

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee
AUTHOR/S: Planning and New Communities Director

1 August 2012

S/0824/12/FL - TOFT

Erection of 3 dwellings and conversion of barn to bin store, following demolition of existing buildings - Land Adj, Meridian Court, Comberton Road for Mrs & Miss V & J Saunders & Wisson

Recommendation: Refusal

Date for Determination: 11 June 2012

This Application has been reported to the Planning Committee for determination at the request of the Local Member

Members will visit the site on Tuesday 31 July 2012

To be presented to the Committee by Paul Derry

The application is a Departure to the Local Development Framework

Site and Proposal

1. The application site lies to the eastern edge of the village of Toft. The designated village framework is located along the western boundary of the application, and as a result, the entire site lies outside of the village framework. The majority of the site is considered "white land" outside of the village framework. This is because the boundary of the Cambridge Green Belt is set away from the village framework boundary. The Green Belt begins towards the eastern part of the site, and therefore some of the site is within the Cambridge Green Belt. The majority of the site is also within the designated Toft Conservation Area.
2. The site currently consists of three agricultural buildings, accessed from the golf course road to the east. Two of the buildings are large storage barns used in association with the golf course, whilst the third is a smaller barn that is currently used to store golf carts.
3. The full application, validated on 16 April 2012, seeks the erection of three dwellings on the site. These would form a courtyard of development accessed from a new road from Comberton Road. Each dwelling would be detached, Plot A being a two-storey unit, Plot B being part single/part two storey and Plot C being single storey. The existing building D to be retained would be used for storage for each unit. The application is accompanied by a Planning, Design and Access Statement which incorporates a Heritage Statement, Heads of Terms for Section 106 Agreement, Affordable Housing Statement, Open Space Assessment, Renewable Energy Statement and a Waste Management Statement. The application also includes a Phase 1 Geo-Environmental Desk Study.

4. The application has been advertised as a Departure and given its location within the Toft Conservation Area.

Planning History

5. Application **S/1161/09/F** granted permission for the erection of replacement buildings to provide office accommodation together with a new access and parking. Applications **S/1163/09/CAC** and **S/0827/12/CA** granted consent for the total demolition of the barns on site.
6. There is a long planning history with regard to the Meridian Golf Course. Of particular interest is application **S/0226/11**, which granted consent for a hotel and extensions to the clubhouse. The other planning history is not considered relevant to the determination of this application.

Policies

7. **Local Development Framework Core Strategy 2007 (LDF CS) – ST/7** Infill Villages.
8. **Local Development Framework Development Control Policies 2007 (LDF DCP) – 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/2** – Housing Mix, **HG/3** – Affordable Housing, **GB/1** Development in the Green Belt, **GB/2** Mitigating the Impact of Development in the Green Belt, **GB/3** Mitigating the Impact of Development Adjoining the Green Belt, **SF/10** Outdoor Playspace, Informal Open Space, and New Developments, **SF/11** Open Space Standards, **NE/1** Energy Efficiency, **NE/6** Biodiversity, **NE/15** Noise Pollution, **CH/5** Conservation Areas, and **TR/2** Car and Cycle Parking Standards.
9. **Open Space in New Developments SPD** – Adopted January 2009, **Affordable Housing SPD** – March 2010, **District Design Guide SPD** – Adopted March 2010 & **Development Affecting Conservation Areas SPD** – Adopted January 2009.
10. **National Planning Policy Framework (NPPF)**: Advises that planning obligations should only be sought where they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development. It adds planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other aspects.
11. Paragraph 60 of the NPPF notes planning decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness. Paragraph 63 adds in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area, whilst paragraph 64 notes permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

12. Chapter 12 of the NPPF relates directly to conserving and enhancing the historic environment. Of particular relevance are paragraphs 132, which states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation; and paragraph 133 which adds where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent unless public benefits outweigh that harm.

Consultations by South Cambridgeshire District Council as Local Highway Authority

13. **Toft Parish Council** recommends approval as the scheme will improve the area of the proposed development, although its location outside of the village framework is noted.
14. The **Councils Section 106 Officer** notes the requirements of the scheme regarding contributions towards open space infrastructure, community facilities and waste receptacles, and the Section 106 monitoring fee. He is also in negotiations with the applicant regarding the provision of a commuted sum with regard to affordable housing provision.
15. The **Council's Scientific Officer (Contaminated Land)** has studied the phase 1 desk study, which notes further investigation on the site is required. A condition regarding land contamination is requested.
16. The **Council's Joint Development and Enabling Officer** notes the offer of one affordable unit. Given the size of the units, there are concerns that even as a shared equity property, this would be expensive for someone to purchase. Negotiations were welcomed.
17. The **Council's Conservation Officer** notes the design of the proposal as dressing up a dwelling in an agricultural/industrial building form is not good design, and is contrary to the aims of the NPPF. The courtyard appearance is not considered a locally distinctive form of development. As a result, the massing, scale, layout and design of the proposal are considered detrimental to the character of the Conservation Area.

Representations by Members of the Public

18. None were received.

Planning Comments

19. The key considerations in the determination of this application are the principle of development, impact upon the Conservation Area, affordable housing and the Section 106 package, highway safety and parking, impact upon the amenity of the occupiers of neighbouring buildings

The Principle of Development

20. The site is located outside of the designated Toft village framework, and is therefore in the countryside in planning policy terms. Policy DP/7 of the LDF DCP states that outside village frameworks, only development for agriculture,

horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted. The application is therefore contrary to the aims of the policy, which seeks to protect the countryside from gradual encroachment and to help guard against incremental growth in unsustainable locations.

21. Policy HG/5 of the LDF DCP does allow the provision of residential schemes of 100% affordable housing on sites adjacent to designated village frameworks. The applicant however is offering only one of the three units as an affordable dwelling. This is therefore contrary to Policies DP/7 and HG/5. A single unit is the provision expected within village frameworks. The proposal therefore seeks to provide market housing outside of the village framework. The applicant does state that the development is required in order to fund the hotel recently approved on the adjacent golf club site. However, no other information is provided in relation to this matter. When determining the hotel application, the extant office buildings on the site were to aid funding of the hotel. However, these offices have not been constructed. It is significantly easier to find tenants for office buildings when built rather than await a user prior to construction. Whilst the financial implications for the hotel construction are noted, this is not considered to outweigh the encroachment of residential development outside of the village framework
22. If Members do consider the development is acceptable with regard to the above, they should also note that the application seeks 2xthree bed units and 1xfive bed unit. This would be contrary to the aims of Policy HG/2 of the LDF DCP, which seeks a mix of dwelling to meet local needs, including the provision of one and two bed units.
23. The site currently has approval for employment use. However, the buildings approved under application S/1161/09/F have yet to be erected. Approving the scheme for residential development could have the affect of superseding the potential employment use of the site. The Council has planning policies that seek to protect employment sites. However, the site is not a designated site and would be a windfall site. Its loss does not seriously impact upon employment in the area. The application also expires in October 2012. Whilst the loss of an employment site is unfortunate, in this instance, there are few grounds to refuse an application for this reason.

Impact upon the Conservation Area

24. As noted, the majority of the site lies within the boundary of the Toft Conservation Area. As existing, the site has an agrarian character given the presence of the agricultural buildings on site. These buildings are not considered to be of any architectural merit on their own, and there is an extant Conservation Area Consent for their removal. The site also forms the main entrance to the village following the golf course entrance when travelling along the B1046 from Comberton, and is visually prominent from these views. This is exacerbated by the land levels, which are set higher than the road level.
25. The extant consent S/1161/09/F for office buildings on the site is a material planning consideration for the determination of this application. It was determined on 29th October 2009, and condition 1 states works must commence prior to three years from the date of the consent. The design of the units differs to the proposed dwellings. They are much simpler in form

with a reduced number of gable elements. They also have a significantly lower number of rooflights and windows. The creation of office buildings in this location adjacent to the village framework was considered to be in line with Policy ET/8 of the LDF DCP, which allows replacement buildings in the countryside for employment use.

26. The comments from the Conservation Officer are noted. He differentiates between the design of the office accommodation and the dwellings. The office layout is commodious and functional for the needs of that development. The design of the dwellings, whilst seeking to retain the barn-like appearance is not a locally distinctive form of residential development. The design includes numerous extra gables to allow more floor print, and increases the number of openings given the internal layout. The buildings therefore take on a more residential appearance in this countryside location. The application also includes creation of garden areas which would bring with it residential paraphernalia to give a more urban appearance. The proposal is not therefore considered to preserve or enhance the setting of the Toft Conservation Area and as a result will harm this heritage asset.
27. The Conservation Officer also refers to national advice within the NPPF in relation to design. The relevant chapters are summarised above, which focus on the desire for local distinctiveness and the need for good design. The NPPF states that where harm to a heritage asset is outweighed by public benefit, then applications could be considered positively. The applicant has stated the units are required to fund the hotel approved through application S/0226/11. However, this is not considered to have significant weight to recommend approval, especially given the general lack of information in this regard.

Affordable Housing and the Section 106 Package

28. Despite its location outside of the village framework, the applicant has offered only one of the units as an affordable dwelling. Evidence has been provided that from three relevant Registered Providers that they would be unwilling to take a single unit on site. Given concerns regarding size, the Housing Development and Enabling Officer has confirmed a commuted sum for off-site provision would be acceptable in this instance. Negotiations between the applicant and the Section 106 Officer are on-going with regard to the amount of the commuted sum. At the time of writing, these negotiations appear to be coming to a conclusion, and Members will be updated on this matter.
29. The applicant is aware of the contributions required with regard to provisions of open space infrastructure, community facilities and waste receptacles, and the required Section 106 monitoring fee, and these have been taken into account with regard to the viability of the scheme. These would be secured through the Legal Agreement.

Highway Safety and Parking

30. The proposed access is in a slightly different location to that previously approved through application S/1161/09/F and is reduced in size from that serving the office buildings given the reduction in likely vehicle journeys to and from the site. The applicant has demonstrated that the required vehicle-to-vehicle visibility splays of 2.4m by 70m can be achieved given the grass verge to the front of the site. Conditions can ensure the splays are retained,

and the access laid out in accordance with the submitted plans prior to occupation.

31. The proposal does provide two parking spaces per unit, which is in line with the Council's maximum parking standards. Given the nature of Comberton Road, off street parking is discouraged. There is space within the courtyard development for further parking of vehicles without causing any highway dangers to Comberton Road. A condition would be required to ensure the parking spaces are laid out prior to occupation and retained thereafter.

Impact upon the Amenity of the Occupiers of Neighbouring Buildings

32. The building of Meridian Court directly to the west of the site is an office building. It does have some openings in its side facing elevation. Plot C located by the boundary is single storey. The relationship between the two is therefore considered acceptable, despite the openings in the facing elevation of the dwelling.
33. There are two concerns regarding the relationship between the properties themselves. Firstly, bedroom 2 to Plot A would be located 7m from the master bedroom window to Plot B. This matter has been raised with the applicant, and an amended plan will be submitted to ensure a more appropriate relationship. Members will be updated upon the plan when received. The ground floor secondary windows to the master bedroom of Plot C and bedroom 4 of Plot B would be located 6.5m apart. The amended plans will also show the lower elements of these windows to be obscure glazed to ensure no overlooking between the two.

Recommendation

34. Refuse for the following reasons:
 1. The application site is located outside of the designated Toft village framework. The proposal seeks the erection of three dwellings which would have more of a residential appearance than the extant planning consent on the site. The area has a semi-rural character given its location on the edge of the village and the buildings styles in the vicinity. No additional information has been provided to fully justify the need for market dwellings in this countryside location. The applicant has offered a single unit as an affordable unit. The release of sites outside village frameworks should provide 100% affordable housing. The proposal is therefore contrary to Policy DP/7 of the Local Development Framework Development Control Policies 2007 (LDF DCP), which states that outside village frameworks, only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted. The aims of the policy seek the protection of the countryside from gradual encroachment and to help guard against incremental growth in unsustainable locations. The scheme is also contrary to Policy HG/5 of the LDF DCP, which states scheme of 100% affordable housing could be granted outside village frameworks.
 2. The majority of the site is located within the Toft Conservation Area, on a site that forms the main entrance to the village when approaching from Comberton along the B1046. Views of the site are further increased given the rise in levels above the road. The courtyard design of the dwellings is

not a locally distinctive form of residential development within the village. The design of the dwellings seeks a barn-style form, but the internal layout requires numerous openings and rooflights, giving a more domestic residential appearance. The garden areas also allow the potential for residential paraphernalia within this countryside location. As a result of the design and layout of the dwellings, the proposal is not considered to either preserve or enhance the setting of the Toft Conservation Area, especially given the sites prominence on the edge of the village. The proposal is therefore contrary to Policy CH/5 of the LDF DCP

Members should be aware that if an amended plan is not received in relation to the amenity issues, a further reason for refusal can be sustained on grounds of mutual overlooking between units within the scheme.

Should the application be approved, it should be a delegated approval, subject to the completion of the Section 106 Agreement with regard to the affordable housing commuted sum and infrastructure provisions.

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

- South Cambridgeshire Local Development Framework Core Strategy 2007.
- Local Development Framework Development Control Policies 2007.
- Open Space in New Developments SPD, Affordable Housing SPD, District Design Guide SPD & Development Affecting Conservation Areas SPD
- National Planning Policy Framework
- Planning File refs: S/0824/12,

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