

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

3 November 2010

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

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### **S/1304/10 – LANDBEACH**

**Erection of Dwelling and Conversion of Existing Dwelling to Garaging/Stores/Ancillary Accommodation at 56 High Street for Mr & Mrs S. Barry**

**Recommendation: Approval**

**Date for Determination: 14 October 2010**

#### **Notes:**

**This application has been reported to the Planning Committee for determination as the officer recommendation conflicts with the Parish Council recommendation.**

#### **Site and Proposal**

1. The site is located within the Landbeach village framework and partly within and partly outside the conservation area. No. 56 High Street is a detached, two-storey, , two bedroom, gault brick and tile dwelling that is situated gable end to the road with its side elevation abutting the northern boundary with No. 54 High Street. Access is to the south via a shared driveway with the adjacent bungalow at No. 60 High Street. A number of single storey outbuildings are situated within the garden area to the west (rear). Open Green Belt land lies beyond the garden.
2. This full planning application, received 19 August 2010, proposes the erection of a detached, two-storey, barn style dwelling with a brick plinth/ weatherboard walls and slate roof. It would be set back over 50 metres from the road to the rear of Nos. 56 and 60 High Street. The existing dwelling at No. 56 High Street is proposed to be converted to garaging/stores and ancillary accommodation. The shared access will remain as existing. Proposed planting includes a new native hedge to replace the wall along the front boundary, new hedges along the northern and southern boundaries, and a row of native trees to replace the existing leylandii along the rear boundary of No. 60 High

#### **Planning History**

3. A planning application (**reference S/0834/10/F**) for the erection of a detached, two-storey dwelling of a similar design was withdrawn in July 2010.

#### **Planning Policy**

4. Local Development Plan Policies:

**South Cambridgeshire LDF Core Strategy DPD, 2007:**  
**ST/7 Infill Villages**

**South Cambridgeshire LDF Development Control Policies DPD, 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/3** Mitigating the Impact of Development Adjoining the Green Belt

**CH/5** Conservation Areas

**NE/6** Biodiversity

**NE/11** Flood Risk

**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

South Cambridgeshire LDF Supplementary Planning Documents (SPD):

Open Space in New Developments SPD - Adopted January 2009:

**Development Affecting Conservation Areas SPD** - Adopted January 2009

**Biodiversity SPD** - Adopted July 2009

**Landscape in New Developments SPD** - Adopted March 2010

**District Design Guide SPD** - Adopted March 2010

5. National Planning Guidance

**Planning Policy Statement 1** (Delivering Sustainable Development)

**Planning Policy Statement 3** (Housing)

**Planning Policy Statement 5** (Planning for the Historic Environment)

6. Circulars

**Circular 05/2005** Planning Obligations

**Circular 11/95** The Use of Conditions in Planning Permissions

**Consultation**

7. **Landbeach Parish Council** – Recommends refusal and comments that there are concerns about the proposal for a large backfilled development as it would set a precedent in the village for further back filled development and a house would be lost to become a garage. This is not an extension but a completely new build. It does against the village planning criteria that states Landbeach is an infill only village. Historically, there are two other refusals in the High Street for back development, permission was granted for a new dwelling but the applicant had to bring the footprint in line with other High Street properties, although the applicants preference was to build much further back on the land.
8. **Local Highways Authority** – Has no objections providing the ancillary building is not used as living accommodation.
9. **Conservation Officer** – Recommends approval and makes the following comments  
56 High Street dates from the nineteenth century or earlier and is within the Landbeach Conservation Area. The house has had unsympathetic alterations during the twentieth century that have almost entirely hidden the evidence of its historic appearance, and the proposal is to reinstate original features such as original doorways and window openings as part of the redevelopment of the site.

The proposed dwelling is intended to respond to the agricultural roots and history of the site as a group of buildings set back from the site frontage. Its form follows pre-application discussions and overcomes the primary concerns previously expressed.

Requests conditions in relation to materials, details of the porch, windows, doors, eaves and verge, a scheme for the alterations and reinstatement of original features of the existing house, and removal of permitted development rights for fences & means of enclosure, dormers, porches, windows/doors.

10. **Trees and Landscape Officer** – Has no objections.
11. **Landscape Design Officer** – Requests a landscape condition to cover the proposed new tree and hedge planting.
12. **Ecology Officer** – Has no objections and comments that the dwelling does not appear to be old and is constructed from modern building methods, and the outbuildings are constructed from metal sheeting. The opportunities for roosting bats are limited. Requests condition for scheme of ecological enhancement i.e. bird boxes.
13. **Environmental Health Officer** – Comments are awaited.

#### **Representations**

14. The occupiers of **Nos. 30/32, 50A, 55, 60 and 63 High Street** support the application. Comments include that the new dwelling is well designed and appropriate for the site, and that the alterations to the existing cottage and site frontage will enhance the area.

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

15. The key issues to consider in the determination of this application are the principle of the erection of one dwelling on the site and the impacts of the development upon the character and appearance of the conservation area, the visual amenity of adjacent Green Belt land, highway safety, and the amenities of neighbours.

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

16. The site is located within the village framework of an infill village where the erection of one dwelling is acceptable in principle subject to all other planning considerations.
17. The site measures 0.47 of a hectare in area. The proposed density of the development would equate to 2 dwellings per hectare. Whilst it is acknowledged that this would result in a very low density that would not meet the requirements of 30 dwellings per hectare under Policy HG/1 and make the most efficient use of land, it is considered appropriate given the sensitive location of the site within the conservation area and adjacent open Green Belt land and the character of the surrounding area. It also reflects recent advice in Planning Policy Statement 3 (Housing) that seeks to resist the development of rear gardens in order to protect the character and appearance the surroundings.
18. Policy DP/7 of the LDF does not restrict new residential developments to infill between existing dwellings. Given that there are already a number of existing dwellings set back from the High Street, particularly in close proximity to the site at No. 50A High Street, such development is considered satisfactory in relation to the pattern of development in the area.

### ***Character and Appearance of the Conservation Area and Visual Amenity of Adjacent Green Belt***

19. The previous application was withdrawn due to the objection from the conservation officer in relation to the details of the new dwelling and alterations to the existing dwelling.
20. The scale, form, design, details and materials of the new dwelling are now considered appropriate and responds to the agricultural roots and history of the site as a group of buildings set back from the site frontage.
21. The proposed alterations to the existing cottage are considered to bring it back to its original state and enhance the character and appearance of the conservation area.
22. Conditions will be attached to any consent to agree samples of materials, details of the porch, windows, doors, eaves and verge, a scheme for the alterations and reinstatement of original features of the existing house, and removal of permitted development rights for fences and means of enclosure, dormers, porches, windows/doors.
23. Although it is noted that the proposed dwelling would be closer to the Green Belt than the surrounding dwellings, it is not considered to harm its visual amenity, as it would be set off the boundary, have the appearance of an agricultural building, and be screened by landscaping.

### ***Trees and Landscaping***

24. The proposal would not result in the loss of any important trees. Whilst the existing leylandii trees along the boundary with the neighbour at No. 60 would be lost, they would be replaced with a row of new trees that would be more appropriate to the rural character and appearance of the area. The existing low wall along the front boundary would be replaced with a native hedge. The proposed landscaping scheme would be a condition of any consent.

### ***Highway Safety***

25. The proposed development is not considered to be detrimental to highway safety. Whilst it is acknowledged that the existing access does not currently meet local highway authority standards as the width and vehicular visibility splays are substandard, it is considered acceptable as its use would not be intensified as a result of the development and the existing situation would remain i.e. one household.

### ***Neighbour Amenity***

26. The proposed dwelling would not be unduly overbearing in mass or result in a significant loss of light to neighbours, given its siting in relation to the surrounding properties. The dwelling would be positioned 6 metres from the boundary with No. 60 High Street and orientated to the west, 1.5 metres off the boundary with No. 52 High Street and orientated to the south, but adjacent a parking area, and 6 metres off the boundary with the new development and orientated to the north west.
27. The proposed dwelling would not lead to overlooking that would result in a severe loss of privacy to the neighbours. The first floor windows in the front elevation would be set off the boundary with No. 60 High Street by 16 metres, behind a tree screen, and serve the landing and bathroom which are non-habitable rooms.

28. The proposed alterations to the existing cottage would not materially change the impact of the development with respect to the amenities of neighbours.
29. A condition will be attached to any consent to control the hours of use of power operated machinery during demolition and construction to ensure the development would not result in an unacceptable level of noise and disturbance to neighbours.

### ***Developer Contributions***

30. The South Cambridgeshire Recreation Study 2005 identified a shortfall of play space within Landbeach. No such space has been provided on site. The increase in demand for playspace as a result of the development therefore requires a financial contribution of £2,014.00 (index linked) towards the provision and management of open space off-site and within the village to comply with Policy SF/10 of the LDF. This would be secured via a legal agreement that would be a condition of any consent. The agent has confirmed that the applicant would be willing to contribute towards this requirement.
31. The South Cambridgeshire Community Facilities Assessment 2009 states that Landbeach has indoor community space that is of a good standard, although some investment in the near future may be required. Due to the increase in the demand for the use of this space from the development, a financial contribution of £339.91 (index-linked) is sought towards the provision of new facilities or the improvement of existing facilities in order to comply with Policy DP/4 of the LDF. This would be secured via a legal agreement that would be a condition of any planning consent. The agent has confirmed that the applicant would be willing to contribute towards this request.
32. A contribution towards waste receptacles is not required in respect of this development, as the existing bins for No. 56 would be used.

### ***Other Matters***

33. The use of the existing cottage will be limited by a condition of any consent to be occupied as accommodation ancillary to the new dwelling.
34. There are no local development plan policies that seek to retain the existing dwelling, but the new dwelling would be a replacement due to the change of use of the existing dwelling to an ancillary outbuilding.

### ***Conclusion***

35. 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***

36. Approval subject the following conditions and informatives are suggested:

### ***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: 1:1250 site location plan and drawing numbers 10/1248:001 Revision B, 002 Revision B, 003 Revision B, and 005 Revision B.**  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
- 3. No development shall take place until samples 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. The samples shall include the bricks, render colour and texture, a panel of flintwork with brick quoins, and weatherboard for the walls, and tiles for the roof of the dwelling and garage. Development shall be carried out in accordance with the approved details.**  
(Reason - To ensure the development preserves the character and appearance of the conservation area in accordance with Policy CH/5 of the adopted Local Development Framework 2007.)
- 4. No development shall commence until detailed drawings at a scale of 1:10 of the porch, windows, doors, and eaves and verge have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.**  
(Reason - To ensure the development preserves the character and appearance of the conservation area in accordance with Policy CH/5 of the adopted Local Development Framework 2007.)
- 5. No development shall commence until a scheme for the alterations and reinstatement of original features of the existing house have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.**  
(Reason - To ensure the development preserves the character and appearance of the conservation area in accordance with Policy CH/5 of the adopted Local Development Framework 2007.)
- 6. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the dwelling is occupied in accordance with the approved details and shall thereafter be retained.**  
(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 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, any tree 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. No development shall take place until a scheme of ecological enhancement has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the features to be enhanced, recreated and managed for species of local importance both in the course of development and in the future. The scheme 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.**

(Reason - To enhance ecological interests in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)
- 10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development within Classes A, B and D of Part 1 and Class A of Part 2 of Schedule 2 of the Order shall take place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.**

(Reason – To preserve the character and appearance of the conservation area in accordance with Policy CH/5 of the adopted Local Development Framework 2007.)
- 11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, doors or openings of any kind shall be constructed in the first floor north elevation or roof slope of the ancillary building unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.**

(Reason - To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- 12. The existing cottage shall not be occupied at any time other than for purposes ancillary to the residential use of the new dwelling subject to this planning permission.**

(Reason - To protect the amenities of adjoining residents in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- 13. During the period of demolition and construction, no power operated machinery shall be operated on the site before 08.00 hours and after 18.00 hours on weekdays and before 08.00 hours and after 13.00 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.)

- 14. No development shall begin until details of a scheme for the provision of recreational and community services infrastructure to meet the needs of the development in accordance with adopted Local Development Framework Policies SF/10 and DP/4 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 and community services infrastructure in accordance with the above-mentioned Policies SF/10 and DP/4 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 commence, a statement of the method of construction for these foundations shall be submitted and agreed by the Environmental Health Office so that noise and vibration can be controlled.
3. During construction, there shall be no bonfires or burning of waste on site except with the prior permission of the District Environmental Health Officer in accordance with best practice and existing waste management legislation.

**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 Local Development Framework Supplementary Planning Documents: Development Affecting Conservation Areas, Open Space in New Developments, Biodiversity, Landscape in New Developments, and District Design Guide
- Planning Policy Statements 1, 3 and 5
- Planning File References: S/1304/10 and S/0834/10/F

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