildings. Existing openings have been used as far as possible and any new openings are proposed to be simple and sympathetic. It is proposed to re-clad the buildings in higher quality profiled metal cladding, black painted weatherboard, and replace the corrugated roofs with a higher quality profiled metal roof to enhance the appearance of the buildings. A dark colour is proposed – either dark green or black to appear appropriate in the rural context.

6.27 The use of tiles has been considered; however tiles are not characteristic of farm buildings in this area, particularly on a building of this size however they can be utilised on smaller buildings. The majority of buildings will simply be repaired and there is no need for alteration to their materials.

6.28 The buildings will be viewed in the context of current farm buildings and will therefore not appear out of character with the rural area. Significant enhancements are also proposed in the form of improved hard and soft landscaping around the buildings. The additional planting around the car park will ensure a high quality design and serve to screen the visual impact of car parking from the surrounding countryside. There are a few small derelict buildings on site which will be removed as part of the proposals which will enhance the visual character of the site.



6.29 Internally, the buildings have been designed with a flexible internal layout to meet the needs of a range of commercial tenants, in terms of both the size and the use.

Biodiversity

6.30 Given the location and condition of the existing building, a Preliminary Ecological Appraisal (PEA) has been carried out. This concludes that there is no evidence of bats, and no further survey work is required.

6.31 Nonetheless a number of recommendations have been made in the PEA to protect and enhance biodiversity, including bat boxes, bat friendly lighting, and appropriate planting. New planting around the building will therefore comprise native mix species to enhance biodiversity. Overall this is considered to result in a net biodiversity gain for the development that should weigh in favour of the scheme.

Parking

6.32 Highways and access have been covered earlier in this report as well as the Highway Impact Assessment report prepared by Bancroft which can be found at appendix 3. The applicant does not consider that there will be any harm expected to arise from the proposal in terms of highway safety or capacity. The site is served by an existing access which has been historically used by large agricultural vehicles and large articulated HGVs as well as commercial traffic associated with the existing uses. The access is considered to be sufficient in width with ample space for vehicles to enter and turn. Visibility is also considered to be acceptable, and the applicant has sufficient control over adjacent land to maintain the required splays. Furthermore, parking can be provided within the (although a small amount is still stored at the farm) farmyard on the existing concrete hardstanding, as demonstrated on the submitted plans, in accordance with adopted standards.



Residential Amenity

6.33 Turning to any impact of the proposed development on local amenity, the nearest residential property is 30 metres to the east, this is in the applicant's ownership. The next nearest is across the road, 35 metres away to the south. Given these distances, and the nature of the proposed uses as non-noisy uses, it is not anticipated that there will be any adverse impact on the amenity of nearby properties. Furthermore, the existing use of agriculture does create noise, increasingly in recent years during the evenings with the change in modern agricultural practices, particularly during harvest.

7.0 CONCLUSIONS

7.1 This proposal seeks to secure a viable use for an increasingly redundant farmyard, whilst providing a benefit to the rural economy. The NPPF encourages the re-use of existing buildings, and even allows for such proposals in the Green Belt. This site is of course located in the countryside and not within the Green Belt which is less tightly controlled, and allows for new employment generating uses where they are sustainably located.

7.2 Whilst the site is accessible by means other than the private car, it is acknowledged that there are limited opportunities to make the site any more sustainable, although EV charging points are proposed. However, subject to satisfying the criteria in paragraph 84 of the NPPF, it should be accepted that sites to meet local business needs may have to be found in locations that are not well served by public transport. These criteria require the development to be sensitive to their surroundings, have no unacceptable impact on local roads, and exploit any opportunities to make a location more sustainable. All such opportunities have been exploited in this case, and it is therefore considered that these criteria have been met.

7.3 Government support for rural economic development is also supported by its recent round of RDPE funding for which this scheme is eligible, and an application will be made.



7.4 In summary this scheme should be seen as the sustainable re-use of currently underutilised buildings, which will benefit the local economy and community, whilst supplementing existing commercial uses that are already permitted on site. The proposal will enhance and provide a net biodiversity gain in the form of new native planting, and bat boxes, also improving the overall appearance of the area from the work involved in repairing and improving the buildings, bring them back in to use all year round, rather than just intensive use for a few weeks per year.

7.5 Accordingly, in light of the material considerations discussed above, the Local Planning Authority is hereby respectfully requested to grant this application.