

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee

6th July 2005

AUTHOR/S: Director of Development Services

S/1820/04/O - Gamlingay
Dwelling, Land r/o 96 Station Road, For T K Whayman

Recommendation: Refusal
Date for Determination: 22nd October 2004

Site and Proposal

1. This outline application, registered on 27th August 2004 seeks consent for the erection of a house on a 0.092ha plot of land currently forming part of the garden land to the side and rear of 96 Station Road, Gamlingay, an end of terrace house. All matters are reserved with the exception of the means of access.
2. At the present time there is vehicular access to east of 96 Station Road which serves that property and the other two houses in the terrace. It is proposed to extend that driveway, by removing an existing outbuilding, to provide access to the proposed plot.
3. To the east and south the site abuts the Station Road Industrial Estate and in particular the premises occupied by Pinewood Structures. To the north the site abuts the rear garden of 98 Station Road.
4. The site is within the village framework.

Planning History

5. There is no relevant planning history for this site.

Planning Policy

6. **Policy SE3** of the South Cambridgeshire Local Plan 2003 ("The Local Plan) identifies Gamlingay as a Limited Rural Growth settlement where residential development and redevelopment up to a maximum scheme size of 30 dwellings within the village framework provided that the retention of the existing site in its present form is not essential to the character of the village; the development would be sensitive to the character of the village, local features of landscape or ecological importance, and the amenities of neighbours; the village has the necessary infrastructure capacity; and residential development would not conflict with another policy of the Plan, particularly **Policy EM8** (Loss of Employment Sites). Development should provide an appropriate mix of dwellings in terms of size, type and affordability and should achieve a minimum density of 30 dph unless there are strong design grounds for not doing so.
7. **Policy HG11** of the Local Plan sets out the criteria that will be used to judge applications for backland development. These criteria include whether a proposed development would result in overbearing, overlooking or overshadowing of existing residential properties; result in noise and disturbance to existing residential properties

through the use of its access; result in highway dangers through the use of its access; or be out of character with the pattern of development in the vicinity.

8. **Policy ES6** of the Local Plan sets out the Councils policy in respect of noise and pollution. The text of Policy ES6 states that the District Council wishes to ensure that new noise- sensitive development constructed near to existing commercial, industrial or recreational activity is not subject to excessive noise pollution.
9. **Policy EN30** of the Local Plan seeks to ensure that new development affecting the setting of Conservation Areas preserves or enhances the character of those areas.
10. **Planning Policy Guidance Note 24 - Planning and Noise** sets out Central Government advice when assessing applications for noise sensitive development and is referred to below by the Chief Environmental Health Officer.

Consultation

11. **Gamlingay Parish Council** recommends approval. "No objection to outline application.
12. The **Chief Environmental Health Officer** recommends refusal. Noise monitoring has been carried out. "These readings concur with those submitted by the applicant's acoustic consultant. PPG 24 advises that noise should be considered when determining the planning application and where appropriate conditions be included to protect against noise.

There are no planning restrictions on the hours of use at Pinewood Structures and they currently operate two production shifts over 16 hours a day. The Company also operates Saturday and when demand dictates on Sunday. Lorries can also return to the site at all times during the day and night.

Although the house can be constructed to mitigate the noise from the adjacent industrial site, the garden will be affected. Paragraph 17 PPG 24 recommends that the amenity of the garden also be considered and the World Health Organisation recommends that outdoor noise levels shall not exceed 50dB LAeq. A daytime noise level above 50dB LAeq is deemed by the World Health Organisation as a level where community annoyance will be caused and as the above figures demonstrate, daily LAeq's are reaching 53dB(A) and hourly LAeq's have exceeded 58dB(A).

These levels need to be taken into context. A LAeq is an average noise level over a time period and will combine quiet lulls with incidents of loud intermittent noise. My own subjective opinion of the noise from the factory when heard from the proposed development site is that it would cause disturbance, especially if what I heard was comparable with the noise that may be generated at weekends, a time when most people would wish to enjoy their garden.

For the above reasons I would recommend refusal for a home in such close proximity to an industrial site with no time restrictions on hours of operation.

13. The **Conservation Manager** comments that the site is outside the boundaries of the Conservation Area and the development will not impact on its setting. However, the development will require the demolition of a timber framed and weatherboarded outbuilding, described as a former stable. Although this structure is not of sufficient architectural or historic interest to warrant listing, it is of some local interest and contributes to the group interest of the Victorian buildings in the vicinity. Had the

building been in the Conservation Area its demolition would have been opposed. Have alternative options for access been investigated?

14. The **Local Highway Authority** requests that the applicant be asked to show the proposed visibility splays, car parking locations, manoeuvring spaces and cycle parking.

Representations

15. A letter has been received from Pinewood Structures objecting to the proposal. The letter states that the proposed development directly abuts the Pinewood Structures facility and there is concern about the affect that working practices may have in terms of noise and traffic movement on the future residents of the proposed property. There have been two new properties built alongside one of the main entrances to the facility and it is feared that surrounding the industrial estate with additional residential properties will lead to friction between businesses and residents in the medium to long term. Reference is made to the Company's' Green End facility which has experienced similar problems and is surrounded on two sides by residents. As a result working practices are significantly restricted.
16. The occupier of 98 Station Road has no objection although wishes to be kept informed about the final position of the proposed dwelling.

Applicants Representations

17. Attached as **Appendix 1** is a copy of a letter from the applicant's agent submitted in support of the proposal. Subsequently a detailed report was submitted from an acoustic consultant. The letter accompanying the report is attached as **Appendix 2**.

Planning Comments - Key Issues

18. The key issue to consider with this application is the relationship of the proposed dwelling to the adjacent industrial estate and whether the amenity of the future residents of the dwelling is likely to be unreasonably compromised. Other issues relate to the impact of the proposed development on the adjacent Conservation Area and highway safety.
19. Noise readings have been submitted by a noise consultant on behalf of the applicant and the Chief Environmental Health Officer has undertaken further assessment, having had regard to the comments of the acoustic consultant
20. Although the site currently forms part of the garden land to 96 Station Road the erection of a dwelling on the site will intensify residential activity in that area. The Chief Environmental Health Officer states that although the proposed dwelling could be constructed to mitigate the noise from the adjacent industrial premises, the use of its garden will be affected to an unreasonable degree. This effect is compounded by the working practices of Pinewood Structures, within the scope of the existing planning consents for the site. In my view the introduction of an additional residential property in this location should be resisted in line with the recommendation of the Chief Environmental Health Officer.
21. The Conservation Manager has confirmed that the proposal would not adversely affect the setting of the adjacent Conservation Area. I note the comments made about the loss of the existing barn in order to achieve access to the plot. The

applicants' agent has indicated that an alternative access is not an option as his client does not control the necessary land.

I am of the view that the proposal, as an outline application, does not conflict with the criteria set out in Policy HG11

22. The comments of the Local Highway Authority in respect of access details have been forwarded to the applicant.

Recommendation

23. That the application be refused for the following reason.
 1. The proposed erection of a dwelling in this location, immediately adjoining the Station Road Industrial Estate is unacceptable in that the future residents are likely to experience an unreasonable loss of amenity due to noise from the activities of that site. For that reason the proposal is contrary to the aims of Policy ES6 of the South Cambridgeshire Local Plan 2004 and advice contained in Planning Policy Guidance Note 24 - Planning and Noise which seek to control the location of noise sensitive development.

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

- South Cambridgeshire Local Plan 2004
- Planning Application File Ref: S/1820/04/O

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