

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

6 March 2013

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

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### **S/1665/12/FL – STAPLEFORD**

#### **Temporary Change of Use of Outbuilding to Self-Contained Annexe / Holiday Let at Keepers Cottage, Haverhill Road for Mr John Culbert**

**Recommendation: Delegated Approval**

**Date for Determination: 12 February 2013**

**This application has been reported to the Planning Committee for determination because the Officer recommendation is contrary to that of the Parish Council**

**To be presented to the Committee by Kate Wood**

#### **Site and Proposal**

1. The application site is an outbuilding associated with a dwelling known as Keepers Cottage. Keepers Cottage is currently used as a holiday let, and no planning permission is required for this. The outbuilding is located on land to the West of the dwelling adjacent to the boundary of the site and is part of a longer range of buildings along the boundary. To the West of the boundary there is a narrow line of trees with open farmland further to the West. The boundary with the open land is enclosed by a hedge. The outbuilding itself is a constructed of timber boarding and a corrugated roof. The site is accessed along a long narrow drive from Haverhill Road and this drive also serves other residential properties in the immediate vicinity of the site including The House on the Hill and Middlefield Cottage. The applicant states that the building was converted to ancillary residential accommodation (annexe) in 2004 comprising of an office and recreation rooms and was also used as sleeping accommodation from that time. The conversion to and use of the building as a holiday let occurred in the spring/summer of 2012. The site lies outside of the Development Framework of Stapleford in the open countryside. It is also within the Cambridge Green Belt.
2. The application seeks a change of use of the outbuilding to a self-contained holiday let for a temporary period of three years.

#### **Relevant Planning History**

3. S/0812/08/F – Planning permission granted for erection of extension to dwelling following demolition of elements of the building and outbuildings (including the element of the outbuilding currently containing the holiday let). Conditions included one requiring the submission of details regarding the phased demolition of elements of the building and outbuildings prior to commencement. This permission has not been implemented.

#### **Policies**

4. **DP/1** Sustainable Development  
**DP/2** Design of New Development  
**DP/3** Development Criteria  
**DP/7** Development Frameworks  
**GB/1** Green Belt  
**ET/10** Tourist Facilities and Visitor Accommodation  
**NE/6** Biodiversity  
**NE/15** Noise Pollution  
**TR/2** Car and Cycle Parking Standards

### **Consultations**

5. **Parish Council** – has recommended refusal commenting “Lack of clarity on holiday let – would like 9 months in any year. Assurance annex remains in curtilage of existing property”

**Local Highways Authority** – has not objected to the proposed development commenting that “no significant adverse effect on the public highway should result from this proposal should it gain benefit of planning permission”.

**Council Environmental Health Officer** – does not object commenting that “there are no significant impacts from an Environmental Health standpoint”.

### **Representations**

6. Four representations objecting to the application have been received in respect of the proposed development; three from owner/occupiers of nearby properties and one from a member of the public.

The objections raise concern regarding the following issues:

- i. Impact on neighbouring properties
- ii. Green Belt considerations
- iii. Traffic and Highway Safety
- iv. Sustainability
- v. Establishment of a second residential unit on the site
- vi. Conflict with previously issued planning permission

### **Planning Comments**

7. The main planning considerations in this case are the principle of the change of use, the impact on residential amenity, the impact on the Green Belt and parking and highway safety. The issues of the establishment of a second residential unit and the previous planning permission will also be addressed as will the need for a legal agreement.
8. **Principle** – Planning policy DP/7 seeks to ensure that new residential development is located within villages rather than in the countryside, however policy ET/10 stands as an exception to this general policy of restraint for new residential premises in the countryside where it is for the purpose of providing visitor accommodation including short term holiday lets. The policy states that such development will only be permitted by change of use / conversion, or through appropriate replacement of buildings not requiring large extension, or by appropriately modest extensions to existing facilities and that development of holiday accommodation will be limited to short-term holiday lets through conditions or legal agreement. Given that the accommodation would be

provided by conversion rather than new build, the proposed use of the building is for holiday letting and as the applicant has agreed to planning controls to limit the length of stay of each visitor, it is considered that the application complies with the requirements of policy ET/10. Some concern has been raised regarding the sustainability of the location for a holiday let, however the policy ET/10 specifically refers to the appropriateness of conversion of existing buildings in rural locations and it is considered that in terms of such rural locations this site is relatively well located as holiday accommodation being fairly close to Cambridge and within 2 miles of Stapleford, the Babraham Park and Ride site and Great Shelford train station. As such it is considered acceptable in terms of sustainability considerations for holiday accommodation.

9. **Impact on the neighbouring properties** – The building is not located particularly close to any of the neighbouring properties to the site, the closest one being approximately 45 metres from the outbuilding. It is not considered that the use of the building as a holiday let would be likely to cause any harmful impact on neighbouring residents in and of itself.
10. Very significant additional use of the driveway could potentially impact on residential amenity of neighbours closest to the access way, namely the occupants of The House on the Hill and Middlefield Cottage. The applicant also currently lets the main house on site and has suggest that based on the projected occupancy of both the main house and the outbuilding and a survey of previous users of the site that vehicle movements into the site would be lower than at present. However, as the main house may also be occupied permanently by its owners, or let to a long term tenant, it seems reasonable to conclude that the additional holiday let would create additional vehicle trips to the site since separate households would occupy the buildings. As the holiday let in the outbuilding contains two bedrooms, it may also be the case that on occasion more than one vehicle would be brought to the site by each party occupying the holiday let. Nonetheless, while there could potentially be an increase in vehicle movements to or from the site, it is unlikely that these would be of such a significant number that the residential amenity of neighbouring properties would be adversely affected and on balance, it is considered that the proposed use of the outbuilding would not cause any significant harm to the residential amenity of neighbouring properties.
11. One representation has raised concern regarding the impact of odour from the services (gas, water, sewerage) to the outbuilding which it is alleged are unauthorised. As the concern relates to domestic services which are controlled by Building Regulations and would exist whether or not this application were granted, it is not considered that they are material planning considerations in this case, however these concerns have been passed on to the Council's Building Control section which is currently investigating them.
12. The proposed use is therefore considered to be acceptable in terms of its impact on the residential amenity of neighbours.
13. **Green Belt** – The proposed use would not have any significant impact on the character or openness of the Green Belt, given that it involves the conversion of an existing building and parking area. The parking area of the site is well screened in distant views and it is not considered that any additional parking demand would negatively impact on the Green Belt. Concern has been raised regarding the permanent nature or otherwise of the existing building and whether it is therefore compliant with the requirement of the National Planning Policy Framework that the conversion of buildings is appropriate "provided that the buildings are of permanent

and substantial construction". While the building was not originally constructed as a habitable outbuilding, it has existed on site for several decades and it is considered that it is both substantial and permanent. The proposed temporary use of the outbuilding as a short term holiday let is therefore not considered to cause any harm to the openness or character of the Green Belt and is acceptable in terms of national and local green Belt policy.

14. **Parking and highway safety** – The parking area associated with the existing dwelling is significant and it is considered more than adequate to accommodate the parking requirements of the existing house and the holiday let.
15. The Local Highways Authority has commented that the proposed use would not have any significant impact on highway safety in the area. Turning is possible on site and additional traffic to the site would use the existing access out onto the Haverhill Road.
16. The proposed use is therefore considered to be acceptable in terms of the parking provision on site and its impact on highway safety in the area.
17. **Other matters** – Concern has been expressed regarding the potential for any permission to justify a future application for a separate permanent dwelling or for it to allow such an arrangement to occur informally. In terms of precedent, policy ET/10 acts as an exception from the general policy of restraint against new dwellings in the countryside and the granting of a new permission would not exempt any future application for a permanent separate dwelling from consideration against policies which seek to resist such dwellings. Any such application would be assessed on its merits. In terms of the potential for the converted building to be let on a long term or permanent basis, such activity would be expressly prohibited by planning condition. The potential for the building to be occupied as an unauthorised separate dwelling exists equally in the absence of the requested permission and it is considered that the proposed conditions and legal agreement give additional control over such an arrangement for the duration of the permission.
18. Planning permission granted under reference S/0812/08/F in 2010 allowed the construction of an extension to the existing main house on the site subject to a condition requiring that the outbuilding be demolished as part of an enhancement of the site required to justify the extension. Plainly, the 2010 permission, which remains extant, cannot be implemented without the removal of the building to which this application relates. The granting of this temporary permission would not constrain the implementation of the previous permission, as the holiday let use could be discontinued at any point during the three year period of the permission. Similarly both the holiday let use and the construction of an enlarged dwelling could not occur simultaneously.
19. **Legal Agreement** – In addition, it is considered necessary for the ownership of the holiday let to be tied to the main house to ensure that its use does not negatively impact on the living conditions of the main dwelling in terms of noise and disturbance and loss of privacy. The applicant has agreed to enter into a S106 legal agreement which will be drafted and completed prior to the issuing of any permission, hence the request for delegated approval.

### **Recommendation**

20. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is recommended that delegated

powers be granted to APPROVE the application, subject to a S106 Agreement and conditions relating to:

1. Approved Plans
2. Temporary 3 year permission, following which the use of the building to revert to an annexe associated with Keepers Cottage.
3. Use for short term lets only.

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

- Planning File ref: S/1665/12/FL
- National Planning Policy Framework 2012
- Local Development Framework Development Control Policies 2007

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