

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	1 st February 2006
AUTHOR/S:	Director of Development Services	

S/2295/05/F – Thriplow 2 Houses – Land Adjacent to 72 Kingsway, Duxford for K Dyer

Recommendation: Approval
Date for Determination: 13th February 2006

Site and Proposal

1. The application site is located within the Heathfield estate and comprises a 0.07 hectare area of land that forms part of the garden to No.72 Kingsway, a semi-detached brick and tile house located to the south-west. A low chain link fence runs along the north-western boundary of the plot, beyond which are fields and a recreation ground sited on land that lies within the countryside and Green Belt. A row of approximately 5 metre high leylandii defines the south eastern boundary adjacent to which is a grass track leading to an electricity sub station. Beyond this track to the south-east is a two storey semi-detached house, No.71 Kingsway.
2. The full application, submitted on 30th November 2005, seeks to erect a pair of semi-detached two-storey houses on the site. Both dwellings would be 3-bedroom brick and tile properties that would be oriented in a south-west/north-east direction. Four parking spaces and turning would be provided to the front/south-west whilst a new access would be provided adjacent to No.72 Kingsway. The plans show that a beech hedge would be planted along the north-western boundary of the site, with the remaining boundaries comprising 1.8 metre high close boarded fences. The existing row of leylandii along the south-eastern boundary would be removed. The density of the proposal is 28.6dph.

Planning History

3. **S/0124/00/O** – Outline consent granted for erection of house.
4. **S/1617/03/O** – Outline consent granted for erection of house (Renewal of planning consent S/0124/00/O).
5. **S/0918/04/F** – An application for two dwellings was refused due to: (a) the lack of provision for affordable housing and (b) the proximity of the proposed development to the north-western boundary, the lack of room for landscaping and the subsequent visual impact upon the surrounding countryside/Green Belt. The application was subsequently dismissed at appeal for reason (b), with the Inspector commenting that the visual impact of the development would be compounded by the backdrop of the high conifer hedge against which the dwellings would be seen. The Inspector did not accept, however, the lack of provision of affordable housing as a reason for refusal due to the low level of services and facilities in Heathfield.

6. **S/1759/04/F** – Application for dwelling and garage approved subject to a number of conditions including landscaping, use of obscured glass for a first floor window in the south-east elevation of the dwelling and the prevention of any further first floor windows in this elevation without planning permission in order to prevent overlooking of No.71 Kingsway.
7. **S/1308/05/F** – Application for two houses refused due to overlooking of No.71 Kingsway.

Planning Policy

8. **Policy P1/3** of the County Structure Plan 2003 stresses the need for a high standard of design and a sense of place that corresponds to the local character of the built environment.
9. Heathfield is identified within **Policy SE5** of the South Cambridgeshire Local Plan 2004 as an infill only village. In such locations, Policy SE5 states that residential development will be restricted to no more than two dwellings comprising (amongst others) the redevelopment of an existing residential curtilage providing the site does not form an essential part of village character, and providing development is sympathetic to the historic interests, character, and amenities of the locality.
10. **Policy SE9** of the South Cambridgeshire Local Plan 2004 states that development on the edge of villages should be sympathetically designed in order to minimise the impact on the surrounding countryside.

Consultations

11. **Thriplow Parish Council** objects to the application stating:

“Thriplow Parish Councillors are unanimous in their objection to this application and feel that all of the comments made on the previous application number S/1308/05/F still apply. This is overdevelopment of a site which is only suitable for one small dwelling. This is the third application for two houses on this site. The first application (S/0918/04/F) was refused on appeal and this Parish Council feel that the comments of the planning inspector in his refusal are still relevant and do not see how this application, or the previous one, answers the inspectors objections. The roads, sewers and street lighting on this part of Heathfield are all privately owned by the Heathfield Residents Association and members are obliged to pay an annual fee towards the upkeep of the services. Any future owners of a home on this site should become members of the Association and a legal agreement requiring this membership should be linked to any permission for development.”

The comments made by Thriplow Parish Council in respect of application reference S/1308/05/F were:

“The increase of the gap between the west boundary and flank wall of the proposed house allows more room for the planting of a hedge but still does not reduce the impact of the house enough when viewed from the public open space. Also increasing the space on the western side reduces the space to the eastern side, preventing rear access to the rear garden of the eastern house. The proposal for two houses is overdevelopment of this site.

Thriplow Parish Council feel that the comments of the planning inspector in his refusal of the appeal on the previous application for two houses on this site are still relevant and do not see how this new application answers the inspectors objections.”

12. **The Chief Environmental Health Officer** raises no objections in principle although does express concerns about potential noise disturbance to residents during the construction period. As such, it is recommended that a condition restricting hours of use of power operated machinery be applied to any planning consent.

Representations

13. Two letters of objection have been received from the occupiers of Nos. 71 and 79 Kingsway. The main points raised are:
- a) The first floor rear/north-east windows would overlook No.71 Kingsway's garden area, particularly if the conifers are to be removed;
 - b) The driveway is not wide enough to serve two dwellings and there is insufficient space for four cars to park on the site;
 - c) The access would be unsafe as it is too close to the access serving No.71 Kingsway and it also crosses a footpath, thereby causing a hazard to pedestrians;
 - d) If the dwellings are built, the conifers should just be trimmed back and not cut down;
 - e) The site is not large enough to accommodate two houses;
 - f) There is a covenant on Kingsway preventing dwellings being built within garden areas;
 - g) The development would be an extra burden on the old sewerage system on the estate.

Planning Comments – Key Issues

14. The key issues to consider in the determination of this application are:
- a) Impact upon amenities of neighbours;
 - b) Visual impact upon the countryside/Green Belt;
 - c) Highway/pedestrian safety;
 - d) Parking/turning provision.
15. The site lies inside the village framework. Heathfield is designated as an infill-only village where residential development is acceptable in principle providing development is sensitive to the character of the area and the amenities of local residents. Planning permission has previously been granted for the erection of one dwelling on the site and this has therefore established the principle of developing the plot. It is therefore necessary to consider whether the current application overcomes the reasons for the first application for two houses being dismissed at appeal (Ref: S/0918/04/F) and for the most recent application for two houses on the site being refused (Ref: S/1308/05/F).
16. In the first application (S/0918/04/F), the development was sited just 1 metre away from the north-western boundary at its nearest point, thereby leaving insufficient space along this countryside boundary for planting to screen the development. In addition the pair of dwellings was pulled away from the south-eastern boundary in order to ensure the retention of a high conifer hedge. As stated in the history section above, the application was refused and subsequently dismissed at appeal due to its proximity to the countryside boundary, lack of space for

planting and retention of the conifer hedge which the Inspector stated compounded the visual impact of the dwellings.

17. The subsequent application for two houses (S/1308/05/F) was considered by Officers to overcome these issues by setting the development very close to the south-eastern boundary of the site (and removing the conifer hedge) and by allowing sufficient space between the dwellings and the north-western boundary (approximately 3-4 metres) for landscaping to ensure the development would be screened from the open space to the north-west. In particular, the development was no closer to the north-western/countryside boundary and only comprised a marginally larger footprint than the single dwelling approved under planning reference: S/1759/04/F. This scheme did, however, introduce an overlooking problem of No.71 Kingsway as it proposed a first floor bedroom window in the south-east side elevation of the easternmost dwelling resulting in overlooking of No.71 Kingsway's rear private garden and patio areas. The application was subsequently refused solely on the grounds of its harmful impact upon the occupiers of No.71 Kingsway.
18. The current proposal differs from the previous application in that the first floor bedroom window has now been removed from the south-east side elevation and a replacement bedroom window has been inserted in the front/south-western elevation of the easternmost dwelling. Providing a condition is added to any consent removing permitted development rights for the insertion of first floor windows in the south-east elevation of the development, I am satisfied that the proposal would not result in undue harm to the amenities of the occupiers of No.71 Kingsway. Removing the conifers is considered to be necessary to avoid accentuating the visual appearance of the development and, indeed, has already been approved as part of the single dwelling scheme.
19. The access width and parking and turning dimensions are all acceptable and comply with the relevant standards. In addition, I am satisfied that the position of the access would not compromise highway or pedestrian safety. It should be noted that, in his consideration of the appeal relating to the first application for two houses, the Inspector raised no highway safety objections to the proposal.
20. The concerns expressed by the Parish Council and resident at No.79 Kingsway, in respect of the covenant restricting development in Kingsway and in respect of the private road and services, are not material planning considerations, although the applicant's attention should be drawn to these matters through informatives of any planning consent.

Recommendation

21. Approval
 1. Standard Condition A – Time limited permission (Reason A);
 2. Sc5a – Details of materials for external walls and roofs (Rc5a(ii));
 3. No windows, doors or openings of any kind shall be inserted at first floor level in the south-eastern side elevation of the development, hereby permitted, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf (Reason – To safeguard the privacy of occupiers of the adjoining property, No.71 Kingsway);
 4. Sc51 – Landscaping (Rc51);

5. Sc52 – Implementation of landscaping (Rc52);
6. During the period of construction no power operated machinery shall be operated on the premises before 08.00 hours on weekdays and 08.00 hours on Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any time on Sundays or Bank Holidays) unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions (Rc26);

Informatives

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:** P1/3 (Sustainable design in built development).
 - **South Cambridgeshire Local Plan 2004:** SE5 (Development in infill villages) and SE9 (Village Edges).
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;
 - Visual impact on the locality;
 - Highway safety.

General

1. 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 so that noise and vibration can be controlled.
2. During construction there shall be no bonfires or burning of waste on site except with the prior permission of the Environmental Health Officer in accordance with best practice and existing waste management legislation.
3. The Heathfield Estate is a private estate with unadopted roads, sewers and street lighting. The relevant consents to access and service the site will need to be obtained from the Heathfield Residents Association.
4. The applicant will need to establish whether there are any restrictive covenants preventing the erection of a dwelling on the site. The grant of planning permission does not convey the right to develop contrary to restrictions under any other legislation.

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

South Cambridgeshire Local Plan 2004

Cambridgeshire and Peterborough Structure Plan 2003

Planning Application References: S/0124/00/O, S/1617/03/O, S/0918/04/F, S/1759/04/F, S/1308/05/F and S/2295/05/F.

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