

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 1st February 2006
AUTHOR/S: Director of Development Services

S/2278/05/F - Horseheath
Change of Use from Agricultural to Garden Land at Land Off Haverhill Road for C.A. Weller-Hornby, W.R. Cornish, Y.M. Milburn, R.A. Wenham, N.F.R. Cornish, D.C. Cornish & O.G.S. Cornish

Recommendation: Refusal
Date for Determination: 23rd January 2006

Site and Proposal

1. The site covers an area of open agricultural land to the rear (north) of dwellings fronting Haverhill Road, outside the village framework and in the countryside and the South Suffolk and North Essex Clayland Landscape Character Area. It measures approximately 0.3 of a hectare in area.
2. The application, received on the 28th November 2005, proposes the change of use of the land to garden for six properties. The site projects approximately 37 metres to the rear of Conifers, The Gables and Whinwillow; 30 metres to the rear of Tudor Lodge; 22 metres to the rear of Mallards; and 10 metres to the rear of East End Cottage.

Planning History

3. None.

Planning Policy

4. Policy **P1/2** of the **Cambridgeshire and Peterborough Structure Plan 2003** restricts development in the countryside unless proposals can be demonstrated to be essential in that particular rural location.
5. Policy **EN1** of the **South Cambridgeshire Local Plan 2004** states that planning permission will not be granted for development that would have an adverse affect upon the character and distinctiveness of Landscape Character Areas.
6. Policy **SE9** of the **South Cambridgeshire Local Plan 2004** states that development on the edges of village should be sympathetically designed and landscaped to minimise their impact upon the surrounding countryside.

Consultation

7. **Horseheath Parish Council** recommends approval.

Representations

8. The occupier of **Mallards** requires some clarification on whether the application relates to individual extensions to specific gardens in contrast to the whole area of land; the measurements of each garden and the definition of garden land.

Planning Comments – Key Issues

9. The main issues to consider in the determination of this application relate to the impact of the proposed change of use upon the character and appearance of the countryside and the impact upon neighbour amenity.

Impact upon the Countryside

10. There is no objection in principle to the change of use of agricultural land to garden land outside village frameworks and I would be willing to support an application for small garden extensions to the existing dwellings fronting Haverhill Road. However, the proposed change of use of such a large site from agricultural land to garden land is not considered to be essential and would seriously encroach into the surrounding countryside. The introduction of garden land with domestic paraphernalia such as children's play equipment would change the appearance of the land to the detriment of its rural landscape character.

Neighbour Amenity

11. The proposed change of use from agricultural land to garden land is not considered to harm the amenities of neighbours through a loss of privacy or noise and disturbance.

Other Matters

12. I have clarified to the neighbour at Mallards that the application relates to the site as a whole rather than to individual extensions of particular gardens. I have also advised that the definition of a garden would include the erection of sheds, albeit if consent were granted there is likely to be a condition removing permitted development rights for such buildings.

Recommendation

13. Refusal.

The proposed change of use of such a large area of agricultural land to garden land outside the village framework is not considered to be essential and would lead to a significant encroachment into the open countryside. This together with the domestic appearance of the land would harm the rural character of the area. The proposal would therefore be contrary to Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan 2003 that restricts development in the countryside unless it can be demonstrated to be essential in a particular rural location, and Policy EN1 of the South Cambridgeshire Local Plan 2004 that states that planning permission will not be granted for development that would have an adverse affect upon the character and distinctiveness of Landscape Character Areas.

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

- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- S/2278/05/F

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