

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2 September 2015

AUTHOR/S: Planning and New Communities Director

Application Number: S/1439/15/FL

Parish: Waterbeach

Proposal: Extension, External Alterations and Conversion of Dwelling to Form Ground Floor Pharmacy and Two First Floor Flats together with Provision of Parking Spaces, Cycle and Bin Storage

Site address: 5 Green Side

Applicant(s): Medicines 4 U Ltd.

Recommendation: Approval

Key material considerations: Principle of Development
Conservation Area
Listed Building
Highway Safety
Neighbour Amenity

Committee Site Visit: No

Departure Application: No

Presenting Officer: Karen Pell-Coggins, Principal Planning Officer

Application brought to Committee because: The officer recommendation is contrary to the view of Waterbeach Parish Council

Date by which decision due: 31 July 2015 (Extension of Time Agreed)

Planning History

1. **S/0651/15/FL** - Extension, External Alterations and Conversion of Dwelling to Form Ground Floor Pharmacy and Two First Floor Flats together with Provision of Parking Spaces, Cycle and Bin Storage - Withdrawn
S/0811/15/LB - Extension, External Alterations and Conversion of Dwelling to Form Ground Floor Pharmacy and Two First Floor Flats together with Provision of Parking Spaces, Cycle and Bin Storage - Withdrawn
S/1666/92/F - Extensions (Renewal of Time Limited Permission S/2040/87/F) - Approved
S/2041/87/LB - Extensions - Approved
S/2040/87/F - Extensions - Approved
S/2003/84/LB - Demolition and Reconstruction of Dwelling - Approved

S/2002/84/FL - Reconstruction of Dwelling and Erection of Garage/Workshop -
Approved

National Guidance

2. National Planning Policy Framework 2012
National Planning Practice Guidance 2014

Planning Policies

3. **South Cambridgeshire Local Development Framework Core Strategy DPD 2007**

ST/5 Minor Rural Centres

4. **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

DP/7 Development Frameworks

HG/1 Housing Density

HG/2 Housing Mix

HG/3 Affordable Housing

SF/4 Retailing in Villages

CH/3 Listed Buildings

CH/4 Development Within the Curtilage of a Listed Building

CH/5 Conservation Areas

NE/6 Biodiversity

NE/11 Flood Risk

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

SF/11 Open Space Standards

TR/1 Planning for More Sustainable Travel

TR/2 Car and Cycle Parking Standards

5. **South Cambridgeshire Local Plan Submission 2014**

S/7 Development Frameworks

S/9 Minor Rural Centres

HQ/1 Design Principles

H/7 Housing Density

H/8 Housing Mix

H/9 Affordable Housing

NH/4 Biodiversity

NH/14 Heritage Assets

CC/9 Managing Flood Risk

E/22 Applications for New Retail Development

SC/6 Indoor Community Facilities

SC/7 Outdoor Playspace, Informal Open Space, and New Developments

SC/8 Open Space Standards

TI/2 Planning for Sustainable Travel

TI/3 Parking Provision

TI/8 Infrastructure and New Developments

6. **South Cambridgeshire Supplementary Planning Documents**

Development Affecting Conservation Areas SPD - Adopted January 2009
Listed Buildings SPD - Adopted July 2009
Open Space in New Developments SPD - Adopted January 2009
Trees & Development Sites SPD - Adopted January 2009
Landscape in New Developments SPD - Adopted March 2010
Affordable Housing SPD - Adopted March 2010
District Design Guide SPD - Adopted March 2010

Consultation

7. **Waterbeach Parish Council** - Recommends refusal and makes the following comments: - Waterbeach Planning Committee object to this application due to concerns regarding traffic issue and request a transport impact assessment is carried out prior to a decision being taken. Particular concern was raised regarding an unmarked bus stop outside the site which would have trouble dropping people off if parking is not controlled. How will the site fit into the conservation area with the suggested frontage changes?
8. **Local Highways Authority (Amended Plans)** - Comments that the parking arrangements shown on drawing number 15003/05a are acceptable.
9. **Local Highways Authority (Original Plans)** - Requests that the application is refused on the grounds that the proposal does not incorporate adequate facilities to enable a vehicle to turn on site and enter the highway in forward gear which is considered essential as this was conditioned via application number S/2002/84/F. This objection may be overcome if the car parking layout is redesigned which may lead to a loss of garden space. If following provision of the above, the highway authority is satisfied that the proposal would have no significant effect upon the public highway, conditions are required in relation to the provision of 2.0 metre x 2.0 metres pedestrian visibility splays to the south of the access that are maintained clear from obstruction over a height of 600mm, the retention of parking and turning on site, the driveway being constructed using bound material, the driveway being constructed so that it falls, the provision of a bin storage area closer to the road and a construction traffic management plan. Also requests an informative with regards to works to the public highway.
10. **Conservation Officer** - Comments that although the records identify that the property is listed, planning permission was granted in 1984 for demolition of the listed building and the construction of a new dwelling. The building was never delisted. Whilst the building is no longer of high significance, it is located centrally within the Waterbeach conservation area and makes a positive contribution. The traditional timber shop front would complement the character of the conservation area. The extension would complement the design and form of the existing building. Request conditions in relation to materials and joinery details of the shop front including moulding, glazing, window reveal and paint finish.
11. **Environmental Health Officer** - Comments are awaited.

Representations

12. The occupier of No. 7 Green Side comments that the site is not an established A1 retail use and is residential, there is poor and dangerous access and parking provision with danger to pedestrian particularly the elderly, disabled and children, the need for

re-location is irrelevant, the listed status of the property is a question, there is a need for a transport assessment to support the application as the traffic levels would be likely to exceed the thresholds in relation to traffic generation and conflict between vehicles and pedestrians set out in guidance by the Department of Transport, Communities and Local Government and limited mitigation measures would encourage the promotion of non- motorised transport modes.

13. A local resident from Lode Avenue comments that the opportunity to move Waterbeach pharmacy from its present dangerous and congested position on Chapel Street to Green Side should be taken. The current pharmacy is situated on a bend in the road with poor site lines either way. The pavement is narrow. There are no parking yellow lines outside the pharmacy and but vehicles constantly park on them. There is no pedestrian crossing to assist the young, elderly and disabled. The move across to Green Side would improve the site lines. Parking would be possible in this area. However, the bus stop would need to be marked and no parking written on it. It is believed that the property is listed and was listed incorrectly when rebuilt. There used to be shops to the left of 5 Green Side and there is a van hire business now.

Site and Surroundings

14. The site is located within the Waterbeach village framework and conservation area. No. 5 Green Side is a listed building. It is currently a detached, two-storey, brick and plain tile modern dwelling that is set on the back edge of the footpath. There is a driveway to the southern side that leads to a garage and gravel parking and turning area to the rear. Beyond is a rear garden. An office building and three dwellings are situated to the south and a residential property is situated to the north.

Proposal

15. The proposal seeks external alterations in the form of a shop front and the insertion of additional first floor windows in the side elevations of the building, a two-storey rear extension and conversion of the existing single dwelling to form a pharmacy at ground floor level and two one bedroom flats at first floor level. One staff parking vehicle space would be provided within the garage for the pharmacy and two vehicle parking spaces would be provided within the existing garden for the flats. 4 cycle parking spaces and a refuse storage area would also be provided on site.

Planning Comments

16. The key issues to consider in the determination of this application relate to the principle of the development, housing density, housing mix, affordable housing, developer contributions and the impacts of the development upon highway safety, the conservation area, the listed building, the setting of adjacent listed buildings and neighbour amenity.

Principle of Development

17. The site is located in the Waterbeach village framework. The conversion and extension of the premises to form a pharmacy at ground floor level and two flats at first floor level is acceptable in policy terms.
18. The scale of the pharmacy would be appropriate to the function and size of the village as a Minor Rural Centre and would be located in the centre of the village close to a number of other services and facilities. The proposal would therefore comply with Policy SF/4 of the adopted LDF.

19. The provision of two flats would make the most efficient use of land in a Minor Rural Centre. The proposal would therefore comply with Policy ST/5 of the LDF.

Housing Density

20. The site measures 0.05 of a hectare in area. The erection of two dwellings would equate to a density of 40 dwellings per hectare. This density would not comply with the requirement under Policy HG/1 of the LDF of at least 40 dwellings per hectare in sustainable locations.

Housing Mix

21. The provision of two flats with 1 bedroom would comply with Policy HG/2 of the LDF that states that in developments of up to 10 dwellings, market properties should provide at least 40% of homes with 1 or 2 bedrooms.

Affordable Housing

22. The proposal would result in a net increase in one dwelling on the site. The development is not therefore required to contribute towards affordable housing provision as Policy HG/3 of the LDF only requires affordable housing in schemes where planning permission is granted for two or more dwellings.

Developer Contributions

23. The new development would put extra demand on open space and community facilities in Waterbeach.
24. Recent Government advice (issued through the National Planning Practice Guidance) has led to confusion over the ability of local planning authorities to seek financial contributions. That advice has now been largely cancelled as a result of the recent judicial review decision, which allows the payment of contributions to continue in appropriate cases. However, Waterbeach is one of the villages that has pooled five or more offsite public open space contributions and as such any further request would not be Community Infrastructure Levy (CIL) compliant unless there is a specific need for contributions to make the development acceptable in planning terms. The more informal policy on indoor community facilities is also lacking when considering the CIL.
25. In this case, there is not considered to be a specific need in order to mitigate the impact of the development and contributions and not therefore sought.

Highway Safety

26. The site is located in the centre of the village on Green Side. This is a main road through the village with a speed limit of 30 miles per hour. The site is close to the junction with Cambridge Road. There is unrestricted parking on the road and a bus stop.
27. The Local Highways Authority has no objections to the proposal (as amended) subject to conditions.
28. The Parish Council and neighbour at No. 7 Green Side have stated that the application should be supported by a Transport Assessment as a result of the amount of vehicle movements and conflict between non-motorised movements and motorised

movements.

29. The neighbour has commented that the number of visits to the site was 19 between 16.15 and 17.15 on one day in the summer and is likely to be higher in the winter months. Officers acknowledge this point but question whether all of these visits were made by vehicles as opposed to cyclists or pedestrians. The threshold that triggers the need for a Transport Assessment is 30 two-way movements in one hour or 100 two-way movements in a single day. The Local Highways Authority has advised that due to the scale of the proposal with a floor space of 89 square metres, it is unlikely that the amount of vehicle movements would exceed the threshold and justify the submission of a Transport Assessment to support the application. It should be noted that a Transport Assessment is normally only required for applications with a floor space of 1000 square metres.
30. The close proximity of the site to the busy and dangerous junction is the cause of the conflict. There have been three slight accidents at this junction over the last 5 years. Although officers acknowledge that the site is close to the junction, the Local Highways Authority has advised that this level of conflict would not justify the need for a Transport Assessment.
31. The site would provide one on-site space for staff at the pharmacy and two on-site spaces for the two flats. The amount of traffic using the driveway would not increase from the existing use as the site currently has a garage and a large gravel area that is not identified specifically for turning on the application plans so three vehicles could currently park on site.
32. Whilst the level of parking would not comply with the Council's parking standards that require an average of 1.5 spaces per dwelling and 1 space per 20 square metres of floor space, it is considered acceptable given the sustainable location of the site within the centre of the village and easily accessible by non-motorised modes of transport such as walking and cycling. The supporting text to Policy TR/2 of the LDF states that at peak times, a good indication of how the proposal would increase on-street parking is a figure of 1 car per 28 square metres of floor space for a retail use. With a floor space of 89 square metres, this would result in the need for a maximum of three on-street parking space that would not be detrimental to highway safety in an area where there are currently no parking restrictions.

Listed Building and Conservation Area

33. The building is officially grade II listed. However, it is not a building of architectural or historic merit due to the original building being demolished and the current premises being reconstructed in 1984. The only reason it is listed is because it has never been delisted. The development would be in keeping with the existing property and is not therefore considered to harm the character and appearance of the listed building. It would also not damage the setting of adjacent listed buildings.
34. The new shop front would be traditional in design and complement the existing building. The development would therefore preserve the character and appearance of the conservation area. Conditions would be attached to any consent to ensure the use of appropriate materials and details.

Neighbour Amenity

35. The proposal is not considered to result in an unacceptable rise in the level of noise and disturbance that would seriously harm the amenities of neighbours. Although it is

noted that the parking area would be located further to the rear of the premises, it would be situated adjacent to the driveway rather than the garden of the neighbour.

36. The external alterations to include the insertion of first floor windows in the south side elevation of the building facing No. 7 Green Side are not considered to seriously harm the amenities of these neighbours through overlooking as a condition would be attached to any consent to ensure that they are obscure glazed and fixed shut.
37. The external alterations to include the insertion of first floor windows in the south side elevation of the building facing No. 3 Green Side and No. 1 Gibson Close together with the extension are not considered to seriously harm the amenities of these neighbours through being unduly overbearing in mass, through a loss of light or through overlooking as No. 3 is an office building and No. 1 Gibson Close has a small front garden that is not private.
38. There is one first floor window in the office building that faces towards the first floor lounge and bedroom windows of the proposed flats. This is not considered to result in a significant loss of privacy to the occupiers of the flats given that there would be a distance of 9 metres and oblique angle of view between the windows.

Conclusion

39. 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

40. Officers recommend that the Committee approves the application subject to the following conditions: -

Conditions

- (a) 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.)
- (b) The development hereby permitted shall be carried out in accordance with the following approved plans: - Drawing numbers 15003/01, 15003/02 Revision a, 15003/03 Revision a, 15003/04 Revision a and 15003/05 Revision a.
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
- (c) 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 development preserves the character and appearance of the conservation area and listed building in accordance with Policies CH/3 and CH/5 of the adopted Local Development Framework 2007.)
- (d) No development shall take place until precise details of the shop have been submitted to and approved in writing by the Local Planning Authority. The

details shall include sections showing the moulding, type of glazing, set in reveal and paint finish. Development shall be carried out in accordance with the approved details.

(Reason - To ensure the development preserves the character and appearance of the conservation area and listed building in accordance with Policies CH/3 and CH/5 of the adopted Local Development Framework 2007.)

- (e) The development hereby permitted shall not be occupied until the site has been laid out for parking and turning as shown on drawing number 15003/05 Revision a. The parking and turning areas shall thereafter retained for such purposes.
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- (f) Visibility splays shall be provided on the south side of the access and shall be maintained free from any obstruction over a height of 600mm within an area of 2.0 metres x 2.0 metres measured from and along respectively the back of the footpath.
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- (g) No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Planning Authority in consultation with the Highway Authority. The principle areas of concern that should be addressed are:
- i. Movements and control of muck away lorries (all loading and unloading should be undertaken off the adopted public highway)
 - ii. Contractor parking, for both phases all such parking should be within the curtilage of the site and not on street.
 - iii. Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway)
 - iv. Control of dust, mud and debris, please note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.
- (Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- (h) Apart from any top hung vent, the proposed first floor windows in the north side elevation of the development, hereby permitted, shall be (i) obscure-glazed, and (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.
(Reason - To prevent overlooking of the adjoining properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- (i) No further windows, doors or openings of any kind, other than those expressly authorised by this permission, shall be constructed in the first floor north side elevation/ roof slope of the development hereby permitted, unless the windows are (i) obscure-glazed, and (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; or expressly authorised by planning permission granted by the Local Planning Authority in that behalf.
(Reason - To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

Informatives

- (a) The granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Local Highway Authority for such works.

Background Papers:

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Development Framework Core Strategy DPD 2007
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- Planning File References S/1439/15/FL, S/1440/15/LB, S/0651/15/FL, S/0811/15/LB, S/1666/92/F, S/2040/87/F, S/2041/87/LB, S/2002/84/F and S/2003/84/LB

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