

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

3 October 2012

AUTHOR/S: Planning and New Communities Director

S/1532/12/FL – OVER

Erection of Dwelling at land East of 2 West Street, for the Executors of Mr & Mrs M G Barker

Recommendation: Approval

Date for Determination: 18th September 2012

Notes:

This Application has been reported to the Planning Committee for determination because the Parish Council's recommendation of refusal is contrary to Officer recommendation of approval.

To be presented to the Committee by Matthew Hare

Members of the Planning Committee will visit the site on the 2 October 2012.

Site and Proposal

1. The application seeks planning permission for the erection of detached dwelling of one and a half storey scale. The dwelling is proposed to have a barn-like character and is orientated so that its gable faces the street front.
2. The application site comprises part of the residential curtilage of No.2 West Street and part of the agricultural land associated with this dwelling. No.2 is a Grade II Listed building dating back to the late 18th or early 19th century comprising a half hipped two-storey buff brick building with a single storey addition to the eastern side, adjoined to no.2 is a Baptist Church also Grade II listed. There are a number of somewhat dilapidated outbuildings on site that are potentially curtilage listed by virtue of their age and ancillary relationship to No.2.
3. At present an access serves the site running past the eastern side of the dwelling, views down this access afford glimpses of the existing utilitarian outbuildings and trees beyond emphasising that this is an edge of village location
4. Surrounding development is predominantly residential of a mix of age, form, scale and appearance. The site falls within the Development Framework Boundary for Over but does not fall within the Over Conservation Area.

Planning History

5. **S/1677/11** - Erection of Dwelling and Associated Works Following Removal of Existing Outbuildings – Withdrawn following concerns for the impact upon the setting of the listed building and the adjacent countryside.
6. **S/1824/11** - Demolition of Curtilage Listed Outbuildings – Approved.

7. **Planning Policy**

South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007

ST/6 – Group Villages

South Cambridgeshire Local Development Framework (LDF) Development Control Policies DPD, adopted January 2007

DP/1 - Sustainable Development

DP/2 - Design of New Development

DP/3 - Development Criteria

DP/4 - Infrastructure in New Developments

DP/7 - Development Frameworks

HG/1 - Housing Density

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

SF/11 - Open Space Standards

CH/4 - Development within the Curtilage or Setting of a Listed Building

NE/1 - Energy Efficiency

NE/2 - Renewable energy

TR/1 - Planning for more Sustainable Travel

TR/2 - Car and Cycle Parking Standards

8. **Consultation by South Cambridgeshire District Council as Local Planning Authority**

Over Parish Council - Recommends refusal for the following reasons:

- The proposal is still too overwhelming for the site
- The proposed dwelling is too complicated in its design and has too many openings
- The proposed dwelling is still too intrusive in relation to the adjacent listed building
- The proportions of the proposed dwelling are inappropriate for the location and setting
- The proposed excavation of the dwelling gives rise to concerns over the impact on the trees on site, the existing listed shed and also on the neighbour's garage

Landscape Design Officer – No comments received.

Tree Officer – No objections providing tree protection and no dig details are conditioned.

Environmental Health Officer – No comments received.

Local Highways Authority – Recommends approval subject to standard conditions regarding:

- Site access laid out as dropped curb rather than radii bell mouth
- Visibility splay retention
- Surface water drainage
- Driveway material
- Traffic management plan for period of construction
- Gate no closer than 5m from highway boundary

Conservation Officer – Recommends refusal, commenting:

“2 West Street is significant as a listed historic building dating from circa 1800 or earlier. From the nineteenth century onwards, it comprised a fruit-growing farmstead, with contemporary small scale curtilage listed farm and fruit storage buildings and former orchard trees providing visible evidence of this former use, now much lost elsewhere in this part of the village. The building, along with the separately listed Chapel and the large foreground trees, provides significant enclosure to the street, and the side garden provides an important gap site, directing views to the former orchard and green rural backdrop.

The application follows some pre-application advice in which the principle of a dwelling within the eastern side garden was accepted, subject to being orientated perpendicular to the street (to better relate to the farm grouping) and if it were of an appropriate scale and with an agricultural (rather than domestic) character and setting. There were concerns about the scale, massing, form, design and details which mostly remain:

The proposal is not appropriate to the context in that its scale exceeds that of the other buildings on the site. Whilst it is slightly lower than the listed building, it is much higher than the other buildings, and is not subservient to the listed house because this two-storey height is seen together with its greater footprint and bulk. Its footprint span width and spread across the site gives it a cramped relationship to adjoining buildings and obscures the rural views and small scale character of the site. Its proximity to the nearest curtilage listed outbuilding in combination with the trees nearby, is of some concern as there is insufficient information to satisfy that this would not involve potential undermining due to much deeper foundations than the existing building.

The form and character of the proposed new dwelling is overly complex, and is contrary to the simple linear additive forms of the existing buildings. This is due mainly to the wraparound roof and wraparound plan and the projection and truncated proportions of the roadside element. This complexity is increased by the number and design of openings and the contrast between agricultural and overtly domestic parts of the design, like the chimney, numerous rooflights and other openings, and the proportions of the openings such as the large top-heavy openings on both gables. There are additional concerns about detailing such as the heavy proportions of the gable verges.

I therefore recommend refusal due to the bulk, form, footprint, height, proportions, numerous openings, design, details and hierarchy of the proposed development”

Contaminated Land Officer – No comments received – Previously recommended a standard contamination investigation in respect of the erection of a dwelling on the site.

Cllr Manning – Recommends approval of the application.

Public Consultations by South Cambridgeshire District Council as Local Planning Authority

9. None received.

Material Planning Considerations

10. The key issues to consider in this instance are the principle of development and the efficient use of land, the impact upon the setting of the adjacent listed building and residential amenity.

Principle of Development

11. In accordance with the guidance set out in the NPPF it is important to make an initial assessment of the impact that residential development would have upon the character and appearance of the area. In this case surrounding development is predominantly residential and adjacent to the application site the existing built form extends to the east and west in a linear nature. There is little evidence of back land development on this side of West Street, however there is no strict building line and dwellings having a varying degree of separation from the street front. The site forms a relatively natural part of this pattern of linear development and to this end it is considered that the principle of residential development of the site in question would not be detrimentally uncharacteristic to the character and appearance of the area in this instance.
12. The site measures approximately 0.057ha, thus a single dwelling on the site represents a development density of approximately 17dph. This is below the density targets of policy HG/1 of the Development Framework, however development of a greater density in this instance would very likely have a negative impact upon the setting of the listed building and as such the scheme is considered to represent a best use of land.

Residential Amenity

13. The proposed dwelling is sited adjacent to the rear garden of no.8 West Street and therefore the garden of this property lies to the south east of the proposal. Whilst this is not an ideal location from a pure residential amenity viewpoint, the siting has been informed by the need to respect the principal listed building on the site.
14. Having regard to the fact that the proposed dwelling lies to the north west of the no.8 there is not considered to be any potential for significant adverse overshadowing to the garden area serving no.8.
15. There are rooflights proposed upon the south east elevation of the dwelling, these are intended to serve two bedrooms and an ensuite. It's not explicitly clear from the drawings whether these are high level roof lights but it appears that they are, and it would be reasonable to control this via a conditional requirement. Having regard to this there is not considered to be any significant loss of privacy to the occupants of no.8 West Street as a result of the proposals.
16. Officers reach the conclusion that, on balance, there is no significant adverse overbearing impact upon the rear garden area serving no.8 having regard to the low scale of the dwelling (7.5m), the spatial separation from the common boundary proposed and the substantively lower site levels on the development site.

Listed Building Impact

17. The Conservation Officer recommends refusal of the proposals for reasons of bulk, form, span, height, proportions, details, fenestration size and quantity, hierarchy and lack of subservience to the adjacent listed building no.2 West Street.

18. The list description for no.2 reads *'House, Late C18 or early C19 with additions. Gault brick with tiled roof, half hipped. End to road. Two storeys, with one recessed hung sash to each storey in gable end. Doorway in side wall. The house adjoins the Baptist chapel, and is included for group value with it.'*
19. In accordance with the guidance contained with the NPPF the Local Planning Authority is required to take an approach towards the conservation of a heritage asset that is proportionate to its significance.
20. The Conservation Officer suggests that the building is very significant due to its age, character, setting and history. However, having regard to the list description which is explicit that the building is listed for group value with the adjacent Baptist church only, officers consider that as an heritage asset in isolation no.2 is of limited significance relative to other listed buildings.
21. The Councils Conservation Officers believe that no.2 was historically a dwellinghouse associated with a small fruit farm. In this regard pre-application negotiations with the applicant focused on the need for any building to be designed and sited to appear as a subordinate 'barn-like' building relevant to the context.
22. The scheme is considered to achieve this through the significant set back from the street frontage and the simple articulation of the building. The most complicated aspect of the design is the wrap-around feature of the single storey section of the dwelling. Whilst this is not indicative of the simple additive forms that one would expect of a barn like structure it is not considered to be so detrimental as to warrant refusal of the application as the overall appearance of the building appears simple enough to achieve to the visual relationship with the wider site that officers consider necessary.
23. The Conservation Officer is concerned that some of the details on the building, such as the verge, are not appropriate. It is reasonable to condition such details in this instance.

Highway Safety

24. In accordance with the comments of the Local Highways Authority there is not considered to be any adverse impact upon highway safety as a result of the proposals. The standard conditions recommended are considered to be reasonable and justified in this instance.

Further Considerations

25. Having regard to the representation of the Council's Tree Officer it is considered reasonable and necessary to apply a condition to agree details of tree protection and driveway construction.
26. The Parish Council raises concern for the proposed excavation of the site. For the purposes of clarity the application proposes no substantive works of excavation, the land is naturally lower than surrounding levels at this point in the site.
27. A draft heads of terms has been submitted with the application agreeing to pay the Councils standard contribution rates for public open space, community facility and refuse infrastructure provision. The Applicant's Solicitors are currently engaging with the Council's Lawyers in order to draw up a S106 agreement, but at the time of

writing this has not been sealed. In lieu of this a standard Grampian style condition is considered reasonable and justified in this instance.

Conclusion

28. 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

29. It is recommended that the Planning Committee approves the application subject to the following Conditions.

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 & Documents: 109/1.04 rev P3, 109/1.05 rev P2, 109/1.07, 109/1.08, 109/1.09, 109/1.10 & 109/1.11**

(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 buildings 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 the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

4. **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 and gates to be erected. The boundary treatment shall be completed before that/the dwelling 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.)

5. **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 the proposed driveway layout and**

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.)

- 6. 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.)

- 7. Notwithstanding the drawings, hereby approved, prior to the commencement of development on site details of the following shall be submitted to approved by the Local Planning Authority, the development shall be carried out in accordance with the approved details**

- a) Eaves and verge details at a scale of no less than 1:20**
- b) Window, rooflight, shutters , balustrade and door details at a scale no less than 1:20**
- c) Surface water drainage for the proposed driveway**
- d) Traffic management plan during the period of construction**
- e) Details of the vehicular cross over layout**
- f) The proposed flue, including position**
- g) Vents, extracts and grills**

(Reason – To protect trees, ensure architectural detailing appropriate to the site and in the interests of highway safety.)

- 8. No development shall begin until details of a scheme for the provision of recreational, community services and refuse infrastructure to meet the needs of the development in accordance with adopted Local Development Framework Policies SF/10 & SF/11 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.**

(Reason - To ensure that the development contributes towards public open space, community facilities and refuse in accordance with the above-mentioned Policies SF/10 & SF/11 and Policy DP/4 of the adopted Local Development Framework 2007.)

- 9. The rooflights on the south eastern roofslope of the dwelling, hereby approved, shall either be sited a minimum of 1.7m from the finished first floor level or shall be obscure glazed and non-opening.**

(Reason – In the interests of residential amenity)

- 10. No development approved by this permission shall be commenced until:**

- a) The application site has been subject to a detailed scheme for the investigation and recording of contamination and remediation objectives have**

been determined through risk assessment and agreed in writing by the Local Planning Authority.

b) Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation method statement) have been submitted to and approved in writing by the Local Planning Authority.

c) The works specified in the remediation method statement have been completed, and a validation report submitted to and approved in writing by the Local Planning Authority, in accordance with the approved scheme.

d) If, during remediation works, any contamination is identified that has not been considered in the remediation method statement, then remediation proposals for this contamination should be agreed in writing by the Local Planning Authority.

(Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy DP/1 of the adopted Local Development Framework 2007).

11. Prior to the commencement of development a scheme for the protection of the northern (curtilage listed) outbuilding with the curtilage of no.2 during construction shall be submitted to an approved in writing with the Local Planning Authority. The development shall be carried out in accordance with the approved details.

(Reason – To ensure that the curtilage listed outbuilding in question is not materially harmed during construction)

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)

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