

ASSINGTON – MILL FARM, BURES ROAD

Change of use of part of former water mill building from agricultural to education/ tourist use.

Applicant: Mrs A Cowlin

Case Officer: Richard Collins

BACKGROUND

This application is reported to Development Committee at the request of the Local Member.

SITE

1. The application site is located to the south of Bures Road, accessed via a narrow unmade track. The site lies outside the built-up area boundary, within a Special Landscape Area. This is a curtilage listed building of the Grade II listed farmhouse. A public footpath crosses through the site between the former water mill building and the farmhouse.

PROPOSAL

2. This planning application seeks permission for the change of use of part of the former water mill building from agricultural to education/ tourist use. The educational and tourist use would consist of short traditional craft courses which are designed for recreational purposes.
3. The application is purely for a change of use with no internal or external alterations proposed.
4. The former water mill building is attached to the Mill Cottage to the east (subject of B/06/00579/FUL for change of use to holiday accommodation and item 13 on this schedule, which also has the benefit of a valid planning permission to residential guest annexe) and a cartlodge to the west. The building measures 8.7m wide, 4.9m deep and 7.1m high, covering a floor area of approximately 42.6 square metres.
5. There are currently 12 car parking spaces with no additional spaces proposed. It is expected that up to 12 cars will visit the site two days per week and the proposed hours of working are 10am-4.30pm. An additional 35 part-time employees are proposed. At present there are about 40 different topics for the courses, which means employing about 35 tutors.
6. A letter from the applicant has been submitted in support of the application. The following comprises a summary of the points raised: -
 - The two western sections of this building were gutted twenty years ago to form a grain store, which is no longer required as we use contract farmers.

- This proposal will provide an economic use for an ancient building that would otherwise be redundant with no detrimental effect on landscape characteristics, biodiversity or cultural heritage (no structural alterations).
- The farm comprises 86 acres of mixed-usage and poor quality land managed as a farm and private nature reserve.
- The farm complex cannot be seen from any other house or tarmaced road.
- For past 3 years have worked with the Dedham Vale and Stour Valley Countryside Project to improve the farm environmentally but without further diversification the farm will not be an economic unit.
- The educational and tourist use would consist of short traditional craft courses for recreational purposes and do not lead to qualifications, filling a recently created gap in the market for people who want to learn new skills.
- The courses would run for two days a week for 48 weeks a year for small groups of between four and twelve led by a tutor. Local pubs and B&Bs would benefit from overnight stays for the two-day courses.
- There are currently 40 different course topics which would employ about 35 tutors, many of which live locally. Occasional catering is by two local people and almost all the food comes from Assington Farm Shop.
- Public transport is readily available with Bures train station three miles away, buses between Colchester and Sudbury run through the village about 24 times a day in winter and presumably more frequently in summer.
- Offer a “green travel plan” taxi service from Bures, students remain on site during the day and can stay on site overnight.
- Have provided new permissive footpath away from the access track and would argue that this ameliorates the disbenefits of traffic generated by the courses to the public footpath.
- One dwelling is affected directly by traffic going to Mill Farm and its owners have always supported our initiatives to make the farm economically viable.
- In wet weather the car park would be at the end of the yard, in dry weather it would be in Pond Meadow below the surrounding fields and screened from the farmhouse by trees.

RELEVANT PLANNING HISTORY

7. 2006 – Current application for change of use of agricultural building to holiday accommodation - B/06/00579/FUL
8. 2005 - Planning permission granted for erection of summerhouse - B/05/01063/FHA
9. 2005 - Planning permission refused and appeal dismissed for change of use of outbuilding from tractor shed to educational use - B/04/01883/FUL
10. 2003 - Planning permission and listed building consent granted for conversion of agricultural outbuilding to residential guest annexe - B/03/00842/FUL and B/03/00843/LBC
11. 2003 - Planning permission and listed building consent granted for erection of two-storey side extension and single storey rear extension - B/03/00844/FHA and B/03/00845/LBC
12. 2003 - Planning permission granted for erection of outbuilding for use as agricultural storage/shed/workshop and siting of mobile home for 2 years - B/03/01859/FUL

POLICY

PPS 1 (Delivering Sustainable Development)

13. Good quality, carefully sited accessible development within existing towns and villages should be allowed where it benefits the local economy and/or community. Accessibility should be a key consideration in all development decisions. Most developments which are likely to generate large numbers of trips should be located in or next to towns or other service centres that are accessible by public transport, walking and cycling. Decisions on the location of other developments in rural areas should, where possible, give people the greatest opportunity to access them by public transport, walking and cycling.

PPS 7 (Sustainable Development in Rural Areas)

14. Planning authorities should focus most new developments in or near to local service centres where employment, housing, services and other facilities can be provided close together. This should help to ensure these facilities are served by public transport and provide improved opportunities for access by walking and cycling. These centres (which might be a country town, a single large village or a group of villages) should be identified in the development plan as the preferred location for such development.
15. The Government's policy is to support the re-use of appropriately located and suitably constructed existing buildings in the countryside where this would meet sustainable development objectives.
16. Recognising that diversification into non-agricultural activities is vital to the continuing viability of many farm enterprises, local planning authorities should be supportive of well-conceived farm diversification schemes for business purposes that contribute to sustainable development objectives.

PPG15 (Planning and the Historic Environment)

17. Any object or structure which is fixed to a listed building, or is within the curtilage and forms part of the land and has done so since before July 1948 - are also treated as part of the building for the purposes of listed building control. Once lost, listed buildings cannot be replaced; and they can be robbed of their special interest as surely by unsuitable alteration as by outright demolition. They represent a finite resource and an irreplaceable asset. There should be a general presumption in favour of the preservation of listed buildings, except where a convincing case can be made out, against the criteria set out in this section, for alteration or demolition.
18. Generally the best way of securing the upkeep of historic buildings and areas is to keep them in active use. For the great majority this must mean economically viable uses if they are to survive, and new, and even continuing, uses will often necessitate some degree of adaptation. The range and acceptability of possible uses must therefore usually be a major consideration when the future of listed buildings or buildings in conservation areas is in question.

19. The best use will very often be the use for which the building was originally designed, and the continuation or reinstatement of that use should certainly be the first option when the future of a building is considered. But not all original uses will now be viable or even necessarily appropriate: the nature of uses can change over time, so that in some cases the original use may now be less compatible with the building than an alternative. For example, some business or light industrial uses may now require less damaging alterations to historic farm buildings than some types of modern agricultural operation.

Please note that details or extracts of policies are no longer included in reports – see page 4 of these papers.

20. The following adopted development plan policies provide the framework against which this application should be judged:

Suffolk Structure Plan 2001

- Policy ENV1 (Conservation of the Built Environment)
- Policy ENV2 (Conversion and re-use of rural buildings)
- Policy ENV3 (Design Standards)
- Policy ENV4 (Protection of the countryside)
- Policy ENV8 (Special Landscape Areas)
- Policy ENV14 (Flood risk)
- Policy ECON12 (Tourism)

Babergh Local Plan Alteration No.2 (2006) *the policy references below relate to the adopted version of the Local Plan - the policy numbers in some cases differ from those in the second deposit draft. Where this is the case, the previous reference number is given in brackets*

- Policy CR01 (Protection of countryside)
- Policy CR04 (CR05) (Special Landscape Areas)
- Policy CR17 (CR29) (Farm diversification)
- Policy CR18 (CR30) (Conversion of buildings in the countryside)
- Policy EN11 (EN05) (Flood Risk)
- Policy CN06 (CN10) (Listed Buildings)
- Policy CN01 (General Design)
- Policy EN03 (CR14) (Protected Species)

OBSERVATIONS

21. PC – Approve. Proposal shows a very sensible, sound approach. The educational use needs to be encouraged and is good for the village.
22. Adjoining PC (Leavenheath) - To be reported if available.
23. CHA – Recommends standard conditions.
24. SCC Archaeological Service – No objection.
25. EA – Owing to the nature of the development, the risk to people is relatively insignificant. Condition recommended requiring details of a Flood Warning and Evacuation Plan.

26. English Nature - Recommend building is surveyed for bats prior to application being determined (Bat survey now submitted and forwarded to EN for comment).
27. SWT – No objection.
28. Dedham Vale & Stour Valley Project – Recommend clarification on two points before they could support the application. What measures would the applicant undertake to ensure that public transport is publicised to all potential customers, and what surveys have been undertaken on the buildings for the presence of protected species.
29. Letters – Twenty-one letters of support received. The following comprises a summary of the support offered: -
 - Have sensitively restored Mill Farm driven by a passionate belief for safeguarding our natural heritage and environment.
 - Beautiful and quiet location is ideal for courses.
 - Any activity in the countryside is likely to involve single car usage and courses only operate two days per week.
 - Provides local employment.
 - Would support local businesses.
 - Need for alternative privately run adult education courses.
 - Poor quality agricultural land and cultivation no longer economically viable.
 - Will encourage use of underused public transport.
 - Used by children’s educational charity.
 - Mill Farm was the social centre for Assington for fifty years and the parish magazine highlights support for the farm.

ASSESSMENT

30. Local Plan policy CR18 states that proposals for converting under-used buildings in the countryside to industrial, business, community or recreational uses should be permitted where (inter alia) the use and location of the building relative to public transport infrastructure and urban centres represents sustainable development. Policy CR17 states that farm diversification will be permitted where (inter alia) there is no adverse impact upon the landscape, biodiversity, cultural heritage, residential amenity or highway safety. Policy CR01 states that (inter alia) development in the countryside should be well related to the highway network and include where possible pedestrian, cycle and public transport links.
31. In the appeal dismissal of August 2005 for the change of use of an outbuilding on this site from a tractor shed to an educational use (same use as applied for in this current application), the Inspector states that the isolated rural nature of the location would add to single-purpose car-borne trips contrary to the sustainability aims of Local Plan policy CR30 (now CR18), PPS1 and PPS7. The site is in easy walking and cycling distances of only a very limited rural catchment population and within easy walking distance (about 700m) of only one relatively limited bus service. Given the specialised nature of the courses intended it is likely that most students would travel by car from a wide catchment area. The Inspector also expressed concern that traffic disturbance and parked cars would temporarily but regularly erode the rural appearance and unspoilt character of the countryside contrary to policy CR01 of the Local Plan. The Inspector found no objection on flood risk grounds. The Inspector concluded that any financial benefits arising from the proposed change of use would be insufficient to outweigh the harm caused by the unsustainable location and that in addition, the more successful the

classes prove the greater the harmful effects would be with respect to travel demands by car and impact on the character of the countryside. This appeal dismissal notice must form a material planning consideration when assessing this current application.

32. It is considered that the above comments and concerns are equally applicable to this application for a change of use of an alternative building within the site for educational purposes. It is considered that due to the siting of the building, over 500 metres down a narrow, unmade track from Bures Road, that this is an unsustainable location for the proposed use, and would therefore be contrary to local, regional and national planning policy objectives.
33. Furthermore, it is acknowledged that the previous appeal building was a relatively new building and the building in question with regards to this application is a curtilage listed building. Advice in PPG15 states there should be a general presumption in favour of the preservation of listed buildings by keeping them in active use, and the range and acceptability of possible uses must be a major consideration when the future of listed buildings is in question, except where a convincing case can be put forward. It is considered that in this case the unsustainable location for the proposed use would outweigh the benefits of bringing the building back into active use, and would therefore be contrary to local, regional and national planning policy objectives.
34. It is noted that educational courses are currently being undertaken in the agricultural building subject of B/04/01883/FUL, despite the planning application being refused and the subsequent appeal dismissed, and has been investigated by the Planning Enforcement Team. This planning application has been submitted in response to that investigation, and any enforcement action is on hold until this application is determined.
35. In conclusion, it is considered that the proposed development, if approved, would result in an unsustainable form of development, and is therefore contrary to adopted Development Plan policies and national planning guidelines.

RECOMMENDATION A

Refuse Planning Permission –

Reasons:

- (1) Unsustainable development by virtue of its countryside location isolated from public transport and urban centres which would add to single-purpose car-borne trips contrary to PPS1, PPS7 and Local Plan policies CR01, CR17 and CR18.

RECOMMENDATION B

- (1) That the Head of Built and Natural Environment be authorised to serve an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 in order to secure the cessation of the unauthorised use.
- (2) That in the event of the Enforcement Notice not being complied with within the specified period from compliance, then the Solicitor to the Council be authorised to institute proceedings in the Magistrates Court pursuant to Section 179 of the Town and Country Planning Act 1990.

DECISION