

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

**S/2327/05/F- Highfields Caldecote
New Dwelling on Land to the Rear of 53 Highfields Road for S. Chalmers**

**Recommendation: Approval
Date for Determination: 31st January 2006**

Members of Committee will visit this site on Monday 30th January 2006.

Site and Proposal

1. This application, received on 6th December 2005, proposes the erection of a one and a half storey dwelling, with some accommodation in the roof, on 0.028 hectares of land to the rear of 53 Highfields Road, Caldecote. A supporting statement accompanies the application.
2. The application site is backland in nature, and currently comprises an area of overgrown vegetation together with a 1.5 metre high fence that runs alongside the site. The site includes an access route to the rear of the existing dwelling at 53 Highfields Road, some 61 metres in length and 5.3 to 5.8 metres in width.
3. The current proposals are a re-submission of a previous application refused under delegated powers in October 2005 under LPA reference S/1565/05/F.
4. A number of changes have been incorporated into the current scheme, which are considered later in this report.

Planning History

5. **S/1565/05/F** - Erection of one dwelling on land to rear of 53 Highfields Road, Caldecote. This application was refused under delegated powers for the following reasons:
 1. The proposed site for a new detached two-storey dwelling is unacceptable as it would overcrowd the plot and would result in a dwelling being positioned very close to site boundaries, resulting in overlooking a number of neighbouring properties and being very overbearing in nature. The proposal would be a cramped form of development, out of character with the adjoining residential plots and, therefore, contrary to Policy HG11 of the South Cambridgeshire Local Plan 2004 relating to backland development and Policy SE4 of the Local Plan relating to village character and the amenity of neighbours.
 2. The proposed access arrangements and turning facilities would be likely to create noise and other disturbance to immediate neighbours, which is contrary to Policy HG11 of the South Cambridgeshire Local Plan 2004.
6. A Tree Preservation Order was served on 14th October 2005 under reference 14/05/SC in relation to the horse chestnut located on the application site north west boundary.

Planning Policy

National Policy

7. **Planning Policy Guidance Note 3**, “Housing”, advocates making more efficient use of land, whilst at the same time ensuring that the quality of the environment is protected. Considerations of design and layout should be informed by the wider context and development should be designed sympathetically and laid out in keeping with the character of the village.

Cambridgeshire and Peterborough Structure Plan 2003:

8. **Policy P1/3** of the Cambridgeshire and Peterborough Structure Plan requires a high standard of design which responds to the local character of the built environment for all new development.

South Cambridgeshire Local Plan 2004:

9. **Policy SE4** of the South Cambridgeshire Local Plan identifies Caldecote as a Group Village in which residential development and redevelopment up to a maximum scheme size of 8 dwellings will be permitted provided that:
 - a) The retention of the site in its present form is not essential to the character of the village.
 - b) The development would be sensitive to the character of the village, local features of landscape or ecological importance, and the amenities of neighbours.
 - c) The village has the necessary infrastructure capacity.
 - d) Residential development would not conflict with any other policy of the Plan, particularly **Policy EM8** (loss of employment sites).
10. **Policy SE8** of the Local Plan states that there will be a presumption in favour of residential development within village frameworks where this is in accordance with policies SE2, SE3, SE4 and SE5. Residential development outside these frameworks will not be permitted.
11. **Policy HG11** of the Local Plan states that development to the rear of existing properties will only be permitted where the development would not:
 - a) Result in overbearing, overlooking or overshadowing of existing residential properties;
 - b) Result in noise and disturbance to existing residential properties through the use of its access;
 - c) Result in highway dangers through the use of its access; or
 - d) Be out of character with the pattern of development in the vicinity.

Consultations

12. **Caldecote Parish Council** recommends refusal of the proposals on the grounds of overdevelopment of the site and concerns over drainage and surface water run off.

The Parish Council considers that this form of backland development is undesirable and out of keeping with the linear pattern of development and therefore contrary to Policy P1/3 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE4 (b) and HG11 (4) of the South Cambridgeshire Local Plan 2004.

The proposals would be detrimental to existing and future occupiers of the adjoining properties by vehicular access along the proposed narrow access driveway. The proposal is therefore contrary to Policy SE4(b) and HG11 of the South Cambridgeshire Local Plan 2004. Access should not be allowed to increase risks. Should the development gain approval, conditions should be applied on the following during construction:

- a) "No work should be carried out before 8am and should finish by 6pm. (1pm Saturdays).
 - b) No work on Sundays or Bank holidays.
 - c) Any spoil removed should not be used to raise ground levels and create neighbouring flood problems.
 - d) Site traffic should be diverted away from existing roads if possible, roads if used should be kept free of mud and if necessary regularly swept. Wheel washing facilities should be used.
 - e) Parking and site compounds should be provided to ensure that disturbance to nearby properties is kept to a minimum.
 - f) Planting plans should be agreed before any construction is started to ensure existing planting is preserved if possible.
 - g) Drainage tributary should be reinstated.
 - h) Wildlife, all development should make due consideration of problems associated with wildlife disturbance.
 - i) Observation of the Crime and Disorder Act Section 17.
 - j) Any construction should specify good quality materials."
13. **Landscape Officer** - In order to achieve the construction the verge should be extended and the area left undisturbed. The horse chestnut (now the subject of a Tree Preservation Order) is a good quality tree and should be protected by means of a "no dig" condition in relation to the adjacent driveway and turning area.
14. **Environment Agency** states that the Council should respond on behalf of the Agency in relation to flood risk and surface water drainage issues. In view of the local geology (boulder clay), soakaways may not prove satisfactory in this location. A number of local developments have installed 'surface water harvesting systems' to overcome this difficulty.
15. **Building Control** - Inspector does not object.

Representations

16. The owners of number 81 West Drive object to the proposals. They state that although efforts have been made to address the objections raised against the previous proposal, the current proposal would still result in an unacceptable loss of privacy from the upper storey of the proposed dwelling, and that a single-storey dwelling would be more appropriate. In addition, they would like to see the weeping willow preserved, as it is a valuable element in the local environment.
17. The owners of 81 A West Drive object to the proposals, and comment that, whilst the contents of the previous letter in relation to the refused application still stand, there are a number of new issues that the current application raises. The current proposal is further detrimental to the privacy of number 81A, with the increased number and

size of windows and doors having close and direct views into their garden, rear bedrooms, kitchen and living room. In relation to the access, it is suggested that the developer be asked to create an access route directly onto Highfields Road, through property he already owns. In addition, a number of elements in the supporting statement are refuted.

18. The owners of number 79 West Drive object to the proposals and comment that the north west facing upper floor windows overlook this property (garden and bedroom windows), resulting in a loss of privacy. The proposed access drive of around 60 metres runs adjacent and parallel to the entire length of the south west boundary of number 79. All of the windows on this property face the south west, and there are concerns that there will be noise and other disturbance caused by movement of vehicles along this driveway, especially to the two bedroom windows that face the proposed driveway. The location of the proposed dwelling is not in keeping with the prevailing development in this part of West Drive that is characterised by houses built in a more-or-less linear arrangement, separated by substantial plots. In addition, the site plan incorrectly shows the south east boundary of the proposed dwelling with number 79, giving the impression that the position of the proposed dwelling is further from the boundaries of surrounding properties than would be the case.
19. The owners of number 59 Highfields Road object to the proposal, and state that the new number 53 Highfields Road has not been completed to the original planning permission conditions e.g. Boundary changes and drainage facilities. Since the building of number 53, numbers 59 and others in the vicinity have been subjected to a flooding problem. The main ditch linking to the front drain has been filled in and no other provision for the removal of surface water has been made. It is requested that no further building work be carried out until this has been resolved. The application site has been cleared of all trees and hedges and is being used as a rubbish tip, resulting in vermin problems. The proposed house is two-storey and will clearly be obtrusive and overbearing to neighbouring properties. A single storey proposal would be more sympathetic and in keeping with neighbouring properties. Adequate screening will be necessary to minimise noise, intrusion and loss of quality of life to neighbouring properties. The applicant has shown a continual failure in his duty of care to neighbouring properties.
20. The owners of number 57 Highfields Road object to the proposed development on the following grounds:
 - a) Loss of sunlight.
 - b) Drainage problems (the applicant has already filled in a natural ditch alongside number 53 by erecting a fence in it).
 - c) Density of development, boundaries and size (the boundaries of number 53 have been changed without permission); the proposal represents overdevelopment of the site; the plans are not drawn to scale and exaggerate the distance from the boundary of number 57 to the application site.
 - d) Traffic noise/driveway access (the access driveway will result in traffic noise/movement and disruption alongside the existing garden of number 57). In addition the narrow driveway may provide insufficient access for emergency services.
 - e) Unsold properties in Caldecote (there are a number of unsold properties in the village, including number 53. It is believed that there is no need in the village for housing).
 - f) An independent report from Withers Thomas was drawn up in relation to the previous application. Whilst the current application removes the windows

overlooking number 57, the footprint of the house remains the same and the proposals do not eliminate the concerns of overdevelopment and the density of development on the site.

21. The comments of the Agent on the concerns of residents have been received and are attached at Appendix 1.

Planning Comments – Key Issues

Amendments from the previous scheme

22. The applicant's supporting statement states that a number of amendments have been made to the previous proposals which include:
 - a) Elimination of the possibility of overlooking towards Highfields Road by using velux style windows in the roof or obscure glazing.
 - b) Minimisation of the massing of the proposed dwelling through orientating the ridge to run parallel with Highfields Road, and hipping the gables.
 - c) Reducing the footprint of the proposed dwelling.
 - d) Reflection of the predominant local vernacular, by proposing brick facing rather than render.

Impact on adjoining residential amenity

23. A number of objection letters have been received in relation to these application proposals, which have dealt with a range of issues (see above).
24. At the present time, number 53 Highfields Road is a recently completed new dwelling. Numbers 51 Highfields Road and 79 West Drive are bungalows, whilst 81A West Drive is a two-storey dwelling. There is a large willow tree which provides partial screening between the application site and number 81A West Drive.
25. In relation to the overlooking of existing residential properties close to the application site, the current proposals have taken account of previous concerns and the windows of the proposed dwelling have been moved. This revised proposal does not result in overlooking to the same extent as the previous application, thus reducing the overlooking and overbearing impact that the previous proposal created.
26. It is considered that the current proposals represent a material improvement in terms of design and orientation.

Visual impact

27. The previous application was refused on the grounds that it would result in the overcrowding of the plot and would be sited very close to adjacent boundaries.
28. The current application has been reduced in terms of its footprint on the site in comparison with the previous application. The earlier scheme proposed a footprint of approximately 114 square metres, whilst the current application proposes approximately 105 square metres. The design and orientation of the proposed dwelling has been improved in comparison with the previous proposal.
29. The existing willow tree and horse chestnut are to be retained on the application site.

Access arrangements

30. There have been some concerns over the access arrangements to the proposed new dwelling, especially in relation to the impact upon number 79 West Drive. This bungalow has bedroom windows and a conservatory facing the proposed access to the new dwelling.
31. I am of the opinion that the access route to the site would not have a detrimental effect upon this existing property provided that a suitable surface material can be agreed for this access. In addition, acoustic fencing should be erected between the proposed access drive and 79 West Drive.
32. As only one new dwelling is proposed on the application site, traffic generation is likely to be in the region of around eight vehicle movements per day. I do not believe that this will lead to significant material noise or disturbance to adjacent occupiers provided that appropriate surfaces and fencing are provided.

Conclusions

33. In conclusion, I consider that this revised application should be approved as it is sited and designed so as to minimise the impact on neighbouring properties.

Recommendation

34. Approve, subject to conditions
 1. Standard Condition A – Time limited permission (Reason A);
 2. Sc5a – Details of materials for external walls and roofs (Rc5aii);
 3. Sc51 – Landscaping (Rc51);
 4. Sc52 – Implementation of landscaping (Rc52);
 5. Sc60 – Details of boundary treatment (Rc60);
 6. Sc5f – Details of materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas (Reason – To minimise disturbance to adjoining residents);
 7. Surface water drainage details. (RC5(b));
 8. Foul water drainage details. (RC5(c));
 9. Restriction of hours of use of power operated machinery during the period of construction. (Reason - To minimise noise to adjoining residents during the construction period);
 10. Acoustic fencing to be used along sensitive boundaries (Reason - To minimise disturbance to adjoining residents);
 11. Protection of horse chestnut tree by no-dig construction. (Reason - To ensure retention of the horse chestnut tree).

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:**
SE4 (List of Group Villages),
SE8 (Village Frameworks),
HG11 (Backland Development)
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
 - Visual impact of the proposal on the locality

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 Files reference S/1565/05/F and S/2327/05/F

Contact Officer: Area Team 3