

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

4 June 2014

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

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**Application Number:** S/0403/14/FL

**Parish(es):** Landbeach

**Proposal:** Dwelling House

**Site address:** Land to rear of 51, High Street, Landbeach

**Applicant(s):** Mr and Mrs R Stevens

**Recommendation:** Approval

**Key material considerations:** Impact upon Conservation Area  
Impact upon Neighbouring Amenity

**Committee Site Visit:** 3 June 2014

**Departure Application:** No

**Presenting Officer:** Rebecca Ward

**Application brought to Committee because:** The parish councils recommendation of refusal is contrary to the view of officers

**Date by which decision due:** 28 April 2014

### **Planning History**

1. PRE/0186/13 – Pre-application advice for a single dwelling

### **Planning Policies**

2. *National Planning Policy Framework*
3. National Planning Policy Framework (2010)
4. *Local Development Framework*

DP/1 Sustainable Development

DP/2 Design of new Development

DP/3 Development Criteria

DP/4 Infrastructure and New Development

DP/7 Development Frameworks

HG/1 Housing Density

GB/3 Mitigating the impact of development adjoining the Green Belt

CH/5 Conservation Areas  
NE/1 Energy Efficiency  
NE/6 Biodiversity  
SF/10 Outdoor Play space, Informal Open Space and New Developments  
SF/11 Open Space Standards  
TR/1 Planning for more Sustainable Travel  
TR/2 Car and Cycle Parking Standards

5. Development Affecting Conservation Areas SPD – January 2009

6. *Draft Local Plan*

S/3 Presumption in Favour of Sustainable Development  
S/5 Provision of New Jobs and Homes  
S/7 Development Framework  
S/11 Infill Village  
HQ/1 Design Principles  
NH/4 Biodiversity  
NH/14 Heritage Assets  
H/7 Housing Density  
SC/1 Allocation for Open Space  
SC/9 Indoor Community Facilities  
SC/7 Outdoor Play Space, Informal Open Space and New Developments  
SC/8 Open Space Standards  
TI/3 Parking Provision

### **Consultations**

7. **Parish Council** – Recommend Refusal – Parish Council policy is for infill only (as per our action plan) we do not want to encourage escalating back-build. If we are overruled and permission is granted, we have concerns about how close the proposed new building is to the disputed boundary with the neighbour. We are also absolutely opposed to further development of the site.
8. **Local Highways Authority** – No objections. Conditions should be added to any decision notice covering the following: Implementation of visibility splays, gates set back 5m from the highway, falls and levels are such that no private water from the site drains across the highway, bound material, bin collection point.
9. **Tree Officer** – No objections. In accordance with the tree assessment and arboricultural report there are no objections to the application. If the application is recommended approval, a condition should be imposed to ensure works are conducted in accordance with the arboricultural report.
10. **Ecology Officer** – No objections. The nearest population of Great Crested Newts in Landbeach is >300m away. Whilst in theory it is possible that GCN could move that far they would have to cross roads and gardens, thus any garden space in the village could provide habitat for them. The suitability of the plot is low for GCN as it is clearly regularly mown. With the current information before me I am not requesting that any survey or mitigation measures are put in place for amphibians. However, my view could change if presented with direct evidence of GCN being on that site or immediately adjacent to it.
11. **Landscape Officer** – No objections. Condition should be added for : full details of hard and soft landscaping works, surface water drainage, soft landscaping works,

scheme of no-dig construction, boundary treatments, provision of waste and recycling bins, bat boxes and nest boxes, log piles, hedgehog and insect houses.

12. **Conservation Officer** – No comments received

### **Representations**

13. No.30/32 High Street, No.45 High Street, No.43a High Street, No.45a High Street and the Landbeach Society object to the application. The following material planning considerations have been raised:

- Impact upon the Conservation Area
- Character and Appearance
- Parking
- Backland Development
- Highway Safety
- Biodiversity
- Overlooking, Overbearing, Overshadowing
- Removal of Trees

### **Planning Comments**

#### *Site*

14. The proposal site is situated on a parcel of land belonging to No.51 High Street. The site is currently used as an extended garden. The site shares its boundaries with No.43a, No.47 and No.49 High Street. The site is close to the centre of the village of Landbeach. The properties are predominantly detached dwellings on substantial plots but do range in size and height.
15. The site is located within the Development Framework of Landbeach and within its Conservation Area. To the south of No.51 is No.53 High Street which is a Grade II Listed Thatched Cottage. The site is well screened by mature trees on the boundaries with No.47, No.49 and along the eastern boundary. More recently a number of trees have been removed which were once situated along the shared boundary to No.43a. The topography of the land also slopes down by 500mm-800m between close boarded fence of No.43a and the area where the proposed dwelling will sit.
16. There is an existing double width access to the front of the property serving No.49 and No.51 and hard standing for the parking of cars to the front of both properties. The eastern boundary forms the line between the village development framework and the Cambridge Green Belt.

#### *Proposal*

17. This application seeks planning permission for a detached four bedroom dwelling with an incorporated double garage. The plans were amended on the 17 April 2014 to re-position the house another 2m away from the boarded fence of No.43a. As amended the proposed dwelling sits 6m from this boundary and 14m from the shared boundary of No.49.
18. The dwelling will be accessed by a new vehicular drive proposed between No.49 and No.51 High Street. This involves the demolition of an existing garage.

19. The dwelling is two storeys and at its highest point will reach 8.5m in height and will measure 6.5m in depth. The details for materials are yet to be agreed.

*Impact upon the Conservation Area*

20. The Landbeach Conservation Area covers much of the village, and the proposed dwelling would be located behind the line of existing dwellings. The part of the site on which the proposal would be located is currently laid to grass, which is not visible from the High Street but can be seen from surrounding properties.
21. Towards the northern end of the High Street and adjacent to the application site, development has encroached beyond the original linear form of the High Street. More specifically the development of No.43a High Street, Banworth Lane and Matthew Parker Close are considered to set a precedent (Please see appendix 1 which is an aerial map to highlight this). Officers consider the siting of the proposed dwelling is not considered to have an adverse impact to, or undermine, the pattern of development in the vicinity.
22. The two storey dwelling would not be particularly visible in views from the High Street although some glimpses may be seen between the dwellings on the street frontage. Other properties, namely No.43a, are also visible at points, rising beyond the buildings lining the High Street. In this context, the building would not be obtrusive in, or detract from, views from the public realm.
23. The siting and style of the proposed development would allow it to appear as part of the prevailing built form of the village, rather than an overbearing or obvious element when view from the High Street. The development would also be visible in views from nearby properties. In views of the site from No.43a, although the development would be visible, it would not be overbearing, or detract from its character.
24. The appearance of the dwelling house would be relatively simple reflecting the other properties in the immediate locality. Its style and the use of materials would assist in ensuring that it eases in with the surrounding properties. The height of the development would also be appropriate, with the pitched roof similar to the prevailing style on dwellings in the area, and proportionate to the overall scale of the building.
25. As such, the proposed development would not detract from the character or appearance of the surrounding area. For these reasons officers conclude that the development would preserve both the character and the appearance of the Conservation Area in accordance with the *National Planning Policy Framework*. There would be no conflict with the Council's Development Control Policy CH/5, which requires planning applications for proposals in Conservation Areas to be determined in accordance with legislative provisions and national policy.
26. As such, the Parish Councils concern that back land development should be prevented is not justified on this occasion. Any other applications on the site would be considered on their own merit.

*Green Belt*

27. The site benefits from nature screen hedging on the boundary with the Cambridge Green Belt, together with taller trees. In this context it is considered that the development of the proposed scale can be accommodated on the site without harming the setting of the Green Belt in accordance with GB/3 of the Local Development Framework.

### *Neighbouring Amenity*

28. Impacts to No.43a High Street - Concerns were raised by the occupiers of No.43a High Street commenting that the proposed dwelling would cause undue overbearing and overshadowing impacts to their garden amenity space. In addressing these concerns the plans were amended to move the proposed dwelling another 2m from the shared boundary (date stamped 17 April 2014). As amended the dwelling would sit 6m from the 1.8m close boarded fence belonging to No.43a with the two storey element of proposal sitting roughly 20m from edge of their main house. As amended, officers consider this to be a sufficient distance as to not cause any harmful impacts to neighbouring amenity.
29. The proposed north facing first floor windows serve a family bathroom and an ensuite. They are proposed to be obscure glazed and could be non-opening below 1.7m from floor level to withstand any overlooking impacts. A condition would be imposed to ensure this is implemented
30. Impacts to No.49 and No.47 – Whilst no concerns have been raised by the occupiers of these properties their amenity space has still been assessed. The proposed dwelling will be sited roughly 36m from the rear facing elevations of No.49 and 14m from the shared boundary. The established trees and hedgerows which line the shared boundary will be retained as part of the proposal. A tree survey and an arboricultural report have been submitted clarifying this. The proposed building is considered to be situated at a sufficient distance as to not cause significant harmful impacts to their neighbouring amenity in accordance with DP/3 of the Local Development Framework.

### *Biodiversity*

31. A concern was raised by a neighbour suggesting there might be newts living along the eastern boundary of the site. The Councils Ecology Officer made comments on this matter which have been covered in the consultation response earlier in the report. No objections were made to the scheme as a result.

### *Trees and Landscaping*

32. The site lies within the Conservation Area and therefore all trees are afforded protection. The applicant has submitted a Tree Survey, Arboricultural Implications Assessment Report and Arboricultural Method Statement. The Councils Tree Officer has assessed the scheme and considers the recommendations to be acceptable. Apart from two small fruit trees in the centre of the site and two trees along the new access road, all the other trees will be retained.
33. The existing trees and hedgerows upon the boundary of the site will be retained. In accordance with drawing number CH13/LBA/278/FP100 new fences and planting will be incorporated on the site. This is considered to be an appropriate level of information to uphold a condition covering boundary treatments and soft landscaping.
34. The Councils Landscape Officer has requested a number of conditions in relation to the erection of bat boxes, bird boxes, log piles, hedgehog and insect houses. Due to the size and scale of the development officers consider that this information is not reasonable to make the scheme acceptable. The onus would be upon the applicant to provide these features where felt appropriate.

35. The property sits on a reasonable size plot with sufficient space for bin storage. A condition is therefore not considered necessary.
36. In assessing the submitted Tree Survey, Arboricultural Implications Assessment Report and Arboricultural Method Statement details in regards to the non-dig drive construction has been detailed. Officers consider this to be sufficient information to uphold the requested condition.

#### *Parking and Highway Safety*

37. The Local Highways Authority raised no objections to the scheme. Cars will be able to enter and exit the site safely. Visibility splays have been provided on the plans and will be conditioned on any decision notice.
38. The proposed dwelling, No.51 and No.49 will each have two or more car parking spaces on site. In accordance with policy TR/2 and emerging policy TI/3 this allocation will meet the maximum standard expected for a residential dwelling. Each plot is of a reasonable size and the need for overflow car parking could be accommodated if required.

#### **Recommendation**

39. Approval

#### **S106 requirements**

40. The applicants have submitted a heads of terms document agreeing to cover open space, community facilities and waste disposal costs. This will need to be signed and completed prior to a decision notice being sent out.

#### **Conditions**

- a) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
- b) The development hereby permitted shall be carried out in accordance with the following approved plans: CH13/LBA/278/FP100 rev C (date stamped 17 April 2014), CH13/LBA/278/FP101  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town
- c) No development shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority.  
Development shall be carried out in accordance with the approved details.  
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
- d) The visibility splays specified on approved drawing no. CH13/LBA/278/FP100 rev C at the junction of the access road with the public highway shall be provided before the commencement of the development. The splays there after should be maintained free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway. (Reason - In the interest of highway safety in

accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

- e) Prior to the first occupation of development any gates to the vehicular access shall be set back a minimum of 5m from the near edge of the highway boundary. Any access gate or gates shall be hung to open inwards.  
(Reason- In the interests of highway safety)
- f) The proposed drive way is to 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 – For the safe and effective operation of the highway)
- g) The proposed drive is to be constructed using a bound material to prevent debris spreading onto the adopted public highway due to the intensification of the access.  
(Reason – In the interest of highway safety)
- h) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, doors or openings of any kind, other than those expressly authorised by this permission, shall be constructed in the North Elevation of the dwelling house at and above first floor level] unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.  
(Reason - To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- i) Apart from any top hung vent, the proposed first floor windows in the north elevation of the dwelling hereby permitted, shall be fitted and permanently glazed with obscure glass.  
(Reason - To prevent overlooking of the adjoining properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- j) The development hereby permitted shall be carried out in accordance with the following report and drawings unless otherwise agreed in writing to the Local Planning Authority :
  - Tree Survey, Arboriculture Implications Assessment Report and Arboricultural Method Statement (reference number 2505.AIA. Landbeach Bevans)
  - Drawing No's : SJG974, 2505.TPP, 2505.AI4

(Reasons - To protect neighbouring amenity, biodiversity and the visual amenities of the area in accordance with policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework)

### **Background Papers**

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council's website; and

- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

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 Core Strategy (adopted January 2007)
- Planning File Ref: S/0403/14/FL

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