

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

4 April 2012

**AUTHOR/S:** Corporate Manager (Planning and New Communities )

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**S/2576/11 - ELSWORTH**

**Erection of dwelling including conversion of existing post office and shop building  
4 The Causeway, Elsworth  
for The Estate of Mrs Edna Lambert**

**Recommendation: Approve**

**Date for Determination: 29 February 2012**

**The application has been referred to the Planning Committee as the Case Officer's recommendation conflicts with that of the Parish Council.**

**Members of the Committee will visit the site on 3 April 2012.**

**Site and Proposal**

1. The application site comprises a two storey detached house with a detached double garage, gardens to the rear and side and hardstanding for parking to the front (No.6) and a single storey building to the side of the house, which significantly pre-dates it (No. 4). The single storey building is thought to have been an outbuilding to the old bakehouse which previously occupied the site and it was last used as the village Post Office and shop. That use has ceased and the building has been empty since then. The site is relatively open to the street and the side and rear boundaries are enclosed by fencing, mature hedging and trees. The land levels on site slope down from East to West. The site is located within the Elsworth Conservation Area and there are a pair of grade II listed 17th century cottages opposite the front of the site. At the top of the street, to the East of the site, sits the Grade I listed Holy Trinity church to which The Causeway leads and along which there is an important view of the church from Brook Street.
2. The proposed development is the erection of a two storey dwelling in the garden to the immediate side and rear of No. 4, including the retention of the existing building and its conversion and incorporation into the dwelling in the form of a garage and habitable room. The application also proposes the blocking up of two windows in the first floor West side elevation of No. 6 and the obscure glazing of two further windows.

**Relevant Planning History**

3. S/0505/11 & S/0511/11 – These previous applications for a dwelling proposed the demolition of the existing single storey building and the erection of a single dwelling. They were withdrawn by the applicant.

## **Planning Policies**

4. ST/6 – Group Villages  
DP/1 – Sustainable Development  
DP/2 – Design of New Development  
DP/3 – Development Criteria  
DP/4 – Infrastructure and New Developments  
DP/7 – Development Frameworks  
HG/1 – Housing Density  
ET/6 - Loss of Rural Employment to Non-Employment Uses  
SF/1 – Protection of Village Services and Facilities  
SF/10 – Outdoor Play Space, Informal Open Space and New Developments  
SF/11 – Open Space Standards  
NE/1 - Energy Efficiency  
NE/6 – Biodiversity  
CH/4 – Development Within the Curtilage or Setting of a Listed Building  
CH/5 – Conservation Areas

## **Consultations**

5. Parish Council – has recommended refusal stating that the application is inappropriate development because it is disproportionately large for the plot, unsuitable for the Conservation Area, would have an adverse impact on adjoining listed or historic properties and that the height, scale and style of the proposed dwelling is excessive having regard to the topography of the site and of The Causeway.
6. Local Highways Authority - has not objected to the proposed development and has requested conditions be applied to any permission which would secure pedestrian visibility splays at the access, require bonded hard surfacing for the driveway and would require the drainage of the driveway within the site.
7. Conservation Team – has been involved in negotiations over the siting, scale and design of the proposed dwelling in relation to nearby listed buildings and the Conservation Area, as well as securing the retention of the existing building through its incorporation into the scheme. The siting, scale and design now reflect those discussions and the Conservation Team has not offered any further comments on the proposed development.

## **Representations**

8. Concerns regarding or objections to the proposed development have been received from the owner/occupiers of 1, 5, 7 and 11 The Causeway, Rectory Farm, 6, 8, 16, 17 and 21 Brook Street, 11 Church Lane, 4 Orchard Close, 35 Boxworth Road, 36 Smith St, and the Old Rectory, Elsworth.
9. The concerns and objections relate to the scale of the proposed dwelling, its design, impact on residential amenity, impact on nearby listed buildings, impact on the Conservation Area, overdevelopment of the site, the sloping land levels, views of the church, loss of trees and water run-off and drainage. In addition, some have noted that the mislabelling of the side elevations of the proposed dwelling. These read North and South, however they should read East and West.

## Planning Comments

10. The main planning considerations in this case are the principle of the development, the impact on the setting of adjacent listed buildings, impact on the Conservation Area, the impact on residential amenity, parking and highway safety considerations, drainage and land stability, the impact on trees, and the provision of open space and community facilities.
11. Principle – Elsworth is classified as a Group Village by policy ST/6 of the LDF Core Strategy which states that residential development and redevelopment up to an indicative maximum scheme size of eight dwellings will be permitted within the village frameworks of Group Villages. As the scheme proposes one dwelling, it is considered to comply with policy ST/6 in principle.
12. The application site area is within the Elsworth Development Framework and the area occupied by the new dwelling measures approximately 350 sqm. 1 dwelling on the site would result in a net density of approximately 29 dwellings per hectare. This net density is just below the minimum density of 30 dwellings per hectare required by policy HG/1 - Housing Density of the Local Development Framework, however it is not considered possible to site two dwellings on the plot, given its constraints and the net density is almost 30 dwellings per hectare in any case. For these reasons the proposed dwelling is considered to be acceptable in terms of policy HG/1.
13. The existing building on site has previously been home to the village post office and shop. As such, its conversion to a dwelling has been considered against policy SF/1 – Protection of Village Services and Facilities, which requires that *“planning permission be refused for proposals which would result in the loss of a village service, including village pubs, shops, post offices, community meeting places or health centres, where such loss would cause an unacceptable reduction in the level of community or service provision in the locality.”* Following the decision by the Post Office to close the Elsworth branch located at the site in the spring of 2009, the associated shop use also ceased. The premises was not considered suitable for the location of the village shop proposed by the Elsworth Community Shop Association, which now runs from a building located at the recreation ground on Broad End. As the village shop has been relocated to a more suitable premises in the village, it is not considered that the conversion of the building to residential would cause any significant harm to village services or facilities and the proposed development is therefore considered acceptable in terms of policy SF/1.
14. The previous use of the site as a shop also provided a small amount of employment in the village and the application has therefore been assessed under policy ET/6 - Loss of Rural Employment to Non-Employment Uses. In addition to being offered as a site for the Elsworth Village Shop, the property was marketed in its current use and for other employment uses for a period of a year between November 2008 and November 2009. This marketing generated only one viewing and did not result in the building being let. It is considered that the marketing undertaken has demonstrated that the site is not suitable for continued employment use. The proposed conversion to residential use is therefore considered to be acceptable in terms of policy ET/6.
15. The proposed development is therefore considered to be acceptable in principle.
16. Impact on setting of Listed Buildings – The main two storey element of dwelling has been set back from the front of the site, behind the line of the existing single storey building. This ensures that the building would not impinge on the important view of the Grade I listed church from Brook Street along The Causeway. In other glimpses

of the church possible from Brook Street, the proposed property would largely be seen against the background of existing 20th century houses further up the hill to the East, including No. 6 The Causeway. It is not considered that the proposed dwelling would cause any significant harm to the public views of the village church or on its setting more generally.

17. The application site is opposite a pair of grade II listed cottages. The setting back of the two storey element behind the existing building creates a separation of approximately 20 metres between it and the cottages. The dwelling is relatively modest and it is considered that the separation between the cottages and the new house is sufficient that the proposed dwelling would not be prominent in the setting of the listed cottages in views from either the East or West.
18. It is therefore considered that the proposed dwelling is acceptable in terms of its impact on the setting of listed buildings in the vicinity.
19. Impact on Conservation Area - The proposed dwelling is relatively modest in width and height, the two storey element being less than 5.5 metres wide and only 6.6 metres to the ridge. In addition, the new building is set into the site, at a lower level than the existing building, which reflects the prevailing land levels on The Causeway and reduces its impact on the character and appearance of the Conservation Area. In elevation from The Causeway it is slightly shorter in height and has a narrower span than No. 6 which it would sit beside, as well as being approximately 3 metres less in overall depth. It has been designed with a simple appearance, using traditional design elements such as the narrow roof verge, well proportioned, symmetrical windows and modest porch canopy. It is in scale with the building to which it most closely relates (No. 6) presenting what is considered to be a more attractive frontage than its near neighbour. The existing single storey building would have a garage door in the front elevation which would reflect the width of the existing windows that it would replace. Significantly, the scheme would secure the retention of the existing building on site which is of historic significance and this new dwelling would ensure that it would have a ongoing use without significant alteration or loss of its historic fabric. This is considered to be a benefit to the character and appearance of the Conservation Area. Overall, the scheme is considered to have an acceptable scale and design and is considered to preserve the character of the existing Conservation Area, which is itself a mixture of historic and modern dwellings.
20. Impact on the residential amenity – The proposed dwelling would be located approximately 20 metres from the cottages opposite the site. At this distance it is not considered that it would cause any significant loss of light, visual intrusion or overshadowing to the cottages. In addition, the ground floor kitchen and first floor bedroom windows facing the front of the site would be far enough away from those in the cottages that they would not cause any significant loss of privacy to the occupiers of the cottages.
21. The proposed dwelling would be located approximately a metre (at its nearest point) from the boundary with No 21 Brook Street to the West. Again the property would be approximately 20 metres away from the rear windows of No. 21, although it would be immediately adjacent to its rear garden and would be situated on higher land than the neighbouring house. The impact on the rear windows of No. 21 has been considered and, notwithstanding the increased land levels, it is considered that the separation of 20 metres between the nearest point of the new dwelling and No. 21 is sufficient that no significant harm will be caused in terms of visual intrusion or poor outlook. That separation is also sufficient that the new dwelling would not cause any significant loss of light to the rear windows of No. 21. There are no first floor windows proposed

in the side elevation of the dwelling overlooking the neighbouring property to the West and this would be secured in perpetuity by an appropriate condition. The proposed dwelling is therefore considered to be acceptable in terms of its impact on the privacy of No. 21 Brook Street.

22. The proposed dwelling would cause some loss of early morning sunlight to the northern portion of the garden of No. 21, but this is not considered to result in a significant loss of amenity. It's siting to the North East of the majority of the rear garden of 21 means it would not cause any significant loss of light to the garden as a whole. The garden slopes up towards the proposed dwelling and has a high dense hedge on the boundary with the application site. This hedge would obscure the ground floor of the new dwelling from view with the first floor and shallow roof being visible above it. While this would result in some increased sense of enclosure to the rear garden of No. 21, as it would be closer to the boundary than the side elevation of No. 6 which is currently visible from it, on balance, it is not considered that the new dwelling would be unduly overbearing to the relatively large rear garden of No. 21.
23. The application proposes blocking up two windows and obscuring glazing two others in the first floor West elevation of No. 6 The Causeway which is within the control of the applicant. This is a measure to ensure that the rear garden area of the proposed dwelling benefits from some privacy. It is considered that either obscuring glazing or blocking up the windows would achieve an acceptable level of amenity for the new dwelling and this would be controlled by condition. This measure would not significantly harm the amenity of No. 6, as both habitable rooms affected by the blocking up of windows have other windows in either the front or rear elevations. The proposed dwelling is considered to be acceptable in terms of its impact on the amenity of No. 6. It would not significantly overshadow its rear garden and the only ground floor windows which face the development serve a downstairs WC and hall, meaning that any slight loss of late evening light is not likely to impact on the general amenity of the occupants of No. 6. The proposed dwelling is therefore considered to be acceptable in terms of its impact on residential amenity.
24. Parking and highway safety – There is an existing access to No.4 which is independent of the one serving No. 6. The Local Highways Authority (LHA) has not raised any objection to the proposed continued use of the existing access for the new dwelling nor to the amended parking and turning area to be provided to the front of the site. It has requested pedestrian visibility splays be provided at the access point to secure pedestrian safety and these can be secured by condition. It has also requested conditions regarding the drainage of the hardstanding to ensure it does not shed on to the public highway and regarding the surfacing of the existing access and proposed parking area, which it wishes to be surfaced in a bonded material to prevent loose material being carried onto the highway. These measures can also be secured by condition.
25. The scheme would provide at least three car parking spaces on site (including the garage) which would be adequate for the likely parking demand created by the new dwelling for household parking and that of visitors. This is an overprovision of parking in terms of the Council's Adopted Parking Standards for the district in general, but given the narrow and steep nature of The Causeway, it is considered a sensible level of provision.
26. The proposed development is therefore considered to be acceptable in terms of its impact on parking and highway safety.
27. Drainage and land stability – Concern has been raised regarding the potential for

significant surface water run off onto neighbouring properties as well as the stability of the land, due to the sloping land levels on site and generally in the area. It is possible, given the sloping land levels in the area, that rain water run off from the roof of the proposed dwelling could drain onto the neighbouring property to the West, 21 Brook Street. Although the amount of such run off from a single dwelling is likely to be relatively limited, it is nonetheless considered appropriate to ensure that the run off from the dwelling drains on its own land. Given the garden area to the front and rear of the site, it is considered that this is achievable and drainage measures to ensure this would therefore be required by condition.

28. The structural stability of the new dwelling and its impact on the stability of the land would be secured by the provision of appropriate foundations. Although this would normally be addressed during the building control application, it is considered appropriate to address the matter at planning application stage, given the concern of some neighbours regarding the sloping land levels on site and the impact of this on the development.
29. The proposed two storey element of the dwelling would be dug into the site where it joins the existing single storey element, but would also require land levels at the South West corner of the dwelling to be built up slightly to offset the sloping land. It appears that this can be achieved well within the boundary of the site and through the provision of appropriate foundations the building would not compromise the stability of land in the area. To ensure that the appropriate foundations are provided for the dwelling, full details will be conditioned to be provided prior to the commencement of development.
30. Trees and hedges – The proposed dwelling would require the loss of the fruit tree to the South of the existing building, in the garden of number 4. The tree is a medium size fruit tree in a private rear garden and is not considered to contribute significantly to the character of the wider area. Its loss is not considered to cause significant harm to visual amenity and is therefore considered acceptable.
31. Concern has been expressed by neighbours regarding the impact of the new building on an Ash tree which is located in the garden of No. 21 Brook Street, close to the common boundary of the site. This tree is not shown on the application drawings, however on the basis of a site inspection, it appears possible that the two storey element of the proposed dwelling would conflict with the longer limbs of the Ash tree where they overhang the common boundary. However, as these limbs could be removed by the owner of the No. 4, it is not considered reasonable to refuse the application on the basis of that conflict. The dwelling would also likely be located within the root protection zone of the tree where damage to structural roots could cause the tree to die. For that reason, the condition relating to foundation details (above) would also require the impact of the foundations on the tree roots to be considered and would require the use of bespoke foundations where necessary, to ensure the dwelling does not cause any harm to the structural roots of the tree. It is considered that this measure is sufficient to mitigate any significant harm to the long term health of the Ash tree.
32. The existing hedge on the Western side of the site is on the neighbour's side of the common boundary and within their control. This would not be impacted by the proposed dwelling and measures to protect it with fencing during construction would be required by condition.
33. The proposed development is therefore considered to be acceptable in terms of its impact on trees and hedges.

34. Open space and community facilities - The proposed development would not provide open space or community facilities on site and would therefore be required to contribute to their provision off site, in order to mitigate the additional burden that the occupants of the proposed dwellings would place on such facilities locally. The applicant has agreed to enter into a Section 106 legal agreement to make such contributions. At present the amounts would be as follows: Public open space - £3,104.38; Community facilities - £513.04; Waste receptacles - £69.50 and a Section 106 monitoring fee of £50. The applicant's willingness to enter into such a scheme is considered sufficient to comply with the relevant policies in this case.

### **Recommendation**

35. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is recommended that the application be granted Planning Permission, subject to conditions relating to:
1. Implementation within 3 years
  1. Development in accordance with approved plans
  2. Materials and joinery details
  3. Hard and soft landscaping
  4. Boundary treatments
  5. Bin storage
  6. Provision and retention of parking and turning area
  7. Pedestrian visibility splays at access point
  8. Drainage of parking area
  9. Obscure glazing or blocking up of first floor West facing windows in No. 6
  10. No new windows in first floor of East or West elevation of new dwelling
  11. Drainage details for dwelling
  12. Foundation details for dwelling
  13. Protection of hedge during construction
  14. Legal Agreement securing affordable housing contribution and open space, community facilities and waste receptacles contributions

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

- **Local Development Framework Core Strategy 2007**
- **Local Development Framework Development Control Policies 2007**
- **Planning File ref: S/2576/11**

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