

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

3rd March 2010

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

S/1673/09/F – LITTLE SHELFORD

**Change of Use from Residential Annexe to Separate Dwelling at 15 High Street,
Little Shelford for Ms K Wilken**

Recommendation: Approval

Date for Determination: 12th February 2010

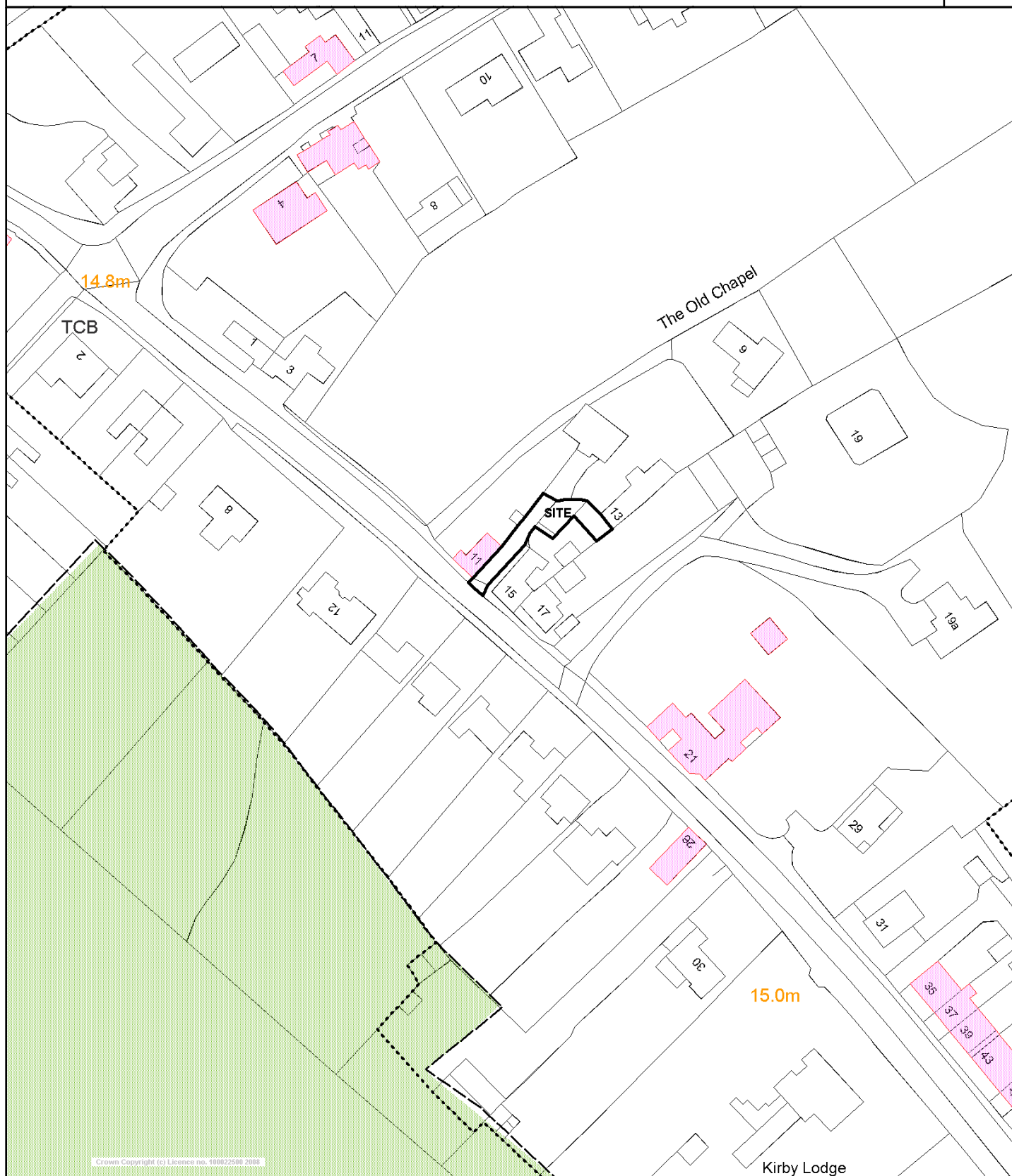
Notes:

This application has been reported to the Planning Committee for determination as the Officer recommendation is contrary to the response from the Parish Council.

Conservation Area

Site and Proposal

1. No.15 High Street is a two-storey render and slate dwelling located on the north-east side of the High Street within the Little Shelford Conservation Area. To the rear of the dwelling is a single-storey outbuilding that was formerly used as a bakehouse but has planning permission to be used as an annexe to No.15 High Street. It is presently vacant. The site is accessed via a shingle driveway on the north-west side of the dwelling which also provides access to The Old Chapel and No.13 High Street to the rear. Beyond the access to the north-west is No.11 High Street, a Grade II Listed thatched cottage.
2. The full application, registered on 18th December 2009, seeks to change the use of the annexe to a separate dwelling. The only modifications that would be carried out to the existing building would be internal, and no exterior alterations are proposed. A 2 metre high timber fence, running east-west across the garden, has been constructed on the site, thereby creating separate garden areas for the main dwelling and annexe. The application also proposes the erection of further fencing, gates and a bike store. An additional 2 metre high timber fence would be constructed alongside the south-west elevation of the annexe facing No.15m, in order to create a private pedestrian access to the main door via a new double gate to be provided from the shared access way. Adjacent to the entrance of the building, it is proposed to erect a covered cycle store. This would be a timber lean-to structure standing approximately 1.5 metres high.
3. The application has been accompanied by a Planning Statement and a Design and Access Statement. These make it clear that there would be no dedicated parking for the proposed dwelling and that access would be for loading/unloading purposes only. The dwelling at No.15 High Street would park a single vehicle on the east side of the shared access, whilst the proposed new dwelling would park on the High Street, upon which there are no parking restrictions.



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 15/2/2010

Centre = 545212 E 251412 N

March Planning Committee

Planning History

4. **S/0333/75/F** – Planning permission granted for change of use from bakery to invalid carriage store.
5. **S/1609/07/F** – Planning permission granted for extensions to the dwelling, No.15 High Street, consisting of a two-storey extension on the south-east side of the property and a replacement porch on the north-west side.
6. **S/2057/08/F** – Planning permission granted for change of use of former bakehouse to residential annexe. This was subject to a condition stating that the building should not be occupied at any time other than for purposes ancillary to the residential use of the dwelling at No.15 High Street, for the following reason:

“Due to the proximity of the building to the main dwelling and its garden, together with the lack of off-street parking within the curtilage of the property, the separate occupation of the building could result in obstruction of the adjacent shared access and an unacceptable level of privacy for occupiers of both the annexe and main dwelling. This restriction therefore seeks to protect the amenities of adjoining residents in accordance with Policy DP/3 of the adopted Local Development Framework 2007.”

Planning Policy

7. East of England Plan 2008:
SS1 - Achieving Sustainable Development
ENV6 - The Historic Environment
ENV7 - Quality in the Built Environment
8. South Cambridgeshire Local Development Framework Core Strategy Development Plan Document, adopted January 2007:
ST/7 – Infill Villages
9. South Cambridgeshire Local Development Framework Development Control Policies DPD, adopted July 2007:
DP/1 - Sustainable Development
DP/2 - Design of New Development
DP/3 - Development Criteria
DP/4 - Infrastructure and New Developments
HG/1 - Housing Density
CH/4 - Development within the Curtilage or Setting of a Listed Building
CH/5 - Conservation Areas
SF/10 - Outdoor Play Space, Informal Open Space and New Developments
SF/11 - Open Space Standards
TR/1 - Planning for more Sustainable Travel
TR/2 - Car and Cycle Parking Standards
10. Supplementary Planning Documents, adopted 2009:
Development Affecting Conservation Areas;
Open Space in New Developments;
Listed Buildings.

11. **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.
12. **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.

Consultations

13. **Little Shelford Parish Council** objects to the application on the following grounds:

"Parking:

The recent refurbishment of the property involved removal of hardstanding and garage that were used for parking facilities for number 15. As a result the access track is used by number 15 for parking for one or two cars. This parking on the access track between numbers 11 and 15 High Street already causes nuisance issues for the neighbours in the adjacent properties and blocks the right of vehicular access of the owners of number 13 to their parking space. Scaling off the illustrative parking plan ref JMA3050.01, it appears that there is approximately 5m between property numbers 11 and 15 which is not enough space for parking and to allow access to number 13. In addition such parking clearly prevent access for emergency services. If the annexe were used as a separate dwelling then parking pressures would be increased. The Planning Statement sets out that parking would be controlled by retaining land ownership of the access track staying with property number 15. As we understand this property is currently let to tenants who park on the track.

Over development:

Separate dwellings in such a confined space appears too dense for the location.

Recommendations:

We recommend refusal of this application. If this were to be passed then:

- parking provision should be provided to the rear of number 15 in order not to worsen the parking situation;
- parking restrictions along the access track should be imposed."

14. **The Conservation Officer** states that the building was a former bakehouse that has recently been converted to an annexe. The structure is visible from the street. Currently there is a low brick wall attached to the annexe and a gap between the wall and house that allows a view of the annexe and part of the grassed area to the rear of No.15 from the street. The erection of a 2 metre high fence would partly obscure the view of the annexe from public views and would neither preserve nor enhance the Conservation Area or the setting of the group of buildings. It would result in the visual and physical enclosure of an area that is currently open and would subdivide the site so that the relationship between the main dwelling and former bakehouse would be lost.
15. **The Local Highways Authority** states that Little Shelford is a sustainable location and that there is therefore no need for off-street parking for the site. As such, no significant adverse effect upon the public highway should result from the proposal if planning permission is granted. It is requested that the applicant does not incorporate on street parking within the submitted

information as the parking restrictions in this location cannot be guaranteed to remain the same indefinitely. The proposed cycle parking facilities shown on the submitted plan should be provided prior to first occupation of the development and retained at all times.

16. ***The Cambridgeshire Fire and Rescue Service*** has not commented.

Representations

17. The occupiers of No.11 High Street, the dwelling adjacent to the access to the north-west, have objected to the application for the following reasons:
- i. The work already undertaken has had a significant impact upon the amenities enjoyed by the occupiers of No.11 and upon the character of the Conservation Area and the setting of the adjacent Listed Building.
 - ii. The use of the outbuilding as an annexe was approved retrospectively after No.15 High Street had been extended. No.15 previously had a garage and parking to the rear but, when the works to extend the property were being carried out, these were removed and turned into garden land, thereby resulting in no off-street parking for either the dwelling or annexe.
 - iii. Garden along the side of No.15 has been removed rather than being restored in accordance with the plans. Parking now takes place on the shared access between Nos. 11 and 15 High Street, resulting in noise and disturbance to the occupiers of No.11, harm to the setting of the adjacent Listed Building, and an obstruction of the right of access to the dwellings to the rear, including for emergency vehicle access. The application seeks to retain this area as parking for No.15 High Street. The existing situation will get worse if the two properties are independent dwellings.
 - iv. The removal of garden has detracted from the setting of the Listed Building and from the character of the Conservation Area.
18. The owners of No.13 High Street to the rear have raised the following objections:
- i. The shared access has been blocked by cars associated with the dwelling/annexe, obstructing the right of access for dwellings to the rear and obstructing access for emergency vehicles.
 - ii. Why has the removal of the garage and parking to the rear of No.15 been allowed? This has resulted in no off-street parking, except on the right of access. Where will cars for both properties park?

Representations from the Applicant's Agent

19. The applicant's agent has made the following comments in response to comments/objections received in respect of the proposal:
- i. Regarding the Parish Council's comments about overdevelopment, the proposal involves a degree of separation between the two properties but would not result in any intensification in the existing use.
 - ii. The proposal would not change the existing parking situation and the Local Highways Authority has raised no objections. Parking pressures would not increase as a result of the application as there is sufficient off-

street parking along the High Street and the site can be accessed by other sustainable modes.

- i. The site is presently partly obscured in views from the High Street by the lean-to porch to No.15. The proposed fence would only run as far as the existing brick wall that runs along the north-west elevation of the annexe and would infringe on the access drive. As such, the introduction of a fence is not therefore considered to result in harm to the character and appearance of the locality.

Planning Comments – Key Issues

Principle of the Development

20. Little Shelford is identified within the Local Development Framework as an Infill Village. In such locations, residential development is restricted to no more than two dwellings comprising, in part, the redevelopment or sub-division of an existing residential curtilage. The proposal therefore complies with the settlement policy in principle.
21. The proposal to occupy the existing annexe as a separate dwelling would result in an average density across the two properties (No.15 itself and the annexe) of approximately 70 dwellings per hectare. The proposal therefore complies with the minimum 30-40 dwellings per hectare density sought by Policy HG/1 of the Local Development Framework.
22. As stated within Paragraph 6, the planning permission for the conversion of the former bakehouse to an annexe was subject to a condition requiring it to be occupied for purposes ancillary to No.15 High Street. Bearing in mind the reason behind the imposition of the condition, the main issues to take into account in the consideration of this application relate to: the impact upon highway safety; and the impact upon residential amenity, including the amenities of occupiers of the existing and proposed dwellings.

Car Parking/Highway Safety

23. Strong concerns have been raised by the Parish Council and local residents on the basis that the former parking/garaging serving the property has been lost, thereby resulting in cars parking along the shared access, and that the proposal would result in the creation of two dwellings with no formal off-street parking provision. In addition, the Local Planning Authority has been criticised for failing to require the retention of the property's former parking area.
24. The 2007 application for extensions to the dwelling did not propose to extend onto parking areas that existed at the time of the application. As such, a condition requiring the retention of such parking was not considered to be a direct consequence of the development. During the course of the extension works, the parking to the rear was removed and the land grassed to form part of the garden. In the absence of any restrictions, these works were entirely lawful, and had taken place when the 2008 application for the annexe use was being considered. At the time, Officers anticipated that, if occupied as a separate dwelling rather than as an annexe, there would be a need to revert the garden land back to parking, in order to provide sufficient off-street parking for two properties, and a restriction was therefore imposed to link the occupation of the annexe to that of the main dwelling.
25. The current application includes no provision for off-street parking. Whilst the submitted plans indicate the provision of a small area on the right hand side of

the access adjacent to No.15 High Street, the size of the space is too small to comply with the required standards and cannot therefore be taken into account in the consideration of the application. The proposal therefore has to be considered on the basis that it would result in the formation of two separate dwellings with no off-street parking and with vehicles parking on the main road. The Local Highways Authority was, therefore, requested to advise on the highway safety merits of the proposal on this basis.

26. As stated within Paragraph 15 of this report, the Local Highways Authority does not consider the provision of off-street parking, or indeed any parking at all, to be necessary as it considers Little Shelford to be in a sustainable location. The village has good public transport (bus) connections to Cambridge and is also within a reasonable cycling distance of Cambridge. The provision of dwellings with no parking would accord with the sustainability principles encompassed within Policies DP/1 and TR/1 of the Local Development Framework, and with Policy TR/2, which sets maximum rather than minimum parking standards for new development proposals. In the absence of any objection from the Local Highways Authority, the lack of parking provision is not considered to result in serious highway safety implications. Any permission should be subject to a condition requiring the provision of the proposed cycle parking facilities.

Impact on the Character of the Conservation Area and upon the Setting of Adjacent Listed Buildings

27. Concerns have been raised by the Parish Council and local residents, in respect of the impact of the proposals upon the character and appearance of the Conservation Area and upon the setting of the adjacent Listed Building.
28. The proposal seeks to erect a 2 metre high fence at the front/south-western side of the annexe building in order to provide a degree of separation between the proposed and existing dwellings. The Conservation Manager has raised concerns about the impact of such works upon the character of the area given that the gap between the dwelling and annexe is presently visible in views from the High Street.
29. Whilst this gap is visible in the street scene, views of the annexe are partly concealed by the porch at the front of No.15. In addition, as the gates and fence would not exceed 2 metres in height, they would constitute permitted development and could be erected without the need for planning permission. The only aspect of the additional works that specifically requires permission is the cycle store, which would be positioned towards the south-eastern end of the building and predominantly concealed from public views from the High Street. The proposal is not therefore considered to result in serious harm to the character of the Conservation Area or to the setting of the adjacent Listed Building. A condition should be added to any consent requiring details of the boundary treatment to be agreed before occupation of the dwelling (a weaved fence rather than the timber fencing indicated would probably be preferable), and requiring the boundaries to be retained in accordance with the agreed details.
30. As the site is in a Conservation Area, planning permission would be required for any extensions to the front and side of the proposed dwelling, for any additions to the roof and for any outbuildings between the side elevation and boundary of the site. Given that the property could only possibly be extended to the front or side, and that the garden land is to the side, it would not be necessary to remove householder permitted development rights in this instance.

Residential Amenity

31. When planning permission was originally granted for the annexe, Officers were concerned that, if occupied as a separate dwelling, there would be an unsatisfactory level of amenity for occupiers of both the existing and proposed properties.
32. The proposed dwelling has an obscure glazed bedroom window in its front elevation and lounge and bathroom windows in the side elevation. The erection of a fence or wall adjacent to the south-west/front elevation of the building would prevent direct overlooking of or from the new property. Any consent should therefore require the provision and retention of a wall/fence in this position. No.15 itself is laid out internally such that it has a first floor dressing room window in the part of the north-east elevation closest to the existing annexe. There are first floor bedroom and ground floor living room windows in the section of the rear elevation set further away from the proposed garden area. These windows are approximately 16 metres away from the fence that has been constructed to subdivide the garden area and would not look directly into the proposed property's living room windows. On this basis, the relationship between the existing and proposed dwellings is considered to be acceptable.
33. The owner of No.11 High Street has raised concerns about the noise and disturbance arising from cars parking on the shared gravel access and regarding the loss of a small area of garden/landscaping from the side of the dwelling. This matter has already been investigated by Officers and it has been concluded that such works are not in breach of either of the two recent planning permissions, and that no action can be taken by this Authority to require the reinstatement of the garden/planting areas or to prevent vehicles parking upon the shared access.

Open Space

34. In accordance with the requirements of Policies DP/4 and SF/10, as well as the Supplementary Planning Document on Open Space, all residential developments are expected to contribute towards the off-site provision and maintenance of open space. The application seeks to create a one bedroom dwelling, which would result in the requirement for a contribution of £743.82, as calculated at today's date. The applicant's agent has confirmed in writing the applicant's agreement to the payment of such a contribution.

Recommendation

35. Approval subject to the following conditions:
 1. Standard Condition 1 – Full planning permission, time limit (3 years)
 2. Prior to the occupation of the dwelling a minimum 1.8 metre high form of boundary treatment shall be constructed adjacent to the south-western/front elevation of the dwelling in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority. The boundary shall thereafter be retained in accordance with the approved details. (Reason – To ensure the appearance of the development is satisfactory, in accordance with Policies DP/2, CH/4 and CH/5 of the adopted Local Development Framework 2007, and to ensure an acceptable level of amenity for

occupiers of both properties, in accordance with Policy DP/3 of the adopted Local Development Framework 2007)

3. Prior to the occupation of the dwelling, details of the proposed gates and of the materials to be used for the cycle store shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details. (Reason – To ensure the appearance of the development is satisfactory, in accordance with Policies DP/2, CH/4 and CH/5 of the adopted Local Development Framework 2007).
4. No development shall commence 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 Policy SF/10 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 Policy SF/10 and Policy DP/4 of the adopted Local Development Framework 2007 and to the Supplementary Planning Document, Open Space in New Developments, adopted January 2009)
5. Prior to the occupation of the dwelling, the cycle parking facilities shown on the submitted drawings shall be provided and thereafter retained. (Reason – In the absence of any off-street parking, appropriate provision should be made for cycle parking, in accordance with Policies DP/1, TR/1 and TR/2 of the adopted Local Development Framework 2007).

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

- East of England Plan 2008
- South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007
- South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007
- Supplementary Planning Documents, adopted 2009: Development Affecting Conservation Areas; Open Space in New Developments; Listed Buildings.
- Circular 11/95 and 05/2005
- Planning File References: S/1673/09/F; S/2057/08/F; S/1609/07/F; S/0333/75/F.

Contact Officer: Lorraine Casey – Senior Planning Officer
Telephone: (01954) 713251