

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 5th April 2006
AUTHOR/S: Director of Development Services

**S/0329/06/O – Harston
Dwelling – Land r/o 37 London Road for Mrs D A Phillips**

**Recommendation: Approval
Date for Determination: 19th April 2006**

Site and Proposal

1. This 0.17 hectare application site is located on the north east side of London Road and comprises an orchard that forms part of the rear garden area to No.37 London Road, a two storey detached dwelling.
2. The application, submitted on 22nd March 2006, seeks outline consent for the erection of a dwelling on the site. The means of access to the site forms part of the application with details of siting, design and landscaping reserved for further consideration. The plans show the provision of a 5 metre wide access for 10 metres into the site, after which the driveway narrows to a width of 3.1 metres. The access would be a total length of some 75 metres. The access would be shared by the existing property and proposed new dwelling. The density of the development equates to 6 dwellings/hectare.
3. The application is accompanied by a planning statement which states that the existing nature of the development along London Road, namely at Nos. 55 and 67, sets a precedent for backland dwellings. It is considered that such development can be incorporated into the village with minimal impact upon the character and amenities of the area.
4. A traffic assessment has also been submitted with the application. This states that the required 2.4 metre x 120 metre visibility splays can be provided, and that the access is wide enough to cater for two dwellings.

Planning History

5. There is no planning history relating to the application site, although there have been recent applications of relevance in the vicinity:
6. **S/1499/04/F** – An application to erect two houses and garages on land at the rear of No.41 London Road following the demolition of the existing dwelling was refused partly for the reason that the form of the development, together with the creation of a large gap in the frontage, was considered to be out of keeping with the linear character of the area.
7. **S/0899/03/F** – An application to erect two dwellings at No.51 London Road (one frontage dwelling following the demolition of the existing and one to the rear) was approved.
8. **S/1604/02/F** – An application for the replacement of a bungalow on this existing backland plot with a two storey dwelling was approved.

Planning Policy

9. Harston is identified within **Policy SE4** of the South Cambridgeshire Local Plan 2004 ("The Local Plan") as a Group Village. In such locations, Policy SE4 states that residential development up to a maximum of 8 dwellings will be permitted providing the site does not form an essential part of village character, and development is sympathetic to the historic interests, character, and amenities of the locality. Exceptionally, development may consist of up to 15 dwellings if this would make the best use of a brownfield site. All developments are expected to provide an appropriate mix of dwelling size, type and affordability.
10. **Policy P1/3** of the County Structure Plan 2003 stresses the need for a high standard of design and a sense of place which corresponds to the local character of the built environment.
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;
 - d. Be out of character with the pattern of development in the vicinity.
12. **Policy DP/5** of the Local Development Framework Submission Draft 2006 relates to cumulative development and states that development will not be permitted where it:
 - a. Forms part of a larger site where there would be a requirement for infrastructure provision if developed as a whole;
 - b. Would result in a piecemeal, unsatisfactory form of development;
 - c. Would prejudice development of another site adjacent or nearby.

Consultations

13. **Harston Parish Council** objects to the application stating:

"Such back-land development is not what we wish to see. It is quite out of character and would, we feel, encourage other residents in this area to climb on the band wagon; a precedent has not, we feel, been set by the rear of 55 and 67 London Road for the reasons given in Mr & Mrs Glynn's letter (No. 39 London Road) a copy of which we have. We fully support their objections and urge your refusal of this application."
14. The **Chief Environmental Health Officer** raises no objections subject to a condition restricting the hours of use of power operated machinery being attached to any consent in order to minimise noise disturbance to neighbours.
15. The comments of the **Local Highways Authority** will be reported verbally at the Committee meeting.
16. The comments of the **Trees and Landscape Officer** will be reported verbally at the Committee meeting.
17. The comments of the **Cambridgeshire Fire and Rescue Service** will be reported verbally at the Committee meeting.

Representations

18. Letters have been received from Nos. 35 and 39 London Road. The main points raised are:
 - a. No.35 has no objections in principle to a single dwelling;
 - b. The development would result in the loss of trees. As many trees as possible should be retained in order to preserve the character of the area;
 - c. Any consent should be limited to a single storey dwelling, sited well away from the boundaries and with no habitable rooms facing towards No.39's boundary – in order to minimise overlooking and overshadowing of No.39;
 - d. The driveway should be of low noise construction given its proximity to the boundary with No.39;
 - e. There is no precedent for backland development in the area as the sites at Nos. 55 and 67 have been established plots for many years, whilst the house recently approved at the rear of No.51 adjoins the two existing backland sites;
 - f. If approved, the application could result in further piecemeal development which would result in a series of private driveways to the detriment of the traditional streetscape of London Road;
 - g. The driveway should be 3.7 metres wide to facilitate fire appliance access.

Planning Comments – Key Issues

19. The key issues to consider in the determination of this application are:
 - a. Impact upon the character of the area;
 - b. Affect upon the amenities of adjoining residents;
 - c. Impact upon trees;
 - d. Highway safety.
20. The site lies inside the village framework. Harston is designated within the Local Plan as a Group Village where residential development is acceptable in principle providing development is sensitive to the character of the area and the amenities of local residents.
21. The site is located on the north eastern side of London Road which has a linear character. To the south-east of the site are three backland plots to the rear of Nos. 51, 53/57 and 59-65 London Road, these plots being occupied by substantial detached two storey dwellings set within spacious gardens and served by narrow, informal accesses serving just one or two dwellings. In each of the above cases, the backland dwellings are set behind frontage properties and are therefore not conspicuous in the street scene. The recently refused application at No.41 London Road was considered to be unacceptable as the proposal sought to demolish the frontage dwelling and erect two properties set well back from the road. The creation of this large gap in the frontage together with the views this gap would afford to the proposed development was considered to represent a form of development out of keeping with the character of the area.

22. The current application proposes to retain the existing two storey dwelling, No.37 London Road, and to erect a dwelling on part of the spacious garden area to the rear. By retaining the existing dwelling, there would be no change to the linear character of London Road and I am satisfied, given the retention of the existing property together with the distance of the proposed backland plot from the main road, that a dwelling can be accommodated on this site, in principle, without being prominent in the street scene or resulting in harm to the character of the area.
23. With regards to the impact of the proposed access upon the amenities of occupiers of Nos. 37 and 39 London Road, there is approximately 7 metres between No.37 and the boundary with No.39, which, at this point, consists of a 1.8 metre high close boarded fence. No.37 has a secondary dining room window and glasshouse/porch in its southern side elevation whilst, in the northern side elevation of No.39, are bedroom and lounge windows on the ground floor and a first floor bathroom window. I am satisfied that there is sufficient width, in this case, to accommodate the access (normally a minimum of 3.7 metres is required for backland plots to enable access for fire engines) and to retain/provide appropriate treatments on both side boundaries, to avoid undue noise disturbance to both adjoining properties from the use of the access. I would concur with the comments made by No.39 that the choice of materials are important and this should be conditioned as part of any planning permission.
24. It has been argued that, if approved, the application would set a precedent for further backland plots thereby resulting in piecemeal development and an inefficient use of the land to the rear of Nos. 37-47 London Road. Whilst I concur with this view, the development of this land as a whole would necessitate the demolition of one of the frontage dwellings and the creation of an estate road. Such a form of development would be out of keeping with, and harmful to, the character of the area, whereas individual plots served by a narrow access reflects the character of existing backland development on this side of London Road.
25. The comments of the Local Highways Authority in respect of the highway safety implications of the proposed access have not been received to date.
26. A number of trees would need to be removed in order to accommodate the access whilst any dwelling, regardless of its siting, would result in the loss of orchard trees. I am presently awaiting the Trees Officer's comments in respect of whether any of the trees are of sufficient quality to render the development unacceptable in principle.

Recommendation

27. Subject to no objections being raised by the Trees and Landscape Officer and Local Highways Authority, approval:
 1. Standard Condition B (Reason - B);
 2. Sc1a, b and d – Reserved Matters of the siting, design, external appearance and landscaping (Rc1);
 3. Sc5b – Surface water drainage details (Rc5b);
 4. Sc5c – Foul water drainage details (Rc5c);
 5. Sc5 – Details of materials to be used for the access (Reason – To minimise noise disturbance to neighbouring properties);

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).
7. Highway conditions regarding visibility splays, width of access (5m for distance of 10m) and minimum width thereafter of 3.7m to accommodate a fire appliance. (Rc10 - Safety)

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: SE4** (Development in Group Villages) and **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;
 - Highway safety;
 - Impact on trees;
 - Impact on character of area.

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.

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

- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- LDF Submission Draft 2006
- Planning application references: S/0329/06/O, S.1499/04/F, S/0899/03/F and S/1604/02/F

Contact Officer: Lorraine Casey – Senior Planning Assistant
Telephone: (01954) 713251