

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

4 August 2010

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

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### **S/0777/10/F – GREAT SHELFORD**

**Dwelling at Land to the South-West of 21 High Green for Mrs Redmond**

**Recommendation: Refusal**

**Date for Determination: 8 September 2010**

#### **Notes:**

**This application has been reported to the Planning Committee for determination at the request of District Councillor Nightingale**

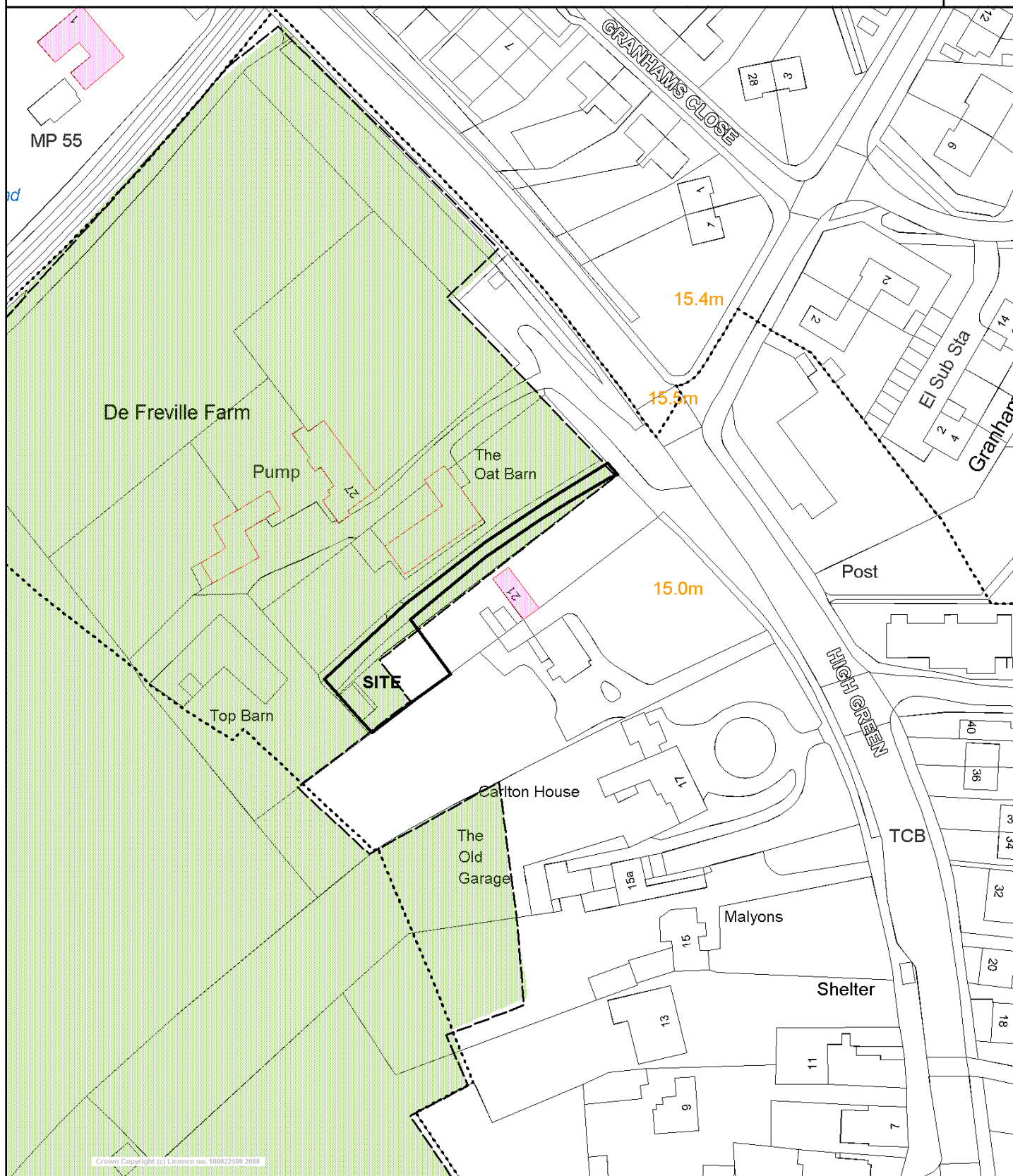
#### **Conservation Area and Listed Building**

##### **Site and Proposal**

1. No.21 High Green is a render and thatched Grade II Listed dwelling located on the west side of High Green within the village Conservation Area. The rear garden of the property extends to the south-west, at the end of which there is a one and a half storey (5.2 metre high) outbuilding comprising dark stained timber walls under a plain tiled roof. The house and majority of the garden are sited inside the village framework. The bottom section of the garden, approximately 14 metres in depth, is located outside the village framework and within the countryside and Green Belt. The site is bounded on its north-western side by a vehicular access that serves The Oat Barn to the north and Top Barn to the west. Both are Grade II listed former agricultural barns that formed part of the De Freville farm complex and have been converted to dwellings in recent years. To the south-east is a two-storey dwelling, No.19 High Green, whilst immediately to the south, is a two-storey contemporary house recently constructed within its garden, No.19a High Green.
2. The full application, registered on 17 May 2010, seeks to extend the outbuilding in the rear garden in order to create a detached three-bedroom dwelling. The existing outbuilding would be extended to the north-east with a two-storey 6.6 metre high addition, with a single-storey cart lodge and store added to the north-eastern end. The dwelling would comprise dark-stained timber walls under a plain tiled roof, to match the existing outbuilding, and would be accessed via the track serving The Oat Barn and Top Barn. No.21 High Green would maintain its existing access directly off High Green.
3. The application has been accompanied by a Design, Access and Heritage Statement.

##### **Planning History**

4. **S/1699/04/F** – Planning permission granted for a single-storey outbuilding consisting of a garden room and store.



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5. **S/0512/07/F** – An application to erect a single-storey workshop/store to the southern end of the building was approved. This permission has not been implemented and expired in May 2010.
6. **S/1030/08/F** – An application to erect a close boarded fence along the northern side boundary of No.21 High Green's garden was refused due to the impact upon the setting of the Listed Building and upon the character and appearance of the Conservation Area.
7. **S/1043/08/F** – Planning permission granted for a double cart lodge and cycle store within the rear garden. This permission expires on 5<sup>th</sup> August 2011 and has not been implemented to date.

### **Planning Policy**

8. South Cambridgeshire Local Development Framework Core Strategy Development Plan Document, adopted January 2007:  
  
**ST/1** – Green Belt  
**ST/4** – Rural Centres
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  
**DP/7** – Development Frameworks  
**GB/1** – Development in the Green Belt  
**GB/2** – Mitigating the Impact of Development in the Green Belt  
**HG/8** – Conversion of Buildings in the Countryside for Residential Use  
**NE/6** - Biodiversity  
**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
10. Supplementary Planning Documents:  
  
Great Shelford Village Design Statement – Adopted February 2004.  
Development Affecting Conservation Areas – Adopted January 2009.  
Open Space in New Developments – Adopted January 2009.  
Trees and Development Sites – Adopted January 2009.  
Listed Buildings – Adopted July 2009.  
District Design Guide – Adopted March 2010.
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. **Great Shelford Parish Council** recommends refusal, stating:

“The P.C has in the past expressed concerns about the garden room becoming a separate dwelling especially as it lies within the greenbelt and therefore has never been in favour of an additional dwelling on this site. The layout of buildings on the western side of High Green is a reflection of its historical development and agricultural connections consisting of a line of dwellings along the boundary of the original High Green with agricultural buildings behind. Where there are now dwellings behind the original line is a result of conversion. Permission has been given for 19a High Green (which the P.C. did not support) but as the Inspector stated in his report on the appeal ‘public views of this house are largely blocked by landscaping to the front’. We do not believe permission for this house should set a precedent for backland developments in High Green. 21 High Green is a listed building and forms part of an attractive group made up of De Freville farmhouse, Oat Barn and Top Barn also listed buildings within a very open rural setting. The views across this group to the countryside beyond have been identified as being important in the V.D.S and the C.A. appraisal. The proposed building which would occupy a large part of a narrow site would introduce an inauthentic element into this rural vista to the detriment of the character and appearance of the conservation area.”

14. **The Conservation Officer** recommends refusal on the grounds that the development would be detrimental to the setting of the listed buildings and the character and appearance of the Conservation Area. 21 High Green is a Grade II listed cottage in the Conservation Area and adjacent to De Freville Farm with its excellent group of historic buildings, including a Grade II listed farmhouse, granary and barns, and an unlisted barn. Although the barns are now converted and subdivided, the character of the farm group is retained. By introducing a new domestic building in close proximity to the farm buildings, the proposal would detract from the integrity and rustic character of the group. It would also undermine the verdant, rural setting of the listed cottage. The listed buildings are at present separated by open land, and clearly recognizable as a farm and cottage, whereas the new development would alter this setting and confuse the identity of the buildings. Secondly, the new development is large in relation to its plot, whereas the characteristic pattern of the Conservation Area is of small buildings in large plots. The proposal would also create a backland form of development and disrupt the characteristic layout of the Conservation Area. The appearance of the area would also be adversely affected, since the plot is readily visible from High Green, particularly where the road rises for the railway bridge. The importance of this view is indicated on the Conservation Area Appraisal map. Although it is true that new backland development has already occurred to the south of the site, the setting of listed buildings is not at stake there as in the present case.
15. **The Local Highways Authority** raises no objections subject to the provision of 2m x 2m pedestrian visibility splays, and adequate parking and turning space, within the curtilage of the property. Additionally, it is noted that the car parking spaces should measure 2.5m x 5m, and that single covered parking areas should have a minimum internal measurement of 6m x 3m, with a minimum opening of 2.2m.
16. **The Trees Officer** raises no objections to the loss of the walnut tree.

## **Representations**

17. Letters of objection have been received from the occupiers of Nos.19, 19a, 23 (Top Barn) and 25 (The Oat Barn) High Green. The following concerns have been raised:
- i. The submitted Design, Access and Heritage Statement is contradictory in that, in one section, it refers to the dwelling at No.19a being twice the size and height of the proposed dwelling, then, elsewhere, states the proposed dwelling would be the same height as that at No.19a. The properties would actually be similar in height.
  - ii. Due to the height and scale of the dwelling, it would result in a loss of privacy, light and outlook to No.19 High Green, whose outlook is already affected by the recently constructed dwelling at No.19a.
  - iii. The first floor window on the south-east elevation would overlook No.19a.
  - iv. Due to the height of the building, it would result in a loss of light, and evening sunlight, to the garden of No.19a, and dominate the outlook from No.19a.
  - v. Contrary to the information in the supporting statement, the height of the main ridge of No.19a was not raised by 2 metres. The roof of the garage wing was raised by around 2 feet.
  - vi. The proposed dwelling is too large for the plot and has very little remaining land for garden/amenity purposes. The adjacent development at No.19 took advantage of a much larger garden area and is not sited within the immediate context of the historic group of buildings at De Freville Farm.
  - vii. The dwelling would result in a loss of light to No.25 High Green's kitchen/breakfast room.
  - viii. The De Freville Farm area is described in the Village Design Statement as being one of the most attractive and distinctive parts of Great Shelford. It comprises a number of Listed Buildings. Due to the size and height of the new dwelling, it would change the overall setting of the area and harm the setting of listed buildings, notably No.21 itself.
  - ix. The development fails to preserve or improve the character of the area.
  - x. The development would be intrusive in views across High Green of the open countryside beyond.
  - xi. The proposed dwelling falls wholly or partially in the Green Belt and would therefore result in inappropriate development in the Green Belt.
  - xii. The Parish Council has previously raised concerns with the District Council that the garden room might become a separate dwelling. No.21 has recently been marketed as a dwelling with separate studio/annexe.
  - xiii. The application fails to show the location of the parking areas. The plans are also inaccurate (doors and two roof lights omitted), no reference is made to foul sewage details.



- xiv. The application would result in the loss of a tree, but no tree survey has been provided.
- xv. The rooflights appear to be higher than fire regulations would allow.
- xvi. The access to the site, included within the site edged red, is owned by No.25 High Green.
- xvii. The submitted Design, Access and Heritage Statement lacks detail and fails to address the impact of the proposal upon the setting of adjacent listed buildings.

## **Planning Comments – Key Issues**

### ***Principle of the Development***

- 18. The rear part of No.21 High Green's garden is located within the countryside and Green Belt. It has only recently come to light, in the information provided with the application and the photographic evidence supplied by No.25 High Green, that the applicant purchased the parcel of land sited outside the framework from De Freville Farm in 2004 and incorporated it into the garden. No planning permission to change the use of the land has ever been received, although it could be argued that the garden use has been regularised by default through the permissions for the garden room and its subsequent extension. This background is offered as an explanation for the reason behind the framework boundary cutting through the middle of No.21 High Green's garden area.
- 19. The village framework boundary cuts through the proposed dwelling, but the vast majority of the structure would be sited within the countryside and Green Belt. Only the single-storey cart lodge/store and approximately 2 metres of the adjacent two-storey element would be situated within the framework. Whilst Policy HG/8 gives some in-principle support to the creation of new dwellings in the Green Belt through the conversion of existing buildings (albeit very much as a last resort), it does state that extensions to such buildings will not generally be permitted unless it is necessary for the benefit of the design. The extension of the existing outbuilding in order to create a new dwelling would be contrary to Policy DP/7 and represents inappropriate development in the Green Belt by definition, contrary to Policy GB/1. Whilst Top Barn and The Oat Barn are dwellings sited within the Green Belt, these have been created through the conversion of redundant agricultural buildings, for which there is in-principle policy support.

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

- 20. Notwithstanding the in-principle objections to erecting a new dwelling in this location, sited predominantly within the Green Belt, it is evident, from the concerns raised by the Conservation Manager, that the development would also seriously harm the setting of adjacent Listed Buildings and the character and appearance of the Conservation Area. The buildings on this side of High Green are referred to within the Village Design Statement and within the Conservation Area Appraisal for Great Shelford as being of particular importance to the character of the area, whilst the accompanying map, notes key views across the De Freville farm complex of the countryside beyond. From the railway bridge and road, the site can clearly be seen in the context of adjacent Listed Buildings at Nos. 21, 23 (Top Barn) and 25 (The Oat Barn) High Green. The erection of a dwelling in this location, particularly of the

height and scale proposed, would harm the rural setting of No.21 and the adjacent converted agricultural buildings, and would also harm (rather than preserve or enhance) the character and appearance of the Conservation Area. Whilst a dwelling has recently been approved and constructed to the rear of No.19 High Green, this is sited within the village framework and is not seen in the immediate context of the listed buildings at Nos. 21, 23 and 25 High Green. Certainly, the approval for this dwelling is not considered to set a precedent for development of the application site.

### ***Residential Amenity***

21. Concerns have been raised by the occupiers of Nos. 19, 19a and 25 High Green in respect of the impact of the development upon their residential amenities.
22. With regards to No.19 High Green, this dwelling has a first floor bedroom window and ground floor office window within the south-western end of a wing sited adjacent to the boundary with No.21 High Green. These rooms also have windows in the south-eastern elevation, and the main patio/sitting-out area is on the southern side of this wing. The two-storey element of the proposed dwelling would be sited approximately 20 metres away from No.19's rear wing and approximately 25 metres from the patio area. Whilst it is acknowledged that the proposed dwelling would be visible from No.19's rear windows and garden, it is considered that it would be sited sufficiently far away to avoid any serious loss of light or outlook to the occupiers of this property.
23. Turning next to the impact of the development upon the amenities of occupiers of the new dwelling at No.19a High Green, the proposal seeks to erect a 6.6 metre high property immediately adjacent to the boundary with this new dwelling. Due to the height of the dwelling, and its proximity to the common boundary, the dwelling would be unduly oppressive and overbearing when viewed from No.19a's rear garden area, and would also result in a loss of evening sunlight to the garden. The application has been amended to show that the rooflight facing this direction would be obscure glazed. In order to prevent overlooking into No.19a's garden, the opening would also need to be fixed shut, and this could be controlled by way of a planning condition.
24. The occupiers of No.25 High Green (The Oat Barn) have expressed concern on the grounds that the dwelling would result in a loss of light to their kitchen windows. These windows are at ground floor level and face south-westwards towards this property's parking and garden area. The two-storey element of the proposed dwelling would be sited approximately 25 metres to the south-west of the nearest window and, whilst it would be visible from this window, would not result in a demonstrably harmful loss of light to, or outlook from, the kitchen. This property's main private garden is located to the south of the property directly opposite the proposed dwelling. The proposed house includes three rooflights in the front elevation that would overlook No.25's garden at a distance of 11 metres away. Whilst any overlooking harm could be prevented by requiring the openings to be obscure glazed and fixed shut, two of the windows serve bedrooms and would probably need to be positioned sufficiently low in the roofspace to provide a means of fire escape and comply with Building Regulations. In the absence of any cross sections to indicate whether the openings would be at a high level, and any information to suggest they would be fixed and obscured, the impact upon the amenities of occupiers of No.25, by reason of overlooking of the garden area, is considered to be unacceptable.

### ***Trees***

25. The proposed dwelling would result in the loss of a walnut tree. Whilst the application has not been accompanied by an arboricultural assessment, the removal of this tree is clearly annotated on the drawing. The Council's Trees Officer has consequently been consulted, and has raised no objections to the loss of this tree.

### ***Infrastructure Requirements***

26. 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 provision of indoor community facilities, and the provision of household waste receptacles. For the three-bedroom dwelling proposed, this results in a requirement for contributions of £3,104.38 towards open space, £523.93 towards community facilities, and £69.50 towards household waste receptacles. The applicant has been asked to confirm, in writing, agreement to the payment of these contributions. In the absence of any such agreement, this would form an additional reason for refusing the application.

### ***Other Matters***

27. Further to the response received from the owners of The Oat Barn regarding ownership of the access shown within the site edged red, the applicant has subsequently served notice on the owners and signed and completed Certificate B. The application has been redated accordingly.
28. The originally submitted drawings were inaccurate in that rooflights on the existing building were not shown on the elevations, first floor plan and roof plan, the proposed rooflights were not shown on the first floor plan and roof plan, and the door to the dining room was not denoted on the side elevation drawing. The plans have been amended to address these inconsistencies.

### ***Recommendation***

29. Refusal, as amended by rear elevation drawing, block plan and floor plans:
  1. The proposed dwelling would be sited on land located predominantly outside the Great Shelford village framework and within the countryside and Green Belt. The erection of a new dwelling in such a location represents inappropriate development in the Green Belt by definition, contrary to Policy GB/1 of the South Cambridgeshire Local Development Framework 2007, and also contravenes LDF Policy DP/7, which states that, outside village frameworks, only development for agriculture, horticulture, forestry, outdoor recreation and other uses that need to be located in rural locations will be permitted.
  2. Notwithstanding the in-principle objection to the erection of a dwelling in this location, the site forms part of the verdant, rural setting of a number of Grade II Listed Buildings in the immediate vicinity, Nos. 21, 23 and 25 High Green. The importance of this group of buildings at De Freville Farm to the historic character of the area, and their prominence within the streetscape, particularly when viewed from the railway bridge, are identified within the Great Shelford Village Design Statement 2004 and within the 2007 Conservation Area Appraisal. By virtue of the proximity of the site to these buildings, together with the height, scale and mass



of the proposed dwelling, the development would seriously harm the open and rural character of the area, the setting of the adjacent Grade II Listed Buildings at Nos. 21, 23 and 25 High Green, and the character and appearance of the Conservation Area. Consequently, the development would be contrary to Policies DP/3, CH/4 and CH/5 of the adopted South Cambridgeshire Local Development Framework 2007, which state that development will not be permitted if it would have an unacceptable adverse impact upon village, countryside and landscape character, upon the setting of Listed Buildings, and if it fails to preserve or enhance the character and appearance of Conservation Areas.

3. By virtue of the height and scale of the proposed dwelling, together with its proximity to the south-eastern boundary of the site, it would be unduly dominant and overbearing when viewed from No.19a High Green's rear private garden area, and would also result in a loss of evening sunlight to the garden. Additionally, the proposed rooflights in the front elevation of the dwelling would overlook the private rear garden of No.25 High Green, thereby resulting in a loss of privacy for the occupiers of this property. Consequently, the development would be contrary to Policy DP/3 of the South Cambridgeshire Local Development Framework 2007, which states that planning permission will not be granted for development that would have an unacceptable adverse impact upon residential amenity.

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

- 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: Great Shelford Village Design Statement; Development Affecting Conservation Areas; Open Space in New Developments; Listed Buildings; Trees and Development Sites; District Design Guide.
- Circular 11/95 and 05/2005
- Planning File References: S/0777/10/F, S/1043/08/F, S/1030/08/F, S/0512/07/F and S/1699/04/F.

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