

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

1 December 2010

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

S/1609/10 - BARRINGTON

**Erection of a new ecological dwelling. - 36, High Street, Barrington
for Mr Christopher Taylor**

Recommendation: Delegated Approval

Date for Determination: 17 November 2010

Site and Proposal

1. The application site is land to the North (rear) of the Guildhall, a Grade II listed dwelling which faces the Green. The land falls within both the Barrington Conservation Area and the Protected Village Amenity Area (PVAA). There is an existing vehicle access serving the Guildhall on the West side of the frontage with a late 20th Century detached carport and area of hardstanding, as well as a privy on the East side of the Guildhall. The rear garden and land behind the existing dwelling is heavily wooded. There are neighbouring dwellings fairly close to the Western boundary of the site for its full depth, and one dwelling adjacent to the Eastern side boundary set back from the building line created by the Guildhall by approximately 20 metres.
2. The proposed development is the erection of a detached dwelling on land to the rear (North) of the dwelling known as The Guildhall including the construction of a pedestrian path from the existing vehicular access and parking area for The Guildhall to the new dwelling. The vehicular access and parking area would be shared by both properties.

Relevant Planning History

3. *S/1455/09/F* – Planning permission was refused for the erection of an Ecological Dwelling, Carport and Store with New Access at Land to the North of 36 High Street, Barrington, on the grounds of impact on the character and setting of the Listed Building (The Old Guildhall), the Conservation Area and the special character of the PVAA and because it failed to make sufficient provision for the additional burden the development would place on open space within the village.
4. An appeal against the refusal was dismissed by a planning inspector in April 2010, although the grounds on which he dismissed the appeal were more limited than those given by the Local Planning Authority (LPA) in its original reasons for refusal.
5. *S/0613/09/F* – Planning permission was refused for largely the same development as proposed in the *S/1455/09* application on the same grounds as above and in addition because it was considered that the application failed to adequately consider the impact of the development upon the biodiversity value of the site.

Policies

DP/2 – Design of New Development
DP/3 – Development Criteria
DP/7 – Village Frameworks
HG/1 – Housing Density
NE/1 – Energy Efficiency
NE/6 – Biodiversity
NE/9 - Water Drainage and Infrastructure
CH/4 – Development within the Curtilage or Setting of a Listed Building
CH/5 – Conservation Areas
CH/6 – Protected Village Amenity Areas (Combined with Local Plan 2004 Policy SE10)
SF/10 Outdoor Playspace, Informal Open Space, and New Developments
SF/11 – Open Space Standards
TR/2 - Car and Cycle Parking Standards

Consultations

6. *Barrington Parish Council* – recommends refusal on the following grounds:
 - Impact on the Back Lane PVAA;
 - Impact on the setting of the Listed Building (The Guildhall);
 - Car parking provision and access;
 - Impact on the Conservation Area;
 - Inadequate disabled access;
 - Impact on neighbouring properties;
 - Fire Brigade access.
7. If permission is granted, it also requests that the local planning authority ensures Open space contributions are made towards a proposal to improve the play equipment in Challis Green.
8. *Conservation Team* – This application follows previous refusal and subsequent dismissal of an appeal, but the Inspector left open the principle of this house in the woodland, provided landscaping was controlled to screen it. The dismissal was on the basis of the access drive. The applicant has therefore omitted an access drive from the scheme, although there is some conflict in the Heritage Statement, which still describes a 2.7M wide gravelled access drive and gates, which should be specifically omitted from any approval.
9. The conclusion of the Conservation Officer is that the provided landscaping, boundary treatments, hardstanding, access points, materials and the works to the existing carport are controlled, the application can be approved.
10. *Trees Officer* – does not object to the development, but comments that tree protection as specified in the arboriculture report must be in situ prior to any development on site.

11. **Ecology Officer – is satisfied on the basis of the information provided in the application, that the proposed development would not impact on protected species in the area and that general biodiversity impact would be minimal. Requests conditions relating to disposal of spoil, implementation of biodiversity enhancement and bird breeding.**

Representations

12. Four letters of objection have been received from owners/occupiers of the properties at 9 Back Lane, 34 High Street, 4B West Green and 4C West Green regarding the following issues:
- Harm to the setting of the Listed Old Guildhall and the Conservation Area;
 - Harmful impact on the Protected Village Amenity Area;
 - Impact on trees on site;
 - Inappropriate design;
 - Impact on residential amenity from visual intrusion, overlooking and noise and disturbance;
 - Increase in traffic across green, arising from extra household;
 - Undesirable precedent for future development;
 - Perceived inaccuracy of ecology survey;
 - Requirement for contributions under policy SF/10 should be on the basis of a 3 bedroom house not a 1 bedroom house.
 - Excessive length of pedestrian access
 - Emergency access

Planning Comments

14. The main planning considerations in this case are the principle of the development, the impact on the setting of the Listed Building, Conservation Area and PVAA, Parking and Highway Safety, Ecology, Trees, Residential Amenity and Public Open Space provision.

Principle

15. As the site is located within Barrington's Development Framework there is a general presumption in favour of residential development in this location, although given the site's location within the PVAA, Conservation Area and proximity to the Grade II Listed Building, the scheme for the dwelling has also had to address those constraints.
16. Where such constraints exist, policy HG/1 of the Local Development Framework allows the Authority to consider whether an exception can be made to the usual requirement for a density of 30 dwellings per hectare where there are exceptional local circumstances which require a different treatment. It is considered that the setting of the Listed Building and character and appearance of the Conservation Area and PVAA, constitute exceptional circumstances in this case.
17. It is considered that more than one dwelling would be likely to cause significant additional harm to the setting of the Listed Building, not just through its additional bulk, but also because of the need for extended areas of hardstanding for parking and access. Another dwelling would also have a greater impact on the character and appearance of the Conservation Area and would be more likely to adversely impact on the character, amenity, tranquility and function of the PVAA.

18. The proposed single dwelling is therefore considered to be acceptable in principle, despite being at a lower density than that ordinarily required by policy HG/1.

Impact upon Setting of Conservation Area, Listed Building and PVAA

19. In the consideration of previous applications, the LPA has taken the view that the proposed dwelling is within the setting of the Listed Building and that it, as well as a permanent vehicle access to the East side of the existing house, would have a harmful impact on that setting as well as the character and appearance of the Conservation Area, by providing a built form that would enclose the structure to the side and rear and providing a hard backdrop at odds with the current large, broadly treed setting. In addition, the LPA's view has been that the erection of any dwelling in the location proposed would erode the special tranquil, landscape character area that the PVAA is intended to protect by introducing a built form and associated traffic and other domestic activities into this currently undeveloped area.
20. However, in coming to a decision on the appeal against the most recent refusal of planning permission, a planning inspector took the view that the dwelling itself would not cause any significant harm to the setting of the Listed Building or the PVAA. This decision is considered to have material weight in the consideration of this similar proposal. Nonetheless, the inspector dismissed the appeal on the grounds that the creation of a new vehicle access to the East side of the Listed Building *would* harm the setting of the Listed Building as well as the character and appearance of the Conservation Area and the visual amenity of the area, contrary to the purposes of designating the site a PVAA.
21. As a result of this decision, the application has been resubmitted with the previously proposed permanent access to the East of the house removed and a new proposal to share the existing access and parking area for the Guildhall with the new dwelling. This would necessitate the removal of a lean-to element on the existing carport. A pedestrian path would lead from that parking area on the West side of the Guildhall to the new dwelling. The carport originally proposed next to the new dwelling has also been removed and a workshop and store added. The new access and parking arrangements as well as the proposed pedestrian path are considered to be acceptable in principle in terms of their impact on the setting of the Listed Building, character and appearance of the Conservation Area and PVAA but will need to be covered by condition for additional planted screening to ensure the acceptability of the scheme in the long term.
22. In light of the planning inspector's decision on the impacts of the proposed dwelling, it is now recommended that the house, as well as the proposed access and parking area be considered to be acceptable in terms of their impact on the setting of the Listed Building, Conservation Area and PVAA subject to conditions regarding the following matters:
- Details of landscaping scheme and its permanent retention;
 - Restrictions on additional boundary treatments or alteration to existing boundaries;
 - Restrictions on any additional access or alterations to the approved access;
 - Restrictions on alterations to hard surfacing other than as approved;
 - Removal of Permitted development rights for fencing, dormer windows, porches and new openings and alterations to openings;
 - Details of hard surfacing and boundaries including path and edgings and details of any alterations to existing boundaries;

- Samples of materials for external surfaces;
- Details of windows, doors, screens, eaves, verge, rooflight, canopy, to comprise 1:20 elevations and 1:5 sections;
- Details of the extent and details of alterations to existing garage and lean-to.

23. The proposed construction access would be through the existing gates in the picket fence to the East side of the frontage of the property. Potentially, the construction access may require the temporary removal of a section of the picket fence and/or the gates to ensure it is not damaged. This is not considered to cause significant harm, provided that the removal of the fence be carried out carefully and that there is a clear timescale for the removal of the temporary access and the reinstatement of the picket fence.
24. The proposed development is therefore considered to be acceptable in terms of its impact on the setting of the Listed Building, the character and appearance of the Conservation Area and the visual amenity of the PVAA.

Residential Amenity

25. The proposed dwelling would be some 35 metres from the nearest dwelling and it is not considered the built development would have any significant impact on the amenity of neighbouring residential properties. The first floor windows in the proposed property would not directly face neighbouring properties and it is not considered that there would be any significant overlooking of neighbouring properties.
26. The proposed parking and access arrangements, shared with the existing dwelling, are considered to be unlikely to cause any significant disturbance to any of the neighbouring properties. The pedestrian path to the dwelling would pass relatively close to the garden of No. 4b West Green, however given that it would not be used by motorised vehicles, it is considered that it would not cause any significant disturbance likely to affect the residential amenity of that property.
27. The proposed development is therefore considered to be acceptable in terms of its impact on residential amenity.

Parking and highway safety

28. The Highways Authority has previously commented that any shared access should be widened to 3 metres, however given that the existing access is adequate for vehicles to access the parking area and as the parking area is not significantly changing, albeit that more cars will use it, it is not considered necessary to widen the access. The gravelled access road to the front is quiet and it is not considered that either the sharing of the existing access or having cars reversing out of the driveway would have any significant impact on highway safety.
29. The proposed arrangements would provide two parking spaces for the new property and would retain the existing two bay car port as well as the hardstanding in front as parking for the Guildhall. Although slightly in excess of the Council's maximum parking standards of 1.5 spaces per dwelling the provision of two spaces is considered to be acceptable in this case and adequate for the likely needs of the property. The remaining car port and driveway parking spaces for the Guildhall are also considered to satisfy the parking needs of the property.

30. The pedestrian access is a relatively long distance from the vehicle parking area to the house itself and concern has been raised locally regarding the potential impact that pedestrian movements, particularly deliveries will have on neighbouring amenity. Whilst it is accepted that the pathway is longer than normal with a detached dwelling of this kind, a walk of 60 or 70 metres between a car parking area is common in other residential situations and it is not considered to be problematic in itself. The disturbance generated by the use of this pathway, which runs close to the boundary with a neighbouring bungalow, has been considered. Given that deliveries are likely to be relatively infrequent, it is not considered that the use of a trolley or similar on the pathway would be likely to cause any significant harm to neighbouring amenity. In terms of the daily use of the pathway by the occupiers of the property, it is also considered that these pedestrian movements would be very unlikely to have any significant impact on the residential amenity of the neighbours in terms of noise generated.
31. The Parish Council's response makes it clear that it may not grant the necessary permissions for either the temporary access or the dual use of the existing access. This is considered to be a civil matter between the applicant and the Parish Council/Green Charity Trustees. Whilst these issues over access may prevent the development going ahead, they are not considered to impact on the principle of the development or the acceptability of the access in terms of its impact on any material planning matters.

Ecology

32. The Ecological Survey has previously been examined by the Council's Ecology Officer, who is satisfied that subject to conditions relating to disposal of spoil, implementation of biodiversity enhancement and bird breeding, no harm to biodiversity would result from the proposed development.

Trees

33. The Council's Trees Officer is satisfied that the proposed development, as well as the temporary access and driveway for construction traffic will, if implemented in accordance with the recommendations of the Arboricultural report will not harm significant trees on site and will preserve the existing character of the site and the current levels of screening.

Open Space

34. The 2005 Audit and assessment of need for outdoor play space and informal open space showed that Barrington has a surplus of both sports pitches and play space. It also concluded, however, that the existing main pavilion was in poor condition and required updating.
35. The most recent previous application was also refused on the grounds that it failed to make sufficient provision for the additional burden upon open space within the village that would arise from residents occupying the development, as although Barrington has a surplus of open space provision in the village, the quality of these facilities is in poor condition and requires additional funding to service demand. At appeal, however, it transpired that the pavilion was in private ownership and the LPA accepted that it would not be appropriate to seek funds to spend on private property.
36. Since then, the Parish Council has suggested that there is an alternative scheme of upgrading the play equipment on Challis Green. The LPA is still considering this

aspect of the application and an update will be provided on the issue prior to the consideration of the application by the Planning Committee.

Fire Safety

37. The adequacy of the provisions for fire fighting at the proposed dwelling, given its distance from the public highway, are currently being checked with the Cambridge Fire and Rescue Service. The outcome of these discussions will be reported to members as an update.

Recommendation

38. Delegated powers to approve the application with conditions are requested, subject to the resolution of the outstanding issues regarding contributions to play space and open space and the confirmation from the Fire Service that the proposed emergency access arrangements are acceptable. Conditions relating to the following would be applied to any such permission:

- a) Time Limit for implementation
- b) Approved Plans
- c) Materials to be approved
- d) Details of windows, doors, screens, rooflights and canopy for the proposed dwelling in the form of 1:20 elevations and 1:5 sections
- e) Landscaping
- f) Landscaping implementation and retention
- g) Method statement for installation of temporary access including tree protection, its use and a timescale for its removal
- h) Additional details regarding removal of lean-to structure from existing garage
- i) Details of proposed boundary treatments, restriction on additional boundary treatments and alterations to existing treatments
- j) Restrictions on any additional access or alterations to the approved access
- k) Details of proposed hard surfacing and restrictions on alterations to hard surfacing other than as approved
- l) Removal of Part 1 and Part 2 permitted development rights
- m) Disposal of spoil from the site
- n) Scheme for biodiversity enhancement and bird breeding

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