

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

3 November 2010

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

S/1460/10 - HISTON

The Erection of a Staff Accommodation Building with Associated Landscaping and Alterations to the Existing Car Parking Arrangements at Etheldred House, Clay Street, Histon for Alison Simpson, Excelcare Investments Ltd.

Recommendation: Approve

Date for Determination: 19 October 2010

Notes:

This Application has been reported to the Planning Committee on the grounds that the Histon & Impington Parish Council recommendation of refusal conflicts with the officer recommendation.

Site and Proposal

1. Etheldred House is a residential care home located within the Histon Development Framework. The application site measuring 0.12 hectares, lies to the southeast corner of the care home site and 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 Burkett 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. The proposal comprises the erection of a one and half storey building to provide residential staff accommodation including eight bedrooms. The proposal would also involve the creation of a private residential garden to serve as amenity space for the building, additional landscaping and alterations to the site's existing parking layout.

Planning History

4. Planning application **S/1173/09/F** for the erection of a building for nursing accommodation was refused and dismissed on appeal on the grounds that the building would be visually prominent from the rear elevations of 22, 23 and 24 Burkett Way. The application was refused due to the detrimental impact upon the outlook and private amenity areas of properties to the rear of the proposed building within Burkett Way.

5. 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.

Planning Policy

6. **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/3 Renewable Energy Technologies in New Development

NE/6 Biodiversity

NE/15 Noise Pollution

SF/10 Outdoor Playspace, 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

7. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**

Trees and Development Sites, 2009

Biodiversity, SPD, adopted in July 2009.

Landscape in New Developments, SPD, adopted March 2010.

Open Space in New Developments, SPD, adopted January 2009.

District Design Guide, SPD, adopted March 2010

8. **Government Circulars:**

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.

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

9. **Histon Parish Council** – Recommend Refusal commenting that the level of accommodation for 8 members of staff (but up to 16 due to double rooms) could result in parking and noise issues that would impact upon neighbouring properties, particularly in summer months from open windows and mechanical ventilation. The use of mechanical ventilation onto the boundary with Burkett Way could result in excessive noise from fans. The original approved district nursing building was single storey only and to be used during the day only.
10. **Landscape Design** – No comments have been received.
11. **Environmental Health** – No comments have been received.

Representations

12. Two letters of representation have been received from nos. 23 and 25 Burkett Way, which raise concerns over the following issues:
- (a) The 24 hour use of the building will generate noise through the nature of unsociable working hours;
 - (b) The use of mechanical ventilation upon the southeast elevation could cause noise at unsociable hours;
 - (c) The application fails to address that the site abuts a public footpath;
 - (d) Noise from the current building is disturbing, therefore an additional building within closer proximity to Burkett Way would exacerbate this issue.

Notwithstanding the above, one letter comments that it is pleasing to see that the current application has moved the structure away from the boundary, reduced its ridge height, provides landscaping and would use more colourful red plain roof tiles.

Planning Comments – Key Issues

13. The key issues to consider in this instance are the impact of proposals upon the residential amenity of neighbouring dwellings, the public realm, car parking provision, public open space and community infrastructure provision.

Public Realm

14. The proposed building would replicate the form of the existing care home and previously approved districted nurse's centre through its low-lying, hipped/flat roof form and buff facing brick elevations and use of dormer windows to facilitate first floor accommodation. The building would only be clearly visible from the public footpath that runs along the site's eastern boundary fence (approximately 1.8m high) and this would mainly involve views of the side and rear of the building comprising in the main of its roof. The proposal would be 0.60m higher than the original approved structure but with dormer windows in the front elevation and 1.2m lower than the refused design. Given the modest proportions of the building and its increased distance from the public footpath (5m) the building would have an acceptable impact upon the public realm.
15. The proposal would be sited off the boundary to the adjacent public footpath and would therefore allow for a planting scheme along this boundary. This detail will be secured by condition and would provide a visual screen and green backdrop to the site to the enhancement of the public realm and surrounding residential amenity.

Car Parking Provision

16. The original planning approval contained 29 car parking spaces. This proposal would not deplete this number of car parking spaces but would involve a use whereby 8 members of staff could be located onsite over night. The previously approved 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. A condition will be added to the permission to ensure that the building's use is solely ancillary to the primary use of the site as a care home.

Residential Amenity

17. The proposal comprises of a building of a similar scale to that previously approved, which could still be implemented. However, the proposal would involve first floor accommodation with the building being 0.60m higher than that originally approved and the building's location would be sited 5m away from eastern boundary. Furthermore, the building would provide accommodation with staff occupying the structure throughout the day and night. Despite the building's increase in height to that previously approved, the structure would be located approximately 21m away from the rear elevations of properties within Burkett Way. This distance would adhere to the South Cambridgeshire Design Guide, SPD, 2010, 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 the provision of additional landscaping to be secured by condition. In light of the above the proposed building is considered to result in no significant impact upon the amenities currently enjoyed by the neighbouring properties through loss of daylight/sunlight or by way of an overbearing visual impact.
18. Notwithstanding the above, the use of the proposed building would introduce residential activity to an area where there was previously approved to be very little human activity. In addition the building may require forms of mechanical ventilation upon its rear elevation facing properties in Burkett Way. Both of these issues have raised concern locally with regard to the potential for noise and disturbance to nearby residential properties. The previously refused application for staff accommodation was not refused on the grounds of potential noise and disturbance nor did the inspector upon appeal raise this matter. It is considered that the building would not be fully in use at any one time with occasional use of the private garden areas due to shift patterns of working. Furthermore, the building would contain no windows facing the residential properties in Burkett Way to the east. A condition requiring details of plant and machinery will ensure that any form of ventilation is agreed in writing in consultation with the Council's Environmental Health Officers prior to development commencing on site. In light of the above it is considered that the proposal would not result in any noise or disturbance to the detriment of local residential properties than would normally be found within a residential area.

Infrastructure

19. The proposal would provide a four+-bedroom property and in order to meet the requirements of this development in respect of the increase in the capacity of occupants to the village the proposal would require the provision of an off-site contribution towards off-site public open space within the village. This has been calculated at £11,901.13 (Index-Linked). In addition the development would also require a contribution towards community infrastructure for the village by way of a commuted sum of £4,641.76 (Index-Linked). The applicant has agreed to these payments, which will be secured by way of condition.

Conclusion

20. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should be granted in this instance.

Recommendation

21. 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. The development hereby permitted shall be carried out in accordance with the following approved plans: EOS10061-03 & EOS10061-01.**
(Reason – To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990).
- 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 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 first 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 take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges**

and shrub planting, which shall include details of species, density and size of stock.

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

- 8. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting or replacement planting, or plant, is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.**

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

- 9. The building, hereby permitted, shall not be occupied until details of a scheme for the provision of outdoor sports, play, informal open space and community infrastructure to meet the needs of the development in accordance with Policies DP/4, SF/10 and SF/11 of the Local Development Framework Development Control Policies 2007 has been submitted to and approved in writing by the LPA.**

(Reason - To ensure the development provides a suitable level of public open space for occupants of the development, in accordance with Policies DP/4, SF/10 and SF/11 of the South Cambridgeshire Local Development Framework 2007.)

- 10. The materials to be used for the development, hereby permitted, shall accord with the specification in the application form and approved plans, unless otherwise agreed in writing by the Local Planning Authority.**

(Reason – To ensure the appearance of the development is satisfactory in accordance with Policies DP/2 and DP/3 of the adopted Local Development Framework 2007.)

- 11. Details of the location and type of any power driven plant or equipment including equipment for heating, ventilation and for the control or extraction of any odour, dust or fumes from the building but excluding office equipment and vehicles and the location of the outlet from the building of such plant or equipment shall be submitted to and approved in writing by the Local Planning Authority before such plant or equipment is installed; the said plant or equipment shall be installed in accordance with the approved details and with any agreed noise restrictions.**

(Reason - To protect the occupiers of adjoining buildings (dwellings) from the effect of odour, dust or fumes in accordance with Policy NE/16 of the adopted Local Development Framework 2007.)

- 12. The building, hereby permitted, shall not be occupied at any time other than for purposes ancillary to the use of the residential care home known as Etheldred House.**

(Reason - To protect the amenities of adjoining residents in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

Informatives

1. In relation to Condition 9 above, the provision of recreational and community infrastructure to meet the needs of the development, in accordance with Policies DP/4 and SF/10 of the South Cambridgeshire Local Development Framework, Development Control Policies DPD, 2007 amounts to a financial contribution of £16,542.89 (index-linked) as calculated at the date of this decision. The applicant has agreed to such a contribution and a document under S106 (Scheme) is required to secure this.
2. See attached Environment Agency advice regarding soakaways.

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

- South Cambridgeshire Local Development Framework Development Control Policies, DPD, 2007
- South Cambridgeshire LDF Supplementary Planning Documents (SPD):
- Planning Files Ref: S/1173/09/F and S/1460/10

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