

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

9 May 2012

**AUTHOR/S:** Planning and New Communities Director

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### **S/0606/12/FL – STEEPLE MORDEN**

**Dwelling and associated works at 11 Church Farm Lane for Mr and Mrs Dickinson**

**Recommendation: Delegated Approval, subject to the satisfactory completion of a S106 Agreement**

**Date for Determination: 16<sup>th</sup> May 2012**

#### **Notes:**

**This Application has been reported to the Planning Committee, as the Parish Council's recommendation of refusal conflicts with Officers' recommendation.**

**Members will visit the site on the 8<sup>th</sup> May 2012**

**The site is within a Conservation Area**

#### **Site and Proposal**

1. The application site measures approximately 0.075 hectares (including the access track) and is within the village framework. The village framework runs along the eastern boundary line. There are two public footpaths (No's 30 and 31) that run along the northern and eastern edge of the site. The site is within the conservation area.
2. To the east of the site is an agricultural field that the public footpaths cut across and a hedge that is approximately 2.5m in height that surrounds an area used as garden land by 17 Church Farm Lane. To the north of the site is a line of mature trees that form the boundary between the site and the rear grassed area to the Wagon and Horses Public House. The Wagon and Horses Public House is a Grade II Listed Building and is set over 55m from the site. To the west of the site is a residential property and the public highway defines the boundary to the south.
3. The application was validated on the 30<sup>th</sup> March 2012. The proposal is for a single one storey dwelling (2 bedrooms) located in the rear garden of 11 Church Farm Lane. The application has benefited from pre-application advice.

#### **Planning History**

4. Within the previous 10 years:  
S/2032/11 – Proposed single storey detached dwelling and associated works was withdrawn.

#### **Planning Policy**

5. **South Cambridgeshire Local Development Framework Core Strategy 2007: ST/6**

6. **South Cambridgeshire Local Development Framework 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

**NE/1** – Energy Efficiency

**NE/6** – Biodiversity

**NE/15** - Noise Pollution

**CH/5** – Conservation Areas

**SF/10** – Outdoor Playspace, Informal Open Space and New Developments

**SF/11** – Open Space Standards

**South Cambridgeshire Local Development Framework, Supplementary Planning Documents**

District Design Guide SPD – Adopted March 2010

Development Affecting Conservation Areas SPD – July 2009

Biodiversity SPD – Adopted July 2009

Open Space in New Developments – Adopted January 2009

**Consultations**

7. Steeple Morden Parish Council – The Parish Council recommends refusal.
8. The Parish Council states that it appreciates the efforts made to reduce the perceived bulk of the dwelling, compared with that in the original application (S/2032/11) and also its slight relocation for better screening from the north.
9. However, the Parish Council continues to state that it must still lodge a technical objection for much the same grounds as previously. It considers the development to be back land development and therefore does not comply with Development Affecting Conservation Areas SPD and District Design Guide SPD.
10. In addition, it states that in 2004 it opposed the conversion of Church Farm Barns to dwellings, primarily on account of the limited vehicular access afforded by Church Farm Lane. This view was strongly supported at the time by several of those living in the vicinity, who were most likely to be affected by the new development.
11. It considers that a restricted access roadway such as this can only accommodate a finite number of vehicle movements each day and that, with the approval of the barn conversions that limit is now reached on Church Farm Lane. The addition of daily trips, as well as delivery vehicles and visitors, from this single dwelling will in the Parish Council's view is a step too far.
12. They request that members make a site visit, to evaluate for themselves the viability of this access route, barely wide enough to allow two small cars to pass each other without great care, and with its limited sightlines at its junction with Church Street.
13. Without prejudice to these objections, it would suggest that conditions are added that the new dwelling is tied to the existing one and that permitted development rights are removed.

14. Environmental Health – The Environmental Health Officer states that conditions should be added to control times when power operated machinery can be used and the use of pile foundations.
15. Landscape Officer – The Landscape Officer states the landscape plan (drawing number 238-A3-PA) is generally acceptable. However, the Landscape Officer suggests that Euonymus Fortune Emerald Gaiety or one of the other forms would be a good choice for the house wall against the footpath, as provided it has some wires to support it will climb against the building without attaching itself in any way and therefore becoming a nuisance. It is an evergreen with a green and cream leaf. I should like to see tree protection measures during construction, in accordance with the British Standard, for the existing planting at the side of the new drive.

### **Representations**

16. 3 Church Farm Lane – The occupant states that the additional dwelling is very unlikely to be an issue for existing residents. The conversion of the barns at the end of the lane (10 peoples and 8 cars) 8 years ago was absorbed without any detriment to access.

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

17. The key issues to consider in the determination of this application are:
  - Principle of Development
  - Visual Impact and Impact on Historic Character
  - Highway Safety and Parking Provision
  - Residential Amenity
18. **Principle of Development** – The site falls within a Group Village that allows development of up to 8 dwellings. With the proposal being for a single dwelling the development complies with Policy ST/6. The density of the proposed development is approximately 13 dwelling per hectare. It is noted that the density will be made artificially low by the relatively long access track but this density is appropriate for this location. A higher density on this site would likely prevent vehicles entering and leaving in a forward gear and in addition would likely lead to a proposal for taller buildings (1 ½ or 2 storey dwelling) that would not gain officer support, as it would be an inappropriate design on this edge of village framework location.
19. The applicant has submitted a draft legal agreement in order to provide a commuted sum for off site open space provision Community Space and waste receptacle provision. This legal agreement is still under consideration by the Council's Legal Department.
20. The proposed condition mentioned by the Parish Council that the proposed dwelling must be tied to the existing one is not reasonable. This application is for a single self-contained dwelling and not an annexe, the application must be determined on these grounds.
21. The development proposes the installation of solar panels on the south facing roof, this goes beyond the requirements of adopted policies and this has been given this some weight. More importantly these solar panels combined with what appears to be a wood burning stove will maximise the potential this dwelling has for using renewable energy resources.
22. The proposal does not lead to any concerns in principle.

23. **Visual Impact and Impact on Historic Character** – The entrance to Church Farm Lane is defined by two rows in parallel of listed buildings. The residential properties along the road then change to 3 detached dwellings, of which 11 Church Farm Lane is the most easterly dwelling in this row. Church Farm Lane then ends in a converted farmyard to residential properties. This road is, therefore, not clearly defined by a linear pattern and not all the dwellings along this road face the public highway.
24. The proposed landscaping scheme is considered to be appropriate for this location but it is lacking in some detail on the species of plants and how the existing trees will be retained but this can be conditioned.
25. The development is going to have the greatest impact upon those using the public footpaths, in particular those walking along the northern edge of the site and those travelling into the village from the east. The design of the proposed dwelling has been carefully designed in order to keep the roof and ridge height as low as possible combined with designing a roof that has minimum mass. These design elements include the breaking up the front elevation into three distinct principle elevation walls and the splitting of the roof into two elements. In addition the materials being proposed involve a significant amount of timber that will give the building a slightly modern but also rural appearance.
26. The public footpath that runs along the northern boundary of the site has the appearance of being very enclosed to the west of the site and begins to open as the footpath reaches the site boundary. To the east of the site boundary the public footpath opens up significantly, as it crosses the open field. The proposed dwelling by being set 1 metre away from the edge of the public footpath and thus giving space for planting to establish will not detrimentally harm the character and appearance of the area that the public footpath crosses.
27. The proposed solar panels will not be directly seen from any public view and is in keeping with the local area, as the existing property of 11 Church Farm Lane already has them on its front elevation.
28. The proposal is not considered to affect the setting of the nearby Listed Building (Wagon and Horses Public House), due to the developments height and location.
29. With this development being within the conservation area permitted development rights for future extensions and outbuildings will be very limited and it is not considered reasonable to remove these householder permitted development rights.
30. The design of the dwelling combined with it being set away from the public footpaths in order to allow landscaping to establish should mean on balance that the proposal does not harm the rural and historic character of the local area.
31. **Highway Safety, Parking Provision and Public Rights of Way** – The Local Highways Authority and Rights of Way & Access Team have considered a very similar application approximately 6 months ago. These departments did not raise any significant concerns and recommended that the application should be approved, subject to conditions and informatives.
32. With the Local Highways Authority not objecting 6 months ago on the additional vehicles that would use Church Farm Lane if the application were approved, it is considered that the current proposal will not lead to a significant increase in traffic movement along Church Farm Lane.

33. The development shows that there is sufficient space for visibility splays to serve both the existing and proposed property; in addition the vehicles of both dwellings will be able to enter and leave in a forward gear.
34. A condition can be added to ensure that the 2.0 metre x 2.0 metre visibility splays shall be maintained free of any obstruction exceeding 0.6 metres in the future.
35. The requested informatives from the Local Highways Authority and Rights of Way & Access Team can be added if the application is approved.
36. **Residential Amenity** – The proposed dwelling by virtue of it being single storey will not cause any loss of privacy to the adjacent residential properties.
37. The comments from Environmental Health are noted and the condition to control power operated machinery is considered reasonable in order to prevent occupants from adjacent properties being subjected to significant noise pollution at anti-social hours. The request for condition relating to pile foundations shall be added as informative along with the informative relating to bonfires.
38. The proposed driveway goes straight past the sitting room windows of the existing property of 11 Church Farm Lane. The movement of cars while likely to cause a momentary nuisance is not considered to be detrimental to the enjoyment of this habitable room. The fact that the driveway will be made of a reinforced grass mesh means that noise from the driveway should be kept to a minimum. It is considered reasonable to condition that this reinforced grass mesh is maintained in order to prevent gravel, which would lead to greater noise disturbance, from being laid down in the future.
39. The proposed dwelling is set approximately 2 and 6 metres away from the boundary line of 9 Church Farm Lane (located to the west of the site), with the proposed dwelling getting closer to this boundary line to the north of the site. It is also noted that the proposed dwelling is set away from the main dwelling of 9 Church Farm Lane and its main garden area. With the proposed development having a low eaves height and the roof sloping away from the boundary line it is not considered to cause a detrimental level of undue overbearing or loss of light.

### **Conclusion**

40. The proposed development is considered to be acceptable subject to conditions as detailed below.

### **Recommendation**

Approve, subject to 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: 238-A3-PA.7, 238-A3-PA.9, 238-A3-PA 8, 238-A3-

PA.3, 238-A3-PA.1, 238-A3-PA. 6, SC-1 (Mini Stonewold Slate Grey) and SC-02 (Solar PV Tile).

(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 full details of 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.)

4. All 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.)

5. During the period of demolition and construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 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.)

6. The visibility splays as shown on drawing number 238-A3-PA.3 shall be maintained, in perpetuity, free of any obstruction exceeding 0.6 metres in height.

(Reason - In the interests of Highway Safety.)

7. The area defined on drawing number 238-A3-PA.3 as UPVC reinforced grass mesh must be maintained in perpetuity, unless otherwise agreed in writing with the Local Planning Authority.

(Reason - In the interests of preventing a detrimental level of noise pollution to the occupants of 11 Church Farm Lane from vehicles travelling past the living room windows in accordance with Policy DP/3 of the Local Development Framework.)

**The Development shall commence in accordance with the Legal Agreement dated...**

Informatives shall be added as previously requested by the Local Highways Authority and the Rights of Way & Access Team requested.

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

- South Cambridgeshire Local Development Framework 2007

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