

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee

6th July 2005

AUTHOR: Director of Development Services

**S/2382/04/F - Highfields Caldecote
Change of Use to Holiday Let of Part of Existing Dwellinghouse
at 90 West Drive**

**Recommendation: Approval
Date for Determination: 19th January 2005**

Site and Proposal

1. This is a retrospective application relating to the change of use of part of an outbuilding, originally constructed as part of a swimming pool complex, forming an extension to a dwelling at 90 West Drive, Caldecote. The site thus comprises a suite of rooms, including a lounge and kitchenette, two bedrooms and a bathroom. Together, this part of the building has external dimensions of approximately 10.1 metres by 6.1 metres. It has an independent external door, with the former internal access to the swimming pool understood to have been obstructed.
2. The application, as originally received on 24th November 2004, related to the retention of the use of the building as a self-contained flat and use for holiday accommodation for short or medium term lets. Supporting information submitted by the applicants states that the property was subdivided in 2002, before the applicants "...were aware that even internal alterations should have planning permission. Since then the flat has been used by family and friends. However, we would now wish to let the flat either on Assured Shorthold tenancies, or to short term holiday or business visitors." (For the avoidance of doubt it is stressed that it is the subdivision of the building into two dwelling units that constitutes development requiring consent, rather than the internal adaptations as such.)
3. Following correspondence from the case officer, the application has recently been amended to relate to holiday lets only.

Planning History

4. Two planning applications have been identified relating to extensions to the original dwelling as follows:

S/0475/78/F	Extension to form covered way	Consent	02.05.78
S/1058/84/F	Extension	Consent	19.07.84

Planning Policy

5. **Policy SE8** of the South Cambridgeshire Local Plan 2004 ("The Local Plan") states that residential development outside village frameworks will not be permitted.
6. **Policy RT11** of the Local Plan states:

Development to provide overnight visitor accommodation, public houses and restaurants will not be permitted outside the framework of settlements except (where the site is outside the Green Belt) in the cases of modest extensions to existing facilities or the change of use/conversion of existing buildings not requiring large extensions.

Consultations

7. **Caldecote Parish Council:** Refuse. "The Parish Council has received complaints due to surface of driveway and the noise it omits with vehicles driving over it daily."

Representations:

8. One letter of concern has been received from residents at No. 88 West Drive, whose property bounds the site. They state that there has been an enormous increase in traffic in the last year. This is intrusive, particularly in fine weather, and it is feared that there will be even more traffic with the holiday accommodation. Perhaps if the road were paved it would cut the noise.
9. Comments are also made in relation to an ice cream van parked at the site. The suggestion that a business is being run from the premises is the subject of a separate enforcement investigation.

Planning Comments - Key Issues

10. The application falls to be determined by reference to the relevant policies of the Development Plan together with any other material considerations.
11. As originally submitted the subdivision of the existing dwelling, including its pool complex, would have constituted new residential development outside the village framework. Notwithstanding the fact the built development already exists, the development involving a change of use and subdivision of the building constitutes development in its own right. Having regard to Policy SE8, it is anticipated that the application as originally submitted would have attracted a recommendation of refusal.
12. The revised application now falls to be considered in accordance with Policy RT11. This policy allows for the modest extensions to existing facilities or the change of use/conversion of existing buildings not requiring large extensions. In the present case, of course, no extension is required; the development being limited to a change of use only. Subject to appropriate controls, preferably in the form of Section 106 agreement to restrict the occupancy of the unit, there is no policy objection to the development.
13. The applicants have been advised in writing that, were the description of the development to be amended, it would be likely to attract a recommendation of consent, subject to either an appropriate condition or a S106 agreement limiting the use to either short term holiday accommodation or as part of the existing dwelling. In amending the application, the applicants have offered no objection to either approach. A similar agreement has recently been completed in respect of a property at 60 High Street, Willingham.
14. Detailed issues to be considered include the concerns of the Parish Council and a neighbour relating to the noise of vehicles arising from the gravel drive. The formation of the original driveway constituted permitted development. The above concerns would, therefore, only be material insofar as they relate to noise arising

from additional traffic using from the holiday let. Nevertheless, the applicant has indicated a willingness to address this concern although, having regard to the cost of treating a 160 metre long drive, requests that this be undertaken on a phased basis.

15. The existing dwelling has a large car parking and turning area at the end of the gravel driveway. This would be well in excess of the policy requirements for off-street car parking provision.
16. Having regard to the policies of the Development Plan, the above comments and all other material considerations it is concluded that, subject to the landowner entering into a prior agreement under the provisions of Section 106 of the Town and County Planning Act 1990, consent should be granted subject to appropriate conditions as indicated below.

Recommendation

17. Subject to the prior signing of a Section 106 Legal Agreement to ensure that the premises are used as short-term holiday let only or as part of the existing dwelling, the recommendation is one of **APPROVAL**, subject to the following conditions.
 1. SCA (5 years)
Standard reason.
 2. Prior to the change of use hereby approved commencing, a programme of work relating to the reduction of noise arising from the existing driveway across the adjoining land in the applicants' ownership, with specific deadlines for the completion of any phases identified shall be submitted to the Local Planning Authority. The premises shall not be occupied as a holiday let unless and until the agreed programme of work, or the relevant phases thereof, have been completed within the deadlines agreed.
(Reason: In order to minimise the potential noise nuisance arising from the use of the gravel drive by visitors, having particular regard to the standards of amenity that might reasonably be expected to be enjoyed by the occupiers of the nearby residential properties.)
 3. This consent relates to only that part of the dwelling known as 90 West Drive, Caldecote, shown identified as a "self contained flat" on the plans submitted to the Local Planning Authority on 24 November 2004.
(Reason: For the avoidance of doubt and in order to enable the Local Planning Authority to exercise control over the future use of the adjoining dwellinghouse.)

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **South Cambridgeshire Local Plan 2004:**
RT11 (Tourist-related development outside frameworks).
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Impact upon a residential area.

- Amenity including noise.
- Traffic generation and car parking.

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

- South Cambridgeshire Local Plan 2004
- Planning file Ref. S/2382/04/F

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