

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 7th September 2005
AUTHOR/S: Director of Development Services

S/1017/05/F - Little Eversden
Dwelling, Land at Church Farm, Church Lane for Amber Developments (St Ives) Ltd

Recommendation: Approval
Date for Determination: 19th July 2005

Site and Proposal

1. This full application, registered on 24th May 2005, proposes the demolition of an existing single storey timber framed farm building, and its replacement by a single storey dwelling.
2. The site is located at the head of Church Lane, a narrow lane leading from High Street, and is opposite St Helen's Church, a Grade II* Listed Building. To the rear of the site is a detached house in Church Lane and to the south an area of cleared land which formerly comprised large agricultural buildings and has consent for the erection of two houses.
3. The proposed single storey dwelling is 'T' shaped with three bedrooms. There is an open car port on the south end allowing access to a courtyard for parking.
4. The site is within the village framework.

Planning History

5. In April this year consent was refused for the erection of a dwelling on the site on the grounds that the proposed dwelling was unacceptable due to its scale, form, massing and design, and that it would materially detract from the setting of St Helen's Church. In addition it was felt that the proposal was not sympathetic to the historic interests, character and amenities of the locality (**Ref: S/0181/05/F**).
6. In 2004 consent was granted for the erection of two dwellings on land immediately to the south of the current application site. This scheme was an alternative to one approved in 2002 (**Ref: S/1705/01/F**).
7. In 1998 an appeal was dismissed for three dwellings on both the above sites (**Ref S/1467/96/F**).

Planning Policy

8. **Policy P7/6** of the Cambridgeshire and Peterborough Structure Plan 2003 ("The County Structure Plan") states that the local authorities will protect and enhance the quality and distinctiveness of the historic built environment.

9. **Policy SE5** of the South Cambridgeshire Local Plan 2004 (“The Local Plan”) identifies Lt Eversden as an infill only village where development is restricted to not more than two dwellings on land within the village framework, provided that the site in its present form does not form an essential part of village character, and development is sympathetic to the historic interests, character and amenities of the locality. The policy states that in very exceptional circumstances a slightly larger development may be permitted if this would lead to the sustainable recycling of a brownfield site bringing positive overall benefit to the village.
10. **Policy EN28** of the Local Plan states that the District Council will resist and refuse applications which would dominate a Listed Building or its curtilage buildings in scale, form, massing or appearance; would damage the setting, well-being or attractiveness of a Listed Building; would harm the visual relationship between the building and its formal or natural landscape surroundings or; which would damage archaeological remains of importance unless some exceptional, overriding need can be demonstrated, in which case conditions may be applied to protect particular features or aspects of the building and its setting.

Consultation

11. **Little Eversden Parish Council** comments that the new design and position are acceptable but again the provision of any parking whatsoever for St Helen’s Church has not been addressed and all the parking previously existing has been removed. “A scheme to ameliorate this loss of amenity has now been proposed as follows. Amber Developments suggests that in the event that planning consent is granted they, Amber Developments will convey to this Council the land between the present application and St Helen’s Church wall. In turn this Council will grant Rights of Way over this land to five parties, the owners of Plots 1, 2 and this present plot 3, to Mr Banks and to Mr Sale and to their respective heirs and assigns. I emphasise that this is not an agreement, merely a draft. This Council therefore asks that it be made a condition of any planning consent that a formal Agreement of this kind, making adequate and permanent provision for car parking at St Helen’s Church shall be in place before any development proceeds on this plot.”
12. The **Conservation Manager** states that the site is in close proximity to St Helen’s Church (Grade II* Listed) and will therefore impact on the setting of this important historic building. The current building is a simple agricultural structure consisting of a single storey building with brick gables, a brick rear wall and open on the front, divided into bays by a series of timber columns, all contained under a clay pantiled roof. The revised design for the dwelling has addressed previous concerns raised and, in the opinion of the Conservation Manager, will no longer harm the setting of the adjacent listed building. Careful consideration will need to be given to detailing and the landscaping to ensure the informal rural nature of the setting is retained and not suburbanised. PD rights should be withdrawn to avoid inappropriate alterations and extensions.
13. The **Chief Environmental Health Officer** requests that conditions be attached to any consent restricting the hours of operation of machinery during the construction process and carrying out an investigation of the site to determine any contamination that may exist and put forward a remediation package. Informatives should be attached to any consent in respect of the use of driven pile foundations.

14. **English Heritage** comments that the application site is a very sensitive one, being intimately associated with St Helen's Church, a grade II* listed building. The setting of the church is largely unaffected by modern development and the proposed building will have a significant impact. The application shows distinct improvement over the earlier scheme. The applicant has made an effort to design the new build to a scale and form that will sit more comfortably in the farmyard and setting of the church. However, the detailing is still not to an appropriate standard. Good quality pantiles and brick are needed as are painted timber windows and doors with glazing bars and of less domestic proportions. If these are achieved no objection would be raised.
15. The **Environment Agency** requests a condition requiring the submission of a scheme in respect of surface water drainage and asks that informatives are attached to any approval.

Representations

16. The occupiers of 6 Church Lane, to the west of the site, object to the application on the following grounds:
17. In dismissing the appeal in 1998 for the erection of three dwellings at this site the Inspector considered it to be a departure from the infill policy that applies to the village. Since consent has been granted for two dwellings on the adjoining site this application is clearly an attempt to flaunt that policy. Should it be accepted it would set a precedent and make a mockery of the Inspector's decision in 1998.
18. The letter concurs with the view of the Planning Inspector in 1998 that 'Church Lane has a semi-rural character and that the site constitutes an important transitional area from the built form within the village itself to the open countryside'. Further more the Inspector was concerned that the erection of a dwelling on the site proposed in the current application 'would materially erode the character of Church Lane and the verdant approach to St Helen's Church. In this respect I consider that the scheme fails to satisfy the environmental criteria within Policy H21'. The occupiers of 6 Church Lane concur with this view and state that in fact the Inspector considered the existing timber framed farm building at the entrance to the site to exhibit a rural character, which is 'wholly appropriate to the area'. Surely, no brand new dwelling could retain this rural character, no matter how 'sympathetically designed'.
19. The site in its present form does form an essential part of village character and the erection of a dwelling on this site would neither preserve nor enhance the setting of the adjoining church. The proposed development would be highly detrimental to village character, especially to the whole established setting of this listed building. The development, in such close proximity to the church would be a gross invasion of privacy for the visitors to the church and graveyard. People should be allowed to mourn with dignity, without being closely overlooked. The proposed dwelling would be particularly problematic in this respect given its position, scale and close proximity to the church and graveyard. Severe problems would be created by insufficient parking space for users of the church, owners of the proposed dwelling and their visitors. As permission has already been granted to erect two large five-bedroom houses immediately adjacent to this site there will be no parking space left at all for people wishing to use the church.

20. The proposal would create even more traffic than currently uses this narrow, single-track lane. This would cause additional noise and particularly road and safety problems for residents of Church Lane. Furthermore, as it seems that the grain silos at Church Farm will remain, the traffic problems in Church Lane are likely to be further exacerbated by the continued use of agricultural vehicles as the silos are still in active use by large grain lorries and other vehicles. The proposed dwelling is so close to the narrow corner at the end of Church Lane that there would be a real possibility from time to time of access to the new houses becoming blocked, which could have dire consequences for access by emergency vehicles.
21. There would be a reduction in privacy currently enjoyed by the occupiers of 6 Church Lane, over and above that which will result from the two approved houses. Part of the attraction of moving to the property was the peaceful and private semi-rural character of the location in Church Lane. The rear of the dwelling has a large number of windows that would look directly into the ground floor reception room of No6. Such a direct and close view into both the lounge and living room is an unacceptable invasion of the privacy currently enjoyed. In addition there would be overlooking of the front and rear garden areas.
22. There is a lack of amenities in the village to warrant further dwellings and since the approval of the two dwellings the post office and shop has been lost.
23. The occupiers of 15 Church Lane object on the objects on the following grounds.
24. Visual amenity. The plot is positioned in front of a listed building, St Helen's Church. The main view will be the bungalows rear, seen from Church Lane as you approach the church. All hedgerows are noted as removed and replaced by a post and rail fence. An illustration accompanies the letter showing this point. A bungalow is just as visual as a house and looks particularly mean in front of the historic building. Is this the best that can be achieved?
25. From the front the approach has sought to replicate the existing old agricultural sheds, however this form has been approved for the two adjacent plots and therefore results in a shed type building of some 57m in length. Again computer images are submitted with the letter and it is suggested that this looks like a railway station and is out of character with anything in the area.
26. The proposal shows a gate which directly opens on the seat by the pond. The pond is fenced off.
27. Church Parking. There is no proposal for church parking in this application. The occupiers of No15 have a right of way which extends from the Church wall to some 6-8m out on two sides. An objection is raised to any parking within that zone. There is glazing fronting onto the Church from the dining room which would be a problem of privacy to future occupiers from traffic to No15, farm traffic and church traffic.
28. Comment is made in respect of conditions attached to the consent for the adjacent plots and in particular the requirement to carry out works to suppress noise from the grain dryers. Has this been lost?
29. There will still be traffic to the farm silos which will cause considerable disruption to the proposed dwelling and until the farm use stops there should be an objection to the use of this land.

30. There should be an element of affordable housing. Why was this not adopted on the adjoining site for two dwellings?

Applicant's Representations

31. In a letter submitted on behalf of the applicant it is suggested that parking for the Church on land which the applicant has no control is not a planning matter relevant to the current application. A letter from the applicant confirms that he is unable to agree to any form of parking as he does not own any of the land that is currently used for parking. Any condition would therefore be inappropriate and unacceptable. The applicant has been approached by the Parish Council but suggests that is a matter for the interested parties, i.e. the Parish Council, the occupier of 15 Church Lane who claims the right of way, and the owner of the adjacent agricultural silos to resolve the matter between them. The letter states that the applicant may be able to facilitate better arrangements in the future but will not progress with the bungalow if there is a condition relating to the provision of car parking outside the applicants control.

Planning Comments – Key Issues

32. The key issues to be considered are whether the proposal complies with the infill only policy, including the effect on the character of the area; the effect of the proposed development on the setting of the Grade II listed St Helen's Church; neighbour amenity and; highway safety, including parking provision at the Church.
33. Planning consent was originally granted for the erection of two dwellings on the land to the south in 2002, although that consent was revised in 2004 by the current applicant. At the time of the original consent the land was not owned by the current applicant. Given the time that has lapsed since the granting of the original consent it is my view that this application falls to be considered as a single building plot under the infill policy that is applicable to the village. For the same reason I do not consider that the requirement for affordable housing is applicable here.
34. This application has been submitted following negotiations with the Conservation Manager who is now content with the relationship of the proposed single storey dwelling with St Helen's Church. However, he points out that careful consideration will need to be given to detailing and landscaping to ensure the informal, rural nature of the setting is retained and not suburbanised. In commenting on the appeal in 1998 the Inspector, whilst having no particular comments to make in respect of the detailed design of the proposal, shared a concern expressed by this Council that the returning of the dwelling on this plot some distance along Church Lane would materially erode the character of the Church Lane and the verdant approach to St Helen's Church. Although the projecting rear element of the current scheme is set away from the boundary with Church Lane landscaping of the north boundary of the site will be important in addressing the above comments and ensuring that the character of the area is preserved.
35. English Heritage does not object to the proposal subject to matters of detail being resolved, although its views on the approach to fenestration are not shared by the Conservation Manager.
36. In respect of the relationship of the proposed dwelling with No6 Church Lane I am of the view that any overlooking from ground floor windows can be adequately addressed by landscaping/boundary treatment that can be secured by condition, although a window in the west elevation of bedroom 1 could be relocated to the south elevation to further improve the relationship.

37. The Inspector in 1998 did not consider the issue of any additional traffic in Church Lane to warrant an objection to the application. I remain of that view.
38. In respect of the parking for the Church I do not consider that this application directly affects the existing situation. The ability to provide parking for the Church is not within the control of the applicant and should not prejudice the determination of this application. Users of the Church seem to have benefited from an informal agreement to park on the surrounding land and I would encourage interested parties to find a mutually acceptable solution to this 'problem'.
39. Works required to the nearby grain silos under the 2002 consent for the erection of two houses will be secured under that consent. The Chief Environmental Health Officer has not deemed it necessary to attach similar conditions to this consent.
40. In my view this application addresses the reasons of refusal of the earlier application.

Recommendation

41. That the delegated powers be given to approve the application subject to safeguarding conditions

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003: P7/6** (Historic Built Environment)
 - **South Cambridgeshire Local Plan 2004: SE5** (Development in Infill Only Settlements), **HG28**
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity including noise disturbance and overlooking issues
 - Highway safety
 - Visual impact on the locality
 - Impact upon setting of adjacent Grade II Listed Building

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2004
- Planning File Refs: S/1017/05/F; S/0181/05/F; S/1101/04/F; S/1705/01/F & S/1467/97/F

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