

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Planning Committee	14 August 2019
AUTHOR/S:	Joint Director of Planning and Economic Development	

Application Number:	S/3849/18/RM
Parish(es):	Arrington
Proposal:	Approval of matters reserved for the appearance, design and scale of the detached dwelling to Plot 1 only along with approval for the siting of the dwelling and detached garage and the proposed landscaping and boundary treatment following outline planning permission S/3462/16/OL
Site address:	Land at Church End, Arrington, SG8 0BH
Applicant(s):	Mayen Briggs
Recommendation:	Approval subject to conditions
Key material considerations:	Design and Character Heritage Assets Highway and Transport Impacts Residential Amenity
Committee Site Visit:	13 th August 2019
Departure Application:	No
Presenting Officer:	Aaron Sands, Senior Planning Officer
Application brought to Committee because:	Referred from Chairs Delegation following requests from the Parish Council.
Date by which decision due:	5 th February 2019

Planning History

1. S/3462/16/OL – Outline planning application for two dwellings with all matters reserved. Approved. 12/09/2017.

Plot 2;
2. S/0411/19/RM – Approval of matters reserved for Access, appearance, landscaping, layout and scale following outline planning permission S/3462/16/OL for two dwellings. Pending Decision

Site Constraints

3. The site comprises an area of open land located within the Development Framework at the end of a cul-de-sac. A Public Right of Way (PROW) (ref. 10/4) runs through the site. To the south is a Grade II listed building.
4. The site is set at an elevated ground level in comparison to the road, with a parking area along the eastern boundary serving properties in the surrounding area to the immediate south of the access point. There is a mix of forms and architectural styles in the area, but properties are largely reflective of prevailing styles at the time they were built. To the north and west of the site the land slopes away notably into a valley.

Proposal

5. This application comprises the reserved matters for plot 1 of the two dwellings granted permission under outline application S/3462/16/OL. Following amendment, the proposed dwelling is one and a half storey, measuring approximately 8m in height to the ridge, 4m to the eaves, 10.6m in overall depth and 11.3m in overall width.
6. The proposed garage measures approximately 4.4m in height to the ridge, 3m in height to the eaves, 6.3m in depth and 6.3m in width.

Relevant Policy

7. National Guidance

National Planning Policy Framework 2019 (NPPF)
National Planning Practice Guidance (NPPG)

8. South Cambridgeshire Local Plan 2018

S/1 Vision
S/2 Objectives of the Local Plan
S/3 Presumption in Favour of Sustainable Development
S/5 Provision of New Jobs and Homes
S/6 The Development Strategy to 2031
S/7 Development Frameworks
S/11 Infill Villages
CC/1 Mitigation and Adaptation to Climate Change
CC/3 Renewable and Low Carbon Energy in New Developments
CC/4 Water Efficiency
CC/6 Construction Methods
CC/7 Water Quality
CC/8 Sustainable Drainage Systems
HQ/1 Design Principles
NH/2 Protecting and Enhancing Landscape Character
NH/4 Biodiversity
NH/14 Heritage Assets
H/8 Housing Density
H/9 Housing Mix
H/12 Residential Space Standards
SC/7 Outdoor Play Space, Informal Open Space and New Developments
SC/10 Noise Pollution
SC/11 Land Contamination
TI/2 Planning for Sustainable Travel
TI/3 Parking Provisions

TI/8 Infrastructure and New Developments
TI/10 Broadband

9. **Supplementary Planning Documents (SPD)**

Cambridgeshire Flood and Water SPD – Adopted 2016

District Design Guide – Adopted 2010

Landscape in New Developments – Adopted 2010

Listed Buildings – Adopted 2009

Biodiversity – Adopted 2009

Consultees

10. **Parish Council** – Objection and request referral to Planning Committee. The dwellings are too large and would affect the visual impact of the area. Further details are requested in respect of the ridge heights of the properties in comparison to the surroundings. Surface water drainage and the threat of flooding during heavy rainfall is of concern.
11. **Local Highway Authority** – No objection subject to conditions requiring pedestrian visibility splays, falls and levels to be such that it prevents surface water discharging onto the highway, and that the access is constructed of a bound material.
12. **Ecology Officer** – No objections. There is a requirement for a submission for a scheme of ecological enhancement by condition on the outline.
13. **Environmental Health Officer** – No comments.
14. **Sustainable Drainage Officer** – No objection subject to a condition requiring details of foul and surface water drainage.
15. **County Historic Environment Team** – There is a condition attached to the outline permission that requires a written scheme of investigation, which is sufficient to secure an archaeological programme on the site.
16. **Historic Buildings Officer** – Objection. The proposed dwelling would cause less than substantial harm to the significance of the designated and non-designated heritage assets by virtue of its unsympathetic design and as other properties within the area are clearly subservient to the traditional built form in the vicinity. (*Officer note; no objections were raised by the historic buildings officer to the application as originally submitted.*)
17. **Contaminated Land Officer** – No objection. Request condition applied requiring remediation works in the event of unidentified contamination.
18. **County Definitive Maps Team** – Objection to the proposed layout, which would obstruct the legal alignment of the footpath. Planting is shown close to the PROW, which should be at least 2m from the footpath to allow for future growth.

Representations

19. 13no. representations received incorporating the following summarised material considerations;
 - Appropriate conditions should be imposed to ensure minimal disruption during the course of the development.

- The dwelling is too large and would dominate the street scene to the detriment of the character of the area.
 - The scale of the dwelling would impact the neighbouring listed buildings.
 - Dwellings along the west have retaining walls to the rear as they are cut into the hillside, while this dwelling would sit on top of the hill, out of character with other dwellings.
 - The proposal would impact views to and from Wimpole estate from the top of the hill.
 - There are no details of the finish to the road.
 - There are no drainage details provided and the proposal would impact existing foul and surface water drainage systems in the area. Details should be provided.
 - The proposal will exacerbate existing drainage problems in the area due to landscape topography and heavy clay soil.
 - The access road will have an adverse impact to the access to other properties and should be reduced.
 - The height of the buildings will block out light to properties in the area because of their height.
 - The proposal would impact the enjoyment of the public right of way and result in a suburban form of development.
 - Concerns regarding how the development would be undertaken in terms of the removal and disposal of waste soil.
 - The applications should be considered in a joined-up manner.
 - The garages are large and dominate in the street scene.
 - The materials are not in keeping with the character of the area.
 - The details indicate landscaping outside the red line, and this is an error in the application.
 - The drainage officer has requested a condition and the application therefore should be refused on the grounds of insufficient drainage details.
 - The proposed dwellings cover significant portions of the site and represent over development.
20. The following summarised matters have been raised that are not material planning considerations;
- The letters sent in respect of the application were sent second class and arrived late into the consultation period. *(Officer note; this appears to have been a postal issue, and in any event, subsequent re-consultations and extensions to the time period have provided further opportunity for consultation.)*
 - The proposed dwellings differ in design from the dwellings shown at outline stage. *(Officer note; the details provided at outline were indicative only, and do not bind any subsequent reserved matters application.)*
 - The dwellings could be enlarged at later date, through permitted development extensions. *(Officer note; purely theoretical scenarios are not material to the decision, which must consider a likely impact).*
 - Other applications have historically been amended to reduce building heights. *(Officer note; all applications must be considered on their own merits.)*
 - Concerns regarding potential future development that might come forward in the area. *(Officer note; potential future development is not material to this decision, which is based on the application as submitted. Future development would need the relevant permissions which would be assessed at that time.)*
 - The application has included a larger boundary than the original outline application and there is concern the proposal includes a change of use. *(Officer note; this was an error at the time of submission and has since been rectified. The application is not for a change of use and cannot consider that.)*

- Matters of private rights of access over land. *(Officer note; this is a civil issue.)*
- There is no confirmation external lighting is restricted. *(Officer note; restrictions are applied to the outline consent, which remain in place and must be accorded with.)*
- There is no indication archaeological requirement has been met. *(Officer note; a condition was imposed on the outline consent, which remains in place and must be discharged through a separate application.)*
- The ecology requirements have not been provided in the amended scheme and appear to be incorrectly including the parking area to the front of the site. *(Officer note; a condition was imposed on the outline consent, which remains in place and must be discharged through a separate application.)*
- The original outline application was for the whole plot and you cannot only consider part of it. *(Officer note; a reserved matters application may consider sections of an outline grant of planning permission.)*
- The address of the site was incorrect on the letters. *(Officer note; this was error in the submitted application and has since been rectified.)*

Planning Assessment

21. The key considerations in this application are;

- Design and Character
- Heritage Assets
- Highway and Transport Impacts
- Residential Amenity
- Other Matters

This application was granted outline planning permission under application S/3462/16/OL, which has established the principle of development on the site. The considerations of this application are limited to matters of access, appearance, landscape, layout and scale for plot 1, and those matters related to these elements.

Design and Character

22. The application site sits on a hill at the end of Church End, a cul-de-sac accessed by a narrow road. There is a mix of forms, materials and designs in the locality such that there is no single prevalent character of built form, and properties are set at varying distances from the road, with outbuildings interspersed. There is a significant variation in the topography of the area, with a notable drop to a valley to the north east, and with the hill continuing to rise to the south west.
23. The application proposes a dwelling of a more modern design, set back from the road, with a garage to the side. Given the mix of architectural styles in other dwellings in the locality, which appear reflective of prevalent styles at the time of building, and vary in terms of plot to dwelling ratio, width, depth and height. While the proposed dwelling does fill a large area of the site, the proposal maintains appropriate garden sizes, and represents a lower density than many of the surrounding properties, at approximately 13 dwellings per hectare.
24. The site as a whole forms a high point within the context of the cul-de-sac, at approximately 55m AOD. While other properties are in a similar topographical band. Some have lowered the ground levels to the rear of the property, and as a result the dwellings are set closer to the road level. However, there is some similarity in the overall ridge heights of buildings within the locality, though officers do note variance between properties, and those along the western side of the road appear to be higher

than those on the eastern side, where the ground level drops away. Properties along the western side of the site tend to be set closer to the road, such that they are more visually prominent in the street scene.

25. Overall, the ridge of the proposed dwelling would sit approximately 10.1m above the road level, and the ridge of the proposed garage would sit approximately 6.3m above the road level. The submitted site sections indicate the proposed garage is of a similar ridge point to the garage to the south in neighbouring ownership, though the road level variation means that garage is not so high above road level. Given the position of the plot, the dwelling would be read most in conjunction with no. 5 to the south and with the development to plot 2 to the north, proposed under application S/0411/19/RM.
26. The proposed dwelling is set further back into the site than other properties along the west side of Church End road, and the roof is shallower in pitch such that this would minimise the overall visual impact of its height. There is a substantial separation between the proposed and neighbouring dwellings such that there are limited viewpoints the dwelling would be read in conjunction with others. This would limit visual impact in street scene terms, as variation from other property would be less readily notable. In addition, position of the dwelling, set back from the road in comparison to the neighbouring properties along this side of Church End would lessen any dominance in the street scene. On the whole, officers consider the proposed dwelling is of an appropriate design and form to preserve and respond to the character of the area, in accordance with policy HQ/1.
27. There are limited details provided in respect of the surfacing materials to be used in areas of hardstanding and with regards to species to be planted. Officers consider it appropriate to impose a condition requiring details of the boundary treatments, hard surfacing materials and planting specifications to be submitted for approval, in order to ensure these are of an appropriate form in the context of the area and in accordance with policy NH/2. That said, the layout of the site is considered to be readily appropriate and sufficient space is included that officers readily consider a suitable landscape scheme can be achieved.

Heritage Assets

28. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard is had to the preservation of listed buildings or their setting where development affects a listed building or its setting. The historic buildings officer has raised an objection to the proposal on the basis of the contemporary design and the buildings overall height in comparison to the surrounding heritage assets.
29. The application site is north of no. 5 Church End, a Grade II listed 1½ storey dwelling. There is a reasonable separation between the proposed dwelling and this building, with the new dwelling set at a depth into the site in comparison to no. 5. In addition, there is an existing garage to the north, and a further garage would intervene between the dwellings. There is existing, well established planting in neighbouring control within the site that limits visual relationship between the site and the listed building, though views are available looking southward from within the cul-de-sac. The distance, together with intervening outbuildings and the position of the dwelling set further back into the site is considered to sufficiently mitigate any impact through the development in the setting of the listed building such that its significance is adequately preserved.

30. Further south is a Grade I listed Church of St Nicholas, sited on a prominent corner position on the junction to Church End. There is a number of buildings intervening between the site and that church such that the proposal is not considered likely to adverse impact its setting. The proposed development maintains the pattern of built form within the area, extending along Church End.
31. Comments have been received regarding the impact to the Wimpole Hall estate to the east, which comprises a Grade I Listed Park and Garden, a Scheduled Ancient Monument and a number of listed buildings of varying grades. Given the topography of the land and intervening tree planting and built form, it would be some distance into the estate before views of the site were readily apparent. That the site might be visible from Wimpole estate is not harmful in itself. At such a distance, officers consider it very unlikely there would be any material harm to the setting of the estate that would affect the significance of these assets.
32. The proposal is therefore considered to safeguard the significance of the heritage assets in the area in accordance with policy NH/14.

Highway and Transport Impacts

33. The position of the access was fixed at the outline stage, being provided from the end of the cul-de-sac turning head. The ground level would be altered to provide a slope upwards, to maintain access through the site along the existing PROW.
34. Officers note the objection from the Definitive Maps Team in terms of the relocation of the public right of way and that the proposed layout does not accord with the existing PROW alignment. Notwithstanding, the outline application made provision for the PROW to be moved through details to be agreed under the subsequent reserved matters application. As such, that the PROW might be moving is not considered harmful, though any movement appears to be wholly minor as the route shown is very much in line with the existing route shown on the County Council website. A route is maintained through the site that would result in very little change from the existing PROW, and its function would be protected through the development.
35. The highway authority has raised no objection to the proposal, subject to conditions regarding that would be necessary to ensure the long term safe functioning of the access and the wider highway network. The proposed access is of a sufficient width to provide sufficient opportunity for cars to pass off the highway, such that it would not result in any significant harm to the safety of the highway. Officers note comments regarding the width of the access impacting other property. The access appears to be of the minimum width to accord with Manual for Streets and allows cars to pass and matters regarding rights of access onto neighbouring land are not material planning matters, which would be a civil matter.
36. The proposed development incorporates a double garage, with further parking space in front of that. Policy TI/3 requires that proposals provide 2no. parking spaces, and 1no. cycle space per bedroom. Given the space within the site, officers consider this is readily achieved through the proposed development.
37. On the whole, therefore, the proposal is considered to be of a suitable form to provide sufficiently safe access and parking arrangements, and maintain the safety of the highway, in accordance with policies TI/2 and TI/3.

Residential Amenity

38. The application site is sufficient distant from most property that it would not adversely impact the amenity of neighbouring property in terms of overshadowing and overlooking. The proposed site shares a boundary with only a single neighbour, no. 5 Church End, to the south. Comments have specifically noted the bungalows opposite the site in terms of limited distance, but the details provided indicate there is approximately 27m between those bungalows and the proposed dwelling, which is in excess of the required 25m of the district design guide.
39. There is a shorter distance to the boundary to the immediate south, shared with no. 5, however the area in the neighbouring property is a driveway and garage, not external amenity space that contributes materially to the enjoyment of the property, such as the rear garden. As such, while there are windows that face towards this property, these would not result in any material harm in terms of overlooking, or perceived overlooking, and any noise from the movement of cars would be mitigated by the distance from more private amenity space. The proposal is therefore considered to sufficiently protect the amenity of neighbouring property such that it would accord with policy HQ/1.
40. The proposed dwelling is of a sufficient size to provide internal space to accord with policy H/12, though officers note the outline application did not condition this requirement such that it could not be insisted upon in this reserved matters application. The proposal includes a private external garden space that is in excess of the 80m² required by the district design guide. It is therefore considered the proposed development would create a suitable amenity environment for the future occupants of the dwelling.

Other Matters

41. Comments have been received in respect of ecology, archaeology and external lighting. Conditions on the outline application remain to be discharged, and this cannot be carried out under a reserved matters application. These details will require a separate application for details reserved by condition.
42. Officers note matters of drainage were considered at outline stage, and it was considered that, given the scale of the development, there was sufficient provision under building regulations that it was not necessary to impose further conditions. Officers do not consider there is any reason to differ from the previous assessment. Soakaways are indicated within the site such that it appears there is ready opportunity to achieve a satisfactory drainage scheme within the site.
43. Officers note the condition requested by the contaminated land officer. Contaminated land is a matter of principle and cannot be considered as part of this application as it does not relate to the reserved matters. This would have been considered at outline stage. Though no consultation response was received, it does not appear officers considered it was necessary to impose any specific condition with regards to contamination.

Recommendation

Officers recommend that the Committee **grants** planning permission, subject to:

Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
Location and Block Plans – Drawing no. 02 rev p4
Proposed Site Plan – Drawing no. 03 rev P6
Public Right of Way Plans – Drawing no. 05 rev P2
Proposed Floor Plans and Elevations – Drawing no. 06 rev P1
Proposed Site Elevational Sections – Drawing no. 07 rev P3
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990).
2. Prior to any development above ground level full details of both hard and soft landscape works shall be 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, specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock. The details shall also include the details of the materials, position and permeability of areas of hardstanding, and elevations at a scale of not less than 1:50 of any boundary fencing.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies HQ/1 and NH/2 of the South Cambridgeshire Local Plan 2018).
3. 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 HQ/1 and NH/2 of the South Cambridgeshire Local Plan 2018).
4. The pedestrian visibility splays shown on drawing no. 03 rev P6 (Proposed Site Plan) shall be provided prior to the occupation of the dwelling hereby approved and shall thereafter be maintained free of obstruction above 600mm.
(Reason – To ensure safe visibility between pedestrians and vehicles using the access in accordance with policy TI/2 of the South Cambridgeshire Local Plan 2018.)
5. The access to serve the dwellings hereby approved shall be constructed in a manner that prevents surface water run-off onto the highway and shall be constructed from a bound material so as to prevent displacement of material onto the highway. The development shall be retained as such thereafter.
(Reason – To protect the highway from displaced material and water that could result in unsafe conditions, in accordance with paragraphs 108 and 110 of the South Cambridgeshire Local Plan 2018.)

Informatives

1. Public Footpath No 4 Arrington must remain open and unobstructed at all times. Building materials must not be stored on Public Rights of Way and contractors' vehicles must not be parked on it (it is an offence under s 137 of the Highways Act 1980 to obstruct a public Highway).
No alteration to the Footpath's surface is permitted without our consent (it is an offence to damage the surface of a public footpath under s 1 of the Criminal Damage Act 1971).
Landowners are reminded that it is their responsibility to maintain boundaries, including trees, hedges and fences adjacent to Public Rights of way, and that any transfer of land should account for any such boundaries (s154 Highways Act 1980).
The granting of planning permission does not entitle a developer to obstruct a Public Right of Way (Circular 1/09 para 7.1).
If a temporary closure is necessary in connection with a development proposal you should contact the County Council's Street Works Team on 0345 045 5212 or email street.works@cambridgeshire.gov.uk
2. The granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway. A separate permission must be sought from the Highway Authority for such works.
3. All soakaways will be required to be 5m from any structure, including the carriageway.

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 Plan 2018](#)
- Planning File Ref: [S/3849/18/RM](#)
- Documents referred to in the report including appendices on the website only and reports to previous meetings

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