

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 December 2011

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S/0353/11 - SHEPRETH

Outline Consent for a Dwelling Following Demolition of Existing Garages - Land Between 14 and 16 Angle Lane, Shepreth for South Cambridgeshire District Council

Recommendation: Delegated Approval

Date for Determination: 20 October 2011

This application has been reported to the Planning Committee for determination because it is on land owned by the District Council and objections on material planning grounds have been received, and the Parish Council recommendation of refusal differs from the officer recommendation.

Members will visit the site on 6th December 2011

Site and Proposal

1. The application site is owned by South Cambridgeshire District Council, and currently houses six garages that are available to rent. The garages now appear to be in some disrepair, and the site is not particularly well maintained. There are residential properties to both sides, with open agricultural land beyond the rear. The site is located within the designated Shepreth village framework and within the Shepreth Conservation Area, which excludes the Barrons Green development. A public footpath runs along the front of the site. There is a pumping station adjacent to the site.
2. The outline application, validated on 25th August 2011, seeks permission for a single dwelling and garage on the site following the removal of the 6 garages. The application provides scale parameters for the dwelling, which would be accessed through the existing track from Barrons Green. All matters are to be reserved. It is accompanied by a Design and Access Statement, Heritage Statement and Flood Risk Assessment.

Planning History

3. The six prefabricated concrete garages on the site were approved through application **SC/0627/61**.
4. An application for a dwelling on land adjacent to 14 Angle Lane was approved through application **S/0778/07/F**. The application has expired and works have

not commenced on site. The proposal would have been located to the east of the garage site, set deeper into the plot. It related to a two-storey two-bedroom unit.

Policies

5. **South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007: ST/7** Infill-Only Villages
6. **Local Development Framework Development Control Policies (LDF DCP) 2007: DP/1** Sustainable Development, **DP/2** Design of New Development, **DP/3** Development Criteria, **DP/4** Infrastructure and New Development, **HG/1** Housing Density, **SF/10** Outdoor Playspace, Informal Open Space, and New Developments, **SF/11** Open Space Standards, **CH/5** Conservation Areas, **NE/1** Energy Efficiency, **NE/6** Biodiversity, **NE/11** Flood Risk, **NE/15** Noise Pollution & **TR/2** Car and Cycle Parking Standards.
7. **Open Space in New Developments SPD** – adopted January 2009, **Trees and Development Sites SPD** – adopted January 2009, **Development Affecting Conservation Areas SPD** – adopted January 2009, & **District Design Guide SPD** – adopted March 2010.
8. **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.
9. **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

10. **Shepreth Parish Council** recommends refusal of the original and amended application. It is considered to be contrary to Policy DP/2 criterion 1f – compatibility with its location and appropriate in terms of scale and proportion in relation to the neighbouring dwellings and plot size; and Policy DP/3, and in particular criterion 1b - compromise the safety of pedestrians in Barrons Green, 1c - minimum car parking, 2j - adverse impact upon parking facilities in Barrons Green, and 2k - additional traffic generated by the development. The access is not considered wide enough for construction traffic, the size of the dwelling will increase parking demands in Barrons Green and generate further traffic movements through the road, and the garages are no longer maintained and future occupiers have been rejected.
11. The **Council's Trees Officer** notes that there are no significant trees within the site. However, the trees and hedges along the boundaries are important for screening and should be retained. There is no objection subject to boundary treatments being submitted.
12. The **Council's Environmental Health Officer** notes concerns that problems could arise from noise and therefore conditions regarding timings for the use

of power operated machinery and use of pile driven foundations are suggested, along with informatives regarding bonfires and the burning of waste, and the requirement of a Demolition Notice for the garages.

13. The **Council's Land Officer** notes the site was identified in the Lands Appraisal as being surplus to requirements. The garages are in poor condition and most have not been in use for some time. Two remain in use, with only one of these occupiers being a resident of Barrons Green. The tenants have been notified of the works.
14. The **County Rights of Way and Access Team** have no objection to the proposal but note the location of Shepreth Public Footpath No. 7 that runs across the front of the site. A series of standard informatives about the relationship with the footpath and application site during construction and beyond are suggested.
15. The **Local Highways Authority** requests conditions relating to the provision of vehicle-to-vehicle visibility splays, pedestrian visibility splays, prevention of private water draining onto the public highway, and materials to be used for the access. An informative regarding works to the public highway is also suggested.

Representations

16. **Cllr Soond**, the Local Member for Shepreth notes concerns regarding the parking problems in Barrons Green and the loss of the garages and overflow area. He is supportive of the area being retained for parking for the residents of Barrons Green.
17. 8 letters of objection have been received from the occupiers of dwellings along Barrons Green and Angle Lane. The objections relate to:
 - Access for construction vehicles given the narrow and turning nature of the access, and associated damage to properties
 - Parking levels in Barrons Green
 - Visibility of the access at Barrons Green
 - Noise disturbance during construction
 - Location of bins for the proposed dwelling
 - Potential overlooking from first floor windows
 - A South Cambridgeshire District Council application being determined by South Cambridgeshire District Council

Planning Comments

18. The key considerations in the determination of this application are the principle of development, impact upon the Conservation Area, impact upon the amenity of the occupiers of adjacent properties, highway safety and parking provision in the locality, flooding, impact upon the adjacent public footpath and open space provision.

The Principle of Development

19. The application site lies within the designated Shepreth village framework. The village is classified as an Infill-only village within the LDF Core Strategy

2007, where residential development will be restricted to not more than 2 dwellings comprising a gap in an otherwise built-up frontage to an existing road. The site has an area of approximately 0.052 hectares. Policy HG/1 of the LDF DCP 2007 seeks residential developments to make best use of a site by achieving average net densities of at least 30 dwellings per hectare unless local circumstances require a different treatment. A single dwelling on the site would represent a density of development of 19 dwellings per hectare. Given the sensitive nature of the site within the Conservation Area and the character of the neighbouring units, a single unit on the site is considered acceptable in this instance.

Impact upon the Conservation Area

20. The site lies within the Shepreth Conservation Area, the boundary of which runs along the rear of site. Ideally, applications within Conservation Areas should not be done through the outline/reserved matters process as the lack of a detailed plan does create difficulty in judging the potential impacts. The applicant has provided scale parameters to show the potential dimensions of the dwelling, those being a maximum height of 6-7m, with a depth and width of approximately 8m. As this latter measurement does not provide a maximum, the applicant has been asked to give a maximum figure, and it has been suggested the depth is reduced to create a more traditional form of development. Members will be updated on potential changes to the scale parameters.
21. The garages on the site are relatively low structures, with an eaves height of approximately 2.2m and a very shallow roof. They are of poor quality design and look old and tired. Little maintenance appears to have taken place in recent years. The garages do not form an attractive feature within the Conservation Area and there is no objection to their removal in relation to the setting of the Conservation Area. The indicative layout shows a private garage to come forward of the existing with a dwelling set further into the plot in line with 16 Angle Lane, although there is no commitment to this layout. The neighbouring property at 16 Angle Lane has a similar frontage garage so this would not be a alien feature in the street scene. A sensitive design should allow an enhancement to the Conservation Area.
22. There is local concern regarding the size of the plot in relation to the neighbouring sites. Both 14 and 16 Angle Lane are set on larger plots, with 14 Angle Lane having a width of approximately 34m behind the pumping station compared to the application sites 11m width. The scale parameters would allow a total of 3m separation in total from both boundaries. The dwelling would take a larger proportion of the plot than the neighbouring properties given the width of the site. However, this should not cause any serious harm to the locality, especially given the backdrop of the Barrons Green terraces.

Impact upon the Amenity of the Occupiers of Adjacent Properties

23. As no details of the dwelling have been provided, it is difficult at outline stage to closely examine the potential impacts upon the neighbouring properties. However, upon visiting the site, an assessment of likely impacts can be made. The dwelling at 14 Angle Lane is located approximately 15m from the shared boundary. It does have a large first floor window in its side facing elevation that would allow views towards the site. Given the 15m separation, the proposed dwelling is unlikely to be viewed as overbearing from the window.

Whilst the dwelling would also be visible from the rear garden, it should again not appear overbearing, especially given the size of the garden as a whole.

24. Care would be needed at reserved matters stage with regard to the location of windows. Any window in the side (southeast) elevation at first floor level would need to be obscure glazed and ideally not serve a habitable room to prevent overlooking to the neighbouring property. If this were the case, no serious harm would result.
25. 16 Angle Lane is located closer to the shared boundary. It has a gable running parallel with the shared boundary, which consists of a panel fence with trellis above, and a large leylandii hedge that screen the dwelling from the garage site. There are two windows in the facing elevation of 16 Angle Lane, and there would be some views of the proposal, although limited, from these openings. However, no serious harm would result. Again care should be taken with regard to openings, particularly any in the side elevation. There should therefore be no harm to the occupiers of the neighbouring dwellings should a sensitively designed scheme come forward.

Highway Safety and Parking Provision in the Locality

26. There is significant local concern regarding the parking provision along Barrons Green. Barrons Green serves 25 dwellings, 13 of which do not have any designated off-street parking. There are 12 shared spaces for vehicles along the road. From the photographic evidence provided, there are parking problems out of working hours when demand is at its highest. This is emphasised by a letter from the ex-Local Member to residents in 2008. A number of letters received state the application site should be used as an overflow car park for residents of Barrons Green.
27. The Council's Land Officer has confirmed that only two of the six garages are currently let, and only one of these is to a Barrons Green resident. Removal of the garages would mean one further vehicle is likely to require parking along Barrons Green. Whilst the parking problems in Barrons Green are a cause for concern, the removal of the garages is not likely to cause a significant increase in parking demand in Barrons Green. It is noted the potential to park in this area is removed, but it was never designed for that purpose. Making the site an overflow car park brings with it other issues such as noise and disturbance to neighbouring properties, and safety concerns for pedestrians given the narrow width and limited lighting.
28. The site would be accessed along the existing track that serves the garages and 12 and 14 Angle Lane. Given the potential for 6 garages to be in use, the amount of vehicles using this track would reduce to the benefit of occupiers of the neighbouring properties. The comments of the Local Highways Authority are noted. The recommended vehicle-to-vehicle visibility splays are not necessary given the gate which prevents vehicle access to 16 Angle Lane and beyond. The site used to serve 6 garages and therefore the access can cater for a single dwelling. Pedestrian splays can be provided to ensure users of the footpath can be seen.
29. There is significant local concern regarding access to the site for construction traffic. The track from Barrons Green is narrow and the bends are likely to prevent access for larger vehicles. Given parking problems in Barrons Green, construction vehicles should not be parked in this location to the detriment of

local residents. No details as to how materials will reach the site have been provided. This matter can be dealt with by a planning condition, asking for details of the method of accessing the site during construction.

Flooding

30. The frontage of the site including the first block of four existing garages lies within flood zone 2. The applicant has provided a Flood Risk Assessment that concludes “the site can be considered not to increase the probability of flood risk to other properties downstream of the development within the local catchment area and is suitable for the type of development proposed”. A series of recommendations are made in the Assessment and a condition can ensure these are met. These recommendations also cover foul and surface water drainage considerations.

Impact upon the Adjacent Public Footpath

31. The comments from the County Rights of Way and Access Team are noted. The public footpath also caters for road traffic so there is the potential for conflict at the frontage. Vehicle users should be aware of pedestrians given the highway safety measures discussed above. The recommended informatives can be added to any approval.

Open Space Provision

32. The 2005 Recreation Study shows there is a shortfall of play space within the village. The applicant has yet to confirm they are willing to contribute towards the provision of open space and Members will be updated on this matter.
33. The application was discussed at the pre-application stage, and this was prior to the need for requirements towards community facility infrastructure. As a result, it is not considered reasonable to ask for these requirements during the application stage.

Other Matters

34. Concern that the applicant and determining authority are the same is noted. The Council’s delegation procedure states that where objections are received on material planning grounds for applications on Council land, the application should be heard at Planning Committee. This ensures a transparent approach to the determination of the application. The application is to be determined on its own merits.
35. The Parish Council note that residents have applied for garages but have been rejected and one resident is being evicted. Having spoken to the Council's Income Maximisation Officer, the empty garages are in a state of disrepair and therefore cannot be rented in their present state. With regards to evictions, a letter has been sent to the two occupiers explaining four weeks notice will be given if the application is successful.

Recommendation

36. Delegated approval, subject to the clarification of the dimensions within the scale parameters, and confirmation of the open space provision contribution.

37. If approved, conditions regarding the future reserved matters application, boundary details and protection, timings for the use of power operated machinery, pedestrian visibility splays, construction method statement to include access and storage of vehicles, flood risk in line with the Assessment, provision of open space infrastructure and restrictions to first floor glazed windows in the side elevations.
38. Informatives regarding use of pile foundations, bonfires and burning of waste, requirements for a demolition notice, impacts upon the Public Footpath, and works to the public highway.

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

- **South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007**
- **Local Development Framework Development Control Policies 2007**
- **Open Space in New Developments SPD – adopted January 2009, Trees and Development Sites SPD – adopted January 2009, Development Affecting Conservation Areas SPD – adopted January 2009, & District Design Guide SPD – adopted March 2010**
- **Circular 11/95 – The Use of Conditions in Planning Permissions**
- **Circular 05/2005 - Planning Obligations**
- **Planning Ref Files: S/0353/11, S/0778/07/F and SC/0627/61**

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