

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

5<sup>th</sup> September 2007

**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

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### **S/1212/07/F – ICKLETON**

**Change of Use from Office to Residential at 18 Abbey Street for Dalesville Holdings Ltd**

### **S/1211/07/LB – ICKLETON**

**Internal and External Alterations and Conversion of Offices to Three Bedroomed Dwelling with New External Doors, Recessed Glazed Screen and Plain Tiled Roof with 4 Rooflights. Replacement of Two Storey Outbuilding by New Flint and Brick Wall forming Courtyard Garden with Slate Roofed Single Garage/Workshop**

**Recommendation: Approval**

**Date for Determination: 17<sup>th</sup> August 2007**

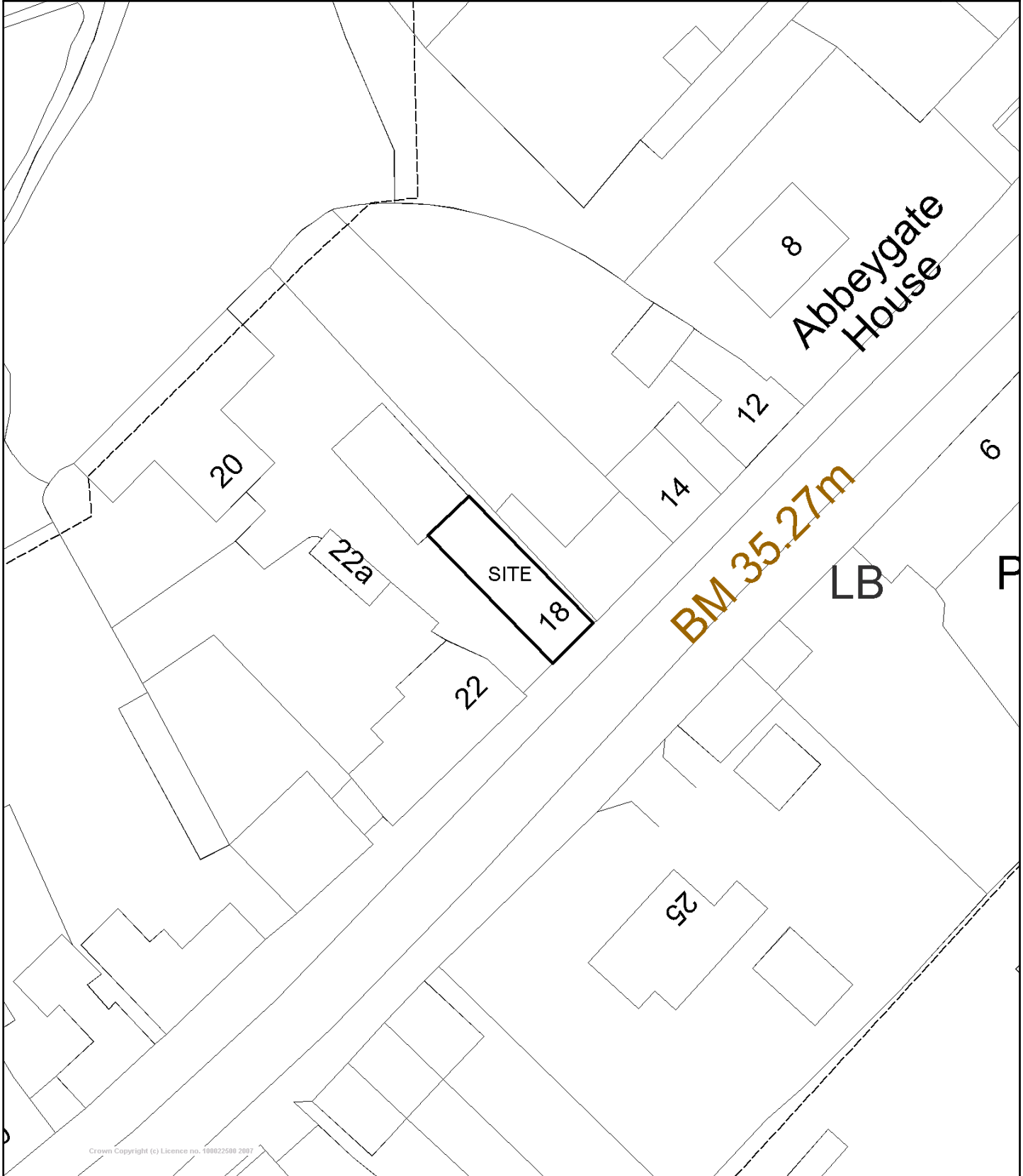
### **Conservation Area and Curtilage Listed Building**

#### **Notes:**

**These applications have been reported to the Planning Committee for determination because the recommendation is contrary to the response of the Parish Council, and at the request of District Councillor, Mr Williams**

#### **Site and Proposal**

1. 18 Abbey Street is a two storey cream timber boarded and brick/flint vacant office building located on the north-west side of Abbey Street. It historically formed part of the curtilage of the listed building at No.22 Abbey Street, which is a mid C19 or possibly earlier gault brick with red brick house. At the rear/north-west of this building, and included within the application site, is a large dilapidated timber and pantile building/barn that has only ever been used for basic storage purposes. There are residential properties to the north-east and south-west of the site, Nos. 16 and 22 Abbey Street respectively, both of which are Grade II listed buildings. Immediately adjacent to the south-west side of the building is a narrow gravelled driveway that provides vehicular access to the site, to No.22 and to No.20 Abbey Street, a bungalow located to the rear of the site. The property presently has no off-street parking.
2. The full planning application and application for listed building consent, both submitted on 22<sup>nd</sup> June 2007, seek to change the use of the building from offices to a 3 bedroom dwelling. The front element would be converted to form the new dwelling. The upper level of the barn to the rear would be taken down, whilst the lower level structure of brick and flint walls and a small area of timber framing would be retained and extended to form an enclosed courtyard and a single garage/workshop.
3. The applications have been accompanied by a number of supporting documents:
  - a. A design and access statement;



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- b. A structural report – this concludes that the former office area to the front is capable of conversion to residential use but that the rear, former storage area would require complete reconstruction off new foundations;
- c. Marketing details - these confirm that the site has been vacant since early 2004. It has been marketed as offices since late 2005 and with Tucker Gardner since June 2006. Letters from the marketing agents dated February and November 2006 and January 2007 have been enclosed with the application. These state that a few enquiries have been received and a list of interested parties has been enclosed. However, all interested parties, upon viewing the building, have considered it to be unsuitable due to its layout, position and lack of car parking. In addition, many people have contacted the Local Planning Authority about the possibility of a mixed commercial/residential development but have received negative responses.

### **Planning History**

- 4. **S/0602/98/LDC** – Lawful Development Certificate issued for change of use from antique restoration workshop to electronic workshop.
- 5. **S/1221/93/F** – Application for two dwellings and garages and renovation of workshop with associated car parking refused.
- 6. **S/2131/98/LB** – Application approved for listed building consent for Internal and external alterations including replacement first floor window, removal of internal partitions, create first floor toilets and replacement of corrugated iron roofing material with plastic coated steel.

### **Planning Policy**

- 7. 2003 Structure Plan **Policy P1/3** requires a high standard of design and sustainability for all new development which minimises the need to travel and reduces car dependency.
- 8. **Policy P7/6** of the Cambridgeshire and Peterborough Structure Plan 2003 requires development to protect and enhance the quality and distinctiveness of the historic built environment.
- 9. Ickleton is identified within **Policy ST/7** of the South Cambridgeshire Local Development Framework Core Strategy as an infill village. This policy states that residential development and redevelopment within the village framework will be restricted to no more than two dwellings (or exceptionally up to 8 if it would lead to the sustainable recycling of a brownfield site bringing positive overall benefit to the village).
- 10. Local Development Framework 2007 **Policy DP/3** states that permission will not be granted for proposals that would have an unacceptable adverse impact on (amongst other issues): residential amenity, from traffic generated, on village character, or from undue environmental disturbance.
- 11. **Policy TR/1** of the 2007 Local Development Framework seeks to promote more sustainable transport choices by, amongst other things, restricting car parking to a maximum of 1.5 spaces per dwelling.
- 12. Local Development Framework **Policy ET/6** states that the conversion, change of use or redevelopment of existing employment sites to non-employment uses within village frameworks should be resisted unless one of the following criteria is met:

- a. It is demonstrated that the site is inappropriate for any employment use to continue having regard to market demand. Applications will need to be accompanied by documentary evidence that the site is not suitable or capable of being made suitable for continued employment use. Evidence would be required that the property has been adequately marketed for a period of not less than 12 months on terms that reflect the lawful use and condition of the premises; or
  - b. The overall benefit to the community of the proposal outweighs any adverse effect on employment opportunities and the range of available employment land and premises; or
  - c. The existing use is generating environmental problems such as noise, pollution, or unacceptable levels of traffic and any alternative employment use would continue to generate similar environmental problems.
13. **Policy CH/3** of the 2007 Local Development Framework requires applications affecting listed buildings, including change of use proposals, to be considered against national policy (currently PPG15).
  14. Local Development Framework **Policy CH/4** states that permission will not be granted for development that would adversely affect the curtilage or wider setting of a Listed Building.
  15. **Policy CH/5** of the Local Development Framework states that development proposals in Conservation Areas will be determined in accordance with PPG15

### **Consultations**

16. **Ickleton Parish Council** objects to the applications, stating:

“The Parish Council does not object in principle to the change of use but made the following points:

  - a. The plans for the front of the building, especially the metal railings, are out of keeping for the village.
  - b. Parking has only been allowed for one vehicle to park off street. This particular part of Abbey Street is already congested.”
17. **The Conservation Manager** objected to the originally submitted plans, which proposed the installation of railings on the front elevation and glazed panels in the garage doors. The proposed railings were considered to be an incongruous addition and to detract from the simple character and appearance of the building, whilst the glazed panels were considered to be unnecessary and to also harm its simple appearance. No objections have been raised to the scheme as amended.
18. **The Local Highways Authority** raises no objections stating that the application will not significantly change the number of vehicle movements using the existing access and so no significant adverse effect upon the public highway should result from this proposal. If permission is granted, it is requested that an informative be added to any consent advising that the granting of permission does not constitute a permission or licence to a developer to carry out works within, or disturbance of/interference with, the public highway and that a separate permission must be sought from the Highway Authority for such works.

## **Representations**

19. Letters of objection have been received from the occupiers of Nos. 16 and 20 Abbey Street.
20. The occupiers of No.20 Abbey Street, the bungalow to the rear, fully support the plan to convert the front of the building to residential and to remove the derelict rear section to form a courtyard. However, objections are raised to the plan to build a studio workshop between the existing flint wall and the boundary with No.20. Doors opening onto the driveway would be extremely hazardous and would contravene the covenants contained in the titles to Nos. 18, 20 and 22 Abbey Street which specifically preclude the blocking of the right of way. This space should be reserved for off street parking.
21. The occupiers of No.16 Abbey Street, the dwelling to the north-east, consider that the conversion does not provide adequate parking for a house that provides for up to 4 bedrooms. A single off-road parking space at the back of the property that is not dedicated to this purpose and that has the potential to be converted for use as a studio/workshop is inadequate for a property of this size. No windows should be permitted that would overlook No.16's garden. The rooflights shown are acceptable. Finally, the timber-framed structures that form the back half of the property are not in a good state of repair but are part of the fabric and history of the village and should be retained and repaired.

## **Representation by District Councillor, Mr Williams**

22. District Councillor, Mr Williams, whilst not objecting to the change of use in principle, objects to the application on parking grounds, stating:

“The property as it stands has been used for business purposes. Parking for this has been during the day, and cars have generally parked on the street or in the car park of the village hall. The change of use to a private house brings a different timing and requirements for parking, and the provision in the application is quite insufficient. Also Abbey Street is now chock a block with cars at all times. The new development must have off-road provision for all its own parking. This means 2 cars at absolute minimum, preferably 3. The driveway is shared with Nos 20 and 22 and cannot have any cars parked on it, and the property has no land other than that enclosed by the building footprint. In the plans only the garage is shown as a parking place = 1 car. This is not enough. The house is effectively a 4-bedroom house ..technically the upper floor shows 3 bedrooms but another room called a study is effectively another bedroom (The application shows other study area and studio/workshop etc.). Clearly there should be at least one designated car parking space as well as the garage. This means in the courtyard area - assuming that the proposed design layout is retained. Frankly even then it is not enough...I consider that there ought to be space for 3 cars including the one in the garage. The resident at No 20 (Mr & Mrs Woolhouse) discussed this question with Lorraine Casey as well when she visited. [By the way I know the residents at No 20 well, but I approach this without prejudice. The residents at No 22 are new in the last few months]. The courtyard idea is very nice, but .....

## **Representations by the Applicant's Agent**

23. The applicant's agent has responded in writing to concerns raised by the Parish Council and by Councillor Williams. In order to clarify the position relating to parking provision, the applicant has commissioned SLR Consultancy to carry out a Transport Assessment. This shows that the proposed change of use would create a far reduced parking demand

and reduced traffic movements than the existing commercial use. Based on the floorspace of the building, the office use may be expected to generate a parking demand of 6 spaces and to generate some 21 traffic movements per day. This is about 3 times as much as the proposed residential unit, which on average may be predicted to generate 7 movements per day. The provision of 1 space would comply with the Local Plan standards.

24. The applicant's agent also states that Councillor Williams' comments appear to suggest that on-street parking during the day is no more available than at other times. In addition, it is pointed out that the site cannot physically accommodate any more than one off-street parking space as the proposed courtyard does not have sufficient turning area either inside or outside.
25. In response to concerns raised by the Parish Council regarding the appearance of the development, the plans have been amended to remove the proposed railings from the front of the building. In addition, the design of the garage doors have been amended to form an up-and-over timber door (rather than outward opening double doors as initially proposed).

### **Planning Comments – Key Issues**

26. The key issues to consider in the determination of this application are:
  - a. Loss of employment/principle of converting the building to residential use;
  - b. Impact upon the character of the area;
  - c. Residential amenity;
  - d. Highway safety/parking.

### ***Loss of Employment Use***

27. The application has been accompanied by information demonstrating that the property has been marketed as a commercial concern for a minimum 12 month period. Although there have been many initial enquiries, interest in the property has not been followed up and no firm offer has been made due to the layout and position of the building and/or the lack of off-street parking spaces. The marketing agents also state that many interested parties were referred to this Authority but did not pursue their interest further when speaking to planning officers. I can recall that a number of enquiries were received about the potential of a mixed commercial/residential use of the site and that Officers were generally resistant to any proposal that would intensify the use of the site in light of the lack of off-street parking.
28. I am satisfied that the property has been adequately marketed for the required period and that the information submitted with the application demonstrates that the site is inappropriate for a continuing employment use. As such, I have no objections in principle to the conversion of the building to a single dwelling.

### ***Highway Safety/Parking Issues***

29. The principal concern raised by the Parish Council, by District Councillor Williams and by the occupiers of No.16 Abbey Street relates to the fact that the proposal seeks to create a 3 (possibly 4) bedroom dwelling with just one off-street parking space. The provision of just one space for a dwelling of this size is argued to be totally inadequate.

30. Whilst I am very sympathetic to these concerns, the proposal must be compared to the existing situation. At present, the building has a B1 use but has no off-street parking provision. The proposal, in converting the building to a single dwelling, would result in a much less intensive use of the site (in traffic generation and parking demand terms) **and** would improve the existing situation by providing an off-street parking space. In addition, it would not be possible to provide additional parking within the site as the proposed courtyard is not sufficiently large to enable vehicles to turn whilst the shared access is only approximately 4 metres wide so it would be impossible for vehicles to manoeuvre in and out of any additional spaces.
31. The Local Highways Authority has raised no objections to the highway safety implications of the proposal. In light of this lack of concern, the fact that the application represents an improvement to the existing situation and the fact that this Authority's parking standards specify a maximum limit of 1.5 spaces per dwelling, a refusal of the application on insufficient parking/highway safety grounds could not be substantiated. In order to safeguard the use of the proposed garage for parking purposes, I would suggest that a condition be added to any consent requiring this space to be retained for parking.

### ***Visual Impact***

32. The Conservation Manager initially raised concerns about metal railings that the application proposed to add to the front elevation of the building as well as to the insertion of glazed panels into the garage doors. The plans have since been amended to remove the railings and glazed panels, thereby overcoming these concerns. The impact of the proposed development upon the character of the building, upon the setting of adjacent listed buildings and upon the character and appearance of the Conservation Area is now considered to be acceptable.

### ***Residential Amenity***

33. There are a number of first floor windows in the south-west elevation of the existing building. These overlook the garden area of No.22 Abbey Street but, given that these windows exist at present and that the proposal would not be adding extra windows/making the current situation any worse, I am satisfied that this relationship is an acceptable one.
34. The occupiers of the adjacent property to the north-east, No.16 Abbey Street, consider the application to be acceptable in its current form but express concern about the potential for any new first floor openings to overlook their garden area. The proposal seeks to add rooflights to the north-east facing roof slope. These would be high level and would not therefore introduce an overlooking problem. However, it would be essential as part of any planning permission to remove permitted development rights for the insertion of windows in this elevation in order to prevent future overlooking problems. I would also suggest that such a condition be applicable to the whole building in order to protect the amenities of other adjacent residents as well as the character of the building and the character/appearance of the Conservation Area.
35. The occupiers of No.20 Abbey Street initially raised concerns about obstruction of the access way from the proposed garage doors. This is a civil rather than planning matter. However, in attempt to resolve these concerns, as well as those expressed by the Conservation Manager, the design of the garage doors has been altered from an outward opening pair of doors to an up and over door.

A. **S/1212/07/F - Recommendation**

36. Approval, as amended by drawing numbers 05050-02/A date stamped 10<sup>th</sup> July 2007 and 05050-03/C and 05050-04/D date stamped 3<sup>rd</sup> August 2007:

**Conditions**

1. Standard Condition A (Reason A.)
2. No development shall commence until samples of materials to be used for the external walls and roofs of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.  
(Reason – To ensure that the development does not detract from the character of the existing building, from the setting of adjacent listed buildings, and from the character and appearance of the Conservation Area.)
3. No development shall commence until joinery details have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.  
(Reason – To ensure that the development does not detract from the character of the existing building, from the setting of adjacent listed buildings, and from the character and appearance of the Conservation Area.)
4. No further windows, doors or openings of any kind shall be inserted in the building, hereby permitted unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf (Reason – To ensure that openings that would not otherwise require permission are not added to the building with consequent harm to the appearance of the development and to the amenities of neighbours.)
5. The permanent space to be reserved on the site for the parking of one vehicle, within the garage hereby permitted, shall be provided before the occupation of the dwelling and thereafter maintained (Reason – In the interests of highway safety.)
6. During the period of construction and demolition no power operated machinery shall be operated on the premises before 08.00 hours on weekdays and 08.00 hours on Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any time on Sundays or Bank Holidays) unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions (Rc26.)

**Informatives**

**Reasons for Approval**

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
  - **Cambridgeshire and Peterborough Structure Plan 2003:**  
**P1/3** (Sustainable Design in Built Development)  
**P7/6** (Historic Built Environment)



- **South Cambridgeshire Local Development Framework 2007:**
    - ST/7** (Infill Villages)
    - DP/3** (Development Criteria)
    - TR/1** (Planning for more Sustainable Travel)
    - ET/6** (Loss of Rural Employment to Non-Employment Uses)
    - CH/3** (Listed Buildings)
    - CH/4** (Development Within the Curtilage or Setting of a Listed Building)
    - CH/5** (Conservation Areas)
2. The proposal is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
- Visual impact;
  - Parking;
  - Residential amenity.

### **General**

1. The granting of planning permission does not constitute a permission or licence to carry out any works within, or disturbance of, or interference with, the public highway. Separate permission must be sought from the Local Highways Authority for such works.

### **B. S/1211/07/LB - Recommendation**

37. Approval, as amended by drawing numbers 05050-03/C and 05050-04/D date stamped 3<sup>rd</sup> August 2007, subject to the following conditions:
1. The works to which this consent relates shall be started not later than the expiration of three years beginning with the date of this decision notice.  
(Reason - To ensure that consideration of any future application for works will not be prejudiced by listed building consents, which have not been acted upon.)
  2. The proposed works shall be carried out strictly in accordance with the approved plans and specification of works noted thereon, except where modified by the conditions of this consent.  
(Reason - To ensure compliance with the approved plans.)
  3. Before work commences, arrangements shall be made by the applicant to enable the Local Planning Authority (normally the Council's Conservation Officer) to meet the owner or agent and the contractor on site to discuss the conditions of this Consent and the manner of works.  
(Reason - For the avoidance of doubt and to ensure the proper control of works.)
  4. Precise details of the proposed windows, doors and glazed screen to a scale not less than 1:20 shall be submitted for the prior, written approval of the Local Planning Authority.  
(Reason - To ensure fenestration appropriate to this listed building.)
  5. Before work commences on site, precise details of the following items shall be submitted for the prior, written approval of the Local Planning Authority:  
a The position and details of soil vent pipes, mechanical extracts and flues.  
(Reason - To ensure detailing appropriate to this listed building.)

6. A sample panel of brick and flintwork shall be constructed on site to enable the Local Planning Authority to agree the brick and flint type, the bond, the joint detail, the mortar mix. (Reason – To ensure detailing and materials appropriate to this listed building.)
7. Details of replacement and new gutters and drainpipes shall be submitted for the prior approval of the Local Planning Authority.  
(Reason – To ensure detailing and material appropriate to this listed building.)
8. The garage roof shall be covered in natural quarried slate to the approval of the Local Planning Authority.  
(Reason - To ensure the use of roof materials appropriate to the location of the site adjoining a Listed Building.)
9. Notwithstanding the approved drawing 05050-04D, the proposed replacement of the corrugated sheeting with plain tiles shall be specifically omitted from this consent, and the roof covering shall be the subject of further discussions with revised proposals submitted to and agreed in writing by the Local Planning Authority before works commence on site and are carried out in accordance with the approved drawings.  
(Reason - To ensure the use of roofing material appropriate to this listed building.)

#### **Informatives**

#### **Reasons for Approval**

1. The proposed works would not adversely affect the special character or appearance of the building.
2. The proposed works would not result in any significant loss or harm to the historic fabric.
3. The proposed works would not have an adverse impact on the setting and appearance of the historic building.

Background Papers: the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Development Framework 2007
- Cambridgeshire and Peterborough Structure Plan 2003
- Application Refs: S/1212/07/F, S/2131/98/LB, S/0602/98/LDC and S/1221/93/F

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