

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7th February 2007

AUTHOR/S: Executive Director / Head of Planning Services

S/2276/06/F – COMBERTON
Erection of Dwelling Following Demolition of Existing Barn
at Land Adj. 47 West Street for Mr & Mrs M Collins

Recommendation: Approval

Date for Determination: 19th January 2007

Notes:

This Application has been reported to the Planning Committee for determination because the Parish Council objection does not accord with the Officer recommendation.

The site will be visited by members on 5th February 2007.

Conservation Area

Site and Proposal

1. West Street is the main road through the village of Comberton, with a mixture of dwellings, mostly 1 ½ storey or 2 storey detached and semi-detached dwellings. The 0.044 ha application site is an area of land, measuring approximately 22m wide by 19m deep, positioned forward of the existing house at 47 West Street, in the Village Conservation Area. A number of mature trees exist on the site and a mature hedgerow is located along the frontage boundary. An existing single storey barn is positioned to the left hand side of the site, when viewed from the road, which is overgrown with various items of vegetation, including ivy. To the rear of the site is a large pond, some mature planting and an area laid to lawn with a patio area immediately adjacent to the dwelling at no. 47. The existing dwelling at 47 is a 2 storey detached property. The neighbouring dwelling to the east of the site is a two storey detached property, with a single storey garage adjacent to the shared boundary. The dwelling to the south-west is also a two storey detached property, and separated from the application site by the vehicular access to no. 47.
2. This full application, received 24th November 2006, proposes the demolition of the existing barn, the subdivision of the existing curtilage of no. 47 and the erection of a new 1 ½ storey L-shaped dwelling, with a footprint of 10.4m x 11m at it's widest dimensions, and measuring 7.75m at its highest ridge. It would be sited at the east end of the site, some 2m from the adjoining wall of No. 45.
3. The density equates to 25 dwellings/hectare.

Planning History

4. **S/2275/06/CAC** – application for the demolition of the existing barn on site. This application is also on the current agenda for members consideration.

5. **S/1685/06/F** – application for the erection of a dwelling following demolition of existing barn. This application was withdrawn following officer concerns in respect of the design and its impact on the character and appearance of the Conservation Area.
6. **S/1686/06/CAC** – application for the demolition of the existing barn. This was withdrawn at the time of the earlier full planning application in order to allow for the officer concerns to be addressed.
7. **S/0834/90/F** – application for the erection of an annexe and double garage. This was refused on the grounds of the detachment of the annexe from the main dwelling resulting in a separate dwelling and on the grounds that the access to 47 would adversely affect the privacy of future residents of the annexe.

Planning Policy

8. The site is located within the village framework and the Village Conservation Area.
9. **Policy SE4** of the South Cambridgeshire Local Plan 2004 (“The Local Plan”) identifies Comberton as a Group Village and states that residential development and redevelopment up to a maximum scheme size of 8 dwellings will be permitted within the village frameworks of Group Villages provided that: (a) the retention of the site in its present form is not essential to the character of the village; (b) the development would be sensitive to the character of the village, local features of landscape or ecological importance, and the amenities of neighbours; (c) the village has the necessary infrastructure capacity; and (d) residential development would not conflict with another policy of the Plan, particularly policy EM8.
10. **Policy EN5** of the Local Plan states that the District Council will require trees, hedges and woodland and other natural features to be retained wherever possible in proposals for new development. Landscaping schemes will be required to accompany applications for development where it is appropriate to the character of the development, its landscape setting and the biodiversity of the locality. Conditions will be imposed on planning permissions to ensure the implementation of these schemes.
11. **Policy EN13** of the Local Plan states that the District Council will not grant planning permission for development which could adversely affect, either directly or indirectly, the habitats of animal and plant species which are protected by law unless the need for the development clearly outweighs the importance of conserving that habitat and the advice of English Nature is to the effect that permission may be granted. Where development is permitted which may have an effect on these species, the District Council will impose conditions, where appropriate, and seek to use its powers to enter into planning agreements to: (1) facilitate the survival of individual members of the species; (2) reduce disturbance to a minimum; and (3) provide adequate alternative habitats to sustain at least the current levels of population.
12. **Policy EN30** of the Local Plan states that the District Council will require that applications for planning permission for development in Conservation Areas or affecting their setting, be accompanied by sufficient details to allow the impact of the proposals to be assessed. This must include drawings or other pictorial material which illustrates the proposed buildings in their context, and in most cases outline applications will not be acceptable. Proposals will be expected to preserve or enhance the special character and appearance of Conservation Areas especially in terms of their scale, massing, roof materials and wall materials. The District Council

will refuse permission for schemes which do not specify traditional local materials and details and which do not fit comfortably into their context.

13. **Policy EN31** of the Local Plan states that the District Council will expect to agree and approve a high standard of design, planting and materials for the hard and soft landscaping of the open public or private spaces connected with developments in Conservation Areas.
14. **Policy EN32** of the Local Plan states that consent for demolition of buildings which make a positive contribution to the character or appearance of a Conservation Area will not be granted unless; (1) It can be demonstrated that the condition of the building makes it impracticable to repair, renovate or adapt to any reasonable beneficial use for which planning permission would be granted; and (2) There is clear and convincing evidence that all reasonable efforts have been made to sustain the existing use of the building, or to find a viable and acceptable new use or uses; In the case of buildings which make little or no contribution to the character or appearance of their conservation area, demolition will not be permitted unless redevelopment of the site or the creation of an open space would make a positive contribution to the character or appearance of the conservation area concerned.
15. **Policy EN35** of the Local Plan states that within Conservation Areas, the District Council may, as appropriate, seek to restrict permitted development rights in order to safeguard elements of the character of the area which might otherwise be lost.
16. **Policy P7/2** of the County Structure Plan 2003 states that all development will seek to conserve and enhance the biodiversity value of the areas which they affect. Landscape features of major importance to wild fauna and flora will be retained, managed and enhanced.
17. **Policy P7/6** of the Structure Plan aims to protect and enhance the quality and distinctiveness of the historic built environment.
18. **Policy NE/6** of the Draft Local Development Framework 2006 ("The LDF") states that new development will have regard to the conservation and enhancement of biodiversity, and opportunities should be taken to achieve positive gain through the form and design of development. Where appropriate, measures may include creating, enhancing and managing wildlife habitats and natural landscape. Priority for habitat creation should be given to sites which assist in achieving targets in the Biodiversity Action Plans (BAPs).

Consultation

19. **Comberton Parish Council** recommends refusal and comments "The proposed second dwelling is in the conservation area. As such it must be rejected because it provides no net addition to public amenity, in fact it reduces it. Furthermore it massively exceeds the size of the existing barn, and removes trees in the conservation area. It is also possible that there are bats in the barn and crested newts in the nearby pond – if so this development would threaten these protected species."
20. **Conservation Manager** raises no objection and states that, in his view, the existing structure on the site is of no particular architectural or historic interest and is in a poor state of repair. However, it is a very modest structure that has a minimum impact on the Conservation Area. Following the withdrawal of the previous application he had discussions with the agent. The revised design has incorporated changes that were being sought and he is satisfied that, given the pattern of development in the area

and the retention of some open space to the west of the new dwelling (including post and rail fences to maintain views of the pond), the new dwelling will not adversely impact on the conservation area. In the event of an approval he would wish to see conditions removing permitted development rights, (to prevent unauthorised changes to the building and fencing and the erection of outbuildings etc on open land to the west); he requires submission of sample materials for walls, roofs, windows, doors and hard surfaces (such as driveway and turning area); and all rooflights to be conservation type.

21. **Historic Buildings Officer** – comments the barn, which is timber framed and weatherboarded with a corrugated asbestos roof, dates from the early -mid 20th century and is of no historic interest. The demolition is therefore considered to be justified as the existing building makes no positive contribution to the character of the Conservation Area and the detailed plans to redevelop the site propose a scheme of greater interest in keeping with the character of the village thereby enhancing the area.
22. **Landscape Officer** – raises no objection, but requires that the hedgerow on the front boundary must be retained.
23. **Ecology Officer** states that the barn was briefly inspected for obvious signs of roosting bats, barn owls or breeding birds – no positive signs were found. However, some signs of feeding bats were observed. He considers that the proposal will not negatively impact upon the pond given that the existing footprint of the barn is being largely used. Wishes to see the retention of the silver birch (as indicated on the plans). Management proposals with respect to the pond follow previous advice. When previously inspecting the pond no evidence of water voles or great crested newts was found. Very much welcome the proposal to direct roof run-off to the pond as low levels are a particular problem. This measure will help to restore the pond when combined with its continued positive management. Recommends conditions to secure a scheme of nest box and bat box provision, control type of fencing to ensure movement of small animals, such as amphibians across the site and an informative about the appropriate time of year to remove the existing compost heap to avoid disturbing hibernating animals or to grass snakes with eggs.
24. **Chief Environmental Health Officer** – does not object, but requests informatives regarding bonfires and burning of waste materials during construction and the requirement for a demolition notice from the Environmental Health department prior to works commencing.

Representations

25. Representations have been received from the owner/occupiers of Kentings Cottage (57) West Street. The following objections/concerns/comments were made:
 - (a) Current barn lies in front of spring fed pond which is a landmark in the village;
 - (b) Site is in conservation area;
 - (c) Present barn is relatively small, the building of a dwelling will necessitate the construction of a much larger building – out of keeping with surroundings and detracts from the general appearance of the area;
 - (d) Central part of Comberton which should be preserved for the future.

26. A representation from Councillor Harangozo was also received. He stated that he could not think of a comparable site in Comberton's Conservation Area affecting a large open area with its considerable visual/rural village amenity value that makes it so attractive. Development would be harmful if its height and, in particular, size is such that it changes the whole appearance of the area. It is a completely different street scene to elsewhere nearby being strikingly different, but perhaps fairly complimentary to, the high density building to the north of West Street because of the latter, any sort of large infilling could well change the whole appearance of the area, not just on the south side of the road. Stated that in some ways he would prefer a smaller annex type building situated beside the existing dwelling to retain the overall openness.

Planning Comments – Key Issues

27. The key issues to consider in the determination of this application are:
- (a) Impact upon the character and appearance of the Conservation Area
 - (b) Impact upon the adjacent pond and subsequent ecology and trees
 - (c) Residential amenity

Visual impact including Conservation Area

28. The proposed dwelling would have a ridge height of 7.75m at its highest point, and 6.3m along its side wing, which it is acknowledged would be significantly higher than the existing barn, which is a single storey structure. However, when compared against the relative heights of the dwellings either side, which measure approximately 6.49m and 7.14m respectively, the proposed dwelling would be of a size and scale in keeping with its surroundings. The Conservation Manager has raised no objections in principle to the demolition of the existing barn, which is considered to be of little architectural or historic merit and in a poor state of repair. Furthermore, following discussions with the applicants at the time of the earlier, withdrawn application, he is satisfied that the design of the proposed dwelling accords with the character and appearance of the Conservation Area. It is therefore considered that a dwelling of this height and scale can be accommodated on the site without resulting in harm to the character and appearance of the Conservation Area. The success of the scheme would be very much dependent upon the use of quality materials and detailing and these would need to be secured through conditions of any planning consent.

Impact upon the adjacent pond and subsequent ecology and trees

29. The Council's Ecology officer has visited the site and has found no evidence of water voles or great newts in the pond. Furthermore he has not found evidence of breeding birds or roosting barn owls and bats. He has therefore raised no objection to the proposed development and considers that there will not be any negative harm as a result of the proposals. He recommends conditions regarding boundary treatment and nest box provision.
30. The application proposes the removal of two trees within the area of land immediately adjacent to the existing barn, to facilitate the erection of the proposed dwelling to which the Trees and Landscape Officer has raised no objections. The frontage hedgerow is requested to be retained, which could be secured through conditions of any planning consent.

Residential Amenity

31. The dwelling has been designed with its main openings in the north-west (front) and south-west (side) facing elevations. The front elevation would face towards West Street, whilst the south west elevation would overlook the garden serving the proposed dwelling. Additional rooflights and ground floor openings are positioned in the other two elevations but by virtue of their design and position thereby only affording oblique views of adjacent sites I am satisfied that there would not be the opportunity for undue loss of privacy through overlooking of the adjacent residential dwellings.

Recommendation

32. Approve subject to the following conditions:
1. Standard Condition A – Time limited permission (Reason A);
 2. SC5
 - samples of the materials to be used for the external walls and roofs,
 - materials to be used for hard surfaced areas within the site including driveways and car parking areas,
 - details of all windows, and doors (to include details of materials and colour).

(Reason – To ensure that visually the development is not incongruous and to ensure that the development preserves and enhances the special character and appearance of the Conservation Area.)
 3. All rooflights to be inserted into the dwelling, hereby permitted, shall be conservation type rooflights. Prior to the commencement of development details of the size and manufacturer of these rooflights will be submitted to and agreed in writing by the Local Planning Authority. Reason – To ensure that the development preserves and enhances the special character and appearance of the Conservation Area.
 4. No development shall take place until details of the provisions to be made for nesting birds and feeding bats have been submitted together with details of the timing of the works, and are subsequently approved in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details. Reason: Policy EN13 encourages the provision of features for protected species within new developments. Planning Policy Statement 9, Key Principals ii & v also support the inclusion of appropriate biodiversity features within new developments.
 5. SC51 (Landscaping Scheme) – RC51
 6. SC52 (Implementation of Landscaping) – RC52
 7. SC21 (Removal of Permitted development rights. Part 1 Classes A and C to H inclusive and Part 2) (RC21 a) and to ensure that additions or extensions which would not otherwise require planning permission do not overdevelop the site with consequent harm to the special character and appearance of the Conservation Area.)
 8. SC58 (Protection of frontage hedgerow) – RC58

9. SC60 (Details of the treatment of all site boundaries) – RC60 and to allow for the movement of small animals, such as amphibians, across the site, for ecological benefit.

Informatives

Reasons for Recommendation

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:**
 - P1/2** (Environmental Restrictions on Development)
 - P7/2** (Biodiversity)
 - P7/6** (Historic Built Environment)
 - **South Cambridgeshire Local Plan 2004:**
 - SE4** (List of Group Villages),
 - EN5** (The Landscaping of New Development),
 - EN13** (Protected Species),
 - EN30** (Development in Conservation Areas)
 - EN31** (Development in Conservation Areas: Landscaping of Public or Private Spaces),
 - EN32** (Buildings of Merit in Conservation Areas and Controls over Permitted Development and Demolition)
 - EN35** (Restrictions on Permitted Development)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Character and Appearance of the Conservation Area
 - Residential Amenity
 - Biodiversity and Ecology
 - Landscaping

Additional Informatives

EHO and Ecology Informatives

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 Files Ref: (These documents need to be available for public inspection.) S/1685/06/F; S/1686/06/CAC; S/0834/90/F, S/2276/06F and S/2275/06/CAC

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