

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

6 April 2016

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

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**Application Number:** S/3202/15/FL

**Parish(es):** Thriplow

**Proposal:** Erection of new dwelling and access

**Site address:** Bacon's Farmhouse, Church Street

**Applicant(s):** Mr Chris Anderson

**Recommendation:** Approval

**Key material considerations:** Principle, impact upon the adjacent listed buildings and impact upon the Conservation Area

**Committee Site Visit:** 5 April 2016

**Departure Application:** No

**Presenting Officer:** Katie Christodoulides, Senior Planning Officer

**Application brought to Committee because:** The recommendation of Thriplow Parish Council conflicts with the Officer recommendation.

**Date by which decision due:** 10 March 2016

### **Planning History**

1. No recent relevant planning history.

### **Planning Policies**

2. National Planning Policy Framework (NPPF)  
Planning Practice Guidance

### **South Cambridgeshire Core Strategy DPD, 2007:**

3. ST/6 Group Villages

### **Local Development Framework, Development Control Policies (Adopted July 2007)**

4. DP/1 Sustainable Development  
DP/2 Design of New Development  
DP/3 Development Criteria  
DP/4 Infrastructure and New Developments  
GB/3 Mitigating the Impact of Development Adjoining the Green Belt

HG/1 Housing Density  
 NE/1 Energy efficiency  
 NE/6 Biodiversity  
 NE/9 Water and Drainage Infrastructure  
 NE/10 Foul Drainage  
 NE/15 Noise Pollution  
 CH/4 Development Within the Curtilage or Setting of a listed Building  
 CH/5 Conservation Areas  
 TR/1 Planning for more Sustainable Travel  
 TR/2 Car and Cycle Parking standards  
 SF/10 Outdoor Playspace, Informal Open Space, and New Developments  
 SF/11 Open Space Standards

**South Cambridgeshire LDF Supplementary Planning Documents (SPD):**

5. District Design Guide - Adopted March 2010  
 Open Space in New Developments - Adopted January 2009  
 Trees and Development Sites-Adopted January 2009  
 Landscape in New Developments-Adopted March 2010  
 Development Affecting Conservation Area-Adopted January 2009

**Proposed South Cambridgeshire Local Plan**

6. S/1 Vision  
 S/2 Objectives of the Local Plan  
 S/3 Presumption in favour of sustainable development  
 S/10 Group Villages  
 HQ/1 Design Principles  
 NH/4 Biodiversity  
 NH/8 Mitigating the Impact of Development in and adjoining the Green Belt  
 NH/14 Heritage Assets  
 H/7 Housing Density  
 TI/2 Planning for Sustainable Travel  
 TI/3 Parking Provision  
 TI/8 Infrastructure and New Developments  
 TI/9 Education Facilities  
 SC/6 Indoor Community Facilities  
 SC/7 Outdoor Play Space, Informal Open Space and New Developments  
 SC/8 Open Space Standards  
 CC/1 Mitigation and Adaption to Climate Change  
 H/7 Housing Density

**Consultation**

7. **Thriplow Parish Council-** Recommends refusal. The Parish objects to the proposal on the grounds of poor and lack of design, and the design being out of keeping with the area. The proposal would not sustain or enhance the character of the area. There is a disagreement that the design is outstanding and raises the standard in the area. The hedge is not as high as the proposal and in some places does not exist. It would be difficult to control this hedge, if the hedge is to be removed or reduced in height, leaving the dwelling open to view. The development is totally inappropriate near a Grade II listed building, with the flat roof being inappropriate and building appearing sterile.
8. **Local Highways Authority-** Raises no objections and requests conditions are added to any consent granted in regard to pedestrian visibility, the falls and levels of the driveway, the driveway being constructed of a bound material, a traffic management

plan and an informative in regard to no works to the public highway without permission from the Highway Authority.

9. **Environmental Health Officer-** Raises no objections and requests conditions are added to any consent granted in regard to hours of work, burning of waste, driven pile foundations and an informative in regard to noise and dust.
10. **Conservation Consultancy-** Recommends approval. The dwelling is single storey with a flat roof. The design has been developed to minimise views of it along Church Street. The roof is largely obscured by existing hedges. The dwelling is positioned to the north to provide as much of a gap between itself and the curtilage listed barns. Requests conditions in regard to hard surfacing, materials and window and door details.
11. **Tree Officer-** Recommends approval as the proposal will not result in significant loss or detriment to amenity. Requests conditions are added to any consent granted to require the trees to be protected in accordance with the recommendations of the Trees in Planning TIP 15 269 Report as submitted with the planning application.

### **Representations**

12. None received.

### **Planning Assessment**

13. The site lies within the Thriplow Village Framework and Conservation Area. To the north and west of the site lies the village boundary and Green Belt. To the north west of the site lies an important countryside frontage. Bacon's Farmhouse is a Grade II listed building, with the barn lying to the west being Grade II listed. The site currently forms a tennis court to the north west of Bacon's Farmhouse, with curtilage listed barns lying to the south east. The application seeks Full Planning Permission for the erection of a dwelling.

### **Principle of development**

14. The site lies within the village framework of Thriplow which is classed within the Core Strategy as a Group Village ST/6 and Policy S/10 Group Village of the Proposed Local Plan. Residential development and redevelopment up to an indicative maximum scheme size of 8 dwellings will be permitted within the village frameworks of Group Villages. The Council cannot demonstrate a 5 year housing land supply, notwithstanding this, the principle of one dwelling is acceptable subject to other material planning considerations and would make a small contribution to housing supply.
15. The site has an area of 0.8 hectares and the proposed dwelling would have a density of 12 dwellings per hectare. Whilst this would be significantly below the required density of 30 dwellings per hectare of Policy HG/1 of the LDF, the proposed density is considered acceptable given the character of the area.

### **Visual Amenity/Conservation Area & Listed Building Impact**

16. The proposed design of the dwelling is contemporary with the flat roof and modern design and appearance. The proposed dwelling as a result would be sufficiently visually different to separate it from the setting of the listed buildings within the site and to not appear as part of this setting. The dwelling would be sited back from the

public highway, partly in line with the curtilage listed outbuilding, but slightly further back within the site. The character of development in the area is mainly a linear development form with dwellings set at varying distances from Church Street, with no set pattern. The proposed siting of the dwelling is considered acceptable. The size and scale of the dwelling would be appropriate with the low height resulting in minimal visual harm or prominence from Church Street, preserving the Conservation Area.

17. The proposed dwelling given its minimal height, distance from the listed buildings and partial obscuring by the curtilage listed barns is not considered to result in harm to the setting of the Grade II Listed Buildings at Bacons Farmhouse and the listed barn. The proposed dwelling would be sited 4 metres from the curtilage listed barns, with an overhang extending out reducing this to 3 metres. Given this distance and the hedgerow which is proposed, it is considered that the proposed dwelling would not result in significant harm to the setting of these barns. A condition would be added to remove permitted development rights to protect the setting of the listed buildings.
18. The proposal would comply with Sections 66 and 72 of the Planning (Listed Building & Conservation Areas) Act 1990 by preserving the setting of the listed buildings and Conservation Area.

### **Neighbour Amenity**

19. The proposal has been assessed in regard to neighbour amenity and impact from loss of light, loss of privacy and overbearing impact and would not result in any adverse harm and complies with Policy DP/3 of the LDF.

### **Trees & Landscape**

20. A Tree Survey and Proposed Landscape Plan were submitted with the application. The proposal will not result in the loss of any important trees or hedges. A condition shall be added to any consent granted to ensure that the proposal accords with the submitted landscape plan and protection details.
21. Thriplow Parish Council in their comments raised concern regarding the dwelling being evident in street scene views above the existing hedgerow to the side and visual impact if the hedge is to be removed. The height of the proposed dwelling would be level with the height of the hedge and the proposed green roof would not be excessively evident in street scene views. A condition would be added to any consent granted to ensure the hedgerow along the side (northern) is retained to reduce any visual impact on the open countryside and Green Belt in accordance with Policy DP/2 of the LDF.

### **Highway Safety & Parking Provision**

22. The proposal would not result in any harm to highway safety subject to conditions in regard to pedestrian visibility, the falls and levels of the driveway, the driveway being constructed of a bound material, a traffic management plan and the access and turning area being provided prior to the dwelling being occupied and retained thereafter and an informative in regard to no works to the public highway without permission from the Highway Authority.
23. Two car parking spaces are proposed within the driveway of the dwelling, with sufficient space to manoeuvre and turn to ensure that vehicles leave the site in a forward gear. The proposal would comply with Policy TR/2 of the LDF.

### **Impact on adjacent Green Belt**

24. The Green Belt lies immediately to the side (north) and rear (west) of the site, with a field lying in between the site and the Green Belt. Given the established hedgerows on the northern and west boundaries are to remain, as detailed in the landscape plan, the proposed dwelling with its flat roof and low height would not have an adverse impact on the Green Belt in accordance with Policy GB/3 of the LDF.

### **S106 Contributions**

25. Government planning policy that sought to introduce a new national threshold on pooled contributions was introduced on 28 November 2014 but has since been quashed. Policies DP/4, SF/10 and SF/11 therefore remain relevant in seeking to ensure the demands placed by a development on local infrastructure are properly addressed.
26. There remains restrictions on the use of section 106 agreements, however, resulting from the Community Infrastructure Levy Regulations 2010 (amended). CIL Regulation 122 states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is (i) Necessary to make the development acceptable in planning terms; (ii) Directly related to the development; and (iii) Fairly and reasonably related in scale and kind to the development.
27. CIL Regulation 123 has the effect of restricting the use of pooled contributions. In accordance with Planning Practice Guidance "When the levy is introduced (and nationally from April 2015), the regulations restrict the use of pooled contributions towards items that may be funded via the levy. At that point, no more may be collected in respect of a specific infrastructure project or a type of infrastructure through a section 106 agreement, if five or more obligations for that project or type of infrastructure have already been entered into since 6 April 2010, and it is a type of infrastructure that is capable of being funded by the levy". The pooling is counted from 6 April 2010.
28. More than five planning obligations have been entered into for developments in the village of Thriplow since that date. As such, officers are not satisfied that the Council could lawfully enter into a Section 106 agreement to secure developer contributions as per development control policies DP/4, SF/10, SF/11 should the application be approved.
29. In addition, no specific projects for either outdoor or indoor community facilities have been identified that are directly related to the development; fairly and reasonably related in scale and kind to the development; or necessary to make the development acceptable in planning terms (as per the requirements on paragraph 204 of the NPPF). As such, no request for such contributions should be sought in the event the application was to be approved.

### **Conclusions**

30. 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**

31. Officers recommend that the Committee approve the application, subject to:

### **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: 15/903/FE02 Rev A, 15/903/PL01, 15/903/PL02 & TIP15269.  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
- (c) The materials to be used for the development, hereby permitted, shall accord with the specification in the application form and approved plans, unless otherwise agreed in writing by the Local Planning Authority. (Reason – To ensure the appearance of the development is satisfactory in accordance with Policies DP/2 and DP/3 of the adopted Local Development Framework 2007.)
- (d) 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.)
- (e) 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.)
- (f) The existing hedge on the side (northern) boundary of the site shall be retained; and any trees or shrubs within it which, within a period of five years from the completion of the development or the occupation of the buildings, whichever is the sooner, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.  
(Reason - To protect the hedge which is of sufficient quality to warrant its retention and to safeguard biodiversity interests and the character of the area

in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)

- (g) Before work commences on site, details of the following items shall be submitted for the prior, written approval of the Local Planning Authority:
  - (a) Windows and door details including opening arrangements, manufacture and finish to a scale of 1:50 or 1:100. The works shall be carried out in accordance with the agreed details.  
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
- (h) Visibility splays shall be provided on both sides of the access and shall be maintained free from any obstruction over a height of 600mm within an area of 2m x 2m measured from and along respectively the highway boundary.  
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- (i) The proposed driveway shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway.  
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- (j) The proposed driveway shall be constructed using a bound material to prevent debris spreading onto the adopted public highway.  
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- (k) No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Local 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 shall be undertaken off the adopted highway)
  - ii. Contractor parking, for both phases all such parking shall be within the curtilage of the site and not on the street.
  - iii. Movements and control of all deliveries (all loading and unloading shall be undertaken off the adopted public highway.
  - iv. Control of dust, mud and debris, in relationship to the functioning of the adopted public highway.  
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- (l) The proposed access and turning area shall be provided before the dwelling hereby permitted is occupied and thereafter retained as such.  
(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- (m) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development within Classes A, B, or C of Part 1 of Schedule 2 of the Order shall take place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.

(Reason - In the interests of visual amenity in accordance with Policy DP/2 and CH/5 of the adopted Local Development Framework 2007.)

- (n) During the period of demolition and construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 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.)
- (o) Should driven pile foundations be proposed, then before works commence, a statement of the method for construction of these foundations shall be submitted and agreed by the District Environmental Health Officer.  
(Reason - To minimise disturbance for adjoining residents in accordance with Policy NE/16 of the adopted Local Development Framework 2007.)

### **Informatives**

- (1) The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise and dust during the construction phases of development. This should include the use of water suppression for any stone or brick cutting and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information please contact the Environmental Health Service.
- (2) The applicant shall not burn any waste or other materials on the site, without prior consent from the environmental health department.

### **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 Development Control Policies  
DPD 2007  
South Cambridgeshire Local Development Framework Supplementary Planning  
Documents (SPD's)  
South Cambridgeshire Local Plan Submission 2014

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