

South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA

t: 03450 450 500
f: 01954 713149
dx: DX 729500 Cambridge 15
minicom: 01480 376743
www.scambs.gov.uk



28 February 2012

To: Chairman – Councillor Pippa Corney
Vice-Chairman – Councillor Robert Turner
All Members of the Planning Committee - Councillors Val Barrett, Trisha Bear,
Brian Burling, Lynda Harford, Tumi Hawkins, Caroline Hunt,
Sebastian Kindersley, Mervyn Loynes, David McCraith, Charles Nightingale,
Deborah Roberts and Hazel Smith, and to Councillor Peter Topping
(Sustainability, Planning and Climate Change Portfolio Holder)

Quorum: 4

Dear Councillor

You are invited to attend the next meeting of **PLANNING COMMITTEE**, which will be held in the **COUNCIL CHAMBER, FIRST FLOOR** at South Cambridgeshire Hall on **WEDNESDAY, 7 MARCH 2012 at 10.00 a.m.**

Members are respectfully reminded that when substituting on committees, subcommittees, and outside or joint bodies, Democratic Services must be advised of the substitution *in advance of* the meeting. It is not possible to accept a substitute once the meeting has started. Council Standing Order 4.3 refers.

Yours faithfully
JEAN HUNTER
Chief Executive

The Council is committed to improving, for all members of the community, access to its agendas and minutes. We try to take all circumstances into account but, if you have any specific needs, please let us know, and we will do what we can to help you.

AGENDA

PAGES

PUBLIC SEATING AND SPEAKING

Public seating is available both in the Council Chamber (First Floor) and the Public Gallery / Balcony (Second Floor). Those not on the Committee but wishing to speak at the meeting should first read the Public Speaking Protocol.

PROCEDURAL ITEMS

1. **Apologies**
To receive apologies for absence from committee members.
2. **General Declarations of Interest** 1 - 2
3. **Minutes of Previous Meeting**
To authorise the Chairman to sign the Minutes of the meeting held

on 1 February 2012 as a correct record. These minutes are attached to the electronic version of the agenda.

PLANNING APPLICATIONS AND OTHER DECISION ITEMS

- | | | |
|------------|---|----------------|
| 4. | 2082/11 - Hardwick (Blue Lion, 74 Main Street) | 3 - 10 |
| 5. | 2567/11 - Harston (44 High Street) | 11 - 20 |
| 6. | 2034/11 - Histon (8 West Road)
The Appendices are attached to the electronic version of the agenda. | 21 - 28 |
| 7. | 2516/11 & 2517/11 - Teversham (The Rectory, 30 Church Road) | 29 - 36 |
| 8. | 2520/11 - Waterbeach (54 Way Lane) | 37 - 44 |
| 9. | 2518/11 - Thriplow (63 Kingsway) | 45 - 54 |
| 10. | 2269/11 and 2270/11 - Grantchester (Merton House Cottage) | 55 - 62 |
| 11. | 0699/11 - Caldecote (adj 6 Main Street) | 63 - 76 |
| 12. | 0069/12 - Comberton (Post Office, 12 Barton Road) | 77 - 82 |
| 13. | 2521/11 - Fowlmere (Deans Farm, Shepreth Road) | 83 - 90 |

INFORMATION ITEMS

The following item is / items are included on the agenda for information and is / are, in the main, available in electronic format only (at www.scambs.gov.uk/meetings and in the Weekly Bulletin dated Date and Month 2010). If Members have any comments or questions relating to issues raised therein, they should contact the appropriate officers prior to the meeting.

- | | | |
|------------|--|----------------|
| 14. | Appeals against Planning Decisions and Enforcement Action | 91 - 96 |
|------------|--|----------------|

OUR VISION

- We will make South Cambridgeshire a safe and healthy place where residents are proud to live and where there will be opportunities for employment, enterprise and world-leading innovation.
- We will be a listening Council, providing a voice for rural life and first-class services accessible to all.

OUR VALUES

We will demonstrate our corporate values in all our actions. These are:

- Trust
- Mutual respect
- A commitment to improving services
- Customer service

GUIDANCE NOTES FOR VISITORS TO SOUTH CAMBRIDGESHIRE HALL

While the District Council endeavours to ensure that visitors come to no harm when visiting South Cambridgeshire Hall, those visitors also have a responsibility to make sure that they do not risk their own or others' safety.

Security

Members of the public attending meetings in non-public areas of the Council offices must report to Reception, sign in, and at all times wear the Visitor badges issued. Before leaving the building, such visitors must sign out and return their Visitor badges to Reception.

Emergency and Evacuation

In the event of a fire, a continuous alarm will sound. Evacuate the building using the nearest escape route; from the Council Chamber or Mezzanine viewing gallery this would be via the staircase just outside the door. Go to the assembly point at the far side of the staff car park.

- **Do not** use the lifts to exit the building. If you are unable to negotiate stairs by yourself, the emergency staircase landings are provided with fire refuge areas, which afford protection for a minimum of 1.5 hours. Press the alarm button and wait for assistance from the Council fire wardens or the fire brigade.
- **Do not** re-enter the building until the officer in charge or the fire brigade confirms that it is safe to do so.

First Aid

If someone feels unwell or needs first aid, please alert a member of staff.

Access for People with Disabilities

The Council is committed to improving, for all members of the community, access to its agendas and minutes. We try to take all circumstances into account but, if you have any specific needs, please let us know, and we will do what we can to help you. All meeting rooms are accessible to wheelchair users. There are disabled toilet facilities on each floor of the building. Infra-red hearing assistance systems are available in the Council Chamber and viewing gallery. To use these, you must sit in sight of the infra-red transmitter and wear a 'neck loop', which can be used with a hearing aid switched to the 'T' position. If your hearing aid does not have the 'T' position facility then earphones are also available and can be used independently. You can obtain both neck loops and earphones from Reception.

Toilets

Public toilets are available on each floor of the building next to the lifts.

Recording of Business and Use of Mobile Phones

The Council is committed to openness and transparency. The Council and all its committees, sub-committees or any other sub-group of the Council or the Executive have the ability to formally suspend Standing Order 21.4 (prohibition of recording of business) upon request to enable the recording of business, including any audio / visual or photographic recording in any format.

Use of social media during meetings is permitted to bring Council issues to a wider audience. To minimise disturbance to others attending the meeting, all attendees and visitors are asked to make sure that their phones and other mobile devices are set on silent / vibrate mode during meetings.

Banners, Placards and similar items

No member of the public shall be allowed to bring into or display at any Council meeting any banner, placard, poster or other similar item. The Chairman may require any such item to be removed.

Disturbance by Public

If a member of the public interrupts proceedings, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room. If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared.

Smoking

Since 1 July 2008, the Council has operated a Smoke Free Policy. Visitors are not allowed to smoke at any time within the Council offices, or in the car park or other grounds forming part of those offices.

Food and Drink

Vending machines and a water dispenser are available on the ground floor near the lifts at the front of the building. Visitors are not allowed to bring food or drink into the meeting room.

EXCLUSION OF PRESS AND PUBLIC

The law allows Councils to consider a limited range of issues in private session without members of the Press and public being present. Typically, such issues relate to personal details, financial and business affairs, legal privilege and so on. In every case, the public interest in excluding the Press and Public from the meeting room must outweigh the public interest in having the information disclosed to them. The following statement will be proposed, seconded and voted upon.

"I propose that the Press and public be excluded from the meeting during the consideration of the following item number(s) in accordance with Section 100(A) (4) of the Local Government Act 1972 on the grounds that, if present, there would be disclosure to them of exempt information as defined in paragraph(s) of Part 1 of Schedule 12A of the Act."

If exempt (confidential) information has been provided as part of the agenda, the Press and public will not be able to view it. There will be an explanation on the website however as to why the information is exempt.

Notes

- (1) Some development control matters in this Agenda where the periods of consultation and representation may not have quite expired are reported to Committee to save time in the decision making process. Decisions on these applications will only be made at the end of the consultation periods after taking into account all material representations made within the full consultation period. The final decisions may be delegated to the Corporate Manager (Planning and Sustainable Communities).
- (2) The Council considers every planning application on its merits and in the context of national, regional and local planning policy. As part of the Council's customer service standards, Councillors and officers aim to put customers first, deliver outstanding service and provide easy access to services and information. At all times, we will treat customers with respect and will be polite, patient and honest. The Council is also committed to treat everyone fairly and justly, and to promote equality. This applies to all residents and customers, planning applicants and those people against whom the Council is taking, or proposing to take, planning enforcement action. More details can be found on the Council's website under 'Council and Democracy'.

South Cambridgeshire District Council

Planning Committee – 7 March 2012 – Declaration of Interests

Councillor

Personal / Personal and Prejudicial [delete as appropriate]

Item no: App. No. Villiage:

Reason:

Personal / Personal and Prejudicial [delete as appropriate]

Item no: App. No. Villiage:

Reason:

Personal / Personal and Prejudicial [delete as appropriate]

Item no: App. No. Villiage:

Reason:

Personal / Personal and Prejudicial [delete as appropriate]

Item no: App. No. Villiage:

Reason:

Please return the completed form to ian.senior@scambs.gov.uk prior to the meeting, or leave it with the Democratic Services Officer in the Chamber, or leave it with the Democratic Services Section.

Personal / Personal and Prejudicial [delete as appropriate]

Item no: App. No. Villlage:

Reason:

Personal / Personal and Prejudicial [delete as appropriate]

Item no: App. No. Villlage:

Reason:

Personal / Personal and Prejudicial [delete as appropriate]

Item no: App. No. Villlage:

Reason:

Personal / Personal and Prejudicial [delete as appropriate]

Item no: App. No. Villlage:

Reason:

Please return the completed form to ian.senior@scambs.gov.uk prior to the meeting, or leave it with the Democratic Services Officer in the Chamber, or leave it with the Democratic Services Section.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 March 2012

AUTHOR/S: Executive Director (Operational Services)/
Corporate Manager (Planning and New Communities)

S/2082/11 - HARDWICK**Reduced timber decked section to existing pub garden area (retrospective) -
The Blue Lion Public House, 74, Main Street
for Mr Luke Edwards****Recommendation: Refusal****Date for Determination: 23 December 2011****This application has been reported to the Planning Committee for
determination at the request of the Development Control Manager
following support from the Local Member****Site and Proposal**

1. The site is located within the designated Hardwick village framework, and is within the Hardwick Conservation Area. The building forms the Blue Lion public house, and is a grade II Listed Building. The public house sits central to its plot, and has numerous additions to the rear and a conservatory to the south elevation. Directly to the south is the neighbouring property of 84 Main Street, the shared boundary to which is a fence approximately 1.2m in height.
2. The retrospective application, received on 18th October 2011, seeks planning permission for an area of decking that has been erected to the south of the building. The decking is raised above ground level and accessed from the front of the site by three steps. The area is enclosed facing the building by post and rail fencing. An area of the decking currently in situ that runs parallel with the shared boundary does NOT form part of this application, and this will be removed in the near future. A Design and Access Statement and a Heritage Statement accompany the application.
3. Members should be aware that Listed Building Consent is not required for the works as the decking is not physically attached to the Listed Building.

Planning History

4. Planning application S/0905/11 was refused by Members at Planning Committee on 6th July 2011 on grounds of the impact upon the amenity of the occupier of the adjacent property, and the harm caused to the setting of the Conservation Area and Listed Building. The application was dismissed at appeal, with the Planning Inspector agreeing with the Council's decision on both grounds.
5. An Enforcement Notice has been served on the applicants for the removal of the decking. At appeal, the Planning Inspector increased the time for

compliance with the removal of the decking from one month to two months from the date of the decision, that being the 24th January 2012.

6. The site has been subject to a number of other planning and listed building applications. However, none of these are considered relevant to the determination of this application.

Policies

7. **Local Development Framework Development Control Policies DPD (LDF DCP)** adopted July 2007: **DP/2** Design of New Development, **DP/3** Development Criteria, **CH/3** Listed Buildings, **CH/4** Development Within the Curtilage or Setting of a Listed Building, **CH/5** Conservation Areas, and **NE/15** Noise Pollution.
8. **District Design Guide SPD** adopted March 2010, **Development Affecting Conservation Areas SPD** adopted January 2009, and **Listed Buildings SPD** adopted July 2009.
9. **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

Consultations

10. **Hardwick Parish Council** recommends approval of the scheme subject to the installation of adequate screening from the adjacent property at the expense of the applicant.
11. The Council's **Conservation Officer** is supportive of the mitigation measures taken to improve the setting of the Listed Building. Conditions regarding the detailing of the decking are proposed.
12. The Council's **Environmental Health Officer** notes that if the scheme were approved, noise complaints could result in statutory action being taken against the licensed premises. Other land on the site should be considered.
13. The Council's **Trees Officer** notes the mix of evergreen and deciduous planting will provide some screening throughout the year. Hornbeam is a medium sized tree which unless maintained as a formal hedge will potentially cause problems to the neighbour, as would beech. There are concerns regarding the establishment of the planting given the limited space and poor rooting environment. Any planting would need good ground preparation and continual watering. It is unlikely the planting will have a direct impact upon the neighbouring property in terms of damage to foundation, but there is potential for the screening to be implicated in further damage that would lead to its ultimate removal.

Representations

14. The occupiers of **84 Main Road** object to the scheme on grounds of the continued loss of amenity through overlooking and noise pollution, the suitability of trees proposed along the shared boundary, the impact upon the

setting of the Conservation Area and the Listed Building, and the poor standards of construction. They are already experiencing root damage to their patio and drainage pipes from trees in the vicinity. The removal of the decking should not reduce trade giving the patio area that could accommodate members of the public.

15. The occupier of **8 Sadler Close** notes the scheme would make the eye sore more visible from the road than before. Noise has not been addressed, and the decking would remain with a poor quality finish. Planting would only help marginally with noise pollution. A sound proof fence is suggested.
16. The occupier of **6 Sadler Close** supports the application, and notes it does not encroach on the adjacent dwelling. The decking is important for the viability of the public house, and adds to the ambience of the public house.
17. **Councillor Stewart** recommends that with neighbourly goodwill and compromise, the application be approved in the overall best interests of the village, with appropriate and effective conditions. The relationship with the neighbouring property is improved and there is scope for screening.

Planning Comments

18. The key issues for consideration are the impact upon the setting of the Heritage Assets, the impact upon the amenity of the occupiers of the adjacent property, and the viability of the public house.

Impact Upon the Setting of the Heritage Assets

19. In dismissing the appeal against the refusal of planning application S/0905/11, the Inspector stated “the structure ... contrasts with the quality and permanence of the Listed Building and is consequently incongruous with it. In addition, the scale of the decking surface is large in comparison with the existing patio and is unduly prominent in the setting of the Listed Building”. He concludes “the decking does not preserve or enhance the setting of the Listed Building”, and it “diminishes the contribution made to it (the Hardwick Conservation Area)”.
20. The changes to the scheme remove the eastern area of decking that runs parallel with the shared boundary with 84 Main Road and runs adjacent the existing conservatory to the public house. The comments from the Conservation Officer are noted, and the scheme is considered to be more appropriate, subject to more appropriate detailing. Conditions can ensure that alterations to the detailing can be achieved. As a result, subject to these conditions, the proposal is considered to overcome the previous reason for refusal.

Impact upon the Amenity of the Occupiers of the Adjacent Property

21. No. 84 Main Street is a two storey dwelling located to the south of the public house. It has a facing dining room at ground floor level, and this window is the only opening that serves this area. The decking currently comes almost up to the fence along the shared boundary, which has a height of approximately 1.2m. In dismissing application S/0905/11, the Inspector stated the activity and levels of the site “enable clear views into that window”, and “given the number of people likely to use the decking this represents significant loss of

privacy through overlooking". Additionally, the Inspector noted "the noise emanating from customers using it has caused disturbance to the dwelling's occupants and would continue to do so".

22. The application has removed an area of the decking that would be located directly outside of the dining room window at 84 Main Road. This would be an improvement to the occupiers of 84 Main Road. However, the decking would remain 1.5m from the closest point of the window. Whilst it is now at an angle, the proximity of the window would mean it would continue to be overlooked by users of the decking. Occupiers of 84 Main Road would also continue to suffer from noise disturbance. The measures taken in the application are not considered to overcome the previous reason for refusal.
23. The applicant has provided details of proposed planting along the shared boundary. This shows three Christmas Berry, three Beech, three Highclere Holly and three Hornbeam plants to be located behind a retaining wall along the shared boundary with 84 Main Road. Whilst this would serve to provide some screening, such species are likely to grow very tall and require large root systems. A maintenance plan would therefore be necessary to control the size of the individual species given the potential for large trees to grow. The Council's Trees Officer has noted potential problems with the establishment of species given the limited space and poor rooting environment. Even if a suitable planting scheme can be agreed, it would potentially block the outlook from the dining room window, and more importantly would not provide a suitable acoustic barrier to prevent noise disturbance to users of this room.

Viability of the Public House

24. The applicant has noted that rural public houses are struggling in general given the economic climate, with closures at a rate of 5 per day reported. Use of the decking area is considered necessary to encourage trade by making more effective use of the garden area. Whilst this is noted, no detailed financial justification has been provided on this subject to suggest the public house would become unviable if the decking were removed.

Conclusion

25. The benefit to the public house from the work is not considered to outweigh the harm to the occupiers of the neighbouring property, and this view is strengthened by the comments from the Planning Inspector when dismissing application S/0905/11. The changes from the previous scheme are considered to overcome the previous objection regarding the setting of the Conservation Area and Listed Building, subject to appropriate conditions where necessary.
26. The Enforcement Notice remains valid, and the Inspector allowed an additional month to the time frame for the removal of the decking, which now expires on 24th March 2011.

Recommendation

27. Refuse plans SCDC 1-5 date stamped 18th October for the following reason:

1. The decking is located close to the shared boundary, consisting of a fence approximately 1.2m in height, with 84 Main Street to the south. There is a side window serving a dining room in this neighbouring property. Users of the decking would be located as close as 2m from this window, and given the raised height, would have the opportunity to view straight into the dining room, causing a serious loss of amenity to the occupiers of 84 Main Street through overlooking. This is despite the proposed removal of a section of the decking. The gathering of numerous people on the decking also creates a noise disturbance to occupiers of 84 Main Road, to the detriment of living conditions in this dwelling. The proposed boundary planting is considered inappropriate given the species proposed and the potential difficulties for plants to establish given the limited space and poor rooting environment, and would not create a barrier to prevent unacceptable noise disturbance.

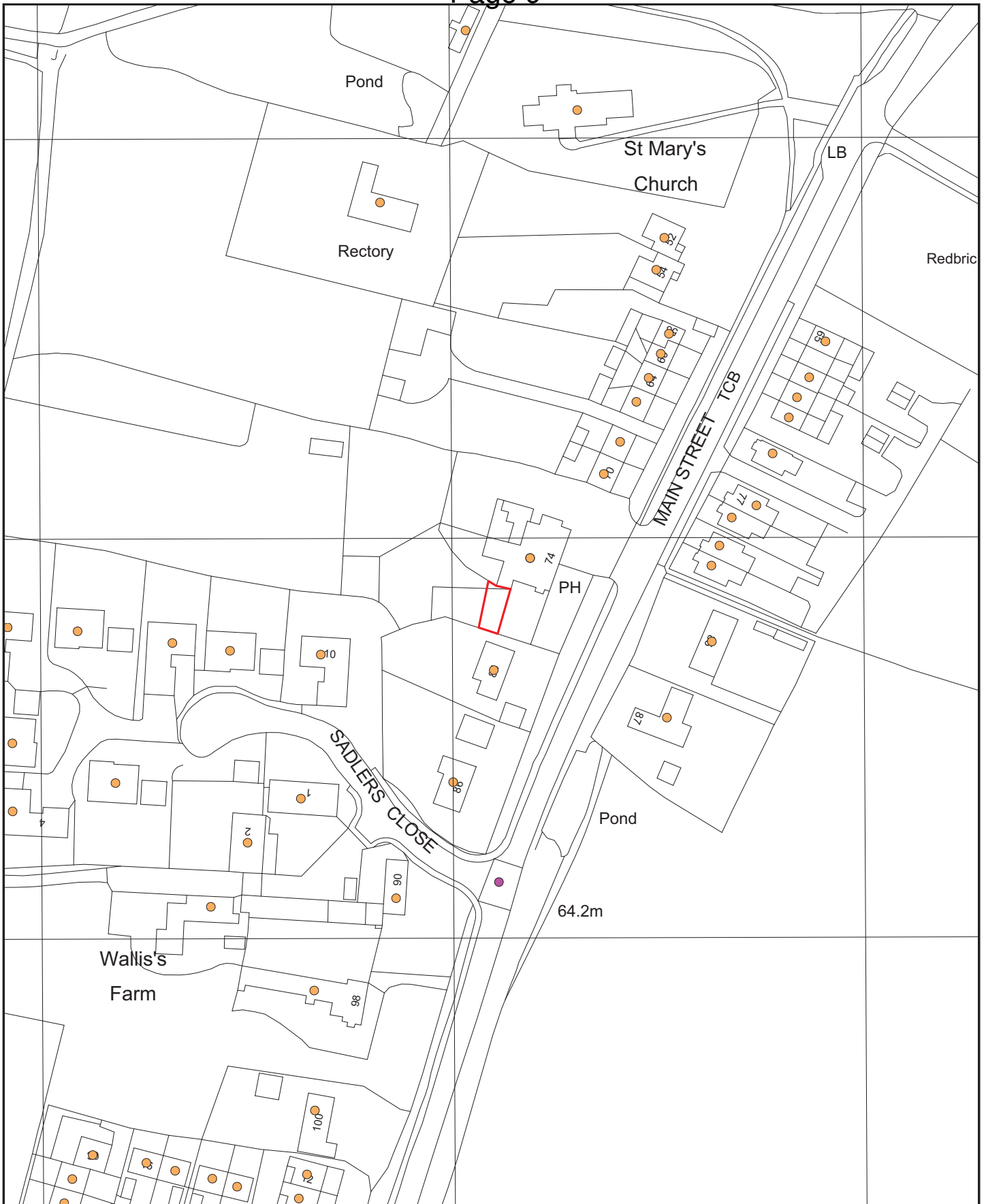
The proposal is therefore contrary to Policy DP/3 of the LDF DCP 2007 which states planning permission will not be granted where the proposed development would have an unacceptable adverse impact on residential amenity; and Policy NE/15 of the LDF DCP 2007 which states planning permission will not be granted for development which has an unacceptable adverse impact on the indoor and outdoor acoustic environment of existing development.

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

- **Local Development Framework Development Control Policies 2007.**
- **District Design Guide SPD** adopted March 2010, **Development Affecting Conservation Areas SPD** adopted January 2009, **Landscaping in New Developments SPD** adopted March 2010, and **Listed Buildings SPD** adopted July 2009.
- **Circular 11/95 – The Use of Conditions in Planning Permissions.**
- **Planning File ref: S/2082/11 and S/0905/11**

Contact Officer: Paul Derry – Senior Planning Officer
Telephone: (01954) 713159

This page is left blank intentionally.



**South
Cambridgeshire
District Council**

Planning Dept - South Cambridgeshire DC



FOR INTERNAL USE ONLY

Scale - 1:1250
Time of plot: 15:51

Date of plot: 17/02/2012

This page is left blank intentionally.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 March 2012

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

S/2567/11 - HARSTON**Erection of two-storey dwelling, together with two-storey extension to rear of existing property – 44, High Street, Harston, Cambridge, Cambridgeshire, CB22 7PZ for Mr T Jack****Recommendation: Delegated Approval****Date for Determination: 15th February 2012****Notes:**

This application has been reported to the Planning Committee for determination as the Officer recommendation is contrary to the recommendation of the Parish Council, and at the request of District Councillor Lockwood.

Members of Committee will visit the site on Tuesday 6th March 2012.

Site and Proposal

1. The application site is located within the Harston village framework on the east side of the High Street and was formerly occupied by an end-terraced brick and slate two-storey dwelling. The other properties within the terrace comprise a mix of brick and render finishes, all with slate roofs. The dwelling is accessed via a shared driveway on its south side that also provides vehicular access to a number of other dwellings. Beyond this driveway to the south is the village shop and post office. In front of the shop and the terrace of dwellings, Nos. 44-50 High Street, is a lay-by area providing a number of informal parking spaces clear of the main carriageway.
2. The full application, received on 21st December 2011, proposes to extend the existing dwelling on its south side in order to create a two-bedroom two-storey end terraced dwelling. It would be constructed from rendered walls under a slate roof. A centrally positioned two-storey wing would be added to the rear of the existing and proposed properties. Vehicular access to both properties would be via the existing shared driveway, with one parking space for each property provided within the rear garden areas of the existing and new dwellings.

Planning History

3. S/1027/11 - Erection of dwelling, together with two-storey extension to rear of existing property - approved.

Planning Policy

4. **South Cambridgeshire LDF Core Strategy DPD, 2007:**
ST/6: Group Villages

5. **South Cambridgeshire LDF Development Control Policies DPD 2007:**
DP/1: Sustainable Development
DP/2: Design of New Development
DP/3: Development Criteria
DP/4: Infrastructure and New Developments
HG/1: Housing Density
NE/1: Energy Efficiency
NE/15: Noise Pollution
SF/10: Outdoor Playspace, Informal Open Space and New Developments
SF/11: Open Space Standards
TR/1: Planning for More Sustainable Travel
TR/2: Car and Cycle Parking Standards
6. **South Cambridgeshire Local Development Framework Supplementary Planning Documents:**
Open Space in New Developments – Adopted January 2009
District Design Guide – Adopted March 2010
7. **Circular 11/95 (The Use of Conditions in Planning Permissions)** - Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.
8. **Circular 05/2005 (Planning Obligations)** - Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.

Consultations

9. **Harston Parish Council** - Recommends refusal, stating:
"This needs to be re-thought.
Do we really need another dwelling in what is by far the busiest part of Harston?"
10. **The Local Highways Authority** – Raises no objections, although states that the dimensions for the proposed car parking spaces, 2.5m x 5m with 6m for reversing, must be shown on the submitted drawings.
11. **The Environmental Health Officer** – Raised no in-principle objections to the previous application, although expressed concern that problems could arise from construction noise and recommended that the hours of use of power-operated machinery be controlled during the construction period.

Representations

12. A letter of objection has been received from Nos. 28, 30, 34, 38 and 46 High Street. The main points raised are:
 - According to the proposed plans, the shared private drive measures 3.1m in width. The proposed development site is not as large as the plans would suggest. The shared private drive is 3.7m wide and this boundary has already been exceeded with the excavations. The hedge and path to the side of the property would also encroach on this land.
 - The applicant should not be able to apply for planning permission on land outside his ownership.

- The scaffolding required to construct the property would obstruct the private shared driveway, preventing residents from gaining vehicular access to their properties and preventing access for emergency vehicles.
 - Can permission be granted for development that reduces pedestrian and vehicular access and conflicts with adjoining owners' access rights?
 - Reducing the access below a width of 3.7m would prevent access for emergency vehicles.
 - No consultation has taken place with local residents, as claimed within the application form.
 - When the developer previously commenced construction, there were frequent and numerous deliveries by lorry, with the shared drive often being blocked during peak hours and resulting in hazards to pedestrians.
 - It is disputed that there is sufficient space for two cars to park and manoeuvre clear of the highway.
 - The belief that all contractors vehicles would park in this rear space during the works is also disputed. There is no turning circle for large vans and no space for two of them.
 - Increasing the number of vehicles using this access would exacerbate the existing highway safety problems caused by the fact that the shared access is not wide enough for two vehicles to pass, and as vehicles parked in the layby obstruct visibility from the driveway.
 - No.44 has access rights, but there are no access rights for a new dwelling. The developer has not asked the shared owners of the private drive for access for a new property.
 - The site plan shows a right of access from the rear of the property. This is owned by No.46 and no such right of access exists to the rear.
 - The developer has made no commitment to making good the condition of the shared drive.
 - If planning permission is granted, pre-commencement conditions must be put in place and enforced.
13. District Councillor Mrs Lockwood has requested that the application be referred to Committee with a site visit, and expresses the following concerns about the proposal:
- Due to the narrow width of the access road, construction lorries would have to reverse out onto the A10.
 - The footings of the building are further out than shown on the plans and the required scaffolding would obstruct the driveway, including for access by emergency vehicles.
 - The replacement hedge and the path would also encroach on the road.
 - Can the site be measured to ensure it corresponds to the plans? The correct boundary should be restored.
 - Construction lorries previously blocked the road and parked in the shop lay-by.
 - A meeting should be held with local residents to agree delivery times and parking or contractors vehicles.
 - It has been reported that the asbestos garage was removed without proper precaution.

Planning Comments

Background

14. Members may recall that the previous application reference S/1027/11 was approved at the Planning Committee meeting held on 7th September 2011, following a site visit.

The consent was subject to a number of conditions, including a requirement for the off-street parking provision and boundary treatments for both dwellings to accord with the submitted drawings, and for details of contractors access and storage arrangements to be approved in writing before commencement of any development. A copy of the previous committee report, update and decision are attached as an **appendix**.

15. Development then commenced on site before any details required by the pre-commencement conditions of the consent had been submitted. This was brought to Officer's attention following complaints from local residents regarding disruption being caused during the construction period. In addition, the Highways Authority advised that the parking plan approved as part of the previous consent was unworkable, as insufficient space had been provided to enable vehicles to manoeuvre. This meant that conditions 2 and 7, which required the development and parking spaces respectively, to be constructed in accordance with the approved plans, could not be satisfied. In addition, a hedgerow had been removed from the boundary of the site with the private driveway, in contravention of condition 9.
16. It also came to light that the applicant had not acquired the site until after the date that the ownership certificate and application had been signed. The ownership certificate provided with the application, which stated that the applicant was the sole owner of the site for at least 21 days prior to the date of the certificate and application, was therefore false, and this had the effect of rendering the previous planning permission void. The applicant was therefore required to cease construction and to submit a new application for the development.
17. The principle of the development has previously been assessed, and it is therefore only necessary to consider the additional issues and concerns arising following the commencement of development.

Highway safety / parking issues

18. The previously approved parking layout proposed the provision of two car parking spaces to the rear of the proposed new dwelling, and positioned directly adjacent to the edge of the site with the shared driveway. The driveway at this point is approximately 3 metres in width, and the parking spaces did not therefore have the standard 6 metre depth required for manoeuvring/reversing. The proposed layout has now been amended to position the parking spaces further into the site, straddling the rear gardens of both the existing and new properties. Further to the comments made by the Local Highways Authority, an amended plan showing the dimensions of the parking and manoeuvring spaces has been requested.

Ownership issues

19. Concerns have been raised by local residents and by Councillor Lockwood, who state that the development has encroached onto land that falls outside the site edged red and is not within the applicant's ownership. The applicant has advised that he has measured the site and compared the measurements to the title deed plan, and has confirmed that the development can be accommodated on land within his ownership. The deeds show the road to be 3.7m wide at the front of the Post Office and narrowing to 3.1 metres at the rear of the Post Office. He states that the new dwelling is sited 4 metres away from the Post Office and would not therefore encroach on the access road. The measurements have established that the pathway at the side of the dwelling needs to be narrower to ensure the development would not encroach onto adjacent land, and this will be shown within the requested amended drawing. Once

this drawing has been received, Officers will aim to verify these measurements on site.

20. The applicant has advised that the removal of the hedgerow to the side of the site was necessary to prevent the foundations being undermined, following a recommendation from the Building Control Officer. He states that the hedgerow previously encroached onto the road and its removal has therefore increased the access width.
21. The Council's Legal Team has advised that the site edged red should encompass the shared driveway, as this constitutes the proposed means of vehicular access to both dwellings, as well as the access for construction vehicles. The drawing is in the process of being amended accordingly. The applicant has not been able to establish who owns the lane, but has served notice on owners/tenants of adjacent properties that have a right of access across the land and, in accordance with the regulations, has also advertised the application in the Cambridge Evening News.
22. The concerns raised relate to ownership issues and it should be stressed that, other than ensuring correct ownership certificates have been served, this is not strictly a material planning issue. The revision to the site edged red, press advert and revised ownership certificates would satisfactorily deal with this issue from a planning perspective. Should any breach of other legislation be proven to exist at a later date, the owner(s) of the lane would be entitled to pursue legal action separately.

Construction issues

23. Significant concerns have been raised in relation to problems that occurred when construction of the previously approved dwelling commenced. The current application includes a plan showing that construction vehicles and materials would be accommodated within the site area (vehicles and compound to the rear and storage to the front). The shared driveway would be used by delivery vehicles but, as the foundations are now in place, it is anticipated that there would be approximately 1 vehicle movement per week. The applicant has also confirmed the following in writing:
 - During the construction period, vehicles would not be parked in the lay-by to the front of the site. Operatives will be dropped off and tools left in the existing house.
 - Other than unloading of vehicles, the shared driveway would be kept clear in order to avoid disruption to nearby residents.
 - Deliveries will be kept to a minimum and warning will be given to residents prior to a big delivery taking place.
 - Scaffolding for the side wall will be built inside the property and will not obstruct the adjacent access.
 - Any damage caused to the shared access as a result of the construction process will be repaired.
24. The Local Highways Authority has not raised any specific objections to the construction management plan. It is recommended that any permission be subject to a condition requiring the development to be carried out in accordance with the submitted drawing and to the additional points above.

Safety issues

25. The applicant has confirmed that the asbestos garage was disposed of properly, and that documentation can be provided to prove this.

26. Concerns have been expressed that the reduction in the width of the access would prevent access to dwellings at the end of the lane by emergency vehicles. The evidence provided by the applicant indicates that the development has not reduced the access width. Nevertheless, these concerns have been forwarded to the Building Control team for further comment and advice.

Infrastructure payments

27. The proposal would result in the need for a financial contribution towards the provision and maintenance of open space, in accordance with the requirements of Policies DP/4 and SF/10 of the Local Development Framework. Based on the proposed two-bedroom dwelling, this amounts to £2,244.90, as calculated at the time of the application. It would also result in the need for a contribution towards the provision of indoor community facilities (£378.88), and household waste receptacles (£69.50), together with additional costs relating to Section 106 monitoring (£50) and legal fees (minimum £350). The applicant has confirmed his agreement to such payments.

Recommendation

28. Subject to the receipt of an amended drawings and corrected ownership certificates, delegated powers are sought to approve the application subject to the following conditions:
1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
 2. The development hereby permitted shall be carried out in accordance with the following approved plans.....[amended drawing numbers to be inserted].
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
 3. The materials to be used for the external walls and roofs of the development hereby permitted shall accord with the specification in the application form and approved plans, unless otherwise agreed in writing by the Local Planning Authority.
(Reason – To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the Local Development Framework 2007.)
 4. During the period of construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays or Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.
(Reason – To minimize noise disturbance to adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
 5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification, no windows, doors or openings of any

kind, other than those expressly authorised by this permission, shall be constructed in the side elevation of the new dwelling, and in the side and rear elevations of the two-storey rear extension, at and above first floor level unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.

(Reason – To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

6. Apart from any top hung vent, the proposed first floor bathroom windows in the rear elevation of the two-storey rear extension shall be fixed shut and fitted and permanently glazed with obscure glass.
(Reason – To prevent overlooking of the adjoining properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
7. The proposed parking spaces shall be provided in accordance with drawing number.....[amended drawing number to be inserted] before the dwelling hereby permitted is occupied and thereafter retained as such.
(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
8. The front garden of the dwelling, hereby permitted, shall not be used for the parking of vehicles.
(Reason - In the interests of highway safety, and in order to preserve the character of the area, in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
9. The boundary treatments shown on drawing number.....[amended drawing number to be inserted] shall be completed before the new dwelling, hereby permitted, is occupied and shall retained in accordance with these details thereafter.
(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
10. No development shall begin until details of a scheme for the provision of recreational and community facilities infrastructure, and household waste receptacles, to meet the needs of the development in accordance with adopted Local Development Framework Policy SF/10 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.
(Reason - To ensure that the development contributes towards infrastructure in accordance with the Policies DP/4, SF/10 and SF/11 of the adopted Local Development Framework 2007.)
11. During the construction period, development shall not be carried out other than in accordance with the details shown within drawing number SP2, and set out within paragraph 23 of this report.
(Reason – In the interests of residential amenity and highway safety in accordance with Policies DP/3 and DP/6 of the adopted Local Development Framework 2007.)

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

- South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007
- South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007
- Supplementary Planning Documents: Open Space in New Developments – Adopted January 2009, District Design Guide – Adopted March 2010.
- Circular 11/95 and 05/2005
- Planning File References: S/1027/11 and S/2567/11

Contact Officer: Lorraine Casey – Senior Planning Officer
Telephone: (01954) 713251



**South
Cambridgeshire
District Council**

© Crown copyright.

Planning Dept - South Cambridgeshire DC



FOR INTERNAL USE ONLY

Scale - 1:1250

Time of plot: 12:54

Date of plot: 23/02/2012

This page is left blank intentionally.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 March 2012

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

S/2034/11 – HISTON**Removal of Existing Single Storey Rear Extension and Erection of Two Storey and
Single Storey Extension to the Rear of Existing Property at 8 West Road****Recommendation: Approval****Date for Determination: 9 December 2011****Notes:**

These Applications have been reported to the Planning Committee for determination because the Team Leader considers that the application should be presented to Committee for decision.

Members will visit this site on Tuesday 6 March 2012

Site and Proposal

1. The application site comprises a semi-detached dwelling on the north-east side of West Road. In common with most of the properties in this built up street of older dwellings, it has no off-street parking and is sited almost on the back edge of the footway. The original dwelling, along with its semi-detached neighbour, comprised a two-storey house with a shared pitch roof rear wing that provided the kitchens and bathrooms.
2. The site lies within the village framework of Histon. West Road is a cul-de-sac leading off Station Road near the centre of the village. The site lies outside the Conservation Area, the boundary of which touches the rear corner of the garden.
3. The application, which has been amended twice, proposes to replace an existing single storey extension with a two-storey rear extension, and a further single storey element beyond that. The extension would extend 9.7m at ground floor level to match the end elevation of an extension already approved, but as yet un-built, at the neighbouring property No 6. The first floor element would extend 4.8m from the existing rear elevation and would have a hipped roof. Along with internal re-arrangements, the extension would provide a kitchen/dining/family room and a third bedroom and upstairs bathroom above. The site would retain a 27.5m long garden, backing onto a verge in Dwyer-Joyce Close.

Planning History

4. S/0411/96 – a single storey rear extension, widening and extending the rear kitchen and bathroom wing, was approved in 1996. It was not implemented.

5. S/1613/95 – a two storey rear extension was refused on the basis that its depth, height and position adjacent to 6 West Road would result in a poor outlook and create an oppressive feeling from the rear of that property. That proposal was for a narrower extension that is now proposed, along the boundary with No 6, but was the same length and had a dual pitched roof with a gable end. The current proposal (as amended) has a hipped end to the roof. Please see plans at Appendices 1a and 1b.
6. S/1527/80 – a two storey extension was approved. That proposal was for a wider extension as is now proposed, but at 5.8m long was 1m longer than is now proposed. The roof was shown as flat, with the top of the extension at the eaves height of the main roof. That permission was not implemented. Please see plans at Appendices 2a and 2b
7. The attached house at No 6 West Road has planning permission (S/1788/10) granted in February 2011, for a single storey rear extension on the end of its half of the rear kitchen wing. It is to be wider than the rear element and has a dual pitch roof to keep the height down. That application was approved after careful consideration of the impact on the neighbour at No 4, which has a rear wing in close proximity to the extension containing windows in the side elevation that are the only windows serving its kitchen and dining room. The extension has yet to be built. Please see plans at Appendix 3

Planning Policy

8. South Cambridgeshire Local Development Framework, Development Control Policies, DPD, 2007:
DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
TR/2 Car and Cycle Parking Standards
9. South Cambridgeshire LDF Supplementary Planning Documents (SPD):
District Design Guide – Adopted 2010
10. Circular 11/95 (The Use of Conditions in Planning Permissions) – Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

Consultation

11. **Histon Parish Council** – Recommended approval of the original plans, noting that a first floor window should be obscure glazed, and expressing concern at the increase in the number of bedrooms and no provision for on-plot parking. The Parish Council recommended refusal of the first set of amended plans, on the basis that the revised roof design (single storey element) would cause a significant loss of light to No 10 and massing will now be created by the pitched roof. Parking still remains a major concern as there is no provision on property. Comments regarding the final amended plans are awaited.
12. **Trees Officer** – Site is outside Conservation Area, no significant trees to be impacted upon: No objections.

Representations

13. The Occupiers of **10 West Road** strongly object: 10 West Road is entirely reliant on light across the rear of No 8 for all light to the centre and rear living accommodation of our home. We lie immediately to the west of No 8 where any 2 storey extension would completely block all direct sunlight and most other light to these rooms (half of our living accommodation). The loss of light would mean having electric lights on all day in these parts of the house which are continuously occupied. There are no windows in the western aspect of No 10 as this is less than 3 feet away from No 12 so any loss of light cannot be compensated for. On the first floor, light would be significantly reduced to the family bathroom and the ensuite to the rear bedroom. The extension would also create an oppressive outlook from the main entrance porch to No 10 which is on the eastern aspect of our property. There will be an impact on parking, as this proposal creates a 3 bedroom property with NO off-street parking on a road with well-documented parking issues. The majority of properties on West Road have no off-street parking and any further development would make the situation worse. Some residents already resort to parking in the adjacent Dwyers-Joyce Close. It is not clear how the applicant intends to carry out the building works without blocking access to our main door and driveway. A previous planning application for a 2 storey extension was rejected in 1996 on the grounds that it would create an oppressive outlook for No 6, as there is already a 2 storey extension at No 4. This has not changed. We would suggest it would be more appropriate to create a roof conversion as at No 6.
14. Amended Plans – We reiterate our objections on the grounds of major loss of light to a major part of our home, significant massing and an oppressive outlook from our main entrance, parking problems, previously refused two storey extension in 1996. The inclusion of a pitched roof to the single storey element further increases our loss of light.
15. The occupier of **4 West Road** objects: At present we get no direct sunlight in our computer room/small dining room. The proposed 2 storey extension would turn this into "The Black Hole of Calcutta". Our kitchen currently gets direct sunlight only in the late afternoon in summer. However, should this extension go ahead, this too would be in darkness. This extension would also overshadow our small upstairs bedroom, as it only has a small window above head height. I feel the single storey extension will break the 25 degree planning rule. The height is much higher than the proposed extension to no.6 West Road, which was a very marginal pass. They have taken the liberty of raising the extension to no.6 to coincide with their plan! If this is passed it would have a very detrimental effect on our enjoyment of our property inside and out as it will also affect the light to our rear patio and garden.

Planning Comments – Key Issues

16. The key issues are the impact on neighbouring amenity and parking.

Impact on neighbouring residential amenity.

17. **No 10 West Road** lies to the north west of the site and comprises an L-shaped detached house with a driveway between it and the site, leading to a garage level with the rear of that house. That house has been previously extended – please see plans at Appendix 4, and has an unusual internal arrangement at ground floor level, whereby internal rooms gain “borrowed” light from the external rooms (such as the porch) by having glazed doors and retaining original external windows. It is therefore difficult to assess the impact of the proposal upon habitable rooms in the standard

way. Nevertheless the proposed extension would be to the east to south-east of this neighbour, so would have an impact in terms of morning sunlight. The extension would have an overshadowing effect upon the porch and study, and to a lesser extent the utility room windows in the side elevation of No 10 for some time during the mornings, but by lunchtime these windows would be in the shade of the existing dwellings at 8 and 10. A porch is not a habitable room, although this one provides onward light to an internal room shown on the plans for that property as a reception hall. That room is already quite dark as a result of the porch extension and the lack of light in this room is to some extent of its own making. Similarly, the utility room provides onward light to the original part of the kitchen through the use of a glazed internal door, but the kitchen also suffers a lack of light as a result of a rear extension and is therefore again a problem partly of its own making. It is not considered that the extension would reduce light to these internal rooms to any greater degree than they already experience. Whilst it would affect the study, it is considered that as this would only be affected for part of the morning as described above, this would not be sufficient to warrant refusal of the application. The garage on that property prevents any impact from the single storey element of the proposed extension. At first floor level, only bathroom windows face the site. These are not habitable rooms, so there is no impact on them. A rear facing bedroom window would not be affected by the two storey element of the extension as it is set a similar distance back into the site as the application proposal. As the proposed extension would be located level with the driveway of No 10, it would not have an overbearing impact upon the external amenity areas of that property, which are to the rear. A first floor bedroom window is proposed in the side elevation of the extension. Whilst it would only directly overlook the driveway and obscure glazed windows of No 10, it would obliquely overlook the main sitting out area of No 10's garden and should therefore be installed as either a high level or obscure glazed window. This can be achieved by condition. The other windows proposed for the first floor side elevation would serve a bathroom and staircase. It is therefore considered that subject the obscure glazing condition for the side facing bedroom window, the proposed extension would not have an unduly overlooking, overbearing or overshadowing impact on the amenities of No 10.

18. **No 6 West Road** was cited in the reason for refusal of the 1995 application as suffering from an oppressive impact at its first floor rear window (the ground floor already protruded the same distance). However, a 1m longer extension with a flat roof had previously been approved in 1980. It would seem to have been the consideration at the time of the 1995 application that the addition of a roof, in spite of the shorter length of extension, was sufficient to tip the balance such that the proposal was unacceptable. The current proposal is for that same shorter length of extension, and with a dual pitched roof, but that has now been hipped at the end. The Council also now has the benefit of standards to apply to such proposals. The extension would cut a 45 degree horizontal line from the centre of the first floor bedroom window at No 6 such that 1.6m of the extension would fall within the intended clear zone, but it is considered that the sloping-away roof, coupled with the hipped end of the roof, would minimise any overbearing impact to an acceptable degree. In addition, the extension would not cut the 25 degree vertical line from eye level at that window. The window is on the north-east rear elevation which is already in shadow for much of the day, so there would be no additional overshadowing of that window from the proposed extension. Similarly, the approved single storey extension at No 6 means that the proposed extensions at No 8 would not overshadow that property any more than the existing houses already do. No windows are proposed in the side elevation of the extension facing No 6, and the proposed window is no different to that found on semi detached properties generally. It is therefore considered that there would be no undue adverse impact upon the amenities of the occupiers of No 6 West Road to warrant refusal of the application.

19. The occupiers of **4 West Road**, next door but one to the south-east, have raised concern about the earlier amended plans, which showed an amendment to the roof of the single storey extension approved at No 6. This would have had the effect of raising the height of that roof in front of the only kitchen window in the side elevation of No 4's rear extension. The plans have now been amended to retain the approved extension at No 6 as approved, with dual pitched roof, and the single storey element of the proposed extension at No 8 would be similarly finished with a dual pitched roof, such that this would not now be visible from No 4. The two storey extension would be visible from No 4's kitchen and dining room windows, above the ridge of the existing rear wing to No 6. However, the existing rear wing already blocks views of the sky from these windows, apart from when standing right in front of them, so the additional height proposed at No 8, approximately 5.5m away would only have an impact on No 4 when standing at the kitchen sink or standing at the dining room window. It is not therefore considered that the two storey element would be unduly overbearing on the amenities of No 4, the more important element being the single storey rear wing which would continue to afford oblique views from these windows.

Impact on the parking provision

20. There is no allocated parking associated with the property at present, and none is proposed to be provided or removed by the proposal. The *status quo* is therefore maintained. Policy TR/2 does **not** require the provision of additional parking when a dwelling is extended. There is therefore no conflict with the Council's policy on parking. Indeed this is a sustainable location with good access to facilities and services and well served by public transport, such that the Council would seek to minimise parking provision.

Conclusion

21. The proposed extension, as amended, is the maximum that can be accommodated on the site without being unduly detrimental to the amenities of neighbouring properties. Provided the wide window to the bedroom is obscure glazed, it is considered acceptable in compliance with Policy DP/3.

Recommendation

22. APPROVE, as amended by plans stamped 10 February 2012 subject to the following conditions:
1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
 2. The development hereby permitted shall be carried out in accordance with the following approved plans: 2010-018-P05, 2010-018-P04 rev P4, 2010-018-P06 rev P3.
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
 3. The proposed first floor bedroom window in the side elevation of the extension, hereby permitted, shall either be permanently glazed with obscure glass or shall be

installed so that the cill level is at least 1.7m above the floor level of the room it serves.

(Reason - To prevent overlooking of the adjoining property in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

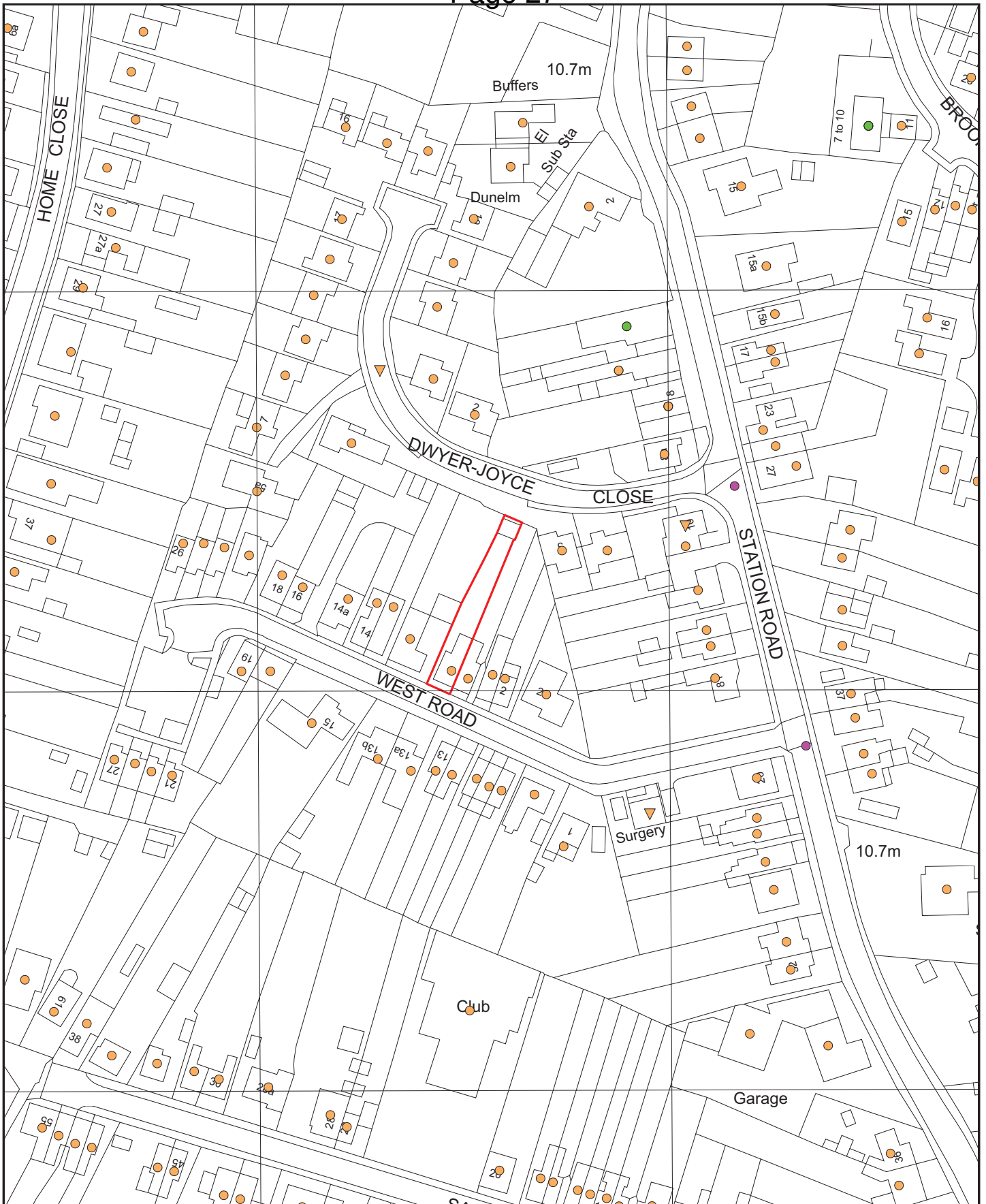
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, doors or openings of any kind, other than those expressly authorised by this permission, shall be constructed in the side elevations of the extension at or above first floor level unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.
(Reason - To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

5. During the period of demolition and construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

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

- Application files S/2034/11, S/1788/10,

Contact Officer: Kate Wood – Development Control Team Leader (East)
Telephone: (01954) 713264



South
Cambridgeshire
District Council

© Crown copyright.

Planning Dept - South Cambridgeshire DC



FOR INTERNAL USE ONLY

Scale - 1:1250
Time of plot: 13:00

Date of plot: 23/02/2012

This page is left blank intentionally.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 March 2012

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

S/2516/11 & S/2517/11 - TEVERSHAM

Two-storey side extension, and alterations to single storey range of linked outbuildings – The Rectory, 30 Church Road.

Recommendation: Refusal

Date for Determination: 14 February 2012

Notes:

These Applications have been reported to the Planning Committee for determination at the request of the local Member of the District Council.

Members will visit this site on Tuesday 6 March 2012

Teversham Conservation Area

Site and Proposal

1. The Rectory is a Grade II Listed Building and Heritage Asset and falls within the village development framework and within Teversham Conservation Area. The Rectory was re-built to replace an earlier house and later listed in 1984. The dwelling is constructed of grey gault brick with slate roofs and end stacks to each gable end.
2. The site comprises the main dwelling with existing extensions and outbuildings and a conservatory. To the east of the site is No.24 Church Road and 75m away is All Saints Church, which is a Grade II* Listed Building, to the west is Teversham Church of England Primary School, to the north is open space and to the south are dwellings.
3. The application proposes a two-storey side extension, and alterations to single storey range of linked outbuildings. The existing house is roughly 275 sq m. The existing extension has a floor area of about 45 sq m. The proposal would result in a ground floor area of extension roughly 75 sq m and 50 sq m to the first floor; a total proposed extension of 125 sq m. The extension would provide an additional bedroom and garden room.

Planning History

4. In 2000, planning permission and listed building consent was granted for extensions and internal and external alterations, which is now part of the subject of this application (**S/0113/00/F** and **S/0122/00/LB**). The extensions and alterations are sited to the rear of the main dwelling and are single storey.
5. Planning permission and listed building consent was approved for a wall and conservatory to the north of the dwelling in 2002 (**S/1681/02/F** and **S/1680/02/LB**).

Planning Policy

6. National Policy
 - (i) Planning Policy Statement 5 (PPS5): Planning for the Historic Environment
 - (ii) Planning Policy Statement 5: Planning for the Historic Environment: Historic Environment Planning Practice Guide
7. South Cambridgeshire Local Development Framework, Development Control Policies, DPD, 2007:
 - DP/1 Sustainable Development
 - DP/2 Design of New Development
 - DP/3 Development Criteria
 - DP/7 Development Frameworks
 - CP/3 Listed Buildings
 - CP/4 Setting of Listed Buildings
 - CP/5 Conservation Areas
8. South Cambridgeshire LDF Supplementary Planning Documents (SPD):
 - Development Affecting Conservation Areas – Adopted 2009
 - Listed Buildings: Works to or affecting the setting of – Adopted 2009
 - District Design Guide – Adopted 2010

Consultation

9. **Teversham Parish Council** – Recommends approval.
10. **English Heritage** – Recommends the application be determined in accordance with national and local policy guidance and on basis of Council specialist conservation advice. It is believed that the scale, form and massing of the proposed extension would not impact on the character of the conservation area given the distance set back from the road behind a high wall nor would it encroach on the surrounding open spaces. The proposed windows should be set back 100mm into the reveals and there should be careful detailing of the glazing bars. On the north-east elevation there should be hardwood boarding left to weather to a silver-grey.
11. The Council's **Conservation Officer** – Recommends refusal. The proposed extension would cause harm to the listed building by virtue of its scale, form, massing and appearance. The addition of another storey would increase the bulk of the existing extension, would dominate the front, rear and side elevation and would visually and physically detract from the special character and appearance of this grade II listed Building contrary to South Cambridgeshire LDF Development Control Policies DPD, 2007, CH/3 Listed Buildings, Planning Policy Statement 5: Planning for the Historic Environment Policies HE 7.1, HE 7.2, HE 7.5, and HE 9.4 Listed Buildings: Works to or affecting the setting of SPD, 2009.
12. Pre-application correspondence has taken place regarding a two-storey extension. In responses the Conservation Team has stated that they would be unable to support an extension of this size due to its scale, form, massing and appearance. In the letter attached to this application the English Heritage Advisor's comments are in respect of the impact on the Conservation Area from the proposed two-storey extension. It considers that the principal views of the Rectory from the public realm are up the drive looking toward the principal elevation, which is considered to have high significance. The view is that the proposed extension is set back from the face of the southwest elevation and the two-storey element will not impact in this view. Both letters also go beyond, scale, form and massing issues and reflect in some detail on design, which would appear unnecessary following their decision that the extension would not impact on the important

public views of the building and that The Rectory is almost completely screened from the public realm and makes little contribution to the streetscape.

13. The existing extension off the kitchen is successful and of an appropriate siting, scale, massing, height and design so that it does not compete with the existing house. The existing house has a clear, refined and proportioned appearance especially in respect of the plan form and the principal elevation and the early drawing of the house reinforces this clarity. It is considered that it has such clarity of design that any extension will have a significant effect.

Representations

14. **Councillor Hunt** – It is my view that the proposed extension would not be detrimental to the conservation area or detract from the fabric of the listed part of the house. In my opinion the present extension does not sit comfortably with the older part of the house and I feel that the proposed new extension would in fact 'marry' the two together. The planning committee should make the decision.

Planning Comments – Key Issues

15. The key issue to be judged in the determination of the application is the impact of the development on the Grade II Listed Rectory.

Impact on the Grade II Listed Rectory

16. The proposal is assessed with close regard to comments of objections from the Conservation Officer and historic environment policy that seeks to preserve the significance of listed buildings and ensure that historic buildings remain the main features following any changes. Planning Policy Statement 5 carries significant weight in the determination of planning applications, which affect the historic environment. Particularly relevant to this application is Policy HE9.1 which states the following: 'There should be a presumption in favour of the conservation of designated heritage assets and the more significant the designated heritage asset, the greater the presumption in favour of its conservation should be...'. Policy HE9.2 goes on further to say, 'Where the application will lead to substantial harm to or total loss of significance local planning authorities should refuse consent unless it can be demonstrated that: i) the substantial harm to or loss of significance is necessary in order to deliver substantial public benefits that outweigh that harm or loss; or ii)(a) the nature of the heritage asset prevents all reasonable uses of the site...'
17. Even where a proposal has a perceived harm to a heritage asset which is considered to be less than substantial harm Planning Policy Statement 5 Policy H9.4 states that, 'in all cases local planning authorities should: (i) weigh the public benefit of the proposal (for example, that it helps to secure the optimum viable use of the heritage asset in the interests of its long-term conservation) against the harm; and (ii) recognise that the greater the harm to the significance of the heritage asset the greater the justification will be needed for any loss.' The justification put forward in the application is clearly understood but heritage policy does not allow the Council to give special weight to the needs of individual owners; instead the impact of the changes must be balanced against the best general use (in this case residential) and the significance that the building holds for future generations. Policy HE 7.5 states that 'Local planning authorities should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials and use.'
18. The two storey scale and form of the proposed extension is contrary to guidance set out in paragraphs 4.12 and 4.13 of Supplementary Planning Document Listed Buildings, which outlines that works to a Listed Building should be subservient to the original building and two storey

extensions will generally not be supported. The increase in the bulk and massing of the proposed extension would physically dominate the front, rear and side elevations of the property detracting from the character and identity of the Listed Building.

19. The concerns raised above are considered to highlight a significant objection to the proposed extension, particularly given the status of the building and the irreversible harm that would be caused to its character and historical interest. Consequently, the development is recommended for refusal for the reason outlined below in paragraph 23.

Impact on the Conservation Area

20. The listed building is situated behind a high wall so is set off from the streetscene but located within the Teversham conservation area. It would not be prominent in the Conservation Area.

Residential Amenity

21. The development would not be sited close to neighbouring properties so would not have a significant impact on the amenity of neighbouring properties.

Conclusion

22. The development is considered to cause significant harm to the Grade II Listed Building and in such circumstances the local planning authority is guided by national planning policy to give presumption in favour of conserving the building and its special architectural or historic interest.

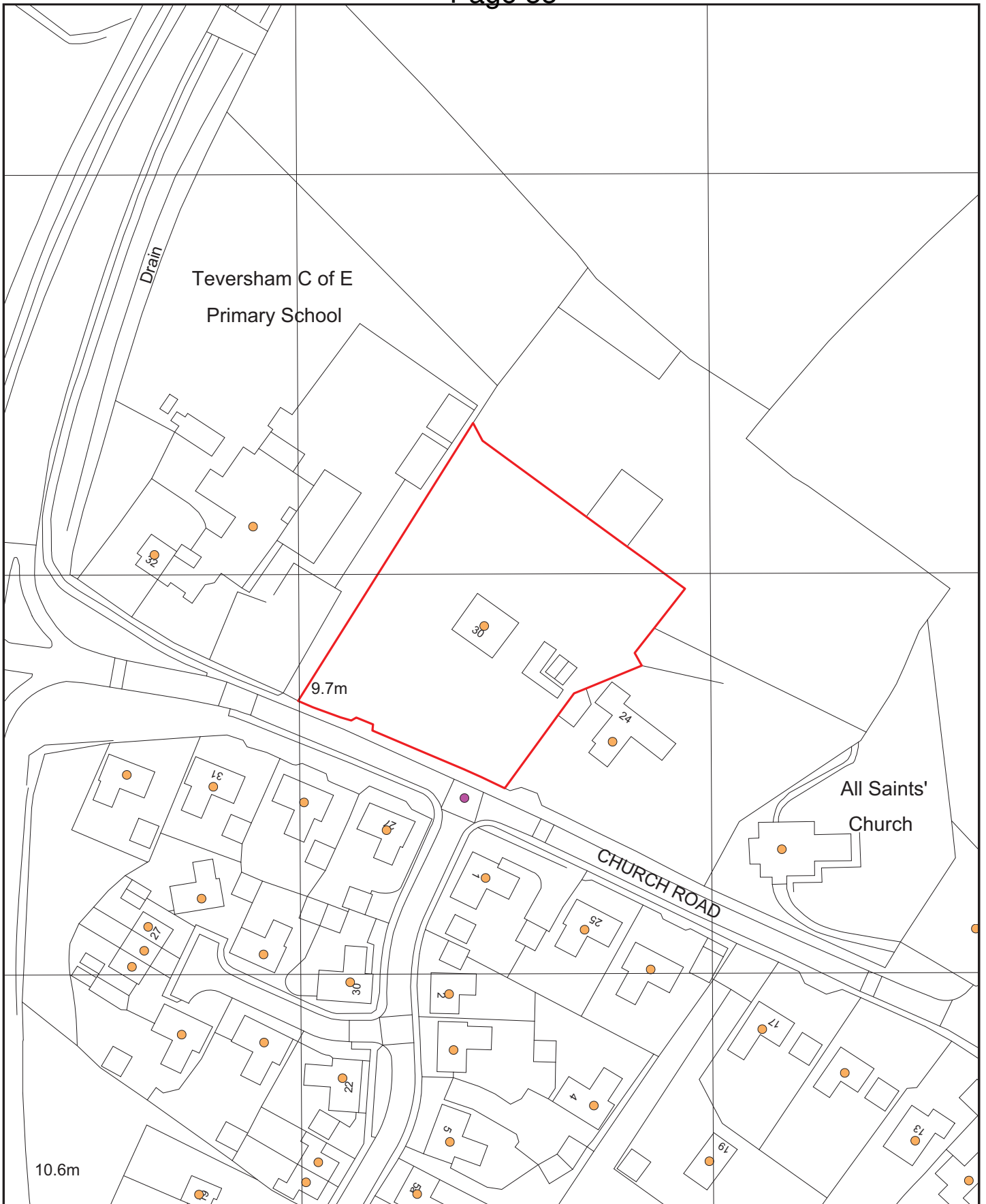
Recommendation

23. Refuse both the planning and listed building applications for the following reason:
 1. The proposed extension would cause harm to the listed building by virtue of its scale, form, massing and appearance. The addition of another storey would increase the bulk of the existing extension, would dominate the front, rear and side elevations and would visually and physically detract from the special character and appearance of this grade II Listed Building contrary to South Cambridgeshire LDF Development Control Policies DPD, 2007, CH/3 Listed Buildings, Planning Policy Statement 5: Planning for the Historic Environment Policies HE 7.1, HE 7.2, HE 7.5 and HE 9.4, and Listed Buildings: Works to or affecting the setting of SPD, 2009.

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

- Circular 11/95 – Use of Conditions in Planning Permissions
- Planning Policy Statement 5 (PPS5): Planning for the Historic Environment
- Planning Policy Statement 5: Planning for the Historic Environment: Historic Environment Planning Practice Guide
- South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007
- Development Affecting Conservation Areas SPD – Adopted 2009
- Listed Buildings: Works to or affecting the setting of SPD – Adopted 2009
- District Design Guide SPD – Adopted 2010

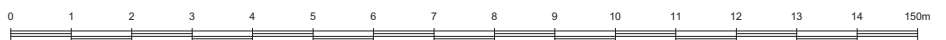
Contact Officer: Natalie Westgate – Planning Officer
Telephone: (01954) 713250



South
Cambridgeshire
District Council

© Crown copyright.

Planning Dept - South Cambridgeshire DC



FOR INTERNAL USE ONLY

Scale - 1:1250
Time of plot: 13:05

Date of plot: 23/02/2012

This page is left blank intentionally.



South
Cambridgeshire
District Council

© Crown copyright.

Planning Dept - South Cambridgeshire DC



FOR INTERNAL USE ONLY

Scale - 1:1250
Time of plot: 13:08

Date of plot: 23/02/2012

This page is left blank intentionally.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 March 2012

AUTHOR/S: Executive Director (Operational Services)/
Corporate Manager (Planning and New Communities)

S/2520/11 - Waterbeach**Outline Planning Application for the determination of the means of access for the erection of a dwelling at land to the rear of 54 Way Lane, Waterbeach for RJC Construction Ltd.****Recommendation: Refusal****Date for Determination: 10th February 2011****This application has been referred to the Planning Committee for determination at the request of the Local Member Cllr Johnson.****Members will visit the site on Tuesday 6th March 2012.****Site and Proposal**

- 1 The application site of 0.08ha comprises a piece of land situated to the rear of the garden of no.54 Way Lane. The site is accessed off Way Lane by a gated driveway to the side of no.54 Way Lane and is within the village development framework. Way Lane is a predominantly linear residential road with a mixture of house types. The site is undeveloped and at present is un-kempt and has a storage container and shed structure in situ.
- 2 The proposal seeks the outline determination for the means of access to the land to the rear of no.54 Way Lane for the erection of a dwelling, with illustrative details outlining the layout and elevations for a detached single-storey, two-bedroom bungalow and detached single garage.
- 3 The application is for outline consent only with details of scale, layout, appearance and landscaping to be agreed by Reserved Matters. A Planning Statement, Design and Access Statement and Ecological assessment accompany the application. In addition a letter of support from local member Cllr Peter Johnson also accompanies the application.

Planning History

- 4 Planning Application 1235/11 for an outline application for the means of access for a single storey dwelling was withdrawn.
- 5 Planning Application S/0494/11 for an outline application for the means of access for a single storey dwelling was withdrawn.
- 6 Planning Application S/0201/96/F for an outline application for the means of access for a single storey dwelling was refused and dismissed upon appeal on the grounds of loss of privacy and noise and disturbance and loss of character of the area.

Policies

7. South Cambridgeshire Local Development Framework Core Strategy 2007
ST/5 Minor Rural Centres
8. South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/4 Development Infrastructure
DP/7 Development Frameworks
HG/1 Housing Density
NE/1 Energy Efficiency
TR/1 Planning for More Sustainable Travel
TR/2 Car and Cycle Parking Standards
SF/10 Outdoor Playspace, Informal Open Space, and New Developments
9. South Cambridgeshire Supplementary Planning Documents
District Design Guide, Adopted March 2010.
Open Space in New Developments, Adopted January 2009.

Consultations

10. **Waterbeach Parish Council** – Recommends approval subject to the restriction that the dwelling would be single storey.
11. **Local Highway Authority** – Raise no objection subject to conditions for the provision of pedestrian visibility splays, a setback of 5m for any gates and the provision of bound surface material within 6m of the highway boundary.

Representations

12. 3 Letters have been received from the occupiers of 52, 54 and 56 Way Lane, the contents of which are summarised below:
 - The siting of a dwelling to the rear of nos.54 and 52 Way Lane would lead to the introduction of adverse noise from car movements and residential activity;
 - The site is currently derelict and has storage containers and old building materials stored within it, which is unsightly;
 - Whatever the outcome of the application the site should be cleared up;
 - The application states that local consultation has taken place, this is incorrect as the occupiers of the nearest neighbouring property have not had any communication with the developer;
 - The wall separating the front and rear corners of no.54 Way Lane does not form an adequate visual or acoustic barrier between the site and no.54;

- The activity of pedestrians and vehicles passing directly past the front and rear bedroom windows of no.54 would disturb the amenity currently enjoyed by this property;
- Two bathroom windows open onto the access way and its use would compromise the security and privacy of no.54;
- The application quotes that the building envelope would be limited, however, the existing storage containers on site are clearly visible from no.54 and therefore any proposed dwelling would be visually prominent;
- The use of the site for vehicle movements and children's play would increase the level of activity that exists and would be intrusive to the otherwise peaceful secluded nature of the existing environment;
- The proposal would not be in keeping with the pattern of development within the area;
- The representation of local member Cllr Johnson is misleading as he states that local neighbours support the scheme, however, it is clear that those nearest do not;
- The reasons for refusal cited within the previous appeal decision are still relevant and should still stand;
- The government has introduced new planning rules to prevent 'garden grabbing', which is further justification for the refusal of this planning application.

13. **Local Member Cllr Peter Johnson** has requested this application be determined by the Planning Committee on the grounds that there is a wish to give committee members the chance to visit the site and investigate the changes in circumstances since the appeal was dismissed for the residential development of the site. Cllr Johnson comments are summarised below;
- The proposal for a two-bedroom bungalow would fit well into the proposed area and would not be overbearing upon adjacent properties or result in a loss of privacy.
 - The site has an existing means of access to a site of no lawful use leaving the site's future unclear and open to abuse.
 - There is a shortage of small single storey properties within the village allowing elderly people to downsize their accommodation with manageable gardens.
 - There are other examples of similar types of development within Way Lane such as at sites at 11, 55 Way Lane, and 22 High Street. Therefore there needs to be a consistency with decisions;
 - The development within Saberton Close has a greater impact upon properties in Hartley Close than this proposal;
 - There is genuine support from various close neighbours including those to the opposite side of the access.

Planning Comments

- 14 The key considerations in the determination of this application are the impact that the development would have upon residential amenity, highway safety, character and appearance of the area and village infrastructure.

Character & Appearance

15. In the previous appeal decision the inspector gave weight to the western side of Way Lane and not the east, where examples of back land development have been undertaken as referenced by the Local Member and applicant.

The Inspector stated that the western side of Way Lane has a strongly defined character of frontage development with enclosed private gardens to the rear of properties due to the roads running parallel to one another. The Inspector referenced the importance of the value of the sense of privacy of the gardens to properties within Hartley Close and Way Lane. In consideration of this issue the Inspector gave sufficient weight to the level of activity and sense of proximity that would result from the siting of the proposed bungalow concluding that it would be alien within this location and would spoil the general sense of privacy and seclusion within the rear gardens that was considered to be important to the character of the immediate area.

16. The examples of other similar development within the vicinity are not considered to relate to the context referred to within the inspector's decision where an assessment of the parallel nature of this specific part of Way Lane and Hartley Close was referenced. The development within Saberton Close loosely conforms to the pattern of development within the area, as it continues the parallel linear form between Way Lane and Hartley Close. In light of the above the introduction of built form due east of the swathe of secluded private garden land to the rear of nos.66-50 Way Lane would be contrary to the planned layout of the area and would result in uncharacteristic alien development to the detriment of the character and appearance of the area, which benefits from secluded garden land free of built form and activity.

Residential Amenity

17. The Inspector reviewed the impact that the proposed access would have upon the amenity of no.54 Way Lane. It was concluded that the arrangements including the 1m separation strip from the access road and the brick wall that encloses the garden and rear habitable rooms serving this property would provide an adequate sense of privacy to safeguard the privacy and protection from noise and disturbance to the occupiers of no.54 Way Lane. Following this appraisal it is considered that no material change in circumstances have taken place to alter this assessment. Therefore the means of access to the proposed dwelling is not considered to result in an unacceptable impact upon the amenity of the occupiers of no.54 Way Lane by way of noise and disturbance or loss of privacy.
18. Notwithstanding the above, the siting of a dwelling would as stated within the appeal statement introduce a level of activity alien to this area by providing a dwelling and associated residential activity that is currently not present within close proximity to other residential properties due to the layout and nature of the existing private gardens. No material change in circumstances has taken place since this decision and the proposal would be no different to that previously dismissed upon appeal. Furthermore, this adverse introduction in activity is most significant to the occupiers of no.54 Way Lane as this property abuts the site and has a significantly smaller garden than that of surrounding neighbours, as the application site once formed part of its original garden.

Infrastructure

19. The dwelling that would result from the proposal would provide a two-bedroom property and in order to meet the requirements of this development in respect of the increase in the capacity of occupants to the village the proposal would require the provision of an off-site contribution towards off-site

public open space within the village. This has been calculated at £2,224.90 (index-linked). The proposal would also require the developer to pay a sum of £378.88 towards community infrastructure within the village in addition to a S106 monitoring fee of £50 and refuse bin provision fee of £69.50. The village of Waterbeach has a shortfall in both its play space and formal sports provision and requires indoor community facilities to accommodate its population.

20. The developer has acknowledged the above planning obligations and has agreed to enter into a S106 agreement, and is aware of bearing the cost of all associated legal fees.

Highway Safety & Car Parking

21. Access to the site has not been contested in the past by the previous refused planning consent or the dismissed appeal decision that followed. Therefore it is considered that the proposal would be served by adequate provision of an access onto the public highway that would not result in the detriment of highway safety subject to the provisions of conditions requiring details of the surface material to be laid, the set back of gates, and pedestrian visibility splays.
22. The illustrative plans show that the plot would provide sufficient car parking for a single dwelling with two spaces with adequate turning clear of the public highway.

Conclusion

23. The applicant's planning statement references that the land in question has been physically divorced and in separate ownership from the garden of no.54 for approximately 6 years. Furthermore, the site has an established access and has been used for the temporary storage of materials and equipment of a former construction business. Therefore the site should be considered as brownfield land as it has been previously developed and is now effectively derelict for practical purposes. The applicant therefore argues that in line with the recent draft National Planning Policy Framework that the "answer to development and growth should, wherever possible, be 'yes', except where this would compromise the key sustainable principles set out with the National Policy Framework". The applicants statement therefore concludes that in line with the key principles mentioned above there should be a presumption in favour of development following the desire to make effective use of land and re-use of land accordingly.
24. Notwithstanding the above argument, for the reasons set out with paragraphs 15-18 above, officers disagree with the assessment of the site's context in relation to surrounding development and are of the opinion that the development proposal would not follow the planned layout of the site's surrounding context to the detriment of the amenity of surrounding neighbours. Nevertheless, officers acknowledge that the site within its present form is also unsatisfactory and that as the land, whilst divorced from the ownership and garden of no.54 Way Lane for some time, has no present lawful use other than its previous garden designation as it has remained undeveloped. Therefore, it will be necessary to ensure that the site is subsequently tidied up, with the removal of left over building materials should the application be refused as recommended.

25. In light of the above and having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should be refused in this instance.

Recommendations

24. Refuse for the following reason:

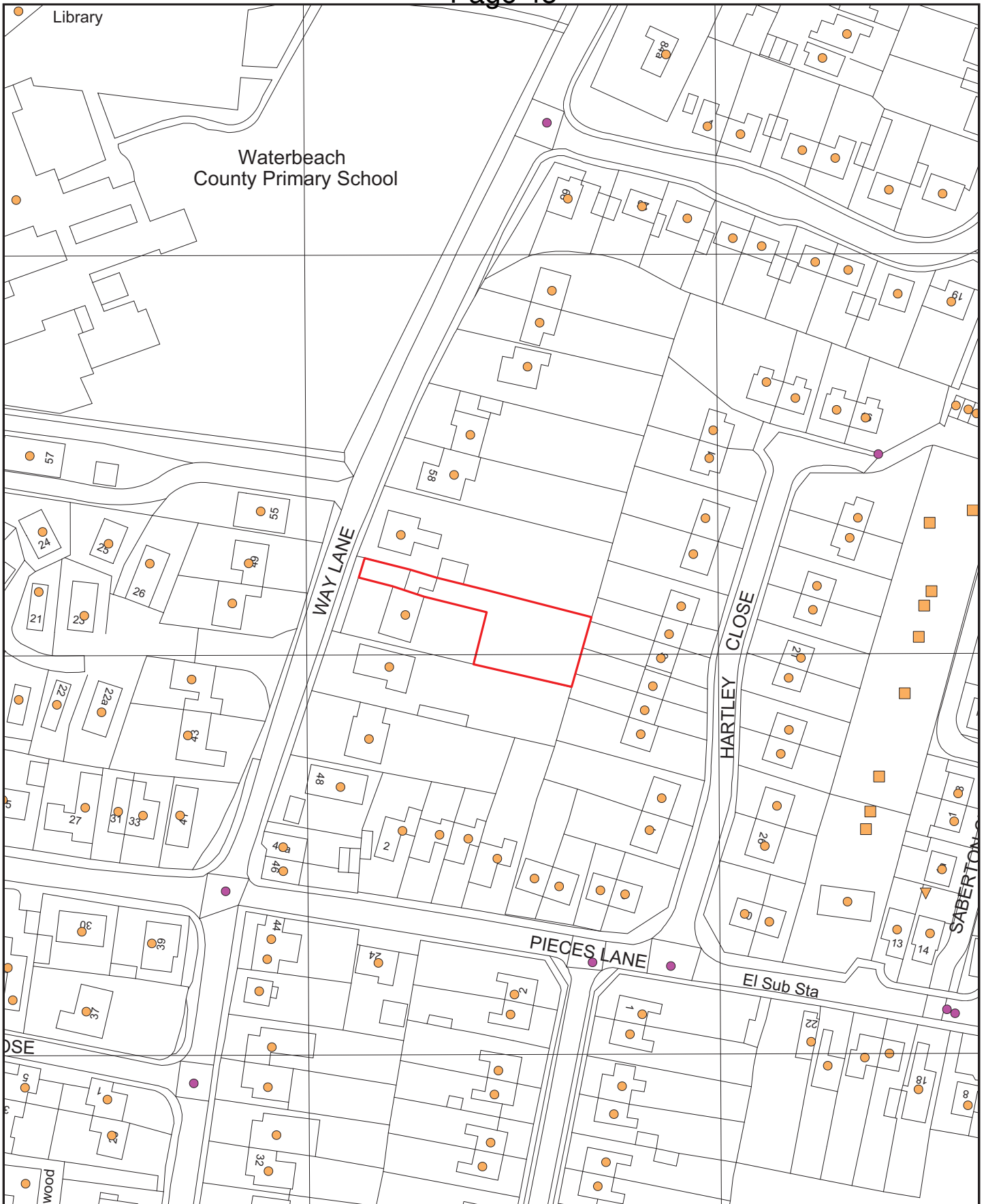
1. The proposal to develop the land to the rear of nos.54 Way Lane for the erection of a dwelling would introduce a level of activity and sense of proximity that is alien within this locality at present, that would spoil the general sense of privacy and seclusion to the rear garden of this property, and that provides a significant part of the character of the immediate area. The site does not provide a satisfactory building plot for the acceptable siting of a dwelling that would not result in a detrimental impact upon the amenity, sense of place and character for the surrounding inhabitants, which within this location carries greater weight than the consideration of an efficient use of land for the provision of housing.

The proposal is therefore contrary to Policies DP/2 and DP/3 of the South Cambridgeshire Local Development Framework, Development Control Policies, DPD, 2007, which require that all new development must be of high quality design and, as appropriate to the scale and nature of the development, should preserve or enhance the character of the local area, and that planning permission will not be granted where the proposed development would have an unacceptable adverse impact on residential amenity and village character.

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

- South Cambridgeshire Development Control Policies Development Plan Document (2007)
- South Cambridgeshire Local Development Framework Supplementary Planning Documents
- LDF Adopted Core Strategy Development Plan Document (2007)

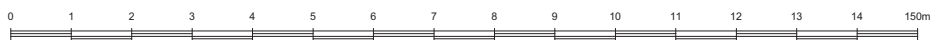
Contact Officer: Mike Jones – Senior Planning Officer
01954 713253



**South
Cambridgeshire
District Council**

© Crown copyright.

Planning Dept - South Cambridgeshire DC



FOR INTERNAL USE ONLY

Scale - 1:1250

Time of plot: 13:50

Date of plot: 23/02/2012

This page is left blank intentionally.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 March 2012

AUTHOR/S: Executive Director (Operational Services)/
Corporate Manager (Planning and New Communities)

S/2518/11 - THRILOW
**Erection of A Two Bedroom Dwelling to the Side of 63 Kingsway, Thriplow
for Mr Gregory Horne**
**Recommendation: Conditional Approval subject to
completion of S106 Legal Agreement**
Date for Determination: 16 February 2011

This application has been reported to the Planning Committee for determination as the recommendation of refusal by Thriplow Parish Council conflicts with the officers' recommendation.

Site and Proposal

1. The application site of 0.0319ha is located within the Heathfield development framework within a former military housing estate within the parish of Thriplow. The existing property is a two-storey semi-detached dwelling finished in red facing brickwork and a concrete tile roof. The adjoined property at no.61 has been extended at two-storey level to its side, which contains an integral garage. The existing property benefits from a rear private garden and has a parking area clear of the highway to its frontage. There are examples of similar extensions and subdivisions of existing dwellings within the street scene.
2. Proposals comprise a two-storey side extension to the existing dwelling and the subdivision of the plot to form a new two-bedroom dwelling with separate parking areas and private rear gardens. The proposal would provide two car parking spaces to serve the existing dwelling and one space to serve the proposed dwelling, both clear of the highway.
3. A design and access statement accompanies the application.

Planning History

4. Planning Application **S/2073/11** for the extension and subdivision of no.63 Kingsway to provide a two-bedroom dwelling was withdrawn.
5. Planning Application **S/0424/05/F** was approved for an extension at no.62 Kingsway.
6. Planning Application **S/0066/87/F** was approved for an extension at no.62 Kingsway.

Policies

7. South Cambridgeshire Local Development Framework Core Strategy 2007
ST/6 Group Villages
8. South Cambridgeshire Local Development Framework Development Control Policies
DPD 2007
DP/1 Sustainable Development
DP/2 Design of New Development

DP/3 Development Criteria
DP/4 Development Infrastructure
DP/7 Development Frameworks
HG/1 Housing Density
NE/1 Energy Efficiency
TR/1 Planning for More Sustainable Travel
TR/2 Car and Cycle Parking Standards
SF/10 Outdoor Playspace, Informal Open Space, and New Developments

9. South Cambridgeshire Supplementary Planning Documents
District Design Guide, Adopted March 2010.
Open Space in New Developments, Adopted January 2009.

Consultations

10. **Thriplow Parish Council** – Recommend refusal on the grounds that the private rear gardens would not benefit from access onto public land for the provision of bins, bikes and maintenance of the oil tanks.
11. **Local Highways Authority** – Raise no objections from a Highway safety perspective.
12. **Environmental Health** – The site is a former military land and the proposed dwelling is to be built on the site of the current oil storage tank. As a consequence a condition requiring a remediation strategy to be approved and carried out if any new contaminants are found to be present. In addition conditions should be imposed limiting the use of power-operated machinery during construction.

Representations

13. The Heathfield Residents Association (HRA) raise the following objections to the proposal:
- (a) The development would be out of keeping with the house types within the estate. Previous development have comprised the sub-divisions of existing dwellings;
 - (b) The proposal represents an eyesore, which would be detrimental to neighbouring properties;
 - (c) The proposal would provide insufficient car parking;
 - (d) The new property would adjoin a public green and would leave most of this in area in shade;
 - (e) The proposal indicates rear access onto the public green (owned by the management company) where no right of access is permitted and will not be permitted. If necessary the management company will fence of this area to prevent access;
 - (f) Without rear access the properties would require oil storage and bins to be located to the front of the properties, where there is little space and would represent health and safety impacts. The provision of bins to the front of the property would also be unsightly;
 - (g) The site is located on a sharp bend with limited visibility, increased car movements, would create a traffic hazard;
 - (h) The proposed flank wall would introduce an unsightly appearance to the street scene with the rear extension hindering light to the existing property;
 - (i) The development would overburden the existing overloaded infrastructure of the estate;
 - (j) Recent infill housing within the estate has hindered the work of the Parish and HRA in raising the standards of the estate;

- (k) The proposed extension would fail to comply to design guidance for impact upon habitable bedrooms.
14. Three Letters from the occupiers of nos.73, 62 & 78 Kingsway have been received outlining the following objections:
- (a) Further development adding to that, which has recently occurred will result in further parking and cramping of an estate that was designed for this level of occupation;
 - (b) Building works will cause issues for local residents and cause attrition to the HRA shared green space opposite the site;
 - (c) The works would negatively impact the aesthetics of the area reducing the light and space of this corner plot;
 - (d) The house is small and would be out of character for the area;
 - (e) The proposed parking for the existing dwelling would end up obstruct the pathway or overhanging the kerb when used by large family cars;
 - (f) The proposal requires side/rear access for each dwelling onto the shared space adjacent to the site, which the land owner would not allow.

Planning Comments

15. The key issues to consider in this instance are housing provision, the public realm, adjacent open space, car parking, highway safety, the amenity of neighbouring occupiers and the adjacent open space, and infrastructure provision

Housing Provision

16. Core Strategy Policy ST/6 designates the village of Thriplow as a Group Village. This states that residential development of up to 8 units is permitted within village frameworks. The application site is located within the estate's development framework and the size of the plot indicates that the development could only accommodate a single dwelling. As a consequence the development proposal is acceptable in principle and would represent an efficient use of land that would not require the provision of affordable housing. Furthermore, the proposal would represent a small 2-bedroom dwelling, which is identified as being within short supply within the district according to the district housing survey.

Public Realm, Adjacent Open Space and Car Parking

17. The proposal would involve the erection of a two-storey side extension matching the ridge height of the existing dwelling and balancing the symmetry of the pair of semi-detached houses. Through the provision of external materials to match existing, this extension would be in keeping with the appearance of the pair of dwellings, as the adjoined dwelling at no.62 has been extended in a similar fashion. There are other examples of similar side extensions within the street scene and therefore the extension is considered to preserve the character and appearance of the street scene.
18. It is acknowledged that the site represents a corner plot with a section of amenity land immediately adjacent to it, referred to as a green by the Heathfield Residents Association. The extension proposed would increase the built form within close proximity to this open amenity land and would involve partial removal if not all of an established evergreen boundary hedgerow currently present. Notwithstanding this, it is not considered that the extent of the built form of the extension would be unduly overbearing or reduce the quality of this space, which contains no formal planting or play equipment and simply comprises a grassed verge.

19. The provision of an oil storage tank and refuse storage to the front of the existing dwelling would be visually prominent within the street scene, unless suitably mitigated. As such, the applicant has sought to locate such provision within the rear private gardens out of public view. Whilst this is considered a suitable arrangement with regard to the impact upon the public realm, it is considered that should such provision not be practical due to access issues then details of such provision could be sought by way of condition to ensure that appropriate screened and covered storage is provided. There are examples within the street scene of bins and oil tanks being sited to the front of properties. The issue of health and safety with regard to the provision of oil tanks is not a material planning consideration.
20. The vast majority of properties within Kingsway benefit from on plot car parking and there is no apparent issue with on road parking within the vicinity. The proposal shows parking for a single vehicle for the proposed dwelling and two parallel spaces for the existing dwelling to the front of the principal elevations. This represents 1.5 spaces per dwelling with the smaller property being served by a single space and is in accordance with the Councils maximum parking standards. This proposed format of parking is quite common within this section of the street and is not considered to result in a detrimental impact upon the character of the area.
21. Notwithstanding the above, to ensure that appropriate landscaping is provided as a result of the development, details will be required by way of condition to ensure suitable quality of surface materials and soft landscaping where necessary are provided.

Highway Safety

22. As a consequence of the above the proposal would not result in an unacceptable impact upon highway safety. The local Highway Authority consider the development to not result in a detrimental impact upon highway safety but acknowledge the fact that the site is within private ownership and is not adopted public highway. The corner plot provides good visibility around the bend by virtue of the open green verge adjacent to the dwelling and it is not uncommon for vehicles to reverse onto or off the private road.

Residential Amenity

23. The proposed extensions would be located to the side and rear of the existing dwelling and as no.63 is located at the end of a row, no neighbouring properties would be adversely affected as a result of the built form that would result. Notwithstanding this, the proposed rear extension would project near to the first floor window of the rear master bedroom of the existing property at no.63. The extension would be sited due west of this window and would hinder a horizontal 45-degree angle from the centre of this window. As a consequence this element of the extension would impact upon the extent of late afternoon sunlight serving this habitable room. Nevertheless, on balance this impact would be marginal in resultant harm to the level of amenity currently experienced by the occupiers of this property who are also in control of the land in question and is not therefore considered to warrant a refusal of planning permission in this instance.
24. In light of the above, it is considered that the new dwelling should have its permitted development rights removed by condition to avoid any adverse impact to the amenity of the existing dwelling by resultant extensions and alterations to the new dwelling.

Infrastructure Provision

25. The applicant has confirmed compliance with the necessary planning obligations with regard to public open space, and community infrastructure, refuse provision and S106 monitoring. This would equate to the sum of £ £2,244.90 toward public open

space infrastructure, £378.88 toward community infrastructure, £50 toward S106 monitoring and £69.50 toward refuse provision. These contributions are to be secured by way of a S106 legal agreement, subject to the decision of the Planning Committee.

Other Matters

26. Representations from local residents have raised the extent of ownership of land shown upon the submitted site location plan and a legal right of way across the amenity land northwest of the application site. This section of land is open to public access and from the correspondence provided by the HRA it would appear that the land is public open space for the private residents of the estate. There is conflict between the HRA and the landowner over the legal rights to cross this land, which is not a material planning consideration in this instance. However, as the provision of oil and refuse storage within the current proposed position requires access over this land, it is necessary to condition the final location of oil tank and bin storage to allow for well-designed alternative locations if so required.

Conclusion

27. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should be approved in this instance.

Recommendation

28. APPROVE, Subject to completion of S106 legal agreement and the following conditions

Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 07.11.003.2, 07.11.002.2, 07.11.004, 07.11.001
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
3. Details of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted shall follow the specifications as stated in the planning application form, unless otherwise approved in writing by the Local Planning Authority.
(Reason – To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
4. If during development contamination not previously identified is found to be present at the site then no further development, unless otherwise agreed in writing with the local planning authority, shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved to the satisfaction of the Local Planning Authority.
(Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled

waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy DP/1 of the adopted Local Development Framework 2007).

5. During the period of demolition and construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
6. No development shall take place until a scheme for the siting and design of the screened storage of refuse and any oil storage container has been submitted to and approved in writing by the Local Planning Authority. The screened refuse storage for the existing dwelling shall be completed before the development is occupied in accordance with the approved scheme and shall thereafter be retained.
(Reason - To provide for the screened storage of refuse and heating oil in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
7. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The details shall include specification of all shrub planting, which shall include details of species, density and size of stock.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
8. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
- 9.. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development within Classes A, B and C of Part 1, and Class A of Part 2 of Schedule 2 of the Order shall take place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.
(Reason - To safeguard the amenity of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

Informatives

1. During demolition and construction, there shall be no burning of bonfires or burning of waste on site except with the prior permission of the Council's Environmental Health Officer in accordance with best practice and current waste management legislation

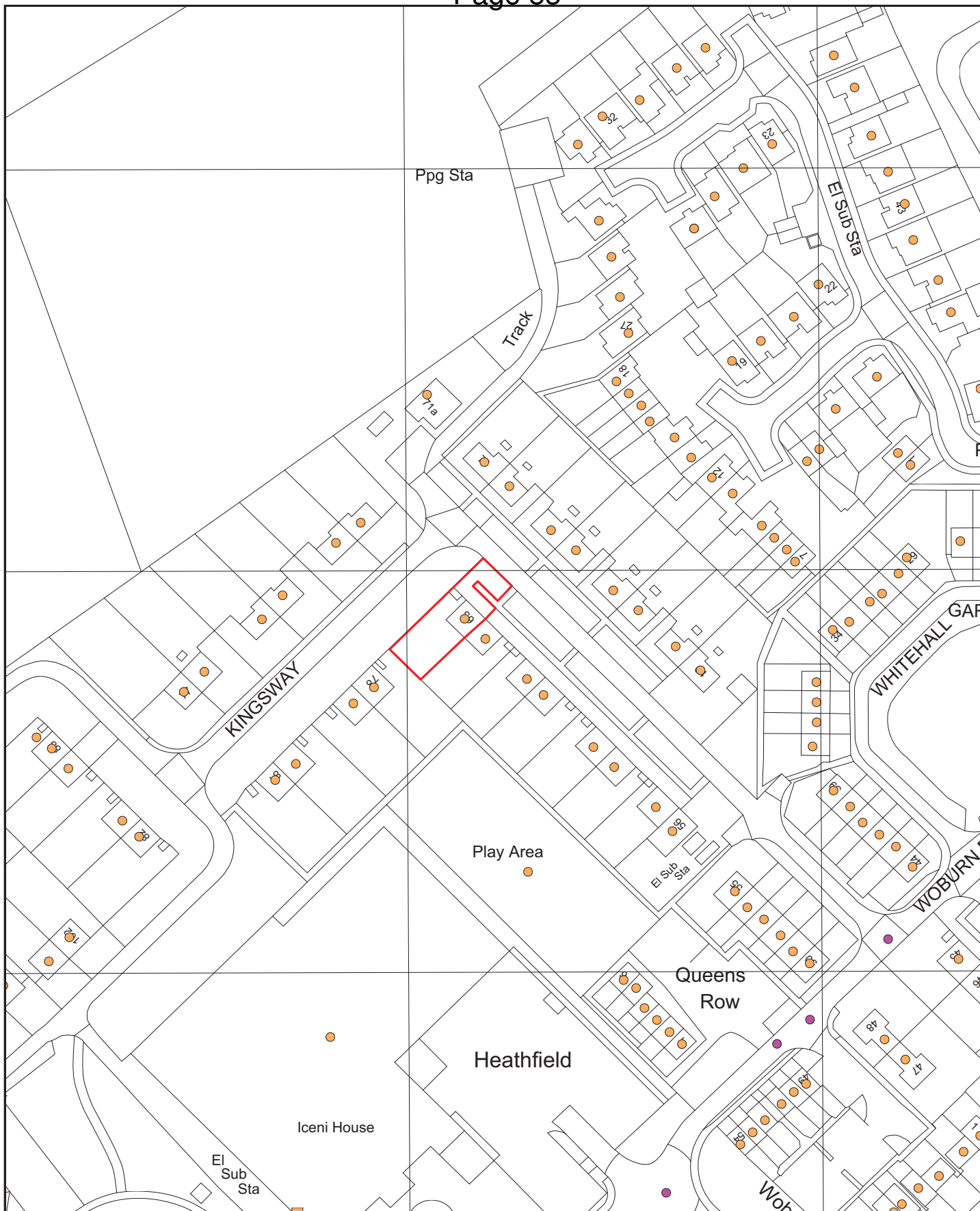
2. Should pile driven foundations be proposed, then before works commence of statement of the method construction of these foundations shall be submitted to the Council's Environmental Health Officer so that noise and vibration can be controlled.

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

- South Cambridgeshire Development Control Policies Development Plan Document (2007)
- South Cambridgeshire Local Development Framework Supplementary Planning Documents
- LDF Adopted Core Strategy Development Plan Document (2007)

Contact Officer: Mike Jones – Senior Planning Officer
01954 713253

This page is left blank intentionally.



South
Cambridgeshire
District Council

Planning Dept - South Cambridgeshire DC



FOR INTERNAL USE ONLY

Scale - 1:1250
Time of plot: 13:54

Date of plot: 23/02/2012

This page is left blank intentionally.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**REPORT TO:** Planning Committee

7 March 2012

AUTHOR/S: Executive Director (Operational Services)/
Corporate Manager (Planning and New Communities)

S/2269/11 and S/2270/11 - GRANTCHESTER
Erection of porch to West elevation and internal alterations
at Merton House Cottage, 19 Broadway, Grantchester
for Jo & Francis Burkitt

Recommendation: Approve Planning Permission and Refuse Listed Building Consent

Date for Determination: 17 February 2012

1. The application has been referred to the Planning Committee as one of the applicants is District Councillor Francis Burkitt.

Site and Proposal

2. The application site is Merton House Cottage which is a purpose built Lodge style house in the grounds of Merton House; a grade II listed building. The property is located on Broadway which runs to the East of the property, within the Grantchester Conservation Area. The Cottage replaced two former cottages on the same plot and was built between 1903 and 1927 and is considered to be a curtilage listed building.
3. The cottage is orientated fronting the gardens to the west. It has a robust Arts and Crafts appearance and appears largely unaltered. Externally its has a dominant gable end roof covered in Cambridge mix clay tiles and a pair of large dormers to the front elevation with an asymmetric rear wing with sweeping low eaves. There are two prominent stacks in Flemish Bond red brick. The elevations are rendered brick with cottage style 6 light casement windows set in a recessed panel with curved header course.
4. Internally the plan is a central hall with enclosed stair front door to the garden with a principal room either side. The rear addition has bathroom on first floor and study, kitchen, hall and larder to rear ground floor. Internally the building appears unaltered with original features including fireplaces and simple cottage style vertical boarded doors with latches and intact larder and kitchen whose functional uses are reinforced by the use of painted brick finish. To the rear form the back door leads onto an enclosed courtyard with single storey outbuilding to south side and walled to north with access gate to car parking and outbuildings.
5. The proposed development proposes both external and internal alterations. The external alteration is the erection of a porch on the East elevation of the property which requires both Planning Permission and Listed Building Consent. The internal alterations are the removal of internal walls between the dining room and kitchen, the removal of the larder and rear corridor/lobby creating an open plan kitchen /dining area. The load bearing walls will be replaced by steel beams, which will form up stands in the locations of the existing walls and will sit on short wall stubs of the existing walls.
6. The application has been amended to take out the proposal to remove the wall between sitting room and hall, to add downstand boxing on the line of all walls to be removed and to confirm that

the finish proposed for the kitchen is painted brick to match the existing rather than the originally proposed painted plaster.

Policies

7. DP/2 – Design of New Development
DP/3 – Development Criteria
CH/3 – Listed Buildings

Consultations

8. **Parish Council** – has recommended approval.
9. **Conservation Team** – has recommended refusal on the grounds that the internal alterations would have a significant detrimental impact on the plan form, the hierarchy of internal spaces and the character of this simple dwelling. There is no objection to the erection of the porch externally.

Representations

10. No representations have been received in respect of the proposed development.

Planning Comments

11. The main planning consideration in this case is the impact on the Listed Buildings.
12. **Impact on the Listed Buildings** – The proposed porch is considered to be in scale and character with the existing property. It would not cause any significant harm to the curtilage listed cottage nor to the setting or character of the grade II listed Merton House.
13. The proposed internal alterations comprising of the opening up of the kitchen and dining room, including the removal of the original built in larder and the brick partition walls between the kitchen and the dining room, are considered to be damaging to the historic plan form of the building and the hierarchy of the internal rooms. these alterations would thereby cause harm to the character of the curtilage listed building.
14. A supplementary document, submitted on behalf of the applicant, has suggested that there is justification for the work in order for it to meet modern residential standards and that the cottage is only listed by virtue of setting rather than for its individual importance and that it would not be worthy of listing if it were not located within the curtilage of the main house.
15. However, the view of the Conservation Officer is that the harm to the curtilage listed building caused by the proposed internal works is not outweighed by the need to meet modern living standards. While the existing rooms in the dwelling are relatively modest, it is not considered that the property is so small nor cramped that the harm to the plan form of the building could be justified by virtue of the larger rooms and more open interior that would result. In terms of the status of the building, curtilage listed buildings are afforded the same protection as independently listed buildings. The special character of the cottage is considered to be important in its own right as well as contributing significantly to that of Merton House. This special character therefore extends to more than just the external appearance of the cottage. The plan form, hierarchy of internal spaces and the internal fixtures and fittings of the cottage are considered to make an important contribution to the special character and appearance of the listed building.
16. The proposed development is therefore considered to be unacceptable in terms of its impact on the special character and appearance of the listed buildings.

Recommendations

17. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is recommended that the Listed Building Consent application for the porch and internal alterations be refused for the following reason:
 1. The proposed development, by virtue of the removal of the internal walls and consequent opening up the internal rooms, will have a significant detrimental impact on the plan form and hierarchy of the internal spaces which would cause harm to the character of the listed cottage. This would be contrary to policy CH/3 of the South Cambridgeshire Local Development Framework Development Control Policies DPD, 2007 and policies HE 7.1, HE 7.2, HE 7.5, HE 8.1 of Planning Policy Statement 5: Planning for the Historic Environment.

18. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is recommended that the Planning Application for the porch is approved, subject to the following conditions and informative:
 1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
 2. The development hereby permitted shall be carried out in accordance with the following approved plans:
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

Informative

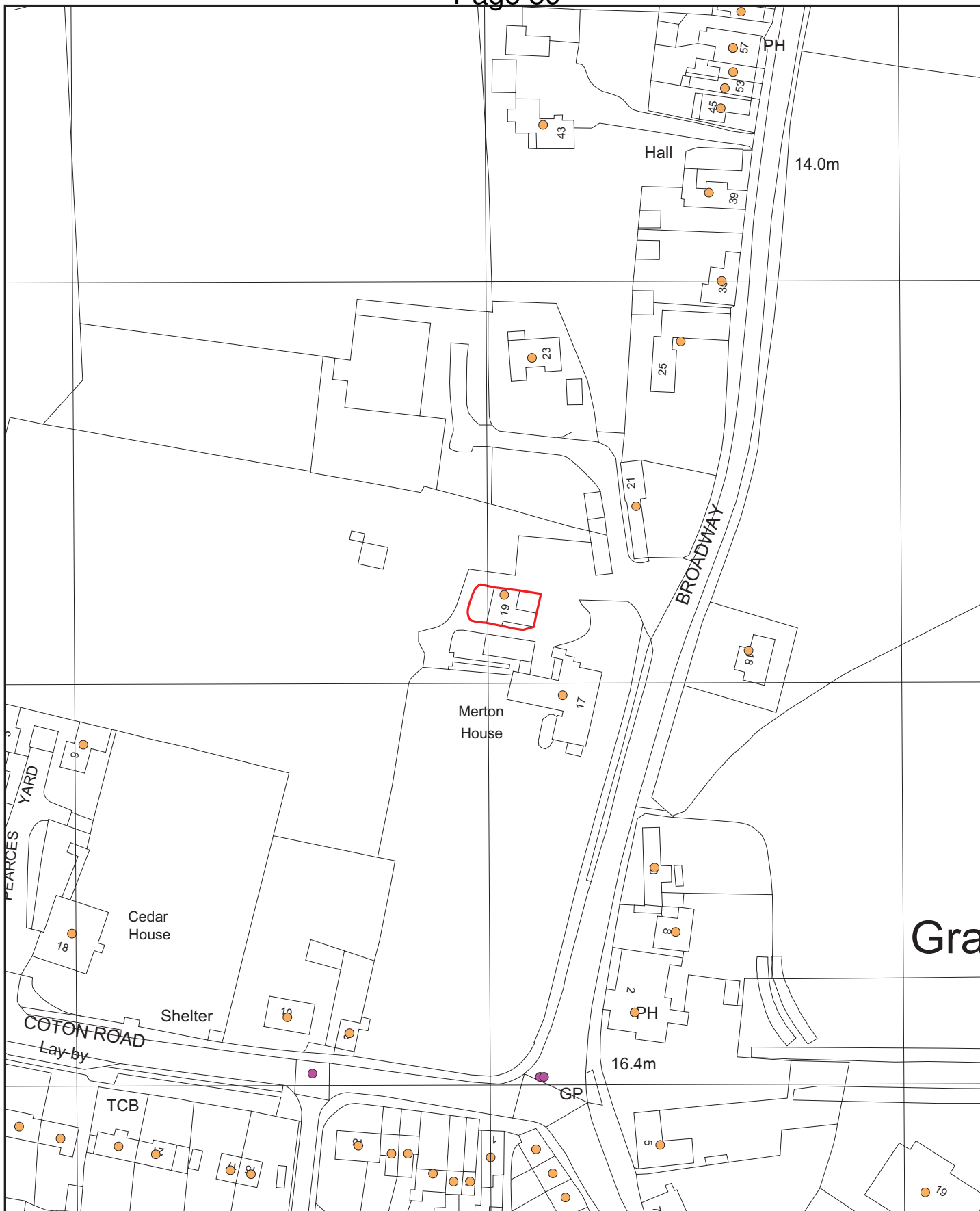
1. The applicant is advised that this planning permission does not convey Listed Building Consent for the proposed porch. Listed Building Consent is required prior to the commencement of development.

Background Papers:

Local Development Framework Development Control Policies 2007
District Design Guide SPD: adopted March 2010
Listed Buildings SPD: adopted July 2009
PPS5: Planning for the Historic Environment
Circular 11/95 – The Use of Conditions in Planning Permissions
Planning files ref: S/2269/11 and S/2270/11

Contact Officer: Daniel Smith - Planning Officer
01954 713162

This page is left blank intentionally.



Gra



South
Cambridgeshire
District Council

Planning Dept - South Cambridgeshire DC

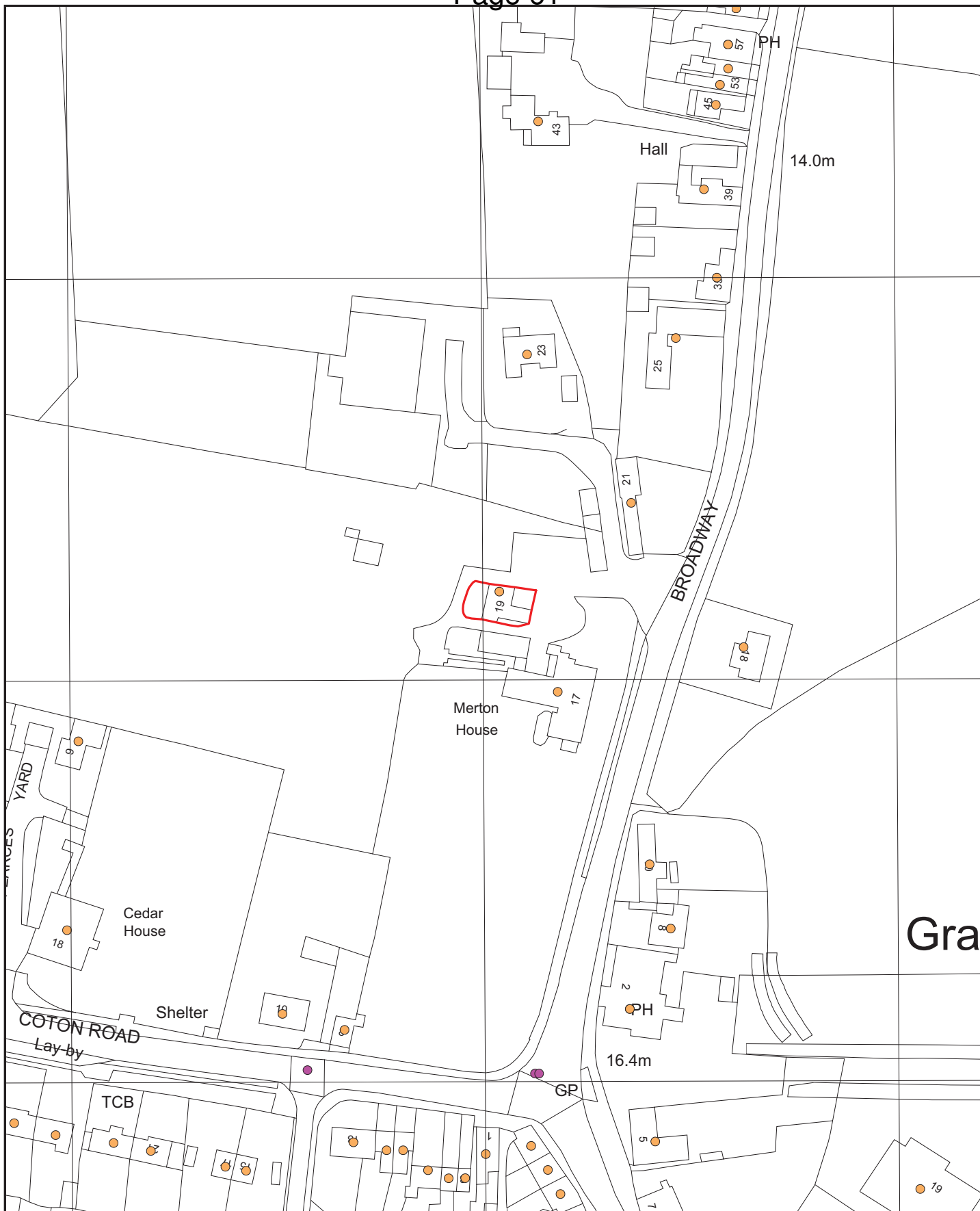


FOR INTERNAL USE ONLY

Scale - 1:1250
Time of plot: 15:39

Date of plot: 17/02/2012

This page is left blank intentionally.



South
Cambridgeshire
District Council

© Crown copyright.

Planning Dept - South Cambridgeshire DC



FOR INTERNAL USE ONLY

Scale - 1:1250
Time of plot: 15:47

Date of plot: 17/02/2012

This page is left blank intentionally.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 March 2012

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

S/0699/11 - CALDECOTE**Outline application for erection of 7 dwellings and new Vehicular Access at Land adjacent 6 Main Street, Caldecote for Mr C Richmond****Recommendation: Delegated Approval subject to the applicant meeting Local Highway Authority requirements.****Date for Determination: 31st May 2011****Notes:****This Application has been reported to the Planning Committee for determination, as the Officer recommendation is contrary to the response of Caldecote Parish Council.****Site and Proposal**

1. The application site is located in the village framework of Caldecote, outside of the designated Conservation Area. The site comprises approximately 0.25 ha of land that is currently unused garden land to the modest bungalow at No. 6 Main Road. The area is predominately flat and unkempt with several dilapidated outbuildings. Established hedging defines the south and west boundaries abutting the neighbouring footpath and Main Road. The north and east boundaries are defined by fencing. The application site is 'L' shaped with a frontage of approximately 41 metres. An existing but unused access is located in this frontage just slightly north of the existing roundabout. A second access is located in the southern boundary adjacent the public footpath. The existing character is predominately open compared to its closer surroundings where recent residential development has been built up around it. No 6 Main Road is the last of the detached bungalows in this linear form of development before the clear rural separation between the two elements of Caldecote village.
2. The outline application proposes the erection of a 7 dwellings on land to the east, southeast and south side of No.6 Main Street, together with the formation of a new access to the existing dwelling. All matters, other than the means of access, are reserved for further consideration. The application includes illustrative layout, block plans and full elevations. These indicate how the dwellings would be sited in relation to its surroundings and to road (following the demolition of the existing outbuildings). The dwellings comprise a mixture of detached and semi detached two storey properties, some with garaging. Maximum ridge heights are proposed at 9.3m and eave heights of no more than 5.3m. The proposed dwellings would be accessed via an existing vehicular access that will need to be adapted to the existing road layout, with the illustrative block plan indicating that parking would be provided within the site for each individual property.
3. The application has been accompanied by a Planning Statement, Design and Access Statement and a Protected Species Assessment. The application was amended 21st December 2011 to address density, housing mix, road width and potential neighbour

amenity concerns raised by officers. The consultation period expired 12th January 2012.

Planning History

4. S/0570/87/F – Erection of 1 bungalow – Approved
S/1387/94/O – Residential development and new roundabout – Dismissed at appeal

Planning Policy

5. South Cambridgeshire LDF Core Strategy DPD, 2007:

ST/6: Group Village
6. South Cambridgeshire LDF Development Control Policies DPD, 2007:

DP/1: Sustainable Development
DP/2: Design of New Development
DP/3: Development Criteria
DP/4: Infrastructure and New Developments
DP/6: Construction Methods
DP/7: Development Frameworks
HG/1: Density
SF/10: Outdoor Playspace, Informal Open Space and New Developments
SF/11: Open Space Standards
NE/1: Energy Efficiency
NE/6: Biodiversity
NE/15: Noise Pollution
TR/1: Planning for More Sustainable Travel
TR/2: Car and Cycle Parking Standards
7. South Cambridgeshire LDF Supplementary Planning Documents (SPD):

Open Space in New Developments – Adopted January 2009
Biodiversity – Adopted July 2009
Landscape in New Developments – Adopted March 2010
District Design Guide – Adopted March 2010
8. Circular 11/95 (The Use of Conditions in Planning Permissions) - Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.
9. Circular 05/2005 (Planning Obligations) - Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.

Consultations

10. **Caldecote Parish Council** – Recommends refusal for the following reasons
11. Is firstly surprised at the amended scheme to increase the number of units on site. The site access is via an existing mini roundabout on the junction of Highfields Road and Strympole Way. The Parish Council is planning to remove this (and other) mini

roundabouts and replace with T-junctions. This impacts on the planned access to the site.

12. The proposed levels of car parking are insufficient. Facilities such as post office, doctor, dentist, vet etc can only be accessed outside the village. Public transport provision to and from Caldecote is poor and the provision of only 1 space for plots 3 and 4 is inadequate. There is also no provision for visitor parking.
13. The Parish Council do not wish to take over the public space included within the development and this raises issues as to the maintenance and sustainability.
14. The affordable housing mix is not suitable for Caldecote. The current feel is affordable housing should be of a size with more bedrooms enabling those already in the village to move within the village as their families grow. The affordable housing shown here is two bedroomed housing which does not address any identified local need.
15. The properties are located very close to the boundaries of the plot and adjoining properties, particularly plot 1, 4 and 5. This leads to overlooking of neighbouring properties and in particular raises concerns with overshadowing of 3 Devonshire Mews. There are also no side elevations shown in the plans to help assess any potential overshadowing.
16. The inclusion of a 3-storey property in plot 1 would create a precedent in the street frontage in the village.
17. The development would appear to be backland development.
18. The Parish Council also has on going concerns, which impact any development, proposed with the following elements of the village infrastructure
 - The adequacy of the existing pumping station capacity (most recent drain problem on Highfields Road reported 19th April 2011) which regularly floods following periods of heavy rain
 - The availability of school places at both primary and secondary level for village children
 - The inadequacy of local transport
19. **The Ecology Officer** - Raises no objection. Requests condition to be in place to prevent removal of vegetation during bird breeding season and scheme of ecological enhancement.
20. **The Environmental Health Officer** – Raises no objection. Recommends conditions regarding construction hours.
21. **The Local Highways Authority** – The Highway Authority requests that the application be refused on the grounds of highway safety until the following information has been provided:
 1. That suitable inter-vehicle visibility splays within the guidance of Manual for Streets (1&2) can be achieved within land under the control of the applicant or within the adopted public highway.
 2. The design of the exiting mini-roundabout has been demonstrated to provide a suitable level of deflection for approaching vehicles in relationship to the proposed new site entrance and or a new designed layout if the above cannot be achieved.

Other comments: Given the size and nature of the development the Highway Authority will not seek to adopt the same.

A condition should be added for the developer to provide a footway 1.8m wide from the proposed access of the site to the exiting footway along Blythe Way, to enable pedestrians to safely access the village centre for the safe and effective operation of the highway

A condition should be added to any permission requiring that the proposed drive way be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway.

A condition requiring that the proposed drive be constructed using a bound material to prevent debris spreading onto the adopted public highway.

Add an informative to the effect that the granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.

22. **Rights of Way and Access Team** – raises no objection. It points out that the footpath along the southern boundary of the site must not be obstructed during construction if granted approval.
23. **Housing Enabling Officer** – Overall there are 5041 housing register applicants in South Cambridgeshire and 22,426 within the Cambridge sub region. There is little doubt of the need for affordable housing within the District, and the difficulties faced trying to meet the needs of the most vulnerable and those who wish to remain in our villages but cannot afford to do so. In view of the significant level of housing need in South Cambridgeshire, the Council will seek to secure 40% or more affordable housing on developments of two or more dwellings. The proposed development of 7 dwellings at the site adjacent to 6 Main Street Caldecote is offering 3 affordable dwellings and therefore does meet the 40% planning policy requirement as contained in HG/3.
24. There is no requirement for this site to be made available for people with a local connection to Caldecote, as the site is not an exception site. The dwellings would be open to all applicants who are registered on the Councils Home Link system. South Cambridgeshire District Council has a legal obligation to give reasonable preference to all applicants assessed and placed in the highest housing need.
25. The district wide targets for tenure of new affordable housing is 70% social rented and 30% intermediate housing, however the greatest demand is for social rented properties. There are no details as to the tenure mix of the affordable dwellings and so this would need to be agreed at a later date. The applicant proposes 1 x 1 bed unit, 1 x 2 bed unit and 1 x 3 bed unit. The proposed sizes are in accordance with the district profile. The properties should meet the Homes and Communities Agency, Design and Quality Standards and remain affordable in perpetuity.
26. **S106 Officer** – I note the applicant is not proposing a public open space contribution as an area of open space (play area) has been incorporated into the scheme.
 - It is not a policy requirement to provide onsite POS on any scheme less than 10 dwellings and Caldecote does benefit from several large areas of open space that

are well located to serve this particular development. In that respect I have doubts as to the value of the area being provided, especially given the requirement to secure it's maintenance in perpetuity. As this issue has not been referenced (to my knowledge) in the application I would be keen to understand whether the Parish Council have been offered to adopt the play area, and if not what the applicants intentions are.

- If the District Council were happy to approve the scheme with an area of public open space provided, it remains that the applicant is required to satisfy the 'sport space' element of the open space SPD. In my experience it may be more beneficial to consider a slight alteration to the scheme so that the areas are provided as front gardens between plots 3, 4 and 5 and to redesign the car parking arrangement. This would, however, result in the requirement for a payment towards open space contribution. This is to be paid prior to occupation of 4th dwelling.
- **Community facilities**
In respect of development control policy DP/4 a payment is required in respect of indoor community facilities. This is to be paid prior to occupation of 4th dwelling.
- **S106 monitoring**
A contribution of £250 in respect of s106 monitoring is required. This is to be paid prior to commencement of development. This does not include the cost of drafting the agreement, which will be undertaken by the District Councils legal department with the fee depending on the time involved.
- **Household waste receptacles**
The cost of providing household waste receptacles is £486.50. This is to be paid in full prior to occupation of any unit.

27. **Tree Officer** - No objections. Landscaping conditions required.

Representations

28. 4 Letters of objection have been received in total following receipt of the application and the recent amendments made 21st December 2011. The main points raised are
- I. The hedge line between plots 6 and 8 does not afford the level of privacy suggested by the Design and Access Statement and therefore any windows overlooking the house or garden would significantly impact on privacy.
 - II. Loss of light and overbearing impact to 3 Devonshire Mews
 - III. Play Area too close to the rear boundary fence of properties
 - IV. Potential overdevelopment, particularly with reference to parking provision.
 - V. Access into the development behind or into the adjacent track to Hardwick Woods is a missed opportunity
 - VI. Suggestion of the Council to allow access into neighbouring sites would impact on privacy of those residing in Cavendish Way.

Planning Comments

Principle of the development

29. CS Policy ST/6 classifies Caldecote as a Group Village, the policy recognises Caldecote as amongst those villages that are in generally less sustainable locations and having fewer services and facilities allowing only some of the basic day-to-day

requirements of their residents to be met without the need to travel outside the village. Residential development and redevelopment within the village frameworks is restricted to not more than eight dwellings within the village framework. Development may exceptionally consist of up to about 15 dwellings where this would make best use of a Brownfield site.

30. The proposed development equates to a density of approximately 28 dwellings per hectare. Policy HG/1 of the Local Development Framework requires new residential developments to achieve a minimum density of 30 dwellings per hectare, unless material considerations indicate a different density of development would be more appropriate. This wording reflects the change in emphasis following the revisions to PPS3 and the removal of garden land from the definition of 'brownfield' land. Policy HG/1 used to only permit lower densities of development if there was exceptional justification for such an approach, but the word 'exceptional' has since been removed from the policy wording. The principle of the development is considered acceptable.

Impact on the character of the area

31. The site is close to the settlement edge and currently provides a green rural exit from the village heading south to the more historic part of Caldecote. The site benefits from mature hedge boundaries and is rural in character compared to its more densely inhabited east and west counterparts. When entering from the south from Main Road, the street scene is predominately green and rural in character with existing built development predominately hidden from immediate view.
32. Whilst all matters other than access are reserved for further consideration, the application does include an illustrative layout plan that indicates how dwellings may be accommodated on the site. The illustrative block plan demonstrates that it would be possible to erect dwellings on the site whilst maintaining sufficient gaps around the properties in order to ensure development would not appear overly cramped within the street scene. The layout aims to develop the site in line with the existing surrounding context. It follows the front building line of the existing bungalow and other properties in Main Street and also those in Devonshire Mews and Cavendish Way located to the rear. Caldecote has a mixture of properties and new development is apparent throughout this part of the village. It is not considered that new development on this plot would lead to development that would be out of character.
33. The density of the plot is similar to that of the newer development in Blythe Way, Devonshire Mews and Cavendish Way where backland development has taken place and therefore considered to be reflective of local character in this part of the village.

Residential amenity issues

34. Concerns have been raised by the Parish Council and local residents regarding the proximity of the proposed units to the existing neighbouring properties. The application is for outline only and further details regarding layout would need to be submitted and considered at reserved matters stage. The indicative layout does show, particularly plots 2, 3 and 4 located close to neighbouring boundaries. This has been raised as part of the negotiations and changes have been made to overcome potential overlooking between the existing properties 6 and 8 Main Street and plots 1 and 2. Whilst the arrangement of plots 1 and 2 are constrained with 6 and 8 Main Street the applicant has aimed to address potential problems that may affect neighbour amenity and it is considered that these relationships could be easily improved through design. The Parish Council specifically refer to plots 1, 4 and 5,

however the distances these plots are from other units is reflective of other surrounding properties and not considered a reason for refusal.

35. The illustrative drawings submitted with the current application indicate dwellings with a maximum 9.3m ridge height and with maximum 5.3 m high eaves. Whilst these scale parameters are considered acceptable in most cases there is some concern that the units proposed at plots 3 and 4 would be overly tall in height, particularly in relation to the proximity and orientation of the units to the existing property at No. 3 Devonshire Mews. These units could have the potential to cause harm to the occupiers of this property and therefore design will play a big part in addressing this. It is considered that properties of this height are not acceptable in this location as part of any forthcoming application and should be designed out.
36. Representations have also made comment about the permeability through the site. Some have suggested a missed opportunity and others have suggested it would lead to a significant loss of privacy. Officers, at the pre-application stage suggested this as a favourable option to allow for pedestrian/cycle access. However, it would seem the applicant does not favour this approach in any case.
37. No specific points have been made with regard to the openings in each of the proposed units, however, the DDG adopted 2010 indicates the required distances between boundaries, windows and flank walls. Under paragraph 6.68 it states that it is preferable that a minimum distance of 15m is provided between windows and the property boundary. The majority of the plots are marginally short on this requirement. Plot 1 provides 7.8m from rear wall to boundary wall; however, it does not overlook any private amenity space in the indicative layout. Plots 3 and 4 meet the above-mentioned requirement. Plot 5 measures 7.5 metres from rear wall to boundary but the rear elevation faces over the neighbouring public footpath. Plot 6 measures 12m from rear wall to boundary but 15 metres from window to flank wall of plot 5. Plot 7 measures a very small 7m from the rear wall to the boundary but overlooks the indicative parking area for plots 6 and 7 to the rear of the property. Plot 2 is the only unit that is considered to be significantly short on the required distances at 10.6m between rear boundary and rear elevation and potentially cause problems with overlooking. The house on plot 2 has been designed with limited openings to address this shortfall. Whilst there are shortages in the distances required by the DDG it is considered that the indicative design of the units has addressed any potential problems with regard to overlooking or being overbearing.
38. With regards to the amenities that would be enjoyed by future occupiers of the proposed dwellings, the adopted District Design Guide recommends a two-bedroom house in a rural setting to have a private garden space of 50m², whilst 80m² is recommended for three-bedroom properties. The rear garden sizes indicated in the illustrative drawings generally meet the recommended guidelines. Plot 7 is marginally short of this requirement.
39. The Environmental Health Officer has recommended that conditions be added to any consent to protect residents from noise during the construction period. Controlling hours of use of power-operated machinery is a standard requirement and it is recommended that this condition be imposed. However, the requirement for driven pile foundations is more appropriately covered through an informative of any planning consent.

Highway safety

40. Main Street is a classified road that is subject to a 30mph speed limit. It is proposed that the existing access would be used by the new development. However, this access has not been used for some time and the road layout has changed considerably as part of the newer developments in Caldecote. The access width and positioning has been located in accordance with advice from the Local Highway Authority.
41. The Parish Council suggests that potential future changes to the road layout will not allow the proposed development to use this roundabout, as it will be removed. I do not consider this a reason to refuse a scheme. The development could help in encouraging the proposed changes the Parish Council requires and road layout could be revised accordingly.
42. Parking provision equates to 11 spaces in total. Most units have two spaces each; units 2, 3 and 4 have one space. Visitor parking for a development of this size requires a maximum of 1.75 spaces. Car parking standards suggest that new development provides an average of 1.5 spaces per dwelling and up to a maximum of 2 spaces per 3 or more bedrooms in poorly accessible areas. The Parish suggests that Caldecote is poorly accessible and therefore a maximum requirement would be needed. If the development provided the maximum parking provision for the site the number of spaces would equate to 12 spaces, one short of what is currently provided. In light of the comment made by Parish Council about the unwanted open space marked on the indicative layout plan, I am confident that another space could be provided if required.
43. Whilst the Highways Authority has recommended refusal for the proposed scheme in its current form it is considered that the applicant could meet the highway requirements to overcome this recommendation. If the details requested by the LHA are forthcoming there is no reason to refuse on grounds of Highway Safety in this instance.

Ecology and landscape issues

44. The Council's Ecology Officer comments are noted. Visits to the site found no evidence of the presence of bats. The development is not therefore considered to have significant impacts upon ecology and wildlife interests.
45. The new access would involve the removal of a section of existing hedgerow along the front boundary. The loss of a part of the front boundary hedge is not considered to cause significant harm to the character of the area whilst the Trees Officer is satisfied that the development can be accommodated on site without comprising existing trees.

Affordable Housing

46. The application proposes 3 of the 7 units to be available for affordable housing. The comments of the Housing Enabling Officer are duly noted and it is apparent that the district is very much in need of affordable housing. The comments of the Parish Council are also noted. Whilst the Parish Council feel that the mix proposed is not reflective of what the village needs specifically, the wider need is still very apparent across the district and the proposed offering is in accordance with policy requirements.

Infrastructure

47. The proposal would result in the need for financial contributions towards the provision and maintenance of open space, towards indoor community facilities and household waste receptacles in accordance with the requirements of Policies DP/4, SF/10 and SF/11 of the Local Development Framework. The level of contribution would depend upon the number of bedrooms proposed and could not therefore be calculated until the submission of a reserved matters application. However, a condition to secure such contributions would be necessary as part of any outline permission. The applicants' agent has confirmed, in writing, the clients' agreement to such payments.
48. While the Parish Council has queried the availability of school places and public transport the County Council has not requested contributions in this case. With regard to the capacity of the pumping station, this is noted and a condition regarding surface and foul water drainage to be agreed prior to development commencing is included as part of the approval.

Conclusion

49. The scheme proposes a development that is in line with HG/1 density requirements, the proposed mix of housing is reflective of the policy HG/2 and the percentage of affordable housing is in line with HG/3. The indicative layout shows that 7 new units on this site could be located in a manner that is reflective of its surroundings and could favourably add to the housing need requirement within the District. Design on certain plots will need to be carefully considered at the Reserved Matter stage to address proximity and overlooking but I am of the view that the indicative designs prove this can be achieved. In some areas on the plot it is considered that ridge heights will have to reflect the needs of neighbouring units with regard to sunlight and being overbearing. As this scheme is outline and the main considerations are scale and access I am of the view that both these areas can be appropriately addressed and therefore the scheme should be recommended for approval subject to the applicants meeting the requirements of the Local Highway Authority and the following conditions.

Recommendation

50. Approval:
 1. Approval of the details of the layout of the site, the appearance of the dwellings, and the landscaping (hereinafter called the "reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
(Reason – This application is in outline only.)
 2. Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
(Reason – The application is in outline only).
 3. The development hereby permitted shall begin not later than the expiration of two years from the date of approval of the last of the reserved matters to be approved.
(Reason – The application is in outline only.)

4. The development hereby permitted shall be carried out in accordance with the following approved plans: Site location Plan njh 6038 franked 5 April 2011, 3B Rev B franked 21 December 2011 (the means of access and scale only). (Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
5. The layout, elevations and floor plan details of the new dwellings indicated on drawing numbers 4, 5a Rev A, 6, 7, 8a Rev A, 10 Rev A, 11a Rev A and 12a Rev A are for illustrative purposes only.
(Reason – The application is in outline only).
6. The landscaping details required under condition 1 above shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The planting details and details of all site boundaries shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
7. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
8. No development shall commence until details of the following 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

Surface Water Drainage

(Reason - To ensure satisfactory drainage of the site).

Foul water drainage

(Reason – To ensure satisfactory drainage of the site)

Finished floor levels of the building(s) in relation to ground levels.

(Reason - To ensure that the height of the buildings is well related to ground levels and is not obtrusive.)

9. No development shall commence until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme. The scheme shall include:

The numbers, type and location of the site of the affordable housing provision to be made;

- (b) The timing of the construction of the affordable housing;
- (c) The arrangements to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing; and
- (d) The occupancy criteria to be used for determining the identity of prospective and successive occupiers of the affordable housing, and the means by which such occupancy shall be enforced.

(Reason - To ensure the provision of affordable housing in accordance with Policy HG/3 of the South Cambridgeshire Development Control Policies Development Plan Document 2007.)

10. No demolition, removal of vegetation or development shall be carried out on site between 14th February and 14th July inclusive in any year, unless otherwise agreed in writing by the Local Planning Authority and a scheme of mitigation implemented.
(Reason – To avoid causing harm to nesting birds and in compliance with the adopted Local Development Framework 2007.)
11. During the period of demolition and construction no power operated machinery shall be operated on the site 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 agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions.
(Reason – To protect the occupiers of adjacent properties from an unacceptable level of noise disturbance during the period of construction in accordance with the requirements of Policy NE/15 of the adopted Local Development Framework 2007)
12. Prior to the installation of lighting, full details of a lighting scheme for the site and/or lighting of plots within the site shall be submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall include a site plan(s) showing the location of all external lighting, details of the various types of lighting to be erected, height, type, position and angle of glare of any final site lighting / floodlights, the maximum ground area to be lit, the luminance of the lighting including an isolux contours plan and measures to prevent light spillage from the site. No external lighting shall be installed anywhere on the site other than in complete accordance with the approved lighting scheme and maintained thereafter.
(Reason - In the interests of the amenity of nearby residents and to help prevent light spillage from the site, to ensure the appearance of the development is satisfactory in accordance with the requirements of policy DP/2 and NE/14 of the adopted Local Development Framework 2007)
13. No development shall begin until details of a scheme for the provision of recreational, community facilities, and household waste receptacles infrastructure, to meet the needs of the development in accordance with adopted Local Development Framework Policies DP/4, SF/10 and SF/11 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.
(Reason - To ensure adequate infrastructure is available to support the development in accordance with Policies DP/4, SF/10 and SF/11 of the adopted Local Development Framework 2007 and to the Supplementary Planning Document, Open Space in New Developments, adopted January 2009)

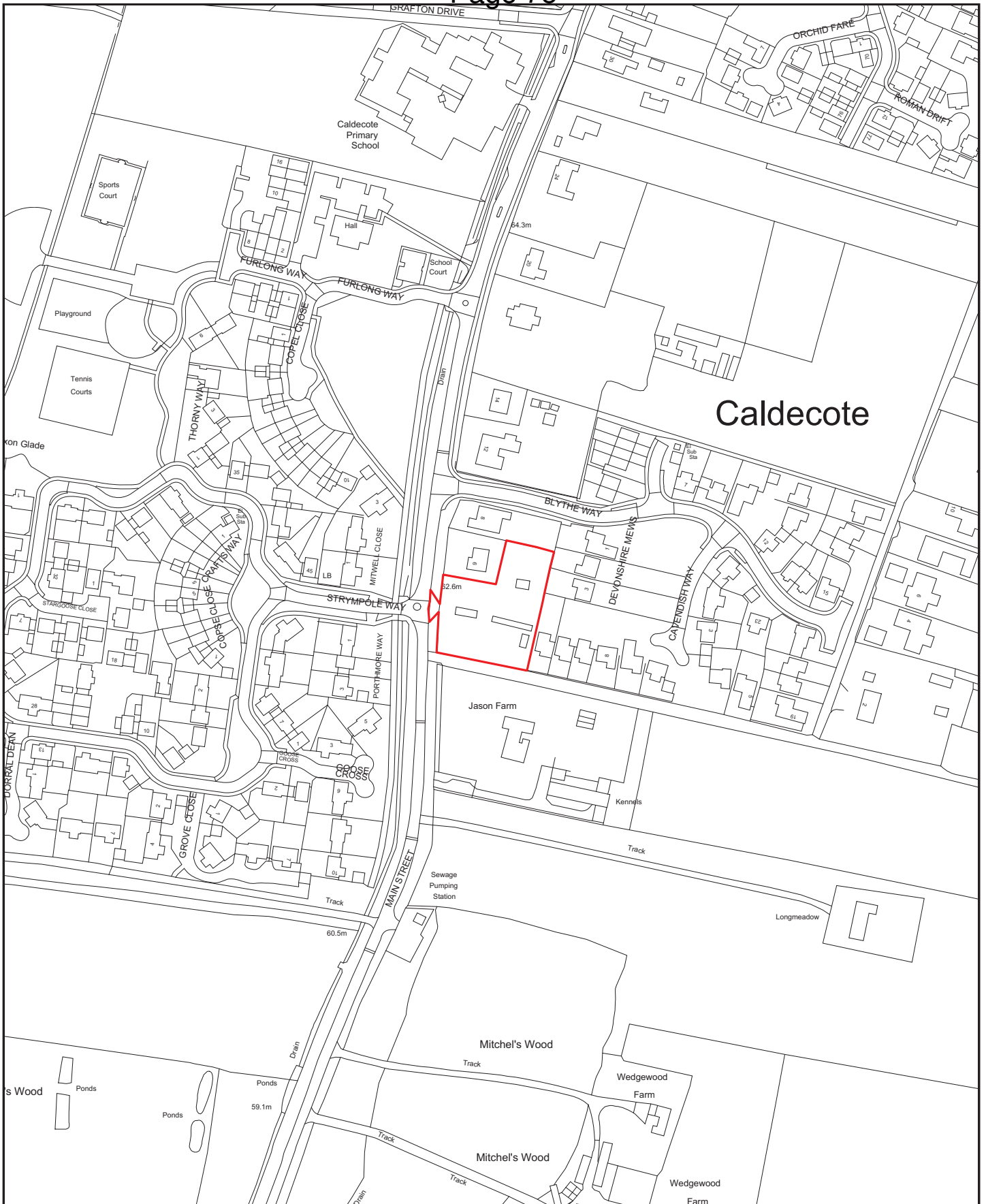
14. Visibility splays shall be provided on both sides of the proposed new access and shall be maintained free from any obstruction over a height of 600mm within an area of 2m x 2m measured from and along respectively the highway boundary.
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
15. The new dwellings, hereby permitted, shall not be occupied until the proposed new vehicular access, and parking and turning areas have been provided in accordance with the details . The access, parking and turning areas shall thereafter be retained in accordance with the approved details.
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
16. Prior to occupation the developer shall provide a footway 1.8m wide from the proposed access of the site to the exiting footway along Blythe Way, to enable pedestrians to safely access the village centre for the safe and effective operation of the highway.
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
17. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highways Authority.
(Reason – To prevent surface water discharging to the public highway, in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
18. No development shall take place until a scheme of ecological enhancement has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the features to be enhanced, recreated and managed for species of local importance both in the course of development and in the future. The scheme shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.
(Reason - To enhance ecological interests in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

This development involves work to the public highway that will require the approval of Cambridgeshire County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. It is the applicants responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

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

South Cambridgeshire Local Development Framework (LDF) 2007
Circular 05/2005 – Planning Obligations
Circular 11/95 – The Use of Conditions in Planning Permissions
Planning application references: S/0699/11

Contact Officer: Saffron Garner– Senior Planning Officer
Telephone: (01954) 713256



Caldecote



**South
Cambridgeshire
District Council**

Planning Dept - South Cambridgeshire DC



FOR INTERNAL USE ONLY

Scale - 1:2500
Time of plot: 09:15

Date of plot: 20/02/2012

This page is left blank intentionally.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 March 2012

AUTHOR/S: Executive Director (Operational Services)/
Corporate Manager (Planning and New Communities)

S/0069/12/FL - COMBERTON
Extension and Addition of Security Roller Shutters - Comberton Post Office,
12, Barton Road, Comberton
for Mr & Mrs Patel

Recommendation: Delegated Approval/Refusal

Date for Determination: 20 March 2012

This application has been reported to the Planning Committee for determination as a recommendation of approval would conflict with the recommendation of the Parish Council

Site and Proposal

1. The application site is located within the designated Comberton village framework, and also within the Comberton Conservation Area. The adjacent buildings at Cross Farm and Hawks' Farm are both grade II listed. The application comprises a two-storey property attached to a flat roof shop. The frontage to each element is divided by a low post and rail fence. To the front of the shop is a parking area, set beyond a low wall. The site is on higher ground than the road and is therefore relatively prominent in the street scene.
2. The application, received on 24th January 2012, seeks an extension to the shop, and the addition of roller shutters to the frontage windows. The extension will infill the existing shop entrance, and introduce a new forward flat roof element to the front and side. The application is accompanied by a Design and Access Statement and a Heritage Statement.

Planning History

3. Planning application **S/2229/05/F** granted consent for the extension and modification of the parking area and the installation of gates.
4. Application **S/1775/04/F** for extensions to the dwelling and shop, vehicular access and fences was withdrawn.
5. There have been a number of other planning applications at the site. However, these are not considered to be relevant to the determination of this application.

Policies

6. **Local Development Framework Development Control Policies DPD (LDF DCP)** adopted July 2007: **DP/1** Sustainable Development, **DP/2** Design of

New Development, **SF/4** Retailing in Villages, **DP/3** Development Criteria, **CH/3** Listed Buildings, **CH/4** Development Within the Curtilage or Setting of a Listed Building, **CH/5** Conservation Areas, **CH/6** Protected Village Amenity Areas and **TR/2** Car and Cycle Parking Standards.

7. **District Design Guide SPD** adopted March 2010, **Development Affecting Conservation Areas SPD** adopted January 2009, and **Listed Buildings SPD** adopted July 2009.
8. **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

Consultations

9. **Comberton Parish Council** recommends refusal of the original submitted plans. The design is not considered to be of conservation standard and would remove valuable parking on an already congested site. Delivery lorries would have more difficulty accessing the site. A locked gate to the car park is considered more preferable than roller shutters.
10. The Council's **Conservation Officer**, when commenting on the originally submitted plans, notes security shutters are usually resisted and the proven threat needs to be demonstrated. They should be located on the inside of the glass, and insufficient justification has been provided.
11. The **Police Architectural Liaison Officer** notes rural stores are subject to attack mainly for cigarettes and alcohol. In the past two years, four recorded crimes took place at the post office (1 x damage, 1 x vehicle crime, 1 x theft and 1 x other), and none of these would cause a concern or affect this application. No comment or objection is made.

Representations

12. None were received at the time of writing. Members should be aware the site notice expires on the 28th February and the press notice expires on 6th March 2012. A further 14 day consultation to neighbouring properties will also take place with the amended plans received on 16th February 2012.

Planning Comments

13. The key issues for the determination of this application are the principle of development, the impact upon the heritage assets, the impact upon the amenity of the occupier of the adjacent dwelling, impact upon the Protected Village Amenity Area, and parking provision.

The Principle of Development

14. Policy SF/4 of the LDF DCP 2007 relates specifically to retailing in villages. It states proposals for extensions of village shops within village frameworks will only be permitted where the size and attraction of the shopping development is of a scale appropriate to the function and size of the village. The policy acknowledges that shops play a vital role in achieving sustainability in villages

and provide an important community function. The proposal creates an additional floor space of approximately 42 square metres. Given this relatively small increase, the extension is considered to be appropriate in relation to the existing shop.

Impact upon the Heritage Assets

15. The site has the potential to impact upon two heritage assets, those being the setting of the Comberton Conservation Area and the setting of the adjacent Listed Buildings. With regard to the originally submitted plans, the Conservation Officer notes concerns regarding the position of the proposed roller shutters to the exterior of the building. The amended plans received on 16th February 2012 show the window shutters to be moved to within the building behind the glass windows. However, due to the practicalities of installation, the shutters to the door would remain on the outside. Members will be updated on comments received from the Conservation Officer with regard the amendments. Certainly the shutters moving behind the glass would be a significant improvement. The applicant has stated that the colour finish of the shutter is to be agreed, and if supported, a condition can ensure this detailing is satisfactory.
16. There are no objections to the design of the extension. Whilst it would increase the amount of flat roof development at the site, it would tidy up an area to the west of the building which has an untidy lean-to and external storage area. It is noted an element of the lean-to would remain, but it would be at a reduced scale. The design therefore is considered to preserve the setting of the Conservation Area.

Impact upon the Amenity of the Occupiers of the Neighbouring Dwelling

17. The side extension to the shop would bring the built form close to the shared boundary with 8 Barton Road. There is currently a lean-to canopy in this area, which would need to be removed to allow for the extension. The flat roof of the extension would measure 3.1m in height. Whilst it is taller than the lean-to, it would not cause a significantly larger impact. The proposal is not therefore considered to significantly harm the amenity of the occupier of the adjacent property.

Impact upon the Protected Village Amenity Area

18. The site is included within a Protected Village Amenity Area (PVAA) that covers a large area of the village between Barton Road and Swaynes Lane to the south. Policy CH/6 of the LDF DCP 2007 states development will not be permitted within PVAA's if it would have an adverse impact upon the character, amenity, tranquillity or function of the village. Given the relatively small nature of the proposal, it is not considered to harm the aims of the PVAA, and the development would not harm the setting of this designation.

Parking Provision

19. The area to the front of the shop is laid out as per the approved layout of planning application S/2229/05/F, and provides 11 parking spaces. The dwelling now has its own access, and therefore parking at the site is for the shop only. The development should not lose any parking spaces, although the space next to the shop is likely to become very tight and potentially may

not be practical. The Council's maximum parking standards seeks 1 parking space per 14 square metres of shop. With the extension, the shop would require 16 parking spaces. There is therefore a shortfall on site. However, given the location of the shop within the heart of the village, such a shortfall is considered acceptable in this instance. The majority of trade is unlikely to require a long stay in the car park, and the shop is easily accessible for local people by foot.

20. The comments from the Parish Council are noted. Whilst there would be some extension forwards, there remains adequate space for delivery vehicles to turn and manoeuvre to ensure they can leave the site in forward gear. This situation should not change from the existing layout.

Summary

21. The application has been amended given concerns regarding the roller shutters being on the exterior of the building. Moving the window shutters behind the glass will significantly reduce the impact. However, the shutter to the door will remain on the exterior. The application is considered acceptable in all other matters, and Members will be updated in relation to comments received regarding the amended plan.

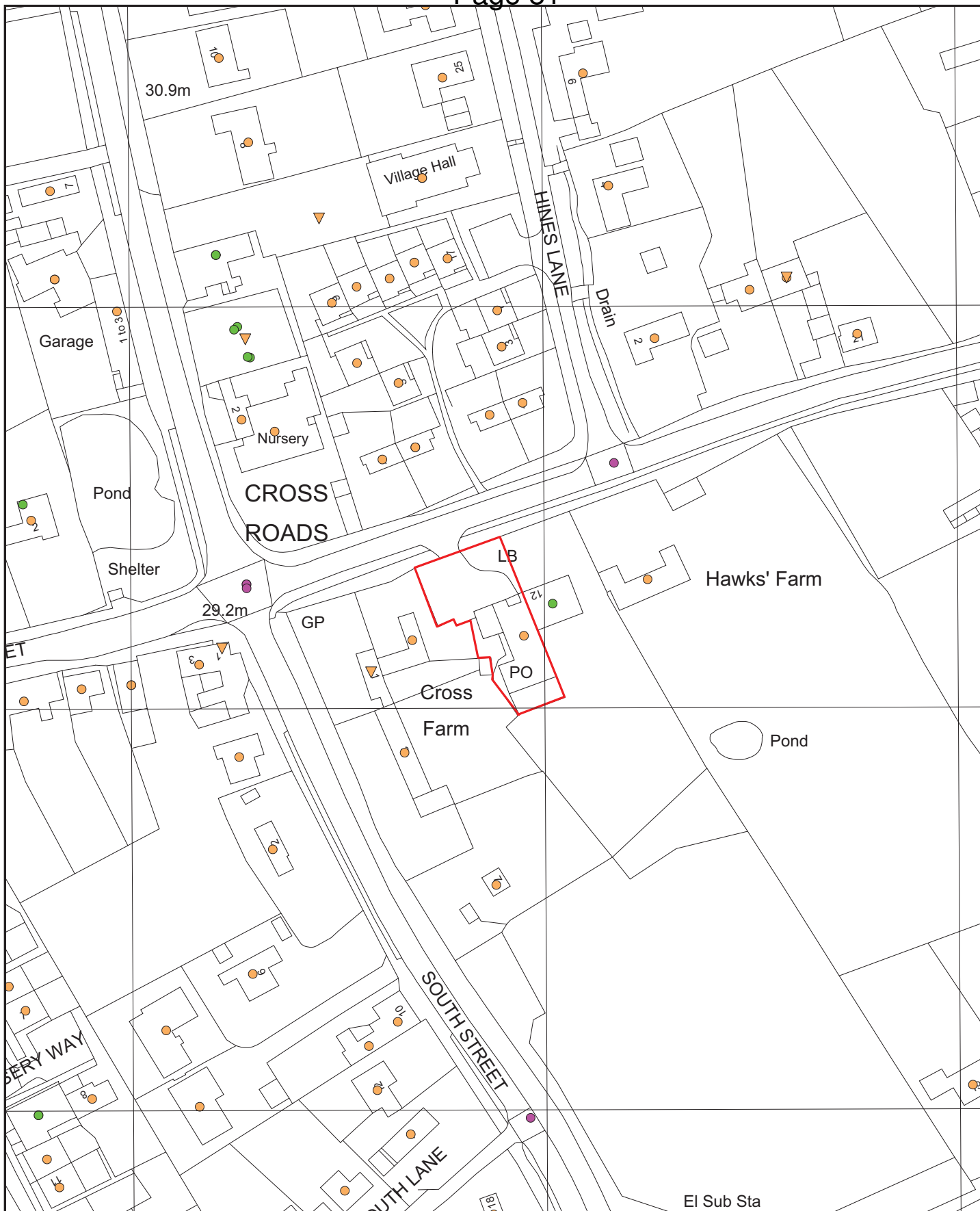
Recommendation

22. Delegated approval/refusal, subject to comments received following consultation of the amended plans received on 16th February 2012. If approved, the application would require conditions regarding a time limit for implementation, confirmation of plan numbers, confirmation the extension would have the same finish as the existing, and details of the finish of the shutters.

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

- **Local Development Framework Development Control Policies 2007.**
- **District Design Guide SPD** adopted March 2010, **Development Affecting Conservation Areas SPD** adopted January 2009, and **Listed Buildings SPD** adopted July 2009.
- **Circular 11/95 – The Use of Conditions in Planning Permissions.**
- **Planning File ref: S/0069/12/FL, S/2229/05/F and S/1775/04/F.**

Contact Officer: Paul Derry – Senior Planning Officer
Telephone: (01954) 713159



South
Cambridgeshire
District Council

© Crown copyright.

Planning Dept - South Cambridgeshire DC



FOR INTERNAL USE ONLY

Scale - 1:1250
Time of plot: 15:49

Date of plot: 17/02/2012

This page is left blank intentionally.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 March 2012

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

S/2521/11 - FOWLMERE

**Proposed Conversion of Building (B1) to Poultry, Pet and Equestrian Store for at
Deans Farm, Shepreth Road, Fowlmere for Mr Deans
Recommendation: Approval**

Date for Determination: 14th February 2012

Notes:

This Application has been reported to the Planning Committee for determination, as the Officer recommendation is contrary to the response of Caldecote Parish Council. Members will visit the site on 6th March 2012.

Site and Proposal

1. The application site comprises an industrial warehouse building located to the northwest of the village framework of Fowlmere. The site is accessed from the southeast border from Fowlmere Road, which is set at the national speed limit. The site is surrounded by open countryside with the nearest neighbour, North Farm House, to the east. The surrounding area is predominately rural in character with minimal tree or hedge screening. Another building, in the applicants' ownership is located to the north east of the application building, but is not marked on the plans.

The full planning application dated 16th December 2011 proposes a change of use from B1 to retail, primarily for the sale of poultry, pet and equestrian food goods.

Planning History

2. **S/1712/10/F** Proposed Amendment of Access for pp S/2268/07/F
S/0629/10/F Relocation of Access (refused)
S/0031/10/F Relocation of Access (refused)
S/2268/07/F Change of use of building to B1 industrial & Installation of Klargester and New Access (approved)
S/0974/03/F Change of use to Preparation of Pet Hay / Straw and Shavings Including Outside Storage and 1m High Earth Bank
3. Planning permission was granted on the site for a B1 use and new access sited further to the centre of the front boundary line under planning reference S/2268/07/F. The use has now been implemented on site although the applicant has not created the new access and is instead using the existing access to the southeast corner.
4. The previous applications (S/0031/10/F and S/0629/10/F) were submitted for use of the existing access and were both refused as the applicant failed to demonstrate that the access had sufficient visibility of at least 70m in either direction and that such visibility splays would fall on land under the control of the Highway Authority. The re-submitted application under S/1712/10 addressed this issue and was approved.

Planning Policy

- 5 South Cambridgeshire LDF Development Control Policies DPD, 2007:

DP/1: Sustainable Development
DP/2: Design of New Development
DP/3: Development Criteria
DP/7: Development Frameworks
ET/7: Conversion of Rural Buildings for Employment
ET/9: Farm Diversification
NE/6: Biodiversity
NE/15: Noise Pollution
SF/5: Retailing in the Countryside
TR/1: Planning for More Sustainable Travel
TR/2: Car and Cycle Parking Standards

- 6 South Cambridgeshire LDF Supplementary Planning Documents (SPD):

Landscape in New Developments – Adopted March 2010
District Design Guide – Adopted March 2010

- 7 Circular 11/95 (The Use of Conditions in Planning Permissions) - Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

- 8 Circular 05/2005 (Planning Obligations) - Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.

Consultations

- 9 ***Fowlmere Parish Council*** – Recommends refusal for the following reasons

The Parish Council considered this application in detail, and a ballot was taken, the result being 3 votes in favour and 5 against the application. The Parish Council therefore recommends refusal of the application.

10. Parish Council is very concerned about setting a precedent for introducing new retail use, which is already provided for in the local vicinity. There are concerns over the building becoming a retail facility, including the proposed 7 day per week opening, and the increased traffic use associated with that - there will inevitably be a much greater effect on traffic movement entering and leaving the site and concerns were expressed at the meeting that these could potentially be dangerous, given the nature of the road and difficulty in seeing the entrance when approaching from the direction of the A10.

11. The application does not appear to comply with policies, which relate to land outside the village envelope. Policies for land outside village envelopes seek to restrain development other than in exceptional circumstances or when there is a proven local unmet need. The PC view is that neither is applicable for this application. Given that this is only part of a much larger area of land the PC is very concerned that any approval at this time will inevitably lead to other similar applications which, given that this will set a precedent, would be very difficult, if not impossible to resist.

12. The goods intended to be sold will need to be brought in to the establishment, rather than selling only goods produced on the associated farm. It is likely that the intended new business will adversely affect the viability of existing local businesses, which are selling very similar goods. If South Cambridgeshire District Council is not in agreement with the recommendation of Fowlmere Parish Council, Fowlmere Parish Council would want the application referred to the Planning Committee for decision, including a site visit.
13. **The Environmental Health Officer** – raises no objections.
14. **The Local Highways Authority** –Although the proposed change of use is likely to generate more motor vehicle movements to and from the site than the existing B1 use, these are unlikely to be undertaken during peak hours and the numbers are unlikely to be significant. Therefore, no significant adverse effect upon the public highway should result from this proposal should it gain the benefit of planning permission.

Representations

15. One letter of representation has been received from the owner of a pet supplies store in the local vicinity. It is concerned that in the current climate another store could promote unhealthy competition and to the detriment of local jobs and businesses.

Planning Comments

16. The building to be used for the retail element is already in place. Another agricultural building on the site is located to the north east of this, but not part of this application. The scheme proposes to introduce a retail use that is ancillary to the farm. This is specifically for the sale of the following:
 - Horse feed
 - Rabbit, hamster and guinea pig food and associated bowls and water bottles
 - Bird seed,
 - Chicken feed, associated water drinkers and feeders
 - Dry bagged dog and cat food (this excludes tins/pouches etc)
 - Vegetables for animal consumption
 - Bedding and feed to include hay, straw shavings and paper bedding
17. The building is to be divided into 3 specific areas with minor alterations to the fenestration on the front of the building to allow for new doors and public access.
18. The areas comprise, packaging, store and retail area with a small cupboard and WC. Various goods are distributed from the site already, specifically hay and straw, this is ancillary to the farm use and functions under the existing B1 use class. This application proposes a specific retail area and the selling of other goods.
19. The farm is said to have 40 acres of the farm down to grass and the applicants are currently using barley straw which was grown on the farm last year. Because the product has to be of a very high standard, they do, when necessary, supplement stocks with locally grown hay and straw, which is of suitable quality.
20. The main concerns with regard to this application are the principle of the development and impact on the countryside and highway safety.

Principle of the development

21. The new PPS4 'Planning for Sustainable Economic Growth' (adopted end of December 2009) supersedes PPS6 though the main focus of this document is still to promote sustainable development. The overarching objective is sustainable economic growth. Development should deliver more sustainable patterns of development, reduce the need to travel, especially by car and respond to climate change. In particular for this site development should raise the quality of life and the environment in rural areas by promoting thriving, inclusive and locally distinctive rural communities whilst continuing to protect the open countryside for the benefit of all.
22. With regard to retail outside of villages the LDF DCP adopted 2007 specifically states that the sale of goods in the countryside will not be granted except for sales from farms and nurseries of produce and/or craft goods, where the majority of goods are produced on the farm or in the locality; or exceptionally, the sale of convenience goods, ancillary to other uses, where proposals, either individually or cumulatively, do not have a significant adverse impact on the viability of surrounding village shops, or the vitality of rural centres or other village centres. Additionally it states that where permission is granted, conditions may be imposed on the type of goods that may be sold.
23. In this instance it is felt that the type of goods proposed to be sold should be closely linked to the existing sales of hay and straw, yet allowing a small increase of retail to provide feed for other animals, such as rabbits, guinea pigs, cats and dogs. It has been indicated that the applicant would like to sell food bowls and water bottles associated with the food supplies. This is considered acceptable providing that the retail element is limited to a specific site area within the building, thus limiting the amount of goods sold from site.
24. The storage area should not be used as display space and the packaging area should also remain specific to its functional use. No external storage is to be permitted and the parking layout should be in place prior to the new use commencing. Additionally, it is considered necessary to ensure that any deliveries to the site are restricted within specific times to ensure there is minimal impact on neighbouring units.

Impact on the character of the area

25. With the above in mind it is considered that the new retail use for this building will not have an adverse impact on the countryside, as the building will remain predominately unchanged.

Highway Safety

26. The new use will see a higher number of visitors, particularly in the car. However, with the types of produce to be sold a vehicle is likely to be required for carriage purposes anyway. It is reasonable to say that many pet owners will travel in the car/van for produce that is bulky and heavy, regardless of how close they may live to the closest shop. Despite the Parish Council concerns, the LHA has raised no objections. Given that the type of goods sold can be restricted, along with the actual amount of retail floor space, officers are satisfied that traffic movements will not prejudice highway safety.

Other Matters

27. Similar sites that sell the same produce are located in neighbouring villages, such as Bury Lane Farm Shop and Phillimore Garden Centre in Melbourn and Country Homes and Gardens in Shepreth though these retail units are much larger and sell a much more diverse level of products. The scale of these uses is not considered comparable to the proposed use at Deans Farm. Deans Farm supplies stock to many stores around the district and it would be unreasonable to restrict the applicant from selling his own produce as part of the wider farm use. There is no evidence to suggest that the proposed use would affect viability of surrounding establishments.

Conclusion

28. Close control over the sale of goods and retail areas will enable an element of control over growth, impact on the countryside and on neighbouring residents. The proposal is therefore considered acceptable.

Recommendation

Approval subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 1140/102 franked 19 December 2011.
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
3. The use, hereby permitted, shall not commence until parking and turning space has been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.
Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
4. Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.
(Reason - To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policy NE/10 of the adopted Local Development Framework 2007.)
5. Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.

(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)

6. No deliveries shall be taken at or despatched from the site between the hours of 18:00 hours and 07:00 hours nor at any time on Sundays, Bank or Public holidays.

(Reason - To limit the impact of vehicle movements on residential amenities in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

7. No materials or equipment shall be stored on the site outside the buildings save that waste materials may be kept in bins for removal periodically. (Reason - In the interests of visual/residential/rural amenity in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

8. The retail use hereby permitted shall be expressly limited to the area marked as 'Retail' on drawing number 1140/102 franked 19 December 2011 unless expressly authorised by planning permission. The area marked as storage shall not be used for any other use other than storage and not as part of any retail display area. The area marked as 'Packaging' shall not be used for any other use than that for the packaging of goods associated with the retail use. (Reason - For the avoidance of doubt and to ensure that the level of use is appropriate to its location and character in accordance with the requirements of Policy DP/3 of the Local Development Framework Policies adopted 2007).

9. The sale of goods shall be strictly limited to the following items: Horse feed, Rabbit, Hamster and guinea pig food and associated bowls and water bottles, Bird seed, bird food, Chicken feed and associated water drinkers and feeders, Dry bagged dog and cat food, Vegetables for animal consumption, Bedding and feed to include hay, straw shavings and paper bedding. (Reason - For the avoidance of doubt and to ensure the scale of development is appropriate to the location and setting of the countryside in accordance with Policy ET/7 of the Local Development Framework Policies adopted 2007).

All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application

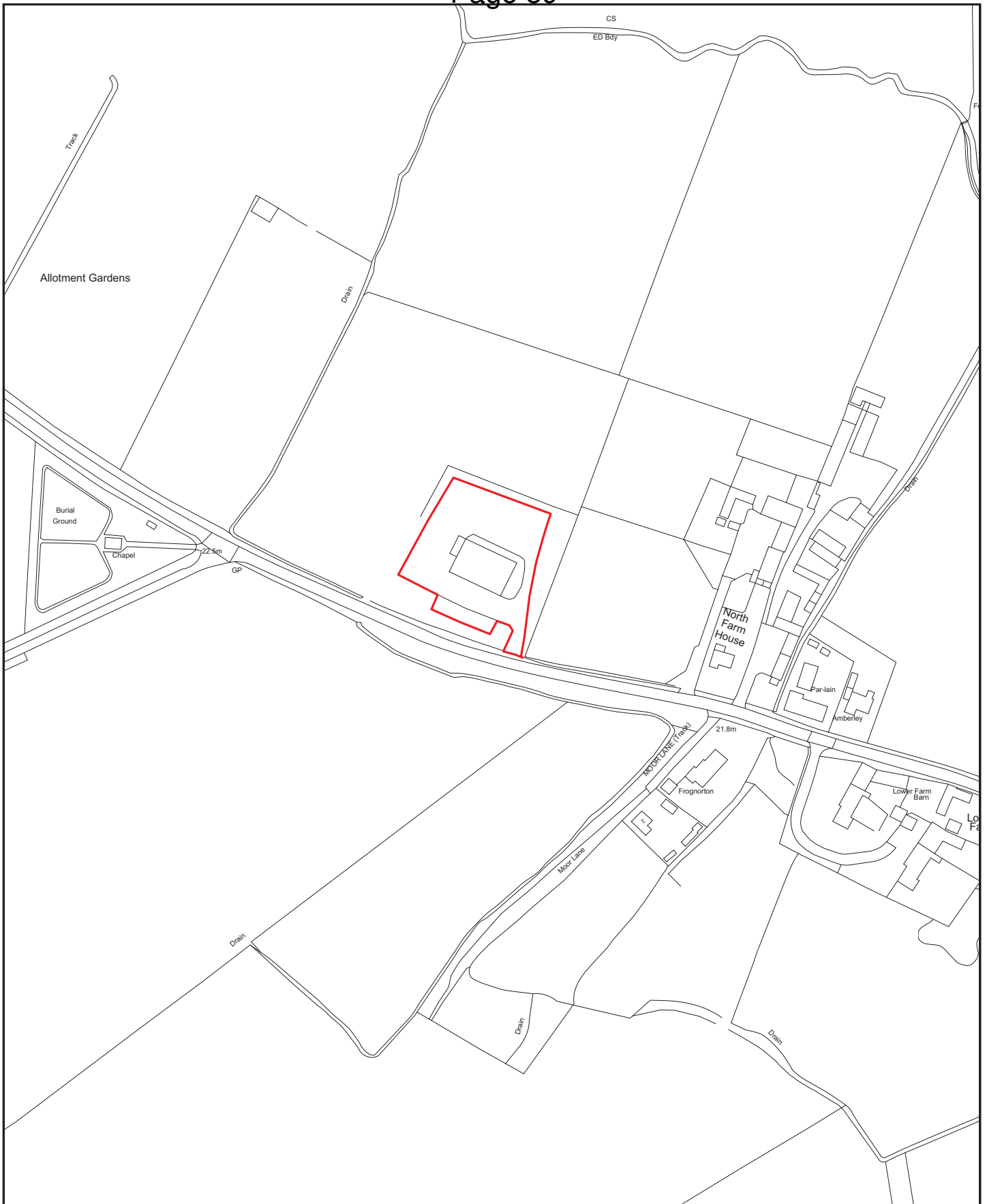
South Cambridgeshire Local Development Framework (LDF) 2007

Circular 05/2005 – Planning Obligations

Circular 11/95 – The Use of Conditions in Planning Permissions

Planning application references: S/2521/11

Contact Officer: Saffron Garner – Senior Planning Officer
Telephone: (01954) 713256



**South
Cambridgeshire
District Council**

© Crown copyright.

Planning Dept - South Cambridgeshire DC



FOR INTERNAL USE ONLY

Scale - 1:2500
Time of plot: 09:10

Date of plot: 20/02/2012

This page is left blank intentionally.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 March 2012

AUTHOR/S: Executive Director (Operational Services) / Corporate Manager (Planning and New Communities)

APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION

1. To inform Members about appeals against planning decisions and enforcement action, and proposed hearing and inquiry dates, as at 24 February 2012. Summaries of recent decisions of importance are also reported, for information.
2. **Decisions Notified By The Secretary of State**

Ref.no	Details	Decision	Decision Date
S/1778/10/F	Barton Housing Assoc Gretton Court High Street Girton Car-parking condition No 13	Allowed Committee Approval	05/01/12
S/0733/1/F	Mr A Greed Land south of Brickhills Willingham No19 Dwellings accessed off Brickhills	Allowed Committee Refusal	16/01/12
S/1271/11/A	Marshall Jaguar Newmarket Road Fen Ditton Free standing illuminated sign	Allowed Delegated Refusal	16/01/12
S/0905/11/F	The Blue Lion PH 74 Main Road Hardwick Timber decking to pub garden (retrospective)	Dismissed Committee Refusal	24/01/12
Plaenf.4640	The Blue Lion PH 74 Main Road Hardwick Timber decking to pub garden (retrospective) Period of compliance of one month	Given two months to comply	24/01/12
S/0205/11/F	Mr J Calladine Land adj to	Dismissed	30/01/12

	GreenAcre Farm, Oakington Road Girton Travaling Gypsy Site(retrospective application)	Delegated Refusal	
S/1207/11/F	R & T Hogger Builders Ltd 16 Teversham Road Fulbourn Erection of 4 dwellings	Dismissed Delegated Refusal	30/01/12
S/2145/10/F	Mr G Forbes High Banks Castle Camps Dwelling	Allowed Delegated Refusal	02/02/12
S/1016/11/F	Mr & Mrs Witt 17 Pearson Close Milton Extensions & conversion of garage to form bungalow	Dismissed Committee Refusal	02/02/12
S/1269/11/F	David Wilson Homes Summers Field Ermine Street South Cambridgeshire District Council Papworth Everard Walls and gateway	Allowed Committee Refusal	03/02/12
S/1226/11/F	Exemplar Living The Nurseries The Way Fowlmere Erection of 2 ecological dwellings	Allowed Committee Refusal	20/02/12
S/1391/11/F	Mr & Mrs White 9 Trigg Way Melbourn Two bedroom bungalow	Dismissed Delegated Refusal	21/02/12

3. Appeals received

Ref. no.	Details	Decision	Decision Date
S/0931/11/O	Mr B Cooper 2 Hall Close Foxton Single Dwelling	Refused	13/01/12
S/2064/11/F	Mr & Mrs K A	Refused	16/01/12

	Wojtecki 5 Long Lane Comberton Dwelling and carport		
S/1043/11/f	Chartism Housing Land to the rear Pipers Close Fowlmere 9 dwellings	Non-determination	22/01/12
S/1848/11/F	Mr P Thwaites Kingston Pastures Farm Old Wimpole Road Arrington Erection of Orangery to the northern gable of existing house.	Delegated Refusal	25/01/12
S/1849/11/LB	Mr P Thwaites Kingston Pastures Farm Old Wimpole Road Arrington Erection of Orangery to the northern gable of existing house.	Delegated Refusal	25/01/12
S/2207/22/F	Mrs French 6 Church Way Haslingfield Extension	Delegated Refusal	23/01/12
S/2208/11/LB	Mrs French 6 Church Way Haslingfield Extension	Delegated Refusal	23/01/12
S/0801/11/F	Mr A Bartholomew 18 Haslingfield Road Harlton Replacement Dwelling	Delegated Approval	08/02/12
S/0365/11/F	Mr B Zhimbiev 86 Magdalene Close Longstanton Dwelling	Delegated Refusal	10/02/12
S/0915/11/F	Mr & Mrs Brackenboro Barons Farm 7 Angle Lane Shepreth New Access	Delegated Refusal	13/02/12
S/0010/11/F	Mr T Walls	Committee	14/02/12

	Plot No 4&5 Pine Lane Smithy Lane Cottenham 2 Static caravans,2 touring caravans,2 utility blocks one temporary portalo and parking for 4 vehicles.	Refusal	
S/2141/11/F	Mrs S Grove lilex House Glebe Road Barrington	Delegated Refusal	16/02/12
S/0704/11/F	Mr & Mrs Owen Land adjacent to Norman Hall Church Street Ickleton Dwelling and Garage	Refusal	20/02/12

4. **Local Inquiry and Informal Hearing dates scheduled before the next meeting on 7 March 2012.**

Ref. no.	Name	Address	Hearing
S/1561/11/F	Mr Bibby	The Stables Schole Road Willingham	Confirmed 15/02/12
S/1298/11/F	Taylor Wimpey	Greengage Rise Melbourn	Confirmed 28/02/12
S/0828/11/F	MPM Properties Ltd	The Plough High Street Shepreth	Confirmed 11/04/12

5. **Summaries of recent decisions**

David Wilson Homes – Erection of Walls as gateway feature – Summersfield, Ermine Street South, Papworth Everard – Appeal allowed

1. The appeal related to a pair of walls positioned on each side of the entrance to the housing development that is currently under construction. The Planning Committee refused the application because the walls are an incongruous feature in this part of the village.
2. In contrast, the inspector found that the structure stands astride the entrance to a large housing estate and cannot fairly be compared with the boundary treatments of individual properties further up the road. Moreover, development along Ermine Street is of varying ages, styles, heights and uses. Frontages are marked by a variety of boundary treatments, including walls and hedges. There are examples of brick boundary walls elsewhere in the village including the wall – albeit lower than those on the appeal site – along the frontage of the

adjacent police station. In that general context there is nothing particularly incongruous about the appellants' walls.

3. Furthermore, the housing estate of which the appeal structure forms part represents the start of development at the southernmost edge of the village. Because of its extent and location this estate, together with the business park on the other side of the road, determines the character of this part of the village. The gateway has been built in brickwork that matches that used in the new houses on the estate and its design is in keeping with the rest of that development.
4. For these reasons the inspector concluded that the gateway does not have an adverse impact on the street scene and does not conflict with Policies in the development plan.

Exemplar Living – Erection of two dwellings – The Nurseries, The Way, Fowlmere – Appeal allowed

1. The Planning Committee refused this application due to the effect of the proposal on the living conditions of future residential occupiers arising from the use of the adjoining industrial site and through loss of privacy and overlooking of existing occupiers in The Poplars.
2. The appeal site presently contains a bungalow. The access road known as The Way serves the Welding Alloys and Ion Science sites and a parking area for a small number of properties fronting the High Street. A large car park for Welding Alloys lies immediately to the north of the site, adjoining its boundary, with various industrial buildings some distance beyond.
3. The inspector noted that a fence would screen the northern boundary to the car park. The houses would be set back from that boundary by a reasonable distance, separated by the internal access driveway and the proposed double garages. The windows would be triple glazed, and most of the living and bedrooms would be on the opposite, southern, side of the two houses, as would be the proposed rear gardens. The houses would be mechanically ventilated as part of their integral ecological design features.
4. The appellant's noise survey was found to give an accurate assessment of daytime noise levels, particularly as it had not been contested in this regard by the Council's Environmental Health Officer. Whilst the morning peak hour traffic noise to the works was not covered, it was in the evening, and any deliveries would also have been included. Whilst windows in the houses might be opened, that would be a choice made by the inhabitants and not a necessity to provide ventilation. On night-time noise, there was no quantified evidence from any party that this would actually cause significant harm, even should it happen more frequently than at present. The nearest building with powered machinery is a good distance away from the proposed houses, and there are conditions aimed at restricting the amount of noise that can be generated in order to protect residential living conditions. Thus, on the evidence before him, the inspector concluded that noise from the existing works would not preclude the proposed two dwellings. Light spillage from the adjacent works buildings' external lighting is unlikely to cause any harm due to their distance from the site. Car park lights could be a problem, but all of the main living rooms and most of the bedrooms in the proposed houses would be on the southern side of the houses, away from these light sources.

5. Thus it was concluded that there would be no significant harm to the living conditions of the future occupiers of these two proposed houses caused by either noise or light disturbance.
6. The Council was solely concerned with possible overlooking at first floor level of The Poplars from the site A house. The three floor to ceiling first floor windows in the site A house would overlook at an angle the side car parking area and driveway of The Poplars. The inspector found that such overlooking of drives and parking areas in residential areas is commonplace, and the existing fence and planting on The Poplars side would obscure much of the view. The Council's main cause for concern was the overlooking of the side and rear windows of The Poplars. These side windows are nearly at right angles from the site A house windows, and that between them and the closest two proposed windows are two tall conifer trees, which are proposed to be retained and which will partially or totally obscure views. Thus, the inspector was not convinced that any overlooking would be so harmful that an unacceptable loss of privacy would result to the living conditions of The Poplars' occupiers.
7. Planning permission was therefore granted subject to the legal agreement requiring infrastructure contributions and the other conditions as set out in the original Committee report.

Background Papers: the following background papers were used in the preparation of this report: None

Contact Officer: Nigel Blazeby – Development Control Manager
Telephone: (01954) 713165