

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

---

**REPORT TO:** Planning Committee

4<sup>th</sup> November 2009

**AUTHOR/S:** Executive Director (Operational Services)/  
Corporate Manager (Planning and Sustainable Communities)

---

**S/1173/09/F - HISTON**  
**Erection of Building to be Used for Staff Accommodation at Etheldred House,  
Clay Street for Excelcare**

**Recommendation: Approval**

**Date for Determination: 20<sup>th</sup> October 2009**

**Notes:**

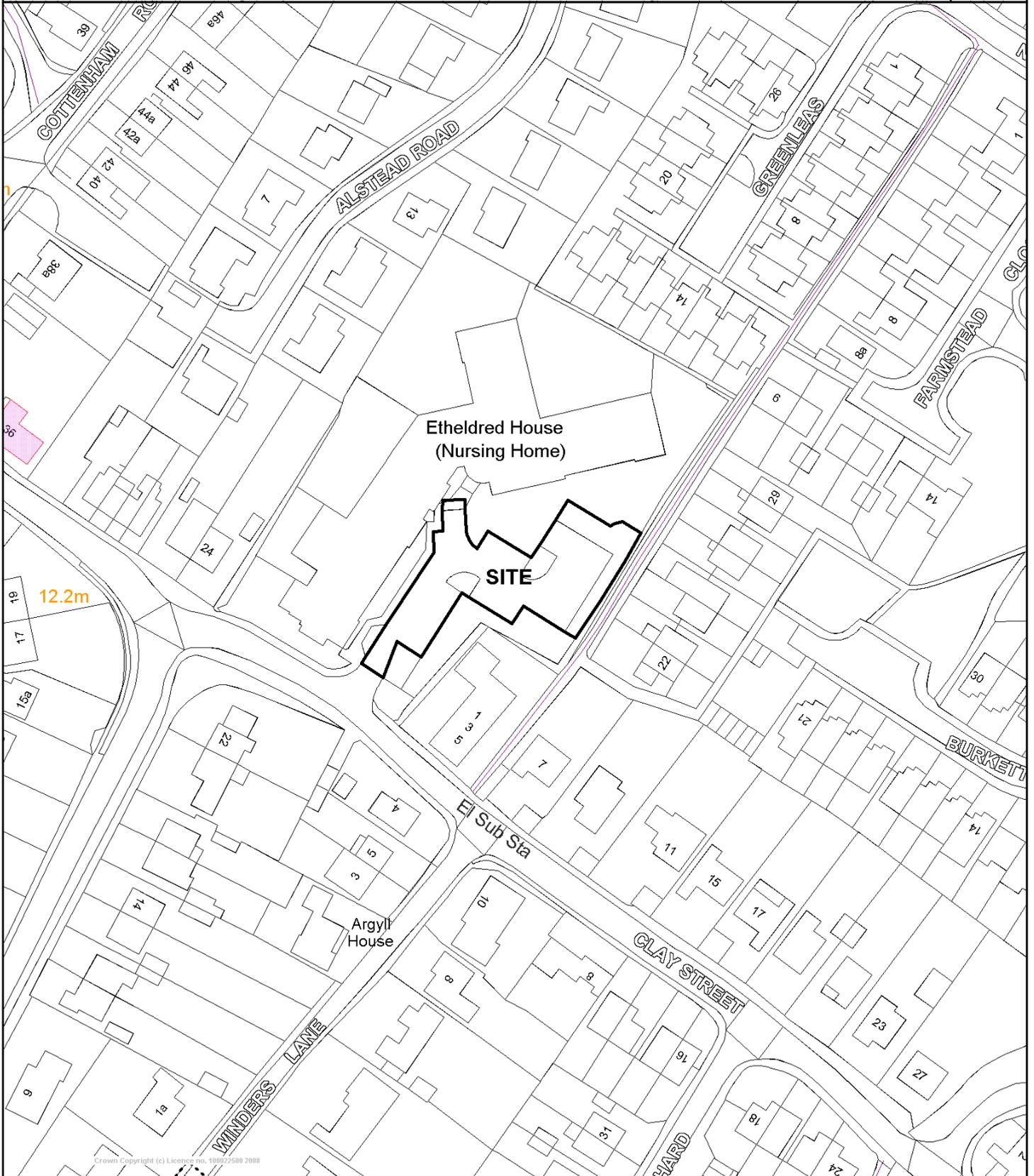
**This Application has been reported to the Planning Committee at the request of the Local Member Cllr Mike Mason.**

**Site and Proposal**

1. Etheldred House is a residential care home located within the Histon Development Framework. The application site measuring 0.12 hectares, relates to the southeast corner of the site, which is an area that currently comprises car parking and low level landscaping. The care home was approved in 2005 and comprises one and a half storey building built in buff brick and slate roof. It includes large dormer windows within its elevations. The original planning consent for the home did include the erection of a single storey district nurses centre within the southeast corner of the site. This building has not been built but could still be implemented under the original consent.
2. The application site is adjacent to a public footpath that lies between the eastern boundary of the site and rear property boundaries of 22 - 29 Burkitt Way and nos.1, 3 and 5 Clay Street. The rear gardens and elevations to these dwellings face the site. There is a pine tree, which sits within the application site and a mature tree within the curtilage of no.1 Clay Street.
3. This full planning application, received on 25<sup>th</sup> August 2009, proposes the erection of a one and a half storey building of a similar footprint to one that previously has approved for a district nurses centre. It consists of a hipped roof form with a ridge height approximately 1.7m higher (6.6m) than that of the original approval (4.9m). It would have an eaves height of 2.3 m matching the original approval. The building's use would facilitate staff accommodation for the care home and would provide 8 bedrooms, 2 bathrooms, a lounge and private garden.

**Planning History**

4. Planning application **S/0096/05/F** was approved for the erection of nursing home (85 Bed), district nurses centre and alterations to access following demolition of existing. This has been implemented, although the district nurses centre has not been built and remains extant.



Reproduced from the 2008 Ordnance Survey mapping with the permission of the controller of Her Majesty's stationary office (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Scale 1/1250 Date 19/10/2009

Centre = 543771 E 264171 N

November Planning Committee

## **Planning Policy**

East of England Plan 2008:

**SS1** Achieving Sustainable Development

South Cambridgeshire Local Development Framework Core Strategy, 2007:

**ST/4** Rural Centres

South Cambridgeshire Local Development Framework Development Control Policies DPD, 2007:

**DP/1** Sustainable Development

**DP/2** Design of New development

**DP/3** Development Criteria

**DP/7** Development Frameworks

**NE/6** Biodiversity

**TR/1** Planning for More Sustainable Travel

**TR/2** Car and Cycle Parking Standards

South Cambridgeshire Local Development Framework Biodiversity SPD, 2009.

South Cambridgeshire Local Development Framework Open Space in New Developments, 2009.

South Cambridgeshire Local Development Framework Trees and Developments Sites, 2009.

5. Circular 11/95 – The Use of Conditions in Planning Permissions: Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.
6. Circular 05/2005 - Planning Obligations: Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.

## **Consultation**

7. **Histon Parish Council** – Recommends refusal on the following grounds:
  - (a) Domination and massing;
  - (b) Concerns that parking may not be consistent with planning guidelines for the area taking into account this proposed property and the existing built form nursing home.
  - (c) Support neighbour's objections;
8. **Primary Care Trust** – NHS Cambridge have no objections to this application. The proposed development would not accommodate additional residents to the care home and would therefore have no significant impact on the provision of the primary care services in Histon.
9. **Landscape Design** – I should like to see a landscape plan to include a paved area with seating within one half of the staff garden. I suspect that the spruce tree in the corner may suffer due to the change in conditions. If this occurs I should like to see a

replacement tree of a smaller scale for this space. I suggest a holly. Other trees around the proposed building have died or have been significantly cut back. I am happy that the stumps are retained in their ivy covered form but I should like to see a replacement tree for the dead tree in the area of the angle of the car parking spaces 11 and 12 and some additional trees planted to the NE side along the fenced boundary. The additional re-arranged parking intrudes into the ornamental garden space. If we have scope to reduce the parking I should like this opportunity to be taken.

10. **Trees & Landscaping** – No objections, the Norwegian spruce is a poor specimen and can be either retained or removed. The Ash tree in the neighbouring garden will not be compromised by the development as there is existing car parking, which will provide ground protection.
11. **Environmental Health** – The building would come under the definition of a house in multiple occupation, and the housing, health and safety-rating system (HHSRS) under the Housing Act 2004 would also apply. In general the proposed development is extremely compact with small rooms, bathroom and kitchen and is deficient in the following respects:
  - (a) Each bedroom should have a washbasin with hot and cold water.
  - (b) The minimum bedroom size should be 8 sq m unless there is a dining area in which case it could be reduced to 6.5 sq m.
  - (c) For every 5 persons (or part) two refrigerators and one wall unit (or equivalent storage) and one cooker/hob/oven would be required.
  - (d) Sufficient mechanical ventilation to the shower room, kitchen and bathroom and W.C
  - (e) Fire safety should meet the requirements for a 2 storey bedsit type HMO i.e. grade D L2 interlinked mains wired smoke alarm with battery back up throughout the escape route and in each bedsit and lounge plus interlinked heat alarm in the communal kitchen. Emergency lighting also required for escape route.
  - (f) Simple multi purpose extinguishers on each floor.
  - (g) Conditions are recommended requiring details of any power driven plant or equipment to be submitted and approved; restrictions on the hours power operated machinery can be used during the construction phase; pile foundation details to be agreed; and details to be agreed for any external lighting including flood lighting. An informative relating to bonfires during construction is also requested if approved.
12. **Local Highway Authority** – No significant adverse effect upon the public highway should result from this proposal, should it gain the benefit from planning permission.

### **Representations**

13. 3 letters of objection have been received from neighbouring properties, the material planning considerations raised are summarised below:
  - (a) The building and its black roof would be visible from the garden of nos. 22, 23 and 24 Burkett Way;
  - (b) The use of the building would be 24 hour within close proximity to residential dwellings and could cause possible noise issues at unsociable hours;
  - (c) The building's height will block natural daylight to the rear of nos. 22, 23 and 24 Burkett Way creating a shadow from the sun during the afternoon;
  - (d) The existing fence line and hedgerow would not provide adequate screening for a building 6.6m high. The existing trees are semi-mature and would not cover the extent of the building;

- (e) The building would dominate the rear gardens of nos. 22, 23 and 24 Burkett Way by virtue of its bulk and height, resulting in an unduly overbearing affect on the amenities currently enjoyed by residents;
- (f) There is a concern that possible security lighting would be required and any such lighting may impact upon neighbouring amenity;
- (g) During construction the footpath should not be impeded;
- (h) The proposed garden areas are within close proximity to no. 24 Burkett Way and staff using it space would impact upon the amenity of this property; and
- (i) A tree line along the boundary of the footpath was never implemented.
- (j) Conditions are recommended requiring details of any power driven plant or equipment to be submitted and approved; restrictions on the hours power operated machinery can be used during the constriction phase; pile foundation details to be agree; and details to be agreed for any external lighting including flood lighting. An informative relating to bonfires during construction is also requested if approved.

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

- 14. The material considerations in the determination of this planning application are the impact that the development would have upon the public realm, neighbour amenity, highway safety and public open space provision.
- 15. The proposed building would replicate that of the existing care home and previously approved district nurse's centre through its hipped slate roof, buff facing brick elevations and dormer windows. The building would only be visible from the public footpath that runs along the site's eastern boundary and this would mainly involve views of the side and rear of the building comprising of its roof. The proposal would be 1.7m higher than the original approved structure and involve dormer windows facing into the site but it is considered that these alterations would not be detrimental upon the public realm due to the limited views of it.
- 16. The original planning approval contained 29 car parking spaces. This proposal would not reduce the number of car parking spaces but would involve a use whereby up to 8 members of staff would be located on-site over night. The previous building did not provide accommodation, as it was a meeting and consultation centre. Nevertheless, given the site's central location within the village and that the accommodation would be for staff based at the adjacent care home it is not considered that the proposal would require any additional car parking. As staff occupying the building would be working within the adjacent site the proposal would not be considered to have any adverse impact upon highway safety.
- 17. The proposal comprises of a building within the same footprint of that previously approved. However, the proposal would involve first floor accommodation, with the building being 1.7m higher than that originally approved. Furthermore, the building would provide accommodation with staff occupying the structure throughout the day. Despite the building's increase in height the structure would be located approximately 16m away from the rear elevations of properties within Burkett Way. This distance would adhere to the South Cambridgeshire Design Guide Draft SPD, 2005, which states that a 12m distance is an acceptable distance from a blank wall onto neighbouring rooms. In addition, the building would be separated from the adjacent neighbouring properties by a public footpath, with fence lines on opposite sides of the path, along with existing landscaping. The proposal is therefore considered to have no significant impact upon the amenities currently enjoyed by the neighbouring properties.

18. The applicant has confirmed that the Primary Care Trust (PCT) changed their strategy for nursing service within Cambridge from a centralised approach to a decentralised approach. The PCT declined to use the application site for a district nurses centre and instead moved their nurse group to Seymour Street, Sawston and Toft. This would appear to be supported by the PCT who state they have no objection to the alternative proposals for staff accommodation at this site.
19. The proposed scheme is not considered to require a contribution to affordable housing. This is based on the principle that any residential development involving individual units of self contained residential accommodation, with their own front doors will be regarded as residential and Policy HG/3 will apply, including sheltered or age restricted accommodation where it provides self contained accommodation, even if there is a warden or administrator on site some or all of the time. However, if the residential accommodation has shared facilities and is not therefore self contained, as proposed in this case, it is regarded as an institutional use and Policy HG/3 will not apply.
20. As the proposal will result in an increase in residential accommodation, a financial contribution towards public open space is required in order to deliver open space to meet the needs of the development. A sum of £5, 950.56 (index-linked) is to be sought. An update will be given.

### **Recommendation**

21. The occupation of the building will be tied to the care home's employees, as the building could be occupied as a multiple occupancy home (use class sui generis) without the need for planning permission to change the use. The development is not appropriate for such a use due to the lack of dedicated car parking which could lead to an increase in an street car parking and potential for noise car parking to the detriment of highway safety and Clay Street and disturbance if occupants were not associated with the main use due to the likelihood that other occupiers would have different habits e.g. more likely to come and do in the evenings.
22. Approve

### **Conditions**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission. (Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
2. No development shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
3. The building, hereby permitted, shall not be occupied until covered and secure cycle parking has been provided within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. (Reason - To ensure the provision of covered and secure cycle parking in accordance with Policy TR/2 of the adopted Local Development Framework 2007.)

4. During the period of demolition and construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority. (Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
5. No external lighting shall be provided or installed within the site other than in accordance with a scheme, which has been submitted to and approved in writing by the Local Planning Authority. (Reason -To minimise the effects of light pollution on the surrounding area in accordance with Policy NE/14 of the adopted Local Development Framework 2007.)
6. No development shall take place until a scheme for the siting and design of the screened storage of refuse has been submitted to and approved in writing by the Local Planning Authority. The screened refuse storage shall be completed before the building is occupied in accordance with the approved scheme and shall thereafter be retained. (Reason - To provide for the screened storage of refuse in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
7. No development shall begin until details of a scheme for the provision of recreational infrastructure to meet the needs of the development in accordance with adopted Local Development Framework Policies SF/10 and SF/11 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.  
(Reason - To ensure that the development contributes towards recreational infrastructure in accordance with the above-mentioned Policies SF/10 and SF/11 and Policy DP/4 of the adopted Local Development Framework 2007.)
8. The building, hereby permitted, shall be limited to occupation by persons solely or mainly working at St Etheldred House, Clay Street, Histon  
(Reason - To dwelling is not suitable for separate occupation due to the provision of car parking and potential for noise and due to the disturbance by occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

### **Informatives**

1. See attached Environment Agency advice regarding soakaways.
2. Should pile driven foundations be proposed, then before works convene, a statement of the method for consultation of these foundations shall be submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.

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

- East of England Plan 2008:
- South Cambridgeshire Local Development Framework Core Strategy DPD (adopted January 2007)

- South Cambridgeshire Local Planning Framework Development Control Policies DPD (adopted 2007)
  - DP/1 Sustainable Development
  - DP/2 Design of New development
  - DP/3 Development Criteria
  - DP/7 Development Frameworks
  - NE/6 Biodiversity
  - TR/1 Planning for More Sustainable Travel
  - TR/2 Car and Cycle Parking Standards
- Circular 11/1995
- Circular 05/2005
- Planning application refs S/0096/05/F and S/1173/09/F

**Contact Officer:** Mike Jones – Senior Planning Officer  
Telephone: (01954) 713253