



**South
Cambridgeshire**
District Council

Report to: Planning Committee

13 October 2021

Lead Officer: Joint Director of Planning and Economic Development

21/00955/FUL– Land adjacent to 26 Taylors Lane, Swavesey

Proposal: Dwelling and associated landscaping to replace existing workshop

Applicant: Ms Sarah Denley

Key material considerations: Principle of Development.
Character/Heritage Impact
Residential Amenity
Highway Safety
Other Matters

Date of Member site visit: None

Is it a Departure Application: No

Decision due by: 12 August 2021

Application brought to Committee because:

Referred to Planning Committee by Swavesey Parish Council. The officer recommendation of approval conflicts with the recommendation of the Parish Council

Officer Recommendation: Delegated Approval

Presenting officer: Luke Waddington Senior Planning Officer

Executive Summary

1. The application site is located outside the Swavesey Development Framework and within the Swavesey Conservation Area. The site includes part of a Scheduled Ancient Monument ('Castle Hill' earthworks). The site is accessed via an existing gateway from Taylor's Lane, and comprises of two single storey buildings, a workshop and a barn, which face each other over an area of hard standing.
2. Objections have been received from Swavesey Parish Council concerned regarding: a) residential development in the countryside b) impact upon the Conservation Area and Scheduled Ancient Monument c) concerns regarding the proposed materials
3. No objections have been received from the Council's Conservation Officer. Officers are satisfied that the proposed development is acceptable in terms of design and would not result in significant harm upon the character and appearance of the Conservation Area. The proposal would preserve the character and appearance of the Conservation Area and its setting.
4. Officers consider that the proposed development would not result in significant harm to the amenities of neighbouring properties.
5. Officers consider that, subject to conditions, the proposed development accords with national and local planning policies.

Relevant planning history

6. S/0187/76/F - Erection of a stable block – approved

S/0204/78/F - Erection of a barn – approved for a temporary period

S/1531/83/F - Laying out of three tennis courts and erection of changing rooms/club room for private club use – approved

S/0649/92/F - Retrospective application for change of use from agricultural to goods vehicle operating centre and ancillary plant hire and siting of portakabin – refused, appeal dismissed

S/1416/94/F - Builders yard – refused, appeal dismissed

S/1955/94/F - Storage of builders materials – refused, appeal dismissed

S/1503/95/F - Storage of building materials – approved for a three year period

S/1847/97/F – Removal of condition 2 (temporary permission) of planning permission

S/1503/95/F – refused, appeal allowed for the storage of building materials, associated building plant and workshop (with ancillary storage)

S/0847/10/F - Dwelling & garage (Application for a new planning permission to replace an extant planning permission in order to extend the time limit for implementation) – Approved

S/1559/11 - Variation of conditions 8 and 11 of approved application S/0847/10/F to allow a reduced site area – Approved

S/1565/18/OL - Outline planning permission for change of use from builder's yard (storage and workshop) demolition of two barns and provision of x2 two storey private dwelling houses with associated garages – withdrawn

Planning policies

National Planning Policy

7. National Planning Policy Framework (NPPF) – 2021
National Planning Practice Guidance (NPPG) - 2019
National Design Guide (NDG)
Planning Practice Guidance Circular 11/95 – The use of conditions in Planning Permissions (Annex A)

South Cambridgeshire Local Plan 2018

8. S/1 Vision
S/2 Objectives of the Local Plan
S/3 Presumption in Favour of Sustainable Development
S/7 Development Frameworks
CC/1 Mitigation and Adaption to Climate Change
CC/4 Water Efficiency
CC/6 Construction Methods
CC/7 Water Quality
CC/8 Sustainable Drainage Systems
HQ/1 Design Principles
H/12 Residential Space Standards.
NH/4 Biodiversity
NH/14 Heritage Assets
E/14 Loss of Employment Land to Non-Employment Uses
SC/9 Lighting Proposals
SC/11 Contaminated Land
TI/2 Planning for Sustainable Travel
TI/3 Parking provision
TI/10 Broadband

South Cambridgeshire Supplementary Planning Documents (SPD):

9. District Design Guide – Adopted March 2010
Sustainable Design and Construction SPD – Adopted January 2020
Development Affecting Conservation Areas SPD – Adopted January 2009
Biodiversity – Adopted January 2009
Trees & Development Sites SPD - Adopted January 2009
Swavesey Village Design Guide – Adopted January 2020

Consultations

Swavesey Parish Council

10. “As stated under Policy DP/7 Development Framework: - Outside urban and village frameworks, only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted; the proposed development is entirely outside of the Swavesey village development framework and does not meet the above criteria. - Granting of approval for development outside the stated village boundary sets a precedent for future development that may be irretrievable.

There has recently been an application refused by the Planning Authority and dismissed at Appeal, for a site further along Hale Rd to the west of this site, outside of the development framework. Following this decision the Parish Council cannot see how this application could be approved, which is also outside of the development framework. The Parish Council supports the existing development framework boundary and consistently objects to new development outside of the framework boundary.

The Parish Council notes that the site is within the Conservation Area of the Village and within the Ancient Monument site and wishes to ensure that development in these areas is restricted and contained within the designated village development framework boundary, which this proposal is not. Also that development close to or within these designated areas does not adversely impact on their settings.

The Parish Council does not consider the materials proposed for the new development would compliment the location or the property neighbouring the site. The existing workshop/building has not been used previously for agricultural purposes therefore does not consider it to be a barn eligible for conversion or redevelopment. Although the Village Design Guide does state: 7.2 Buildings should have a simple and unified material character in keeping with the rural

setting. The Council notes that the Design Guide is not in favour of using black cladding to make new builds look like agricultural barns.

References to the agricultural buildings of the village should be carefully considered in relation to the surrounding streetscape, especially where the intended use is not agricultural. The use of black cladding is to be avoided as a rule.”

Cambridgeshire County Council (Highways Development Control)

11. No objections subject to condition regarding the width of the access, position of gates, pedestrian visibility splays, access materials, falls and levels and the submission of a traffic management plan.

Historic England

12. Historic England does not object to the proposals on heritage grounds. We consider that the issues and safeguards relating to conditions, as outlined in our advice, need to be addressed for the application to meet the requirements of the NPPF.

Cambridgeshire County Council Historic Environment Team (Archaeology)

13. “Our records indicate that this site lies in an area of very strong archaeological potential, within the boundary of the Scheduled Monument known as ‘Castle Hill’ earthworks (National Heritage List for England reference 1006913). Swavesey was a planned fortified town in the medieval period and to the south east of the development area is the medieval market place (Cambridgeshire Historic Environment Record reference 03490). To the north east of the site is the designated area of the Benedictine Priory (CHER ref 03488, NHLE 1006914) while archaeological investigations to the south of Taylors Lane have revealed evidence of settlement remains dating from the Iron Age to the medieval period, including kilns (01772B, MCB16700 and CB15288).

In light of the precedent set by recent developments already granted permission within the Scheduled area of the monument, in this instance we do not object to development from proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a negative condition, such as the example condition approved by MHCLG”

SCDC Sustainable Drainage Engineer

14. No response received.

SCDC Environmental Health Officer

15. No objections, subject to conditions requiring a Construction Environmental Management Plan and no construction site machinery or plant to be operated, no noisy works to 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.

SCDC Scientific Officer (Contaminated Land)

16. The proposed residential use is sensitive to contamination and the site has a potentially contaminative historical usage. The conclusions of the submitted report note the potential risk from landfill gas and potential for historic contamination from agri-chemicals and made ground. As such, we welcome the recommendation that an intrusive investigation be carried out to assess potential risks from contamination associated with the proposed redevelopment. This investigation should include a rigorous scheme for gas monitoring. This information can be submitted by pre-commencement conditions

SCDC Conservation Officer

17. The existing building is a negative element in the conservation area. Its replacement by a low-profile dwelling on a very similar footprint, clad in black weatherboarding is likely to enhance rather than detract from, the character of the conservation area.

This site is outside the historic core, on a site which the VDG classifies as 'farm', and whether or not it is to be used for agricultural purposes the simple unified black cladding proposed is appropriate to the site and the conservation area. I agree that black timber cladding should be avoided 'as a rule'; in much of the conservation area, its use would bring an alien and artificial element into the streetscape. That is not the case on this site, however, and this application is one to which the rule does not apply.

As the site lies within a scheduled monument, close attention to the advice of the archaeology team should be given before a decision on the application is made. Aside from this issue, the application proposal is in accordance with policy NH/14

SCDC Ecology Officer

19. Recommends conditions requiring submission of a Construction Ecological Management Plan, lighting design strategy for biodiversity, a reptile survey, and a scheme of biodiversity enhancement.

SCDC Trees Officer

20. A Tree Survey and Constraints Plan (dated 28/07/2020) has been submitted. This is sufficient for this stage of the application but a further detailed Tree Protection Plan will be required if the application is approved.

Representations from members of the public

21. The below is a summary of third-party representations received, the full comments are available to view on the Council's Public Access website.

Objections have been received from 24 and 26 Taylor's Lane, Swavesey on the below grounds:

- Overlooking window on the easterly elevation
- Site is outside the framework and approval would set precedent for development in the countryside
- Does not reflect linear form of development on Taylor's Lane
- Black timber cladding dilutes the character of the village, buff brick and clay pantile should be used
- Loss of historic rural and agricultural character on edge of village
- Potential harm to protected trees on site
- Impacts on biodiversity and wildlife at the site
- Potential adverse impact upon archaeological remains and Scheduled Ancient Monument
- Site is close to Flood Zone 2 and is likely to increase flood risk
- Potential adverse impact on highway safety.

The site and its surroundings

22. The application site is approximately 0.18 hectares in size. The application site is located outside the Swavesey Development Framework and within the Swavesey Conservation Area. The site includes part of a Scheduled Ancient Monument ('Castle Hill' earthworks). The site is accessed via an existing gateway from Taylor's Lane, and comprises of two single storey buildings, a workshop built from steel and blockwork and a timber barn, which face each other over an area of hard standing.
23. The site is bordered to the south and west by mature trees and hedges, and to the east by no 26 Taylor's Lane, a detached residential dwelling. Further to the west across Taylor's Lane are a cemetery and allotments, and the Castle Earthworks continue to the north and south of the site.

Planning Assessment

Key Issues

24. The key issues to consider in the determination of this application are:

- Principle of Development
- Visual amenity
- Character and heritage assets
- Biodiversity
- Highway safety
- Other Matters

Principle of Development

25. The application site falls outside of the Swavesey Village Development Framework. Swavesey is defined as a Minor Rural Centre within Policy S/9 (Rural Centre) of the South Cambridgeshire Local Plan. Policy S/7 states that outside development frameworks, only development proposals on allocations within Neighbourhood Plans that have come into force 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 this plan will be permitted.
26. One such policy is E/14 (Loss of Employment Land to Non Employment Uses). Policy E/14 states that:
1. The conversion, change of use or redevelopment of existing employment sites to non-employment uses within or on the edge of development frameworks will be resisted unless one of the following criteria is met:
 - a. It is demonstrated that the site is inappropriate for any employment use to continue having regard to market demand. Applications will need to be accompanied by documentary evidence that the site is not suitable or capable of being made suitable for continued employment use. Evidence would be required that the property has been adequately marketed for a period of not less than twelve months on terms that reflect the lawful use and condition of the premises.
 - b. The overall benefit to the community of the proposal outweighs any adverse effect on employment opportunities and the range of available employment land and premises.
 - c. The existing use is generating environmental problems such as noise, pollution, or unacceptable levels of traffic and any alternative employment use would continue to generate similar environmental problems.
 2. Redevelopment proposals which propose the loss of all employment uses will need to be accompanied by clear viability or other evidence as to why it is not possible to deliver an element of employment development as part of the scheme

27. The proposed development would result in the loss of employment use at the site, being replaced with a residential use.
28. The first paragraph of E/14 requires a site to be either within or on the edge of a development framework. The Policy offers no definition for the “edge of a development framework”. The pattern of development in the area sees Taylor’s Lane and Black Horse Lane forming a rough ‘L’ shape, with the application site positioned on the outside corner of these two lanes. While the application site is outside of the Swavesey development framework, it is approximately 10 metres from the edge of the framework at its closest point, near the vehicle access onto Taylor’s Lane. The neighbouring dwelling, 26 Taylors Lane, falls partly within the framework, and is approximately 22 metres from the building that is proposed for demolition. When progressing down Taylor’s Lane from the village, the application site appears to relate to the dwelling, and the nearby houses being open and visible through its access entrance which is alongside that of no.26. However as one turns the corner and progresses further down the lane away from the site, the character becomes more rural.
29. As such it is reasonable to conclude that while the site is outside the development framework boundary, it relates to and is adjacent to the built form of the village and is considered to be on the edge of the development framework for the purposes of Policy E/14.
30. The development must meet one of criteria a, b, or c. Criteria a of E/14 requires twelve months of marketing to demonstrate the site is not suitable for employment use. No marketing has been undertaken.
31. Criteria b requires the proposal to provide a benefit to the community that would outweigh adverse effects on employment opportunities and the range of available employment land. The proposed development would result in the removal from the site of the larger steel workshop and store building and, its replacement with a single storey dwelling of the same footprint and height in a similar location approximately 2 metres to the north east, causing the loss of the employment use at the site.
32. The application site is within the Swavesey Conservation Area. As will be expanded upon later in this report Historic England, Cambridgeshire County Council Historic Environment Team and the Council’s Conservation Officer have no objections subject to conditions.
33. The existing building to be demolished is made from steel and blockwork, a modern and utilitarian building of no architectural merit, with areas of hardstanding and gravel to its front. It is visible from Taylors Lane, within the Conservation Area and the setting of the Castle Earthworks.

34. The submitted planning statement argues that the larger building is of no architectural merit and its replacement with the proposed dwelling would represent an enhancement to the Conservation Area.
35. Furthermore the 2006 Swavesey Conservation Area Appraisal identifies the two buildings within the site as having a negative impact upon the character of the Conservation Area. This assessment is supported by the Conservation Officer who has stated that the current workshop detracts from the Conservation Area, and that the proposed dwelling would enhance the character of the Conservation Area. Historic England in their consultation response also do not refute the assertion that the proposals would enhance the Conservation Area, and have no objections subject to conditions regarding archaeological investigation and landscaping details.
36. The detailed reasons for this will be set out within the relevant sections of this report, however it is considered that the proposed development constitutes an enhancement to the Conservation Area, by virtue of removal of the existing workshop which detracts from the character of the area and replacement with the proposed dwelling which enhances the character of the Conservation Area.
37. Paragraph 201 of the NPPF states that proposals that preserve elements of a setting that make a positive contribution to a heritage asset, or which better reveal its significance, should be treated favourably. The advice for the Historic Environment within the National Planning Practice Guidance 2019 states that public benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, and that sustaining or enhancing the significance of a heritage asset and the contribution of its setting is an example of a heritage public benefit.
38. The enhancement to the Conservation Area would therefore constitute a public benefit for the purposes of E/14, however this must be weighed against any adverse effect on employment opportunities and the range of available employment land and premises.
39. While the permitted use of the building as a store for building materials, plant and a workshop is an employment use, the application site is not currently frequently used by employees, being used primarily for storage of building materials and plant for use at other sites rather than active employment. It was noted by the Inspector in their report for S/1847/97/F that the role of the site, as was then proposed, was more “supportive of employment on other sites rather than providing more than minimal employment in itself.” As such it is not considered that the loss of this site in its present use would result in a significant adverse impact on employment opportunities, as no one is employed on a regular basis to work at the site itself.

40. With regard to the range of available employment land, the applicant has provided a survey of available units within a 10-mile radius of Swavesey. There are 16 available premises, totalling 166,000sqft across a range of unit sizes.
41. Of these, 7 premises are of a comparable size to the application site, being smaller units of under 5000sqft, the application site having 2,700sqft of floorspace.
42. The majority of these units are located on existing industrial estates, and Officers consider these are likely to be more desirable for storage or light industrial uses than the application site, given its location near to a residential area and potential for conflict, its relative distance from trunk roads and access on a narrow road within the village. The proposal would result in the loss of employment land in this location however given the range of similarly sized available units within the district it is not considered that the proposed development would result in a significant loss in terms of the range of available employment land and premises.
43. Taking the above into account, and when balanced against the loss of employment land it is considered that the benefits to the community identified above would outweigh any adverse effect on the range of available employment land and premises.
44. Part 2 of Policy E/14 states that total loss of an employment use will need to be justified by evidence as to why it is not possible to deliver an element of employment development as part of the scheme.
45. The submitted Planning Statement Addendum explores the possibility of retaining employment use at the site. As noted above the site itself does not directly host employees itself on a regular basis. Furthermore, officers consider that retention of employment within the current use is unlikely to be viable due to the aforementioned range of small-scale commercial premises already available within the district, and the overall preference among commercial occupiers for units closer to main commercial centres and with good access to trunk roads, neither of which are features of the application site.
46. It is also asserted within the Planning Statement that the location of the site near a residential area is unlikely to attract commercial users within the existing permitted use due to the potential for conflict between commercial operations and local residents. Furthermore the vehicular access on a relatively narrow road within the village, which does not lend itself well to larger vehicles that may be associated with those uses.
47. The application also investigates the potential for a combination of new build office, industrial and storage uses at the site. The costs of such redevelopment is stated to be in the region of £1million once demolition costs and costs of remediation, access, utilities connections and professional fees are included.

48. It is stated that such costs would be prohibitive given the aforementioned issues with location and availability of purpose built and accessible space elsewhere, that this risk would not make redevelopment of the site for these uses commercially viable.
49. It is considered that the overall conclusions of the Planning Statement and evidence within are reasonable taking into account the location and constraints of the application site.
50. Attention has been drawn by no. 26 Taylor's Lane to an informative attached to the decision notice for S/1559/11, an application that approved the dwelling to the east of the site. This informative stated:
51. "The applicant should be aware that the approval of the planning application does not suggest that a further application for a second dwelling on the land to the west would be considered acceptable. Unlike the approved site, the remaining land lies entirely outside the defined village framework where there is a presumption against residential development. Any such application is likely to be refused. In the event that an application is submitted, the local planning authority would need to consider the need for affordable housing that would ordinarily be required had an application been submitted for two dwellings across the whole site."
52. This was also referred to by the Parish Council in their objection to S/1565/18/OL, which proposed a pair of 2 storey dwellings at the present site, and was withdrawn.
53. Officers note the content of the informative. However that assessment was made long prior to the adoption of the present local plan, and as set out in this report, it is considered that there are material circumstances and policies within the present local plan that provide support for the proposed development.
54. Swavesey Parish Council have made reference to a recently dismissed appeal for a residential dwelling at a site further along Hale Rd, Swavesey. No reference has been provided but Officers take this to be application ref. S/2513/19/FL, which proposed the replacement of an agricultural building with a dwelling, within the countryside. While Prior Approval had been granted at that site for conversion of part of the building to a dwelling, the proposed dwelling was much larger than what could be achieved through the permitted Prior Approval. The proposed dwelling was therefore refused due to an increased adverse impact on the openness of the countryside. These circumstances are different to those of the current application, as set out above, and so S/2513/19/FL is not considered to be strictly relevant in this case.

55. As set out above, Policy S/7 restricts residential development outside of village development frameworks, unless supported by other policies in the local plan, of which E/14 is one.
56. The supporting text for Policy S/7 states that this is necessary to ensure that the countryside is protected from gradual encroachment on the edges of villages and to help guard against incremental growth in unsustainable locations.
57. As set out later in this report, it is considered that the proposed development would not encroach significantly upon the edge of the village. As the application site is positioned approximately 10 metres from the edge of the development framework of a Minor Rural Centre, and 150m from the High Street, 78m of which can be walked along a lit footpath, it is not considered that the site is in an unsustainable location.
58. It is considered that the application would therefore comply with Policies S/7 and E/14 and that the principle of development would be acceptable in this instance, subject to all other material considerations.

Impact upon the Conservation Area and Countryside

Policy Context

59. Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
60. Chapter 16 of the National Planning Policy Framework (NPPF) 2019 focuses on conserving and enhancing the historic environment.
61. Paragraph 189 of the NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.
62. Paragraph 192 of the NPPF states that in determining applications, local planning authorities should take account of:
 - a) the desirability of sustaining and enhancing the significance of heritage
 - b) assets and putting them to viable uses consistent with their conservation;
 - c) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

- d) the desirability of new development making a positive contribution to local character and distinctiveness.
63. Paragraph 194 of the NPPF states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
 64. Paragraph 196 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
 65. Paragraph 200 of the NPPF states that Local Planning Authorities should look for opportunities for new development within Conservation Areas, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.
 66. At a local level, chapter 6 of the South Cambridgeshire Local Plan deals with protecting and enhancing the natural and historic environment.
 67. Policy NH/14(1a) of the Local Plan states that development proposals will be supported when they sustain and enhance the special character and distinctiveness of the district's historic environment including its villages and countryside and its building traditions and details.
 68. Policy HQ/1 of the Local Plan requires all new development to make a positive contribution to its local and wider context. Development proposals should, appropriate to their scale and nature, conserve or enhance important natural and historic assets and their setting (criterion 1d).

Assessment of the Proposal

69. The 2006 Swavesey Conservation Area Appraisal identifies the buildings within the site as having a negative impact upon the character of the Conservation Area. This is particularly true of the larger building to be demolished, due to its steel framed structure with concrete blockwork and metal sheet roof.
70. The smaller building would be retained as a carport. This building is clad in black painted timber and is rather more discreet due to this material and its smaller scale and siting.
71. The proposed dwelling would be of the same footprint and similar height to the existing store building. In terms of scale it is therefore considered that the proposed dwelling would not be significantly more visible or prominent within the Conservation Area or the countryside than the existing building.

72. Furthermore the site visually relates to the built form of the village, by virtue of sharing an vehicle entrance with the adjacent dwelling at no.26, and by being well contained within the boundary of mature trees that ring the edge of the site to the west, and separate it visually from Taylor's lane to the west, where a more decidedly rural character quickly emerges.
73. It is acknowledged that the proposed residential use of the site would likely introduce residential paraphernalia within the site, outside of the village framework. However the application proposes removal of some of the hardstanding and yard area at the front of the site, and proposes enhanced landscaping along the boundaries. Furthermore officers note that the current consent S/1847/97/F allows for the external storage of a lorry and builders plant within the site. Although this use is permitted, Officers consider that the visual impact of a lorry and plant would be no more appropriate to the rural, edge of village setting than the proposed residential use.
74. As such it is considered that the proposed development would not result in a significant spatial or visual encroachment into the countryside, beyond that of the existing buildings. The addition of enhanced landscaping and grass to the front of the site as indicated on the proposed landscaping plan would allow for softening of the site.
75. With regards to detailed design and proposed materials, the Swavesey Village Design Guide (VDG) states that "references to the agricultural buildings of the village should be carefully considered in relation to the surrounding streetscape, especially where the intended use is not agricultural. The use of black cladding is to be avoided as a rule." The VDG also states that there is concern that use of black timber on new homes to simulate farm buildings dilutes village character and that this approach should be restricted.
76. It is proposed to clad the dwelling in vertical dark timber cladding. The VDG also requires that agricultural references be carefully considered, and paragraph 7.2 of the VDG states that buildings should have a simple and unified material character in keeping with the rural setting.
77. In much of the Swavesey Conservation Area, use of black timber cladding would indeed introduce an obtrusive element into the streetscape, particularly where there has been no history of agricultural use. However, as stated by the Conservation Officer, that is not the case on this application site, which is outside the historic village core in a transitional area between the village and the countryside, and in an area that the VDG itself classifies as a 'farm' on page 6.
78. The uniform black cladding would present a unified and simple appearance to the proposed dwelling, that befits the rural setting as required by the VDG and would complement the existing black weatherboard building. Taking the above context

into account, Officers are of the view that the use of black boarding has been given careful consideration as required by the VDG and is appropriate in this particular instance. The proposed development would therefore represent an enhancement to the character of the conservation area.

79. Conditions would be attached to any consent granted, requiring samples of materials and a hard and soft landscaping scheme, to ensure appropriate materials and so that the development is assimilated into its surroundings.
80. A condition would also be added to any consent granted to restrict permitted development rights in respect of extensions and outbuildings, due to the sensitive location of the site within the countryside.
81. Subject to these conditions, the proposed development would comply with Policies HQ/1 and NH/14 of the South Cambridgeshire Local Plan 2018.

Archaeology

82. The application site lies in an area of very strong archaeological potential, within the boundary of the Scheduled Monument known as 'Castle Hill' earthworks.
83. Historic England have stated in their consultation response that the siting of the proposed dwelling mostly within the existing footprint will reduce harm to any upstanding earthworks, but that there is still potential to impact buried remains where they may survive within, under and between later disturbances. Historic England advise that any work should be undertaken under the guidance of the Cambridgeshire County Council Historic Environment Team as well as Historic England.
84. The County Council's Historic Environment Team were consulted and have stated that they have no objection to the proposed development proceeding, subject to a condition that requires a programme of archaeological investigation to be undertaken prior to the commencement of development, to safeguard archaeological assets from construction impacts.
85. Historic England have also requested that a condition or informative is added to advise the applicant that Scheduled Monument Consent would be a legal requirement for the proposed development. This would be appropriate to attach as an informative.
86. Subject to this condition and informative the proposed development would comply with Policy NH/14 with regard to archaeology.

Residential Amenity

87. The proposed detached dwelling is single storey in height and is of a very similar height and position to the existing workshop. As such it is considered that the proposed dwelling would not result in an additional loss of light or overshadowing impacts. Given that the proposed windows would either be at ground floor level or high-level roof lights, and would not result in significant overlooking impacts upon neighbouring dwellings.
88. As requested by the Environmental Health Officer, it is considered reasonable to limit delivery times and working hours to preserve the residential amenity of the nearby dwellings during construction.
89. As the proposed residential use is sensitive to contamination and the site has a potentially contaminative historical usage, conditions requiring investigation of the site's ground conditions will be imposed on any consent granted, as recommended by the Scientific Officer.
90. Subject to these conditions the proposed development would comply with Policy HQ/1 of the South Cambridgeshire Local Plan 2018.

Amenity of Future Occupants.

91. The proposed dwelling would provide 8 bed spaces, within 4 bedrooms. The residential space standards set out in policy H/12 require a floorspace of 117m² for dwellings of this size. The proposed dwelling has a floor area of 254m² and so exceeds these standards.
92. The proposed 3 bed detached dwelling would have a rear garden of good proportions which would be sufficient for outdoor recreation, dining and play. The proposed dwelling would therefore comply with the residential space standards set out in Policy H/12 of the Local plan 2018.

Highway Safety and Parking Arrangements

93. The site location plan and proposed site plan have been amended to include access up to the carriageway of the adopted public highway, and the Local Highway Authority have been served notice by the applicant. The Local Highway Authority has no objections to the proposed development but has requested a number of conditions relating to the width of the access, visibility splays, the fall and construction specification of the access, and the provision of a Traffic Management Plan. Subject to these conditions the application is acceptable in highway safety terms and in accordance with Policy HQ/1.
94. The existing timber shed which opens into the site would be retained as a carport, and measures approximately 12m x 7.5m, large enough to provide 2 car parking spaces; this would be sufficient to satisfy the requirements of Policy TI/3.

Impact on Trees

95. There are no trees within the site that have a level of statutory protection due to the Conservation Area. It is stated within the application that the proposed dwelling would be re-located 2m north east of the existing building, to reduce the pressure on these trees to be cut/trimmed as a result of their proximity to the proposed dwelling.
96. The Council's Trees Officer has no objection to the proposed development subject to a condition requiring submission of a Tree Protection Strategy prior to commencement of development. Such a condition would be attached to any consent to ensure adequate protection for nearby trees in the interests of biodiversity and visual amenity. The proposal is therefore in accordance with Policy NH/4 of the South Cambridgeshire Local Plan 2018.

Biodiversity

97. A Preliminary Ecological Appraisal was submitted with the application, which identified a number of species and habitats as constraints within the site.
98. All constraints (with the exception of reptiles) were deemed low risk and that any residual risk could be removed through non-licensable methods; however, further reptile surveys are recommended within the report as there is moderate quality habitat on site, and a known population in the area. As such the Ecology Officer has no objections subject to conditions requiring submission of a reptile survey, Construction Ecological Management Plan, lighting design strategy for biodiversity, and a scheme of biodiversity enhancement.
99. Subject to these conditions the proposed development would be in accordance with Policy NH/4 of the South Cambridgeshire Local Plan 2018

Drainage

100. The application site is not located within Flood Zone 2 or 3, and the proposed development would not result in additional built footprint or hard standing, due to the use of the existing footprint. As such the proposed development is not considered to result in a significant additional surface water drainage issues or additional floor risk. Given the scale of the proposed development officers consider that surface water and foul water drainage measures can be dealt with through the Building Control regime.

Renewable Energy and Broadband

101. Conditions would be attached to any consent granted in relation to renewable energy measures and water conservation to ensure the proposal would comply with Policies CC/3 and CC/4 of the South Cambridgeshire Local Plan 2018.
102. A condition would be attached to any consent granted in relation to the provision of infrastructure for broadband to comply with Policy T/10 of the South Cambridgeshire Local Plan 2018.

CONCLUSION

103. The proposed scheme offers benefits to the community in terms of an enhancement of the setting of Swavesey Conservation Area. The National Planning Policy Framework 2021 states that in determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets, and advises that proposals that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.
104. For the reasons set out in this report, officers consider the planning application to be acceptable in accordance with relevant national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should be granted in this instance.

Recommendation

105. Officers recommend that the Planning Committee approve the application, subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
 - 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 development, other than demolition, shall take place above ground level, until samples of the external materials to be used in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance

with the approved details.

Reason: To ensure that the external appearance of the development does not detract from the character and appearance of the conservation area. (South Cambridgeshire Local Plan 2018 policy NH/14)

- 4) 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 policy HQ/1 of the South Cambridgeshire Local Plan 2018.

- 5) The dwelling hereby permitted, shall not be occupied until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details 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 details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock. The development shall be undertaken in accordance with the approved details. Any trees or plants which are planted in connection with the approved soft landscape details which within a period of five years from planting, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of the same size and species as those originally approved, unless the Local Planning Authority gives written approval to any variation.

Reason: To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

- 6) Before any works on site commence a detailed Arboricultural Method Statement and Tree Protection Strategy shall be submitted to and approved in writing by the Local Authority, including details of timing of events, protective fencing and ground protection measures. This should comply with BS5837. The tree protection measures shall be installed in accordance with the approved tree protection strategy before any works commence on site. The tree protection measures shall remain in place throughout the construction period and may only be removed following completion of all construction works.

Reason: To safeguard protected trees on site and preserve their contribution to visual amenity and biodiversity in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

- 7) The access shall be a maximum width of 3.75m, to serve a single dwelling.

Reason: In the interests of highway safety.

- 8) Two pedestrian visibility splays of 2m x 2m shall be provided each side of the vehicular access measured from and along the highway boundary. Such splays shall be within the red line of the site and shall thereafter be maintained free from obstruction exceeding 0.6m above the level of the adopted public highway.

Reason: In the interests of highway safety.

- 9) The proposed drive way shall 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. Please note that the use of permeable paving does not give the Highway Authority sufficient comfort that in future years water will not drain onto or across the adopted public highway and physical measures to prevent the same must be provided.

Reason: for the safe and effective operation of the highway.

- 10) The proposed drive shall be constructed using a bound material, for the first five metres from the boundary of the adopted public highway into the site, to prevent debris spreading onto the adopted public highway.

Reason: in the interests of highway safety

- 11) Prior to the first occupation of the development any gate or gates to the vehicular access shall be set back a minimum of 5m from the near edge of the highway boundary. Any access gate or gates shall be hung to open inwards.

Reason: In the interests of highway safety.

- 12) Prior to the first occupation of the development the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

Reason: In the interests of highway safety and to ensure satisfactory access into the site.

- 13) No demolition or construction works shall commence on site until a traffic management plan has been agreed in writing with the Planning Authority. The principle areas of concern that should be addressed are:
- (i) Movements and control of muck away lorries (all loading and unloading shall be undertaken off the adopted highway)
 - (ii) Contractor parking, for both phases all such parking shall be within the curtilage of the site and not on the street.

(iii) Movements and control of all deliveries (all loading and unloading shall be undertaken off the adopted public highway.

(iv) Control of dust, mud and debris, in relationship to the functioning of the adopted public highway.

Reason: in the interests of highway safety

- 14) No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition/development shall take place other than under the provisions of the agreed WSI, which shall include:
- a) the statement of significance and research objectives;
 - b) The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;
 - c) The timetable for the field investigation as part of the development programme;
 - d) The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material and digital archives.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework 2021.

- 15) Prior to the commencement of the development (including all vegetation clearance), a reptile survey shall be carried out within the site by a licensed ecologist. A report of the findings including a suitable mitigation strategy if required, should reptile be found, shall be submitted to the local planning authority and approved in writing. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To safeguard biodiversity at the site in accordance with the National Planning Policy Framework 2021 and Policy NH/4 of South Cambridgeshire Local Plan 2018.

- 16) No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Ecological Management Plan (CEcMP) has been submitted to and approved in writing by the local planning authority. The CEcMP shall include the following:
- A) Risk assessment of potentially damaging construction activities.

- B) Identification of “biodiversity protection zones”.
- C) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- D) The location and timings of sensitive works to avoid harm to biodiversity features.
- E) The times during which construction when specialist ecologists need to be present on site to oversee works.
- F) Responsible persons and lines of communication.
- G) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- H) Use of protective fences, exclusion barriers and warning signs if applicable.

The approved CEcMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard biodiversity at the site during construction in accordance with the National Planning Policy Framework 2021 and Policy NH/4 of South Cambridgeshire Local Plan 2018.

- 17) Prior to the commencement of development above slab level a scheme of biodiversity enhancement shall be supplied to the local planning authority for its written approval. The scheme must include details as to how a positive net gain in biodiversity has been accomplished. The approved scheme shall be fully implemented within an agreed timescale unless otherwise agreed in writing.

Reason: To enhance biodiversity at the site in accordance with the National Planning Policy Framework 2021 and Policy NH/4 of South Cambridgeshire Local Plan 2018.

- 18) Prior to occupation a “lighting design strategy for biodiversity” features or areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specification) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in

accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To safeguard biodiversity at the site in accordance with the National Planning Policy Framework 2021 and Policy NH/4 of South Cambridgeshire Local Plan 2018.

19) No development shall take place until:

a. The application site has been subject to a detailed scheme for the investigation and recording of contamination and remediation objectives have been determined through risk assessment and agreed in writing by the Local Planning Authority

b. Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation method statement) have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land 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 SC/11 of the adopted South Cambridgeshire Local Plan 2018.

20) Prior to the first occupation of the dwellings hereby permitted, the works specified in any remediation method statement detailed in Condition 21 must be completed and a Verification report submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land 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 SC/11 of the adopted South Cambridgeshire Local Plan 2018.

21) If, during remediation or construction works, any additional or unexpected contamination is identified, then remediation proposals for this material should be agreed in writing by the Local Planning Authority before any works proceed and shall be fully implemented prior to first occupation of the dwellings hereby approved.

Reason: To ensure that risks from land contamination to the future users of the land 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 SC/11 of the adopted South Cambridgeshire Local Plan 2018.

- 22) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development within Classes A, B, C, D, E, F and G of Part 1 of Schedule 2 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: In the interests of protecting the character of the area and amenities of neighbouring residents in accordance with Policies HQ/1 and NH/8 of the South Cambridgeshire Local Plan 2018.

- 23) The dwelling, hereby approved, shall not be occupied until the been provided with sufficient infrastructure, including sockets, cabling and connection points, sufficient to enable Wi-Fi, and suitable ducting (in accordance with the Data Ducting Infrastructure for New Homes Guidance Note) has been provided to the public highway that can accommodate fibre optic cabling, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure sufficient infrastructure is provided that would be able to accommodate a range of persons within the property and improve opportunities for home working and access to services, in accordance with policy TI/10 of the South Cambridgeshire Local Plan 2018.

- 24) The development hereby approved shall not be occupied until the minimum water consumption (110 litres use per person per day) in Part G of the Building Regulations has been complied with.

Reason: To improve the sustainability of the dwelling and reduce the usage of a finite and reducing key resource, in accordance with policy CC/7 of the South Cambridgeshire Local Plan 2018.

Background papers:

None

Report author:

Luke Waddington – Senior Planning Officer
Telephone: 07714 639830

