

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT** Development and Conservation Control  
**TO:** Committee  
**AUTHOR/S:** Director of Development Services

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2<sup>nd</sup> June 2004

**S/0445/04/F - LANDBEACH**  
**CHANGE OF USE OF Paddock TO RESIDENTIAL GARDEN ASSOCIATED WITH**  
**43A HIGH STREET AND THE ERECTION OF MOWER AND TRACTOR STORE**  
**(RETROSPECTIVE APPLICATION) AT LAND REAR OF 43A HIGH STREET**  
**FOR B. YORK**

**Recommendation: Approval**

### **Conservation Area**

#### **Site and Proposal**

1. The 0.83 hectare site was formerly an area of paddock, lying to the rear of nos. 45 - 53 High Street that front the High Street and is on the edge of the village of Landbeach, outside of the village framework and within the Green Belt. It is generally flat with a vehicular access from off Banworth Lane, which is an unadopted road that ends at the site. No. 43A is within the Conservation Area, but the paddock and proposed store is outside.
2. The eastern site boundary adjoins fields beyond the site. A field hedge including a number of trees marks this boundary and provides a pleasant green edge to the village when viewed from the closest public vantage points on Waterbeach Road and the A10. The southern boundary does not benefit from such screening. To the north of the site is a treed area at the end of Banworth Lane, which separates the site from bungalows at Matthew Parker Close. The countryside beyond is characterised by open fields up to the A10. To the south of the site further paddocks are found, with post and rail fences such that an open, rural character is maintained up to the village edge in this area.
3. This full planning application, received on the 4<sup>th</sup> March 2004 seeks permission for works and change of use of the land that has already been carried out. The paddock area has recently been enclosed by 2000mm high close board fence, turfed and landscaped. A store has been erected close to the access off Banworth Lane to replace buildings that have been removed. This measures 7500mm (length) by 4850mm (width). The building is 3100mm high to the ridge.
4. The application was amended on the 6<sup>th</sup> April 2004. The application originally included only the store, however following a site visit the measurements of the store were slightly incorrect and the change of use of the paddock was noted. The amendment therefore, included the correct dimensions for the store and the change of use that has taken place.

#### **Planning History**

5. There is no planning history for the land itself, however the house at 43A High Street was built under planning permission **S/0473/96/F**.

## Planning Policy

6. **Policy SE9 ‘Village Edges’** of the South Cambridgeshire Local Plan 2004 (“The Local Plan”) requires development on the edge of villages to be sympathetically designed and landscaped to minimise the impact upon the countryside and to ensure that harmony with the prevailing landscape character is achieved.
7. **Policy GB2 ‘General Principles’** of the Local Plan outlines the circumstances under which planning permission may be granted for development within the Green Belt. It clearly establishes the circumstances in which development in the Green Belt can be considered to be appropriate, including agricultural and recreation uses. By definition all development is considered to be ‘inappropriate’ unless specific circumstances set out in policy GB2 are met. The supporting text to this policy states in paragraph 3.12 that ‘the change of use of land to residential curtilage will be resisted where it harms the openness and landscape character of the Green Belt’.
8. **Policy HG12 ‘Extensions and Alterations to Dwellings’** of the Local Plan sets out the requirements that must be met in order for proposals to extend or alter dwellings within village frameworks to be considered for approval.
9. Applications for planning permission affecting the setting of a Conservation Area should preserve or enhance the special character and appearance of that area
10. **Policy P1/3 ‘Sustainable Design in Built Development’** of the Cambridgeshire and Peterborough Structure Plan 2003 states that a high standard of design and sustainability should be adopted for all new forms of development.

## Consultations

11. **Landbeach Parish Council** recommended the amended proposal be refused. It commented that this area of backland should remain as a paddock as it is concerned that the change of use will set a precedent for the change of use of other paddocks nearby and the loss of a natural break (marked by a dyke to the rear of the gardens). It goes on to note that the Council’s Landscape Officer has worked hard to ensure the sensitive planting and hedging schemes have been adhered to on paddock land adjacent to this site. It has raised no objection to the store itself, as it replaces sheds previously on the site. Concern was raised that the applicant might use the site for business purposes due to the high number of large vehicles visiting the site via Banworth Lane.
12. **Chief Environmental Health Officer** – No significant impacts in terms of noise and pollution from an Environmental Health standpoint.
13. **The Council’s Landscape Officer’s** comments will be reported verbally.

## Representations

14. Four letters of objection have been received raising the following concerns:
  - That the store may be used in connection with the applicants commercial business.
  - Increased traffic generation along Banworth Lane and the resultant increased wear and tear to the road surface.

- Increased noise and disturbance caused by tractors and farm vehicles using the lane.
- Concerns regarding pedestrian safety along the narrow lane.
- Precedent that will allow other paddocks in the area to be converted to garden land.

Residents are also concerned about the increased mess from mud deposited by tractors on the road.

### **Planning Comments – Key Issues**

15. The key issues to consider in respects of this application are whether the change of use and erection of the store has resulted in harm to the openness and landscape character of the Green Belt in this area; whether a precedent is set for change of use of adjoining paddocks; and the impact in terms of the use of Banworth Lane, which is a private road.

#### ***Openness and landscape character of the Green Belt***

16. The change of use of this particular paddock has not had a harmful impact on the openness and character of the Green Belt, as the site is only publicly visible from a distance on Waterbeach Road and the A10 from where a green village edge is seen as a result of the retention of the field boundary. Although views of the site are unchanged as a result of this change of use, the house itself is clearly visible beyond the paddock and further landscaping of the boundaries would be beneficial.
17. The erection of the mower and tractor store is considered to be acceptable, as it replaces a number of older buildings on the land and is small in size so that it is unobtrusive from nearby dwellings. It is not harmful to the openness and landscape of the Green Belt.

#### ***Precedent***

18. The paddocks to the south are open to the fields beyond, with the boundaries marked only by post and rail fences. This area has a very different landscape character from that of the application site, which is screened by the established field hedge to the east. Planning permission would be required to change the use of these paddocks and due to the different site characteristics would be unlikely to be viewed favourably, as such it is unlikely that a precedent will be set if this application is approved.

#### ***Access via Banworth Lane***

19. Banworth Lane is an un-made private road and serves houses to the west of the site. Permitting a change of use to garden is unlikely to result in an increase in traffic along the lane. A change of use to residential curtilage will mean that the site will be subject to residential permitted development rights, which restricts the use of residential sites for business purposes. Should concerns about the subsequent use of the land for the applicant's business come to fruition, the Council could pursue appropriate enforcement action at such a time if necessary.
20. Finally I do not consider that the building, given its small scale and replacement for other buildings, would harm the appearance of character of the Conservation Area.

## Recommendation

21. It is recommended that the application be approved as amended by plan date stamped 6<sup>th</sup> April 2004 and subject to the following conditions:
1. Standard Condition A – Time limited permission (Reason A);
  2. Sc21 – Withdrawal of permitted development (Rc21c – ‘harm to the openness and landscape character of the village edge and Green Belt’
    - a. Part 1 (Development within the curtilage of a dwelling house), Class E (Buildings or enclosures in the curtilage of a dwelling house).
    - b. Part 2 (Minor Operations), Class A (Erection of gates, walls or fences)
  3. Sc51 – Landscaping (Rc51) – Re-worded:  
‘A scheme of hard and soft landscaping shall be submitted to the Local Planning Authority within twenty-eight days from the date of this decision notice. This 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 density and the size of stock’.
  4. Sc52 – Implementation of landscaping (Rc52) – Reworded:  
...shall be carried out in the first planting season and seeding seasons following the approval of a landscaping scheme by the Local Planning Authority...’;
  5. Sc60 – Details of boundary treatment (Rc60) – ‘north, east and south site boundaries’.

## Reasons for Approval

1. The approved development is considered generally to accord with the Development Plan and particularly the following policies:  
  
**Cambridgeshire and Peterborough Structure Plan 2003:** P1/3 (Sustainable design in built development)  
**South Cambridgeshire Local Plan 2004:** Policy SE9 ‘Village Edges’, GB2 ‘General Principles’ and HG12 ‘Extensions and Alterations to Dwellings’.
2. The proposal conditionally approved is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:  
  
**Openness and landscape character of the Green Belt**  
**Highway and pedestrian safety**  
**Residential amenities**
3. 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.

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

South Cambridgeshire Local Plan 2004

Cambridgeshire and Peterborough Structure Plan 2003

Planning file Ref: S/0445/04/F

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