

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

4th February 2009

AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S/2060/08/F – MELBOURN

**Erection of Dwelling, Carport, Workshop and Tractor Store
at Land to the North East of 19/21 Dolphin Lane, Melbourn for Mr R Wedd**

Recommendation: Refusal

Date for Determination: 29th January 2009

Notes:

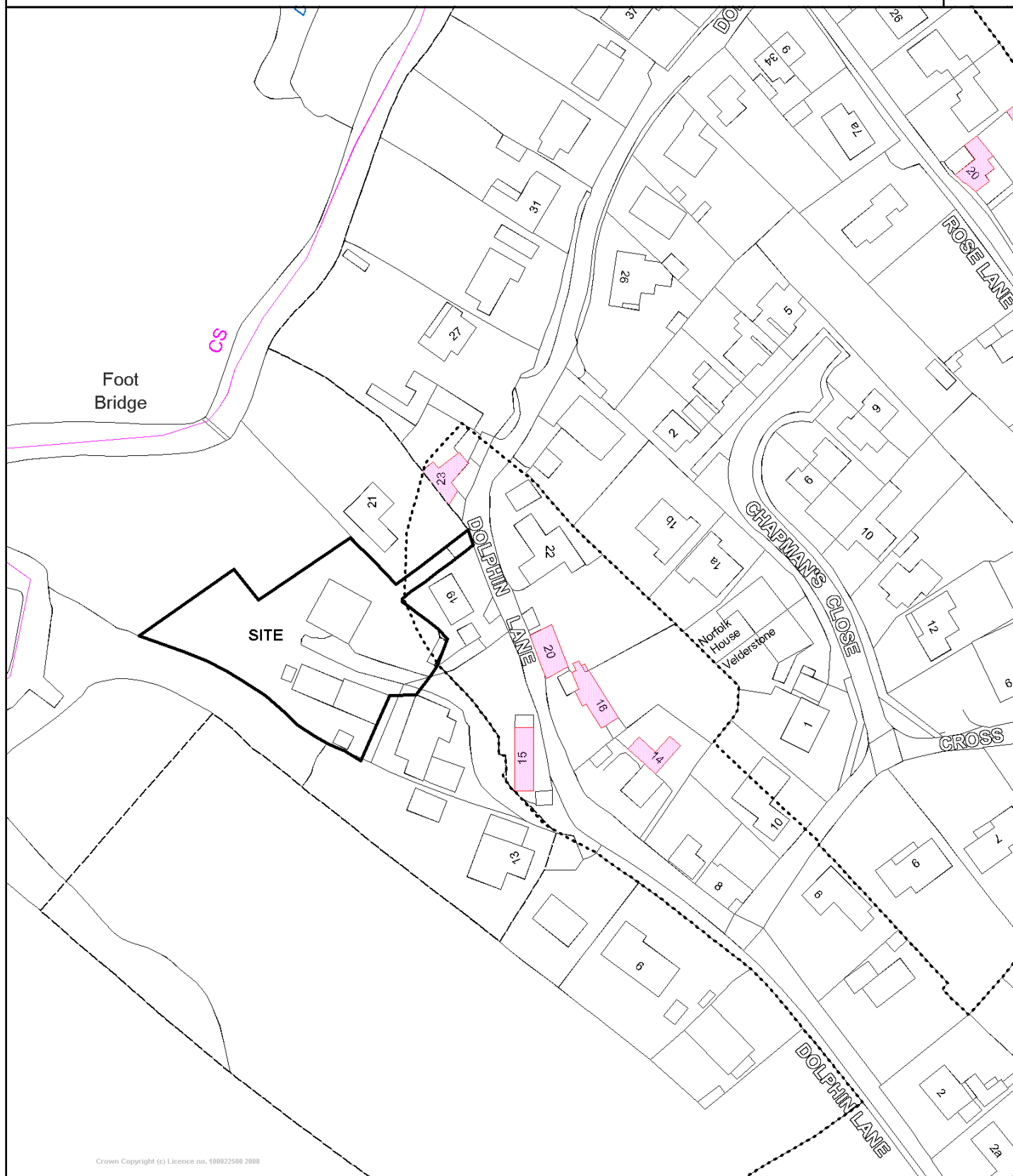
The planning application has been referred to Planning Committee by a written request of Cllr Guest.

Members will visit this site on 4th February 2009.

Conservation Area

Site and Proposal

1. The site measures approximately 0.16 hectares. The site is currently used for the storage of farm equipment in corrugated metal barns; it is outside the village framework, is partially within the Conservation Area and is adjacent to the curtilage of a Grade II Listed Building (Number 15). To the north of the site there is the two storey detached 1980s dwelling of number 21, which is outside the village framework. The dwelling to the northeast of the site is a 1960s bungalow. Two dwellings form the eastern boundary of the site, the first being a three storey thatched Grade II Listed Building and the second being a 1950s bungalow. The 1950s bungalow is outside the village framework. To the south of the site there is a large one and a half storey dwelling of Stockbridge Meadows, which gained planning approval in 2006 and is within the village framework. The western boundary of the site is formed by open land, sloping down towards the stream, currently used for poultry by the applicant.
2. The highest point on the site is approximately where the proposed workshop is positioned. The current storage buildings on the site are of no architectural importance being predominantly made of corrugated metal; there are also signs of them being in a poor condition.
3. The application, registered on the 4th December 2008, proposes the erection of a one and a half storey, four bedroom dwelling, carport, workshop and tractor store. The proposed dwelling is designed in the form of a barn,



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Scale 1/1250 Date 22/1/2009

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while the carport/workshop/tractor store building is in keeping with a farm building and is L shaped. The proposed dwelling measures approximately 16 metres x 10.5 metres, with an approximate height of 8 metres. Amended plans have been sought with the agent that should reduce the width of the building from 10.5 metres to approximately 8.5 metres. The proposed carport/workshop and tractor store measures 16 metres x 20.6 metres, with a maximum height of 6 metres. The amended plans sought should reduce the carport from three parking bays to two. The proposed development will be constructed out of black timber cladding and redbrick for the walls, the roof will be constructed out of pantiles and windows and doors will be made out of timber.

Planning History

4. The site has had two previous refusals for the erection of a dwelling (Application reference **S/1352/07/F** and **S/0224/08/F**). In both previous applications the proposed dwelling was refused primarily because it is outside the village framework. The applications were also refused due to the proposed dwelling being out of scale and having an unacceptable massing, which would lead to detrimental impact upon the character of the surrounding dwellings, the Conservation Area and the nearby Listed Buildings. Both proposals were therefore contrary to Policies DP/2 (Design of New Development), DP/7 (Development Frameworks), CH/4 (Development within the Curtilage or Setting of a Listed Building) and CH/5 (Conservation Areas) of the South Cambridgeshire Local Development Framework, Development Control Policies, adopted in July 2007.

Planning Policy

5. Relevant policies are listed below.

South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007:

Policy DP/2 (Design of New Development), **Policy DP/3** (Development Criteria), **Policy DP/7** (Development Frameworks) **Policy CH/2** (Archaeological Sites), **Policy CH/4** (Development Within the Curtilage or Setting of a Listed Building), and **Policy CH/5** (Conservation Areas).

Consultation

6. **Melbourn Parish Council** recommends approval and no further comments.
7. **Environmental Health Officer (Contaminated Land)** comments:

“The above site comprises former storage land and barns and therefore it is recommended that no development, if approved, shall be commenced until:

- a) The applications 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 and contamination (the Remediation method statement) have been submitted to and approved in writing by the Local Planning Authority.
 - c) The works specified in the remediation method statement have been completed, and a validation report submitted to and approved in writing by the Local Planning Authority, in accordance with the approved scheme.
 - d) If, during remediation works, any contamination is identified that has not been considered in the remediation method statement, then remediation proposals for this material should be agreed in writing by the Local Planning Authority.”
8. **Environmental Health Officer (Noise)** is concerned that problems could arise from noise during construction and asks for the following conditions:
- “a) During the period of construction no power operated machinery shall be operated on the premises before 08:00 hours on weekdays and 08:00 hours on Saturdays no after 18:00 hours on weekdays and 13:00 on Saturdays (nor at any time on Sundays or Bank Holidays) unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions.
 - b) Should driven pile foundations be proposed, then before works commence, a statement of the method for construction of these foundations shall be submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.”

An informative is requested stating that during construction there shall be no bonfires or burning of waste on site except with the prior permission of the Environmental Health Officer in accordance with best practice and existing waste management legislation.

9. **Cambridgeshire Archaeological Planning and Countryside Advice (County Council)** states that records indicate that the site lies in an area of high archaeological potential. It is considered likely that important archaeological remains survive on the site and that these would be severely damaged or destroyed by the proposed development. The area of application lies on a chalk/gravel spur overlooking the River Mel, with significant archaeological remains located on the Mel's eastern and western banks. The geographic location alone suggests the presence of prehistoric remains within the proposed development area. Two manorial sites are located adjacent to the river, an 11th to 16th Century moated manor and chapel rest 300m to the South of the application (Historic Environment Record No.MCB1608), and a moated manor with dovecot are located 200m north of the proposed development (MCB1611) which may suggest associated Medieval remains within the development area. 210m to the north-west of 19/21 Dolphin Lane several archaeological finds were revealed; Iron Age pottery and spindle whorl, Roman pottery and a bell, and Saxon pot shards were also discovered (HER No.s MCB10513, MCB10514 and MCB10515).

The site should be subject to a programme of archaeological evaluation that could be secured through the inclusion of a negative condition (PPG16, para. 30) in any planning consent. It is standard practice for the Archaeological department to produce a design brief for the evaluation phase.

10. **Planning Policy** has informally commented that there is no current plan to review the village framework in the next three years.
11. **Highways Authority** requested that the applicant clarifies whether this is to be a commercial or private site due to the inclusion of a tractor store and shed.

Following receipt of additional information the Highway Authority would request that a condition be placed on the site not allowing any commercial activity for the tractors or threshing machine from the proposed site.

12. **Conservation Officer** comments that a part of this site adjacent the entrance is within and the rest is adjacent the Melbourn Conservation Area and is within the vicinity of a number of Listed Buildings.

The Conservation Officer is of the opinion that the site plan seems inaccurate, as the plotted positions of buildings do not accord with the positions on an aerial photograph. In particular the relationship of buildings to positions of the trees at the rear of the site need clarification, as well as any works affecting these trees. In principle they are contributing to the setting and helping to screen this development.

States that the proposed buildings are too bulky. They point out that the barn conversion derived house has too large a span, which gives an awkward proportion to doors and windows especially within the gable. This bulk is emphasised because part of the site is on higher ground than the neighbours, including the Listed Buildings. The span should be reduced to that typical of traditional buildings including the barn from which this design is derived, which would normally be up to 5.5m. The chimney is not compatible with the barn type design and the standard height of the front door has a conflict of scale with the glazed midstorey element. The rows of rooflights and scattered window opening should be minimised and combined to give more balance to the elevations. Further states that the length of the carport/workshop element is larger than any adjoining building, and therefore should be reduced by at least 1 vehicle bay. The 8 metre span is also excessive. The proposed carport/workshop could be broken down into a main span and rear lean to.

On the basis of the plans submitted, I would recommend refusal on the basis of design and the bulk of the proposed development, which by means of the ground levels would be harmful to the character of the Conservation Area and Listed Buildings. However, subject to clarification of the site, trees and principle, the spans of both proposed buildings and length of the carport maybe reduced to a more acceptable and appropriate dimension.

Representations

13. 32 Dolphin Lane – State they have lived in the area for 22 years. They further comment that they did not object to the development of Stockbridge Gardens (Stockbridge Meadows) since it seemed an appropriate site for the development, though a little opulent for the area. The only objection for the Stockbridge Gardens development would have been the expected increase in traffic, which has proved to be the case. They do not expect that this application would add significantly to current usage.

They further comment that the planning boundary issue is inconsistent and irrational. Their understanding was that the planning guidelines were designed to provide a coherent structure and consistency to the process.

Their reasoning for supporting the application is that the existing structures do not enhance the area and for them to be replaced by a dwelling and outbuildings would provide a visual improvement. Secondly the application does not encroach or affect the local environment. Thirdly the planning boundary needs to stand the test of logic and cohesion, that substantial neighbouring land has been developed and finally there are precedents for the redrawing of the village boundary to enable development to take place.

They finally comment that they fully understand the need for council officials to ensure that legislation is complied with but the matter needs to be brought to a speedy conclusion in order to avoid any further waste of expensive Council resources.

14. 13 Dolphin Lane – After looking at the plans she wishes to make the following points:
- a) Firstly, she points out that she has not been consulted on the application, by either the applicant or their agent, and so states that the statement on the application is false.
 - b) Secondly a building of this size is still too large for the site and surrounding properties. She also points that the development is not in keeping with Dolphin Lane, due to its grandeur and so should not be allowed.
 - c) Thirdly she points out that another development would lead to an increase in traffic flow through the narrow, twisting lane of Dolphin Lane. This being especially the case where the proposed access is, where already 5 driveways join onto the tricky corner.
 - d) Before any groundwork/building is commenced the applicant should be made to provide maximum allowed height stock-proof fence along the boundary between no 13 Dolphin and the applicants land. She states this will not only provide a safe and secure environment for both parties, but to hide the unsightly scattered old farm machinery and unused materials. She adds that this piece of ground has been a dumping site for old machinery etc for many years and the applicant should be made to tidy this up, as it is unsightly. Her final point is that it would also be beneficial to the environment, as she is sure vermin are present.

15. 13 The Moor - points out that the applicant has made the site an eyesore. The applicant has already done a lot of development in the area and believes the workshop will lead to more tractors being stored on the site. He also enquires into the legality of a window being inserted into a Listed Building and the caravan on the site.
16. 15 Dolphin Lane – States that, having looked at the plans for this dwelling, they are very pleased to support this application, as the view from the rear of their property will be improved.
17. 22 Dolphin Lane – States that, they fully support the application and do not understand why the proposal has been refused to date. They have viewed the plans and walked around the site and find nothing intrusive or detrimental in the proposal to the Dolphin Lane area.
18. 5 Stockbridge Meadows – States they are not against the development, as it will visually improve the area. Though they do not object they do have some concerns regarding the development. The first concern is that the bedroom windows facing south will look directly onto their garden/patio area. The second is that the development will be very close to their property, as it is built near the boundary. They are finally concerned that the applicant is proposing to keep livestock on the site.
19. 24 Dolphin Lane – State they fully support this scheme. They comment that it will improve the views from their top floor windows with the removal of the barn and improve the view from the owners at the new house at the end of Dolphin Lane. They further comment that the replacement of the dilapidated farm buildings with a house would significantly improve the presentation of the lane and the specification of the house is of little importance, as it will largely be concealed. They also comment that materials and style are acceptable, due to the large variety of existing styles in the area.

They finally comment that the application will allow the applicant to live in this lane as he has previously done for many years.

Planning Comments

20. The main planning considerations for this proposal are the principle of dwellings outside the village framework, does it preserve or enhance the character of the Conservation Area, is the scale and mass of the development in keeping with the surrounding buildings and that the development will not harm neighbours' amenity.
21. ***Development Outside the Village Framework*** – The proposed dwelling lies outside the village framework and therefore is deemed unacceptable, as it will lead to the encroachment of urban development into the countryside. The proposed development, though it includes a tractor store is not directly linked to agriculture. The applicant has stated that the tractors and farming equipment that will continue to be kept on site are not used in full time farming, though he does use the equipment in the growing and collecting of thatching straw. The dwelling is not proposed as a farmhouse subject to agricultural occupancy, which are usually found outside the village framework.

22. The proposed development has a housing density of approximately 6 dwellings per hectare. In this case it is not an issue since it lies outside the village framework.
23. ***Impact upon the Conservation Area and the scale and mass of the development*** – Notwithstanding improvements that have been made to the height, scale and design of the dwelling since the first of the two refusals, the proposed development will cause harm to the Conservation Area and the setting of the adjacent Grade II Building due to the width and proportion of the proposed dwelling and the layout and design of the fenestration. The proposed fenestration is not in keeping with the barn design, there is a lack of consistency, the windows on the west elevation are too bulky and the door on this elevation is too small and complicated.
24. Amended plans have been sought to reduce the width of the building and to improve the fenestration appearance of the dwelling.
25. The proposed materials are felt to be appropriate to the character of the area. Although the roof pantiles are not specified, the applicant is willing to agree this material with the Local Planning Authority.
26. ***Impact upon Neighbours' Amenity*** - The proposed development will not have a detrimental impact upon neighbour amenity. The dwelling is 20 metres or more from any surrounding dwelling. Due to this there is no concern over loss of light or overbearing to these neighbouring properties. In regards to overlooking, 5 Stockbridge Meadows garden space is approximately 15 metres and the dwelling is approximately 20 metres away from the proposed development. The agent has been asked to obscure glaze the windows facing towards 5 Stockbridge Meadows or to provide a sill height of 1.8 metres above finished floor level, or to remove windows from this elevation and possibly provide suitable roof lights. These windows on the south elevation in their current form will cause significant overlooking into 5 Stockbridge Meadows garden and patio area. No other property is within 30 metres of the proposed development and therefore no further concerns arise in regard to possible overlooking.

Recommendation

27. Subject to the receipt of satisfactory amended plans it is recommended that this application should be refused for the following reason.
 1. The proposed erection of a dwelling on this site outside the village framework is unacceptable as it would be contrary to the aims of Policy DP/7 of the South Cambridgeshire Local Development Framework, Development Control Policies, adopted July 2007 which state that only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted. Insufficient justification has been put forward with this application to warrant a departure from this policy.

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

- South Cambridgeshire Local Development Framework Development Control Policies Adopted July 2007.
- Planning Files Ref: S/2060/08/F, S/0224/08/F and S/1352/07/F

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