



Report to: Planning Committee

14 October 2020

Lead Officer: Director of Planning and Economic Development

20/02217/FUL – Cottenham (8 Millfield)

Proposal: Change of use of land to form part of residential curtilage and the erection of a double garage.

Applicant: Mr Paul Levitt

Key material considerations:

- Principle of development in relation to development framework
- Visual encroachment of the open countryside

Date of Member site visit:

Is it a Departure Application: Yes

Decision due by: 25/06/2020

Application brought to Committee because: Departure from policy S/7

Presenting officer: Rebecca Claydon

Officer recommendation: Approval

1. Executive Summary

1.1 The proposal is for the change of use of 0.05 hectares (ha) of land to the southwest of 8 Millfield to C3 residential use to form part of the curtilage of the property, as well as the erection of a double garage. Whilst the proposal is outside of the development framework and contrary to Policy S/7 of the South Cambridgeshire Local Plan (2018), the extent of conflict with the Local Plan is limited. It is considered that the proposal would preserve the character and appearance of the area, in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan (2018).

2. Relevant planning history

- 2.1. S/3768/19/19/FL – Two storey side extension, single storey rear extension and loft conversion - Permitted

3. Planning policies

South Cambridgeshire Local Plan (2018), policies HQ/1 and S/7
National Planning Policy Framework (NPPF)
Cottenham Neighbourhood Development Plan (Referendum Version, February 2020; significant weight to be given) COH/2-1
District Design Guide

4. Consultation

- 4.1. Cottenham Parish Council - Location of the site is well outside the development framework and is therefore contrary to Neighbourhood Plan policy COH/2-1 (development proposals outside the development framework will be supported where they are designed to provide facilities for rural enterprise, agriculture, forestry or leisure, or where they otherwise accord with national or local planning policies) and Local Plan policy S/7 (criterion 2). The Parish recommend refusal. Should the Officer be minded approve then we would like this application to go to SCDC Planning Committee.
- 4.2. Sustainable Drainage Engineer – The development proposed is acceptable subject to the imposition of the condition outlined below: Surface water.
- 4.3. Environmental Health – Conditions and informatives recommended.
- 4.4. Trees Officer – No objection.

5. Representations from members of the public

- 5.1. No representations received from members of the public.

6. The site and its surroundings

- 6.1. Millfield is a single-track road located outside the development framework of Cottenham, to the east of the village. 8 Millfield is located on the south side of the track and is separated from neighbouring properties by fields. There are also fields to the rear of the property. There are 5 dwellings situated opposite No.8, all of which have on-site parking and/or garages, as well as large rear gardens. 8 Millfield itself is a two-storey detached building with a single storey rear element.

6.2. The parcel of land that is proposed for the change of use is 0.05ha in size and, whilst its lawful use is for agricultural purposes, the land is not currently part of a wider agricultural land holding in active agricultural use.

6.3. The site is not located within the green belt.

7. The proposal

7.1 The proposal is for a change of use of the land to form part of the residential curtilage of the host property and the erection of a double garage. The land is 0.05ha and is located to the southwest of 8 Millfield. It would extend the garden of the host property some 23.5m along the road at a depth into the site of 28.5m.

7.2 There would be associated landscaping to the front of the garage, behind which would be two car parking spaces, as well as a guest parking space adjacent to the southwest elevation of the existing property. The proposed double garage would be set back from the roadway, single storey and would be clad in horizontal timber cladding and tiled to match the existing house. The garage would be approximately 2.20m to its eaves and 4m to its ridge. It would be 6.2m in length and width. There would be a distance of 17.78m between the southwest elevation of the existing dwelling and the proposed garage, and 7.62m between the highway and the proposed garage. It would be used to accommodate a larger car as well as cycle storage, other storage and wheeled bins.

8. Planning assessment

8.1. The key issues to consider in the determination of this planning application are the principle of the development and the impact of the proposal on the visual amenity of the area and encroachment into the countryside.

Principle of Development

8.2. The site sits outside of the Cottenham development framework.

8.3. Policy S/7 seeks to control development which is proposed outside of the development framework, only allowing allocations within Neighbourhood Plans and development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside or where supported by other policies in the plan. The proposal is therefore, at face value, contrary to this policy and to the Neighbourhood Plan policy COH/2-1, which is subject to referendum, and which in respect of the proposal in question, re-iterates the principles established by S/7.

- 8.4. Para 2.52 of S/7 recognises that large gardens on the edge of development frameworks are often dissected by the framework boundary and that this is to limit the potential for further residential development. Para. 2.52 states that the policy is not operated to establish a presumption against the grant of planning permission for domestic buildings in those parts of residential curtilages excluded from the framework. Where permission is required for such development, the policy indicates that applications will be considered on their own merits.
- 8.5. 8 Millfield is detached and is opposite a stretch of semi-detached houses with large rear curtilages. Whilst not on the edge of the Cottenham development framework boundary, the conflict with the policy should be weighed against the visual impact and encroachment arising from the change of use and development proposed to the open countryside.

Visual Impact and Encroachment

- 8.6. The change of use would result in an extension of the residential curtilage of 8 Millfield. The change of use to residential curtilage itself would not harm visual amenity or the openness of the land. It would be compatible with the location and size of the property and context of the surrounding area which includes existing housing with large gardens.
- 8.7. The proposed double garage is set back from the roadway, landscaped to its front and modest in height (2.20m to its eaves, 4m to ridge). It would incorporate a pitched roof form and be subservient in scale. It would constitute a minor encroachment into the countryside of built form, but no visual harm would result from its siting or scale.
- 8.8. It is therefore considered that the proposal would preserve the character and appearance of the area, in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan (2018).

Other Matters

- 8.9. The proposal would not create any significant impacts in respect of any other material planning considerations, including on residential amenity. To ensure the residential garden is not subject to further encroachment of built form, proposed condition 4 removes permitted development rights in respect of outbuilding.

9.0 Recommendation

- 9.1 Officers recommend that the Planning Committee **APPROVES** 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 permission for development, which have not been acted upon).

- 2 The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

- 3 No construction site machinery or plant shall be operated, no noisy works shall be carried out and no construction related deliveries taken at or dispatched from the site except between the hours of 0800-1800 Monday to Friday, 0800-1300 Saturday and not at any time on Sundays or Bank or Public holidays.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with local planning policy.

- 4 Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), the provision within the curtilage of the dwellinghouse(s) of any building or enclosure, swimming or other pool shall not be allowed without the granting of specific planning permission.

Reason: To safeguard the land from encroachment of building (South Cambridgeshire Local Plan policies S/7 and HQ/1)

- 5 Prior to commencement of the development of the garage a scheme for the disposal of surface water that can be maintained for the lifetime of the development shall be provided to and agreed in writing with the local planning authority.

This would need to include:

- a) The existing drainage arrangements of the site including discharge location and rate where appropriate;
- b) The proposed discharge location in accordance with the drainage hierarchy and reasonable evidence this can be achieved;
- c) A site plan identifying indicative locations for sustainable drainage features;
- d) Evidence to support b) which must include infiltration / percolation testing.

All external areas should utilise permeable surfaces.

Reason: To ensure that the scheme is compliant with South Cambridgeshire Local Plan (2018) policies CC/7 and CC/8.

Informative

6. There shall be no burning of any waste or other materials on the site, without prior consent from the Environment Agency. A D7 exemption registered with the Environment agency is required.

Reason: To ensure nuisance is not caused to local residents

Background Papers

- South Cambridgeshire Local Plan 2018
- South Cambridgeshire Local Plan Supplementary Planning Documents (SPD's)

Report Author:

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