

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

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**S/2317/05/F – Castle Camps  
Replacement Dwelling and Garage (Revised Design) (Retrospective Application) at  
The Bays, Haverhill Road for C O'Malley**

**Recommendation: Approval  
Date for determination: 30<sup>th</sup> January 2006**

### Site and Proposal

1. The application relates to a 0.06 hectare/0.14 acres approximately site on which a new dwelling to replace a dwelling that previously stood on the site has been erected. A new (replacement) 1½ storey dwelling stands to the north. Beyond a track leading to what was a builder's yard to the east, there is a two-storey house to the south.
2. This full application, received on the 5<sup>th</sup> December 2005, proposes the erection of a 4.7m high to eaves/7.6m high to ridge 6-bedroom dwelling with accommodation provided over three floors, including two bedrooms in the roof space.
3. The proposal is the same as the one approved under reference S/1616/04/F except that it is now proposed to utilise the roof space and, consequently, a second floor dormer window is proposed in the rear roof slope, a small second floor window is proposed in each of the two rear gables and high level windows are proposed in the side roof slopes; and a single storey link is proposed between the double garage and the house.

### Planning History

4. Planning permission was granted under reference **S/1616/04/F** for a two-storey 5-bedroom detached dwelling with a detached double garage to the front.
5. A previous application for a two-storey dwelling with linked double garage was withdrawn (**S/0999/04/F**).

### Planning Policy

6. Structure Plan 2003 **Policy P1/3** relates to sustainable design in built development and requires a high standard of design for all new development which responds to the local character of the built environment.
7. Local Plan 2004 **Policy SE4** states that residential development and redevelopment up to a maximum scheme size of 8 dwellings (and, exceptionally, up to 15 dwellings if this would make the best use of a brownfield site) will be permitted within the village framework of Castle Camps 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; and

(d) residential development would not conflict with another policy of the Plan, particularly policy EM8 which relates to the loss of employment sites. It also states that all developments should provide an appropriate mix of dwelling size, type and affordability.

8. Local Plan 2004 **Policy HG10** states that the design and layout of residential schemes should be informed by the wider character and context of the local townscape and landscape.

### **Consultations**

9. **Castle Camps Parish Council** recommends refusal stating “This applicant always builds differently to the approved plans and subsequently gets away with it. It is too late once the building is up. What are the planning department going to do about it? The Council’s planning group should look at retrospective planning applications. If permission is 100% granted there is little point in initially presenting a planning application as a retrospective one would be guaranteed not to raise objections and be accepted. I object as I feel this is overshadowing the house next door. In my opinion this applicant gets his way every time and is spoiling our village. An application by this applicant for a house of this size, on this plot, was rejected some months ago. He has now built a house of similar size to that which was rejected and expects to “get away with it”. In my opinion flouting the planning laws with a retrospective application should not be allowed as it makes a mockery of the planning function and control, and is also a “slap in the face” for all those who abide by the rules.”
10. **Environment Agency** raises no objections but makes an advisory comment.

### **Representations**

11. The occupier of Broadways, the property to the south, states that the applicant has gone to some lengths to ensure that the development has no adverse implications for him. He believes that the house that has been built is a fine quality addition to the village and therefore has no objections. He states that it is a pity that the Parish Council has opposed the application without consulting him, the only parishioner directly affected.

### **Planning Comments – Key Issues**

12. The main issue in relation to this application is the impact of the changes compared to the development approved under reference S/1661/04/F on the character and appearance of the area and the amenity of neighbours.
13. I, and Members, can appreciate the Parish Council’s concerns about retrospective applications but any application, retrospective or otherwise, must be considered on its merits. In this instance, I do not consider that the addition of the rear dormer, gable windows, rooflights or link between the house and garage would result in serious overlooking or any other harm to the amenity of neighbours or harm the character of the area.
14. The dwelling that has been erected on site does not accord with the plans approved under reference S/1616/04/F. Whilst this application has been described as retrospective, the submitted plans still do not reflect exactly what has been built. For example, whilst the existing dwelling is render over a brick plinth, the plans indicate brick, render and boarding; some windows shown on the plans do not exist, others

are different shapes and there are some existing windows not shown on the plans. Whilst what is shown on the application drawings is considered to be acceptable and there is therefore no reason not to approve the application, the case officer has conveyed these discrepancies to the applicant and suggested that a further application be submitted showing the dwelling as built.

### **Recommendation**

#### 15. Approval

1. Standard Condition A – Time limited permission (Reason A);
2. Sc5a – Details of materials for external walls and roofs (RC 5a);
3. The first floor window in the south/side elevation of the house, hereby permitted, shall be fitted and permanently maintained with obscured glass (RC To safeguard the privacy of the occupiers of the adjacent property, Broadways);
4. No further windows shall be inserted at first or second floor level in the south or north elevations of the house, hereby permitted, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf (RC To safeguard the privacy of the occupiers of the adjacent properties, Broadways and Manor House).

### **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 (Development in Group Villages) and HG10 (Housing Mix and Design)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise: impact on neighbours and appearance of the village.

**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 file Refs: S/2317/05/F, S/1616/04/F and S/0999/04/F

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