

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

7 October 2015

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

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**Application Number:** S/1474/15/FL

**Parish:** Histon

**Proposal:** Guest Accommodation Block

**Site address:** The Red Lion Public House, 27 High Street

**Applicant(s):** M & L Taverns

**Recommendation:** Approval

**Key material considerations:** Principle of Development  
Conservation Area  
Highway Safety and Parking  
Neighbour Amenities  
Trees and Landscaping  
Flood Risk

**Committee Site Visit:** Yes

**Departure Application:** No

**Presenting Officer:** Karen Pell-Coggins

**Application brought to Committee because:** The officer recommendation conflicts with the recommendation of Histon Parish Council

**Date by which decision due:** 3 September 2015 (Extension of Time Agreed)

### Planning History

1. S/1273/95/RM - Bungalow and Garage - Approved  
S/0121/95/D - Bungalow and Garage - Approved  
S/0880/90/O - Bungalow and Garage - Appeal Allowed  
S/0879/90/F - Change of Use to Office (B1) - Refused

### National Guidance

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

### Development Plan Policies

3. **South Cambridgeshire Local Development Framework Core Strategy 2007**  
ST/4 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/7 Development Frameworks  
CH/5 Conservation Area  
NE/6 Biodiversity  
NE/11 Flood Risk  
ET/10 Tourist Facilities and Visitor Accommodation  
TR/1 Planning For More Sustainable Travel  
TR/2 Car and Cycle Parking Standards

5. **South Cambridgeshire Local Development Framework Supplementary Planning Documents**

Development Affecting Conservation Areas SPD - Adopted January 2009  
Trees & Development Sites SPD - Adopted January 2009  
Landscape in New Developments SPD - Adopted March 2010  
District Design Guide SPD - Adopted March 2010

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

S/3 Presumption in Favour of Sustainable Development  
S/7 Development Frameworks  
S/8 Rural Centres  
HQ/1 Design Principles  
NH/4 Biodiversity  
NH/14 Heritage Assets  
E/20 Tourist Accommodation  
CC/3 Renewable and Low Carbon Energy in New Developments  
CC/4 Sustainable Design and Construction  
CC/9 Managing Flood Risk  
TI/2 Planning for Sustainable Travel  
TI/3 Parking Provision

**Consultation**

7. **Histon Parish Council** - Recommends refusal and makes the following comments: -  
"Although committee are supportive of the business plan, all agreed to make a recommendation of refusal commenting parking increment, loss of early morning light, condition retention of beech hedge, windows west elevation to be fixed and opaque, flood risk assessment and design and access statement basic- no mention of heritage or conservation, dimensions not shown on plans, preferred way forward would be applicant to present amended plans showing gated access, retention of hedge and additional details covering dimensions, materials although matching the Red Lion, noting the distance from the public house should match those of residential dwellings to lessen the impact. If SCDC are minded to make a recommendation of approval, the committee would like to see conditions covering the retention of the boundary beech hedge on Harding way and access to the accommodation to be via a secured gate".
8. **Local Highways Authority** - Requires a condition for a traffic management plan during construction.
9. **Environmental Health Officer** - Has no objections and suggests conditions in relation to hours of construction related deliveries, noisy works and the use of power

machinery. Also requests informatives with regards to the burning of waste on site and pile driven foundations.

10. **Trees and Landscapes Officer** - Comments that it appears that several trees have been removed from the car park frontage (Tree Preservation Order) and the proposal would result in the loss of further trees to the rear of Nos. 17 and 19 Harding Way. It would be useful to see some planting proposal for the car park area including some tree planting to mark the entrance and integrate the building and replacement planting on the east and west boundaries where neighbours would be affected.

### **Representations**

11. 8 letters have been received from nearby residents that object on the following grounds: -
- i) Commercial intrusion into a residential area.
  - ii) The height and length of the building would dominate views from the east and west.
  - iii) The materials would be out of keeping with the natural surroundings.
  - iv) Inadequate parking on site and on-street parking competitive due to location.
  - v) Loss of privacy.
  - vi) Overshadowing and loss of light.
  - vii) Proximity to boundary.
  - viii) Noise and disturbance.
  - ix) Anti-social behaviour and safety issues.
  - x) Lack of need for such accommodation.
  - xi) Loss of green space.
  - xii) Loss of trees.
  - xiii) Impact upon wildlife.
  - xiv) Emergency access.
  - xv) Potential future use of building.
  - xvi) Lack of consultation by applicants.
  - xvii) Light pollution.
  - xviii) Potential flood risk.
  - xix) Overdevelopment of site.
  - xx) Out of keeping with low density of area.

### **Planning Comments**

12. The key issues to consider in the determination of this application relate to the principle of the development and the impacts of the development upon the character and appearance of the conservation area, neighbour amenity, flood risk, trees and landscaping, highway safety and parking.

### **Site and Surroundings**

13. The site is located within the Histon village framework and partially in the conservation area. It currently forms the public house and its garden and car park along with part of the garden to the dwelling at No. 1 School Hill. There are a number of trees including a mature Horse Chestnut to the rear and a Tree Preservation Order covers part of the site but it appears that these trees have been removed. The site is situated within Flood Zone 2 (medium risk). Residential properties lie to the east and west.

### **Proposal**

14. The proposal (as amended) seeks the erection of a guest accommodation block for

visitors to the area. It would be sited on land that currently forms part of the garden to No. 1 School Hill. The building would measure 20.5 metres in length, 5.1 metres in depth and have a height of 2.3 metres to the eaves and 4.5 metres to the ridge. The design would be that of a traditional pitched roof building. The accommodation would provide four ensuite bedrooms and a cleaner's store. The materials of construction would be white painted render for the walls and natural grey slate for the roof. The Horse Chestnut tree would be retained.

### **Principle of Development**

15. The site is located within the village framework of a Rural Centre. The provision of guest accommodation for tourists in connection with the existing public house on site of the scale and type proposed is supported in policy terms. A condition would be attached to any consent to restrict its use to short term holiday lets.

### **Character and Appearance of the Conservation Area**

16. The proposal would not result in the loss an important green space in the conservation area given its lack of visibility from public viewpoints. The scale, single storey height, traditional form and design and materials to match the existing building of the building are considered appropriate and would preserve the character and appearance of the conservation area.

### **Neighbour Amenity**

17. Residential properties at Nos. 2 and 4 Home Close are situated to the east of the site and Nos. 17, 19 and 21 Harding Way are situated to the west of the site. The development is not considered to have an unacceptable impact upon the amenities of these properties through an unduly overbearing mass, loss of light, loss of privacy or noise and disturbance. Planning permission was previously granted for a bungalow on the site.
18. Whilst it is acknowledged that the building would project across the whole width of the garden at No. 19 Harding Way, it would be low in height, situated a distance of 12.5 metres from the rear elevation of that dwelling with a roof sloping away and be orientated to the east. The windows in the rear elevation would be behind boundary fencing and planting. This is not considered to result in an unacceptable relationship.
19. Whilst it is acknowledged that the building would project across the whole width of the garden at No. 2 Home Close, it would be low in height, situated a distance of 19 metres from the rear elevation of that dwelling with the roof sloping away and be orientated to the west. The access to the front of the building and windows and doors in the front elevation would be behind boundary fencing and planting. This is not considered to result in an unacceptable relationship.
20. Although it is noted that the provision of a building in this location would result in an increase in noise and disturbance in the area, it would is not considered to have a significant impact that would detrimental to neighbours to warrant refusal of the application. This is due to the boundary screening and planting and use of the building as sleeping accommodation. A condition would be attached to any consent to ensure that the building could not be used for any other purposes.
21. The provision of three parking spaces adjacent the boundary of the dwelling at No. 2 Home Close that has three windows in its side elevation is not considered to lead to an unacceptable level of noise and disturbance given that this area is already used for

leisure activities in connection with the public house or for parking purposes.

### **Trees and Landscaping**

22. The proposal would not result in the loss of any significant trees and landscaping that would be detrimental to the visual amenity of the area. The existing Horse Chestnut tree to the south of the building and the hedge and planting to the east and west of the building would be retained. A condition would be attached to any consent to ensure that they are protected during construction. New landscaping in the form of trees would be planted along the eastern and western boundaries to soften the impact of the development upon neighbours.
23. The existing trees covered by a Tree Preservation Order at the entrance to the site have been removed. Replacement planting for these trees cannot be secured under this consent given that it is an existing situation. This matter will be investigated separately.

### **Flood Risk**

24. The site lies partly within Flood Zone 2 (medium risk) given its proximity to Histon brook. There are no records of flooding at the site. The Flood Risk Assessment states that flood levels of Histon brook at are 10.40 AOD for the 1 in 100 year storm event plus 30% allowance for climate change. The levels of the car park at the public house that are located in Flood Zone 2 are at 10.55 AOD and the ground levels of the site where the proposed building is to be located are at 11.15 AOD. The floor levels of the building would be at 11.20 AOD that is 800mm above the 1 in 100 year storm event plus climate change level and is considered acceptable. The proposal is not therefore considered to increase the risk of flooding to the site and surrounding area.

### **Highway Safety and Parking**

25. The development would be unlikely to result in an increase in the level of traffic in the area given its existing use as a public house. The proposal is not therefore considered to be detrimental to highway safety.
26. The permanent provision of three additional parking spaces would accommodate the majority of tourists occupying the accommodation block. Although this may result in some parking within the vicinity of the site, this is considered satisfactory given that there is a public car park within very close proximity to the site and unrestricted on-street parking in the area.

### **Other Matters**

27. The guest accommodation block would be used by its occupiers only. It would not be accessible to the general public. The potential use of the site for crime and anti-social behaviour purposes is a police matter.
28. The need for tourist accommodation is not a planning consideration that can be taken into account in the determination of this application.
29. The development is not considered to result in the loss of any important wildlife habitats for protected species. Any trees removed would be replaced by planting.
30. External lighting would be a condition of any consent to ensure that the proposal would not result in light pollution.

## **Conclusion**

31. 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**

32. It is recommended that the Planning Committee approves the application (as amended).

## **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: - 1:1250 location plan and drawing numbers 335/14/02 Revision A and 335/14/04 date stamped 14 September 2015.  
(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 building 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 that the appearance of the site does not detract from the character of the conservation area in accordance with Policy CH/5 of the adopted Local Development Framework 2007.)
- (d) 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 to be erected. The boundary treatment shall be completed before the development 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 conservation area in accordance with Policy CH/5 of the adopted Local Development Framework 2007.)
- (e) 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 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.)
- (f) 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.)

- (g) In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from [the date of the first occupation of the development hereby approved].
- (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with the relevant British Standard.
- (b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
- (c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
- (Reason - To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)
- (h) The three allocated vehicle parking spaces shown on drawing number 335/14/02 Revision A shall be provided prior to the occupation of the development and thereafter retained.
- (Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- (i) Notwithstanding the provisions of Article 3 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), the premises shall be used for guest accommodation only and for no other purpose (including any other purposes in Class C1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification).
- (Reason - To protect the amenities of adjoining residents in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- (j) The development hereby permitted shall not be occupied at any time other than for tourist accommodation ancillary to the commercial use of the Red Lion

Public House, High Street, Histon and never as permanent residential accommodation.

(Reason - To protect the amenities of adjoining residents in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

- (k) During the period of demolition and construction, no construction related deliveries, noisy works or power operated machinery shall be carried out on the site before 08.00 hours and after 18.00 hours on weekdays and before 08.00 hours and after 13.00 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.)
- (l) No external lighting shall be provided or installed within the site other than in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.  
(Reason - To minimise the effects of light pollution on the surrounding area in accordance with Policy NE/14 of the adopted Local Development Framework 2007.)

#### **Informatives**

- (a) During construction, there shall be no bonfires or burning of waste on site except with the prior permission of the District Environmental Health Officer in accordance with best practice and existing waste management legislation.
- (b) Should pile driven foundations be proposed, then before works commence a statement of the method for construction of these foundations shall be submitted to the District Environmental Health Officer so that noise and vibration can be controlled.

#### **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
- South Cambridgeshire Supplementary Planning Documents
- South Cambridgeshire Local Plan Submission 2014
- Planning File References S/1474/15/FL, S/1273/95/RM, S/0121/95/D, S/0880/90/O and S/0879/90/F

#### **Report Author:**

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