

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

2 February 2011

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

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### **S/2078/10 – GREAT SHELFORD**

**Rear Extension to Residential Home to Provide Residents Accommodation at  
144 Cambridge Road for Mr Omar Kuwaider**

**Recommendation: Approval**

**Date for Determination: 4 February 2011**

#### **Notes:**

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

#### **Site and Proposal**

1. The site is located within the Great Shelford village framework. Shelford Lodge is a residential retirement home that is situated on the north eastern side of Cambridge Road. It is a detached, two-storey, brick and slate building that has been previously extended to the rear. Vehicular access to the site runs along the north western boundary adjacent No. 146 Cambridge Road. There is a parking area for approximately six vehicles beyond the access and a hard surfaced area that could be used for further parking to the rear of the building and two temporary structures (portakabin and mobile home). The land falls to the rear. A Tree Preservation Order covers the trees along the site frontage. Green Belt land lies to the north (rear).
2. No. 138 Cambridge Road, adjacent to the south east, is a two-storey dwelling that is set back from Cambridge Road in line with the rear section of the existing building on the site. It has habitable room windows in its rear elevation and a raised decked area to the rear adjacent the boundary. No. 146 Cambridge Road, adjacent to the north west, is a two-storey dwelling that is set closer to Cambridge Road than the most forward section of the building on the site. No. 140 Cambridge Road is a two-storey residential property that is situated to the north east (rear) of the site within the Green Belt. It has a number of secondary habitable room windows in the elevation facing the site and a small garden adjacent the boundary.
3. This full planning application, received 22<sup>nd</sup> November 2010, proposes the erection of a part single storey and part two-storey rear extension to the residential care home to provide 13 additional bedrooms for residents. The two-storey element of the building (14.6 metres long x 9.2 metres wide) would be situated beyond a single storey section (6.6 metres long x 11.7 metres wide) that links to the existing building. The development would be located at a lower ground level than the existing building and have a two-storey height of

9.1 metres and single storey height of 4.6 metres. It would be situated 9 metres off the boundary with No. 138 Cambridge Road, 8.4 metres off the boundary with No. 140 Cambridge Road, and 16.2 metres off the boundary with open Green Belt land. 15 parking spaces and a cycle store would be provided to the side and an amenity area would be provided to the rear. The existing temporary structures would be removed.

4. Additional information was submitted by the agent on 17<sup>th</sup> January 2011 that clarifies that as a result of the proposal there would 41 bed spaces in relation to the care home and no staff accommodation.

### **Planning History**

5. Planning permission was refused for an extension to provide additional accommodation for staff and residents under reference **S/0772/10** on the grounds of the impact upon the village character as a result of scale, bulk and mass, impact upon the adjoining Green Belt, and lack of parking.
6. Planning permission was approved for a staff accommodation block under reference **S/0685/09/F**. This permission has not been implemented to date.
7. Planning permission was refused for a staff accommodation block under reference **S/0685/09/F** on the grounds of a loss of privacy to the neighbour at No. 138 Cambridge Road through overlooking.
8. Planning permission was granted for temporary siting of a portakabin under reference **S/1018/04/F**.
9. A lawful development certificate for a mobile home was refused under reference **S/0181/03/LDC**.
10. Planning permission was granted for extensions to the building under references **S/2340/89/F**, **S/0189/87/F** and **S/1843/85/F**.
11. Planning permission was granted for change of use of No. 144 Cambridge Road to a retirement home under reference **S/1002/85/F**.

### **Planning Policy**

12. ***Local Development Plan (LDF) Policies***

**South Cambridgeshire LDF Core Strategy Development Plan Document (DPD), 2007:**  
ST/4 Rural Centres

**South Cambridgeshire LDF Development Control Policies Development Plan Document (DPD), 2007:**  
DP/1 Sustainable Development  
DP/2 Design of New development  
DP/3 Development Criteria  
DP/7 Development Frameworks  
GB/3 Mitigating the Impact of Development Adjoining the Green Belt  
NE/6 Biodiversity  
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):**

Trees & Development Sites SPD - Adopted January 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

13. ***National Planning Guidance***

Planning Policy Statement 1 (Delivering Sustainable Development)  
Planning Policy Guidance Note 2 (Green Belt)

14. ***Circulars***

Circular 05/2005 Planning Obligations  
Circular 11/95 The Use of Conditions in Planning Permissions

**Consultation on original plans**

15. **Great Shelford Parish Council** – Recommends refusal and makes the following comments: -  
“This amended design is 77% of the ground floor area of the extension that was refused in August but is still double the ground floor area of the approved extension and therefore we feel still represents overdevelopment of the site with minimal open space for residents. The reasons for refusal in S/0772/10 still apply as do the majority of our comments.”
16. **Local Highways Authority** – Requests that the application is refused in its present format as it is concerned about the significant under provision of on-site parking. Comments that the LDF would require the provision of 39 car parking spaces for staff and residents but whilst recognising that this is a maximum figure, the 62 % under provision is significant and could lead to a considerable increase of vehicle manoeuvring within the adopted public highway that would be detrimental to highway safety. The applicant needs to provide empirical data to support the low level of car parking to overcome the objection.
17. **Trees and Landscapes Officer** – Has no objections and comments that the trees on the frontage are covered by a Tree Preservation Order but should not be compromised by the proposal due to the existing access not being altered.
18. **Landscape Design Officer** – Comments are awaited.
19. **Environmental Health Officer** – Has concerns regarding noise and suggests a condition in relation to the hours of use of power operated machinery during construction. Also request an informative with regards to notification of a fire safety officer of the proposal before work commences.

**Consultation on amended plans.**

20. Comments are awaited and will be reported verbally at the meeting.

## **Representations**

21. The occupier of **No. 140 Cambridge Road** objects to the application on the grounds of overdevelopment of the site that is detrimental to the character and appearance of the area and insufficient separation to the boundary of the site with the Green Belt.
22. The occupier of **No. 138 Cambridge Road** objects to the application on the grounds of a loss of privacy to dwelling and garden area of the property and that obscure glazing would not be a long-term solution, impact upon the character and appearance of the area from a two-storey development within rear gardens, the siting, scale and proportion of the building is inappropriate for the site, insufficient garden and recreational areas for residents, unsatisfactory separation to the boundary of the Green Belt, and inadequate parking provision. Also comments that the temporary mobile home is still on site despite the expiry of the consent that it should be referred to enforcement.

## **Planning Comments – Key Issues**

23. The key issues to consider in the determination of this application are the impacts of the development upon the character of the village, visual amenity of the surrounding Green Belt land, the amenities of neighbours, and highway safety.

### ***Character of the Village***

24. The principle of backland development in the rear garden of the retirement home within the village framework has already been established by planning permission S/0685/09/F. This was considered acceptable and not out of keeping with the pattern of development in the area, given that there is an existing dwelling at No. 140 Cambridge Road that is situated immediately to the rear of the site and a commercial building that is also located in close proximity to the site and is set well back from Cambridge Road
25. Whilst it is acknowledged that the existing building has a substantial length and that the proposed extension would increase the mass of built form on the site, it is not considered to result in an unacceptable scale, bulk and mass. The building has been reduced in length and width from that previously refused planning permission and would be set back from the side elevation and not read in line with the existing building when viewed from the access. There would be a visual break between the two-storey elements in the form of the single storey link extension, and it would be set an adequate distance off all boundaries. It is not therefore considered to result in any harm to the character and appearance of the area or the amenities of neighbours through being unduly overbearing.

### ***Visual Impact Upon Adjoining Green Belt***

26. The building would be located 8.4 metres off the boundary with Green Belt land to the rear within which No. 140 Cambridge Road is located. Given that a building in this position was approved under reference S/0685/09/F albeit slightly lower in height, that it would be a satisfactory distance off the boundary, with screening, and that the Green Belt land is not open and

comprises a two-storey dwelling, it is not considered to adversely affect the openness or visually harm the character of the Green Belt.

27. The building would be located 16.2 metres off the boundary with the Green Belt to the side. Given that a building in this position was approved under reference S/0685/09/F albeit slightly lower in height, and that it would be a significant distance off the boundary, it is not considered to adversely affect the openness or visually harm the character of the Green Belt.

### ***Neighbour Amenity***

28. The proposal is not considered to harm the amenities of the neighbours at Nos. 138 and 140 Cambridge Road. The windows in the first floor north west and south west elevations would be either secondary in nature or serve non-habitable rooms so a condition would be attached to any consent to ensure they are fixed and obscure glazed to avoid overlooking. The first floor window in the south east elevation would serve a habitable room and therefore this needs to be obscure glazed to prevent overlooking. The issue of building regulations would not stop the grant of planning permission. It is not necessary for the ground floor windows to be obscure glazed as they would be a lower ground level and screened by boundary treatment.
29. The increase in the use of the access is not considered to result in a significant increase in the level of noise and disturbance that would adversely affect the amenities of neighbours, given the existing level of traffic that visits the site. The parking area would remain in a similar position to that existing.

### ***Highway Safety and Parking***

30. The intensification in the use of the site would not result in a substantial increase in traffic generation that would be detrimental to highway safety. The existing access and visibility splays are acceptable.
31. The comments from the Local Highway Authority regarding parking on the original proposal are noted. The proposal would provide no staff accommodation and 41 bed spaces. The Council's vehicle parking standards require 1 space per 3 residential staff and 1 space per three bed spaces. Therefore, 14 on-site parking spaces would be required. The provision of 15 vehicle parking spaces is therefore considered acceptable. The cycle parking standards require 1 space per 2 members of staff working at the same time. The provision of 4 cycle parking spaces to be provided within the scheme would be acceptable, as there is also space for informal cycle parking on the site.

### ***Other Matters***

32. The proposal would not result in the loss or adversely affect any important trees. However, an informative will be attached to any consent to ensure protection of the trees subject to the preservation order from construction traffic and materials.
33. Accommodation required for the care of additional elderly residents is not required to contribute towards public open space. However, the site should have an amenity area of an adequate size for recreational use by residents. The existing site has a raised patio to the rear of the building and grass to the

south side of the building. The proposal would incorporate a larger sized amenity space than existing and is therefore considered acceptable in relation to the need.

### **Conclusion**

34. 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**

35. Approval subject to the following 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: Drawing numbers 154/08/02 Revision A, 191/10/03, 191/10/06 Revision A, and 191/10/04 Revision A.**  
(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 details of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**  
(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.)
  4. **Apart from any top hung vent, the proposed first floor windows in the north east, south east and south west elevations of the extension, hereby permitted, shall be fixed shut and fitted and permanently glazed with obscure glass.**  
(Reason - To prevent overlooking of the adjoining properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
  5. **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, other than those expressly authorised by this permission, shall be constructed in the north east, south east and south west elevations of the extension at first floor and second floor level**

**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.)

- 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 development 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. The extension, hereby permitted, shall not be occupied until car parking has been laid out in accordance with drawing number 154/08/02 Revision A. The parking spaces shall thereafter be retained for the purposes of parking.**

(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

- 10. The extension, hereby permitted, shall not be occupied until the covered and secure cycle parking has been provided within the site in accordance with drawing number 154/08/02. The cycle spaces shall thereafter be retained for that purpose.**  
(Reason - To ensure the provision of covered and secure cycle parking in accordance with Policy TR/2 of the adopted Local Development Framework 2007.)
- 11. The extension, hereby permitted, shall not be occupied until the existing mobile home and portakabin have been removed from the site.**  
(Reason – In the interests of the visual amenities of the area, in accordance with Policy DP/3 of the adopted Local Development Framework 2007)
- 12. 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.)

Informative

1. This planning permission relates to a residential care home that falls under use class C2 of the Town and Country Planning (Use Classes) Order 1987. Any staff accommodation would fall under use class C3 of the Town and Country Planning (Use Classes) Order 1987 and therefore require planning permission.

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

- South Cambridgeshire Local Development Framework Core Strategy DPD 2007
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents: Trees & Development Sites, Landscape in New Developments, Open Space in New Developments, and District Design Guide
- Planning Policy Statement 1 and Planning Policy Guidance Note 2
- Planning File References: S/2078/10, S/0772/10, S/0685/09/F, S/0030/09/F, S/1018/04/F, S/0181/03/LDC, S/2340/89/F, S/0189/87/F, S/1843/85/F, and S/1002/85/F.

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