

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	7 th December 2005
AUTHOR/S:	Director of Development Services	

S/2118/05/F - Great and Little Chishill Two Dwellings for Carter Development Ltd

Recommendation: Delegated Approval
Determination Date: 30th December 2005

Departure application

Members will visit the site on Monday 5th December 2005

Site and Proposal

1. The site lies in the countryside, approximately 200m south of the village framework. It contained agricultural buildings and silos and essentially two small barns and one larger barn arranged around a courtyard. The two smaller barns are currently being converted to dwellings whilst the larger barn has been completely demolished. The land rises to the south.
2. The full planning application, received on 4th November 2005 is part retrospective and involves the erection of two barn style dwellings following the demolition of an existing barn.
3. The two new dwellings will form a single building of width 34.5m, depth 5.8m and height 5.85m to ridge. The building would be finished in timber weather boarding over a brick plinth and under a pitched clay peg tile roof.

Planning History

4. In March 2003 planning permission was granted for the conversion and use of barns as 4 dwellings. The large barn had dimensions: width 34.5m, depth 5.5m and height 5.4m (shown on plans attached to planning application file **S/0041/03/F** – planning permission for the conversion).
5. During the course of the development the applicant discovered that the large barn, though inwardly and outwardly appearing to be in good condition, had in fact no foundations. He investigated the possibility of underpinning but instead decided to totally demolish the building and erect new.
6. Following complaints received regarding the unauthorised works officers investigated and established that half of the building (one of the dwellings) had been erected up to eaves level. Officers requested that work on the dwellings cease immediately. The applicant agreed to this, all work on the building ceased and this application was submitted in an attempt to regularise the situation.

Planning Policy

7. South Cambridgeshire Local Plan 2004 (Local Plan) Policy SE8 – Village frameworks states (in part):

“Residential development outside these frameworks will not be permitted”.

8. Local Plan Policy HG10 – Housing Mix and Design states:

“Residential developments will be required to contain a mix of units providing accommodation in a range of types, sizes (including 1 and 2 bedroom dwellings) and affordability, making the best use of the site and promoting a sense of community which reflects local needs.

The design and layout of schemes should be informed by the wider character and context of the local townscape and landscape. Schemes should also achieve high quality design and distinctiveness, avoiding inflexible standards and promoting energy efficiency. The District Council will support the preparation of Village Design Statements to secure these aims”.

9. Structure Plan Policy P1/2 restricts development in the countryside unless the proposals can be demonstrated to be essential in a particular rural location.

Consultation

9. **Great and Little Chishill Parish Council**
States:

“Full assurance is necessary that this structure is the same size as on the original survey. S/0041/03/F”.

The Parish Council has not made a recommendation.

10. **Chief Environmental Health Officer**
No objections subject to conditions and informatives to control noise and disturbance during construction.

Representations

11. Three letters of objection have been received from the occupiers of May Street Farmhouse and 35 May Street. The points of objection are summarised below.
12. The proposal is new build outside the village envelope
13. The development is being advertised as 3 bedroom houses yet the previous permission was for 2 bedroom houses. The increase in size will result in increased noise and disturbance from a more intensive residential development.
14. The plan states the base of the building will be on a brickwork plinth. The current building of this barn is concrete blocks.
15. The roof height of the new build already exceeds the height shown on the plan – the bedrooms will look straight into the bedrooms of May Street Farmhouse.
16. The plans show a building that attempts to emulate the original barn that was demolished. However, the original barn no longer exists and the new plans would simply result in a poor copy that has no architectural merit, let alone any conservation value.
17. Now that the picturesque meadow has been exposed to the road it would seem much more preferable to keep it that way rather than building an ugly barn look-alike.
18. Additional rooflights will impact on privacy of occupiers of 35 May Street.

19. The roof height of the new build already exceeds the height shown on the plan.

Planning Comments

20. The main issues in this application are: the significance of building new dwellings in the countryside in relation to Development Plan Policy, the impact of the new dwellings in comparison with the permitted conversion scheme and the impact on neighbour amenity.

Policy

21. Clearly the building of new dwellings is contrary to Local Plan policy SE8 and Structure Plan policy P1/2 that requires all new dwellings to be within the frameworks of villages to protect the countryside. However, the new dwellings have resulted from the total demolition of a barn that was to be converted to dwellings. The principle of dwellings in this location has, in this regard, already been established albeit by conversion. What has been lost is the historic nature and character of the original building.

Comparison with conversion scheme

22. The overall design of the new dwellings is broadly similar to that approved under the conversion scheme, however, the depth has increased by approximately 0.3m and the vertical dimension has increased by approximately 0.6m. The developer has stated that the overall ridge height is the same as for the previous barn. (he has submitted photographs showing the new build in relation to the old but these are inconclusive). What he says has altered is the ground level which has been lowered. If correct, this results in a taller structure but with no overall increase in height relative to surrounding buildings. However, the increased vertical dimension has changed the proportions of the elevations resulting in a less satisfactory scale and form. In particular I am concerned that the dimension between the top of the openings and the eaves has increased significantly (from 1m to 1.5m) from the conversion scheme and this has unsettled the balance of the proportions of the elevations.
23. The conversion scheme read as a whole with the buildings surrounding a shared courtyard area. In my opinion the site benefits from this approach and the overall scheme would be less satisfactory without the enclosure that the proposed conversion of the large barn would have created. However, I acknowledge that this view is not shared by local residents who see some benefit to the space formed following the demolition of the barn.
24. Although accepting the development of new dwellings contrary to Policy, I do not accept the design revisions and I feel it is important to retain the low key rural character and proportions of the original building. I therefore consider that the new dwellings should be identical in appearance to those of the conversion scheme.

Neighbour amenity

25. Provided the new dwellings are identical in appearance and design to the conversion scheme this proposal will have no greater impact on occupiers of adjoining properties than the conversion scheme and, if anything, less if the ground level has indeed been reduced as stated by the applicant.

Recommendation

26. Subject to receipt of a further plan showing the new dwellings to be identical to the previous permitted conversion works, and referral to the Secretary of State as a departure Committee be minded to approve the application, subject to the following conditions:

1. No further development shall commence until details of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details. (Reason - To ensure that visually the development accords with neighbouring buildings and is not incongruous in accordance with the requirements of Policy HG10 of the South Cambridgeshire Local Plan 2004).
2. Notwithstanding the provisions of Regulations 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order), the following classes of development more particularly described in the Order are expressly prohibited in respect of the property and each unit thereon unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf:-
 - i) PART 1, (Development within the curtilage of a dwellinghouse, all classes).
 - ii) PART 2, (Minor operations), Classes A (erection of gates, walls or fences). (Reason - To safeguard the character of the area and to preserve the appearance of the units as agricultural outbuildings in accordance with the requirements of Policy HG10 of the South Cambridgeshire Local Plan 2004).
3. No windows, doors or openings of any kind shall be inserted in any elevation of the buildings, hereby permitted, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf. (Reason - To preserve the appearance of the units as agricultural outbuildings in accordance with the requirements of Policy HG10 of the South Cambridgeshire Local Plan 2004.)
4. No further development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which 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 and specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock. (Reason - To enhance the quality of the development and to assimilate it within the area in accordance with the requirements of Policy EN5 of the South Cambridgeshire Local Plan 2004).
5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. (Reason - To enhance the quality of the development and to assimilate it within the area in accordance with the requirements of Policy EN5 of the South Cambridgeshire Local Plan 2004).
6. Details of the treatment of all site boundaries shall be submitted to and approved in writing by the Local Planning Authority and the work completed in accordance with the approved details before the buildings are occupied or the development is completed, whichever is the sooner. (Reason – To ensure that the appearance of the site does not detract from the character of the area in accordance with the requirements of Policy HG10 of the South Cambridgeshire Local Plan 2004.)

7. Prior to the commencement of any further development, a scheme for the provision and implementation of pollution control, which shall include foul and surface water drainage, shall be submitted to and agreed in writing by the Local planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans. (Reason – To ensure a satisfactory method of foul and surface water drainage and to prevent the increase risk of pollution to the water environment.)
8. During the period of construction no power operated machinery shall be operated on the premises before 08.00 hours on weekdays and 08.00 hours on Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any time on Sundays or Bank Holidays) unless otherwise previously agreed in writing by 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).

Informatives

Should driven pile foundations be proposed, then before works commence, a statement of the method for construction of these foundations shall be submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.

Environment Agency Informatives

- a) All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used.
- b) If soakaways are proposed for the disposal of uncontaminated surface water, percolation tests should be undertaken, and soakaways designed and constructed in accordance with BRE Digest 365 (or Ciria Report 156) and to the satisfaction of the Local Planning Authority. The maximum acceptable depth for soakaways is 2 metres below existing ground level. If, after tests, it is found that soakaways do not work satisfactorily, alternative proposals must be submitted.
- c) Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.
- d) An acceptable method of foul drainage disposal would be connection to the foul sewer.
- e) The applicant's attention is drawn to DETR Circular 03/99, which requires an applicant to demonstrate that a connection to the public foul sewer is not available.
- f) In the eventuality of a connection to the public water sewer not being available, the suitability of any non-mains sewerage systems, particularly those incorporating septic tanks, must be effectively demonstrated by the applicant to the satisfaction of the Local Planning Authority.
- g) Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking or re-enacting that Order), any oil storage tank shall be sited on an impervious base and surrounded by oil tight bunded walls with a capacity of 110% of the storage tank, to enclose all filling, drawing and overflow pipes.

- h) Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.

Reasons for Approval

1. The development does not accord with the Development Plan but is considered acceptable for the reasons given above.
2. The proposal is not considered to be significantly detrimental to the following material considerations, which have been raised during the consultation exercise:
 - Amenity of neighbours
 - Character and appearance of the surroundings

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

- Planning Files reference S/0041/03/F and S/2118/05/F, South Cambridgeshire Local Plan 2004

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