

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

**REPORT TO:** Development and Conservation Control Committee

5<sup>th</sup> April 2006

**AUTHOR/S:** Director of Development Services

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**S/2290/05/F – Haslingfield  
House (Revised Design) (Part Retrospective) at Plot 1, 1 Butler Way for Vona  
Enterprises Ltd**

**Recommendation: Approval  
Determination Date 24<sup>th</sup> January 2006**

Adjacent Conservation Area

### **Site and Proposal**

1. The site lies off a cul-de-sac, Butler Way, a narrow road with narrow footpaths. It forms one half of a larger plot for 2 dwellings. Three other properties, two bungalows and a chalet dwelling, are also accessed from Butler Way.
2. To the south, approximately 30m away from the back edge of the site, lies a two storey property, No. 10 Church Street with windows at ground and first floor level in its northern elevation, facing the site.
3. The site lies adjacent to the Haslingfield Conservation Area, the boundary of which runs along the eastern boundary of the site where there is a footpath to the church. To the south east lies The Vicarage, a Grade II Listed Building. There are two further Listed Buildings to the north east approximately 25-40m from the site.
4. The full planning application, received on 29<sup>th</sup> November 2005, proposes to revise the design of a single house already granted planning permission. The proposal is part retrospective as the dwelling, as revised, is currently under construction.
5. The application was amended in February 2006 to revise the internal layout and further revise the position of windows and doors.
6. The proposed dwelling is detached and approximately 7.2m in height, set back from the road by 5.5m. The essential differences between the approved dwelling and that revised by this application are that the internal layout has been altered to provide an additional first floor habitable room and the position of windows and doors has been changed. The differences are explained more fully below.

<b>Approved dwelling</b>	<b>Application dwelling as amended</b>
Ridge height: 7.2m Eaves height front: 2.8m – 3.5m Eaves height rear: 3.4m	Ridge Height: 7.2m Eaves height front: 2.4m (roof overhang extended across front) Eaves height rear: 3.1m
Footprint: 85.1m <sup>2</sup> (82.8m <sup>2</sup> not including roof overhang)	Footprint: 88.2m <sup>2</sup> (82.7m <sup>2</sup> not including roof overhang) (siting unchanged)
Ground floor layout: Kitchen, living room, dining room, study, WC	Ground floor layout: Kitchen, living room, dining room, family room, utility, WC
First floor: 3 bedrooms, bathroom and	First floor: 3 bedrooms, bathroom and

en-suite	study
Front elevation ground floor: dining room hall and study windows	Front elevation ground floor: dining room, hall, family room and WC windows
Front elevation first floor: 2 bedroom windows and landing rooflight	Front elevation first floor: 2 bedroom windows and landing rooflight
Rear elevation ground floor: door, kitchen window and French doors to living room	Rear elevation ground floor: door, kitchen window and French doors to living room
Rear elevation roofslope: 5 rooflight windows – bed, bed, bath, bath, en-suite. The two habitable room windows will look towards the rear of No. 10 Church Street.	Rear elevation roofslope: 5 rooflight windows – bed, bed, study, study, bath. One each of the bed and study windows are high level, therefore two habitable room windows will look towards the rear of No. 10 Church Street.
East elevation: blank	East elevation: door to utility room, blank at first floor
West elevation: ground floor WC window, first floor blank	West elevation: ground floor blank, first floor obscure glazed WC window
Eastern boundary: Existing planting to be retained	Eastern boundary: Majority of existing planting has been removed and a 2m high close boarded fence erected.
Parking for 3 cars	Parking for 3 cars

### Planning History

7. The original chalet bungalow, now demolished was granted approval in 1964.
8. In March 2004 planning permission was granted in Outline for the erection of two dwellings (on plots 1 and 2) following the demolition of the existing bungalow – matters of siting, design, means of access and landscaping were reserved.
9. In July 2004 a full planning application was withdrawn for two 4 bedroom dwellings approximately 7.5m in height with each having a footprint of approximately 106m<sup>2</sup> and 112m<sup>2</sup> on plots 1 and 2 respectively.
10. In February 2005 planning permission was approved for two 3 bedroom dwellings, approximately 7.2m in height with each having a footprint of approximately 85.1m<sup>2</sup> and 88.2m<sup>2</sup> on plots 1 and 2 respectively.

### Planning Policy

#### **Cambridgeshire and Peterborough Structure Plan 2003 (the Structure Plan) Policy P1/3 – Sustainable Design in Built Development.**

11. This policy stresses the need for a high standard of design and a sense of place which responds to the local character of the built environment, amongst a whole host of other sustainability considerations.

#### **Structure Plan Policy P7/6 – Historic Built Environment**

12. Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.

#### **South Cambridgeshire Local Plan 2004 (the Local Plan) Policy SE4 – List of Group Villages**

13. Haslingfield is listed as a Group Village

Residential development and redevelopment up to a maximum scheme size of 8 dwellings will be permitted within the village frameworks of Group Villages 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

Development may exceptionally consist of up to 15 dwelling, if this would make the best use of a brownfield site.

All development should provide an appropriate mix of dwelling size, type and affordability.

**Local Plan Policy HG10 – Housing mix and design.**

14. Residential developments will be required to contain a mix of units providing accommodation in a range of types, sizes (including 1 and 2 bedroom dwellings) and affordability, making the best use of the site and promoting a sense of community which reflects local needs.

The design and layout of schemes should be informed by the wider character and context of the local townscape and landscape. Schemes should also achieve high quality design and distinctiveness, avoiding inflexible standards and promoting energy efficiency. The District Council will support the preparation of Village Design Statements to secure these aims.

**Local Plan Policy EN30 – Development in Conservation Areas**

15. The District Council will require that applications for planning permission for development in Conservation Areas or affecting their setting, be accompanied by sufficient details to allow the impact of the proposals to be assessed. This must include drawings or other pictorial material which illustrates the proposed buildings in their context, and in most cases outline applications will not be acceptable. Proposals will be expected to preserve or enhance the special character and appearance of Conservation Areas especially in terms of their scale, massing, roof materials and wall materials. The District Council will refuse permission for schemes which do not specify traditional local materials and details and which do not fit comfortably into their context.

**Local Plan Policy EN28 – Development within the Curtilage or Setting of a Listed Building.**

16. Where it appears that proposals would affect the curtilage or wider setting of a Listed Building, the District Council will require the submission of sufficient illustrative and technical material to allow its impact to be clearly established. The District Council will resist and refuse applications which:

- (1) Would dominate the Listed Building or its curtilage buildings in scale, form, massing or appearance;
- (2) Would damage the setting, wellbeing or attractiveness of a Listed Building;
- (3) Would harm the visual relationship between the building and its formal or natural landscape surroundings;
- (4) Would damage archaeological remains of importance unless some exceptional, overriding need can be demonstrated, in which case conditions may be applied to protect particular features or aspects of the building and its setting.

### **Consultation**

17. **Haslingfield Parish Council (initial submission)**  
 "We would like the roof windows at the rear to be raised above eye-level in order to minimise the impact on 10 Church Street."
18. **Haslingfield Parish Council (amended plans)**  
 Recommends refusal  
 "We remain concerned about the low height of some of the roof windows at the rear as in Plot 2, especially given that there is a path running along the eastern boundary of the property. We understand that the Conservation team has recommended a wire fence with hedging along the eastern boundary. This would be more appropriate in this vicinity."
19. **Conservation Manager**  
 "House – no objections to alterations  
 Fence – a solid (close boarded) fence will create an unfortunate corridor along the path edge.  
  
 I would suggest that the path edge should remain planted by:
  - a) Planting new hedge species along the whole edge of the path
  - b) Chain link (or other open) fence to extent of the parking area – i.e. to within 2 metres of rear elevation (as shown). This will enable a hedge to establish while retaining security.
  - c) Close boarded fence set within boundary by at least 1 metre to enable hedgeline to establish on the path side, while creating private space to rear garden".
20. **Chief Environmental Health Officer**  
 No objections
21. **Trees and Landscape Officer**  
 "No comment".

### **Representations**

22. Two letters of objection have been received from the occupiers of 4 Butler Way. The points of objection are summarised below:

#### ***In relation to the application as originally submitted***

23. This proposal increases the number of bedrooms from the approved 3 to 4. This exacerbates the overdevelopment of the plot and argues an increase in occupancy with all the necessity for increased parking spaces.
24. Alteration in roof profile increases the overshadowing of No. 2 Butler Way.
25. All planting along the footpath on the eastern boundary has been removed bar one holly tree and a cotoneaster. The church footpath would be overlooked by double doors leading from a breakfast room and by a utility room door and window.
26. Windows and doors in the elevation running parallel with the church footpath will harm the rural and secluded aspect of the footpath.
27. A downstairs lavatory window has been repositioned from the side to the front of the property. "We strongly object to the downstairs lavatory of the proposed property on plot 1 facing the main garden of 4, Butler Way. The distance between the proposed lavatory window and our garden is only 12 metres".
28. Previous objections of overdevelopment, loss of privacy and quiet enjoyment of property, insufficient parking and detrimental impact on street scene all still stand.

***Additional points in relation to the amended plans***

29. Loss of privacy is a breach of European Convention on Human Rights, Article 8.
30. Building is already underway.
31. A 2m-high fence has been erected on the boundary with the church footpath. The fence does not follow the property boundary and does not allow sufficient space on the footpath side for planting. Any planting here will encroach on the footpath.

**Planning Comments – Key Issues**

32. Since planning permission for the erection of a dwelling on this plot is extant, the key issue to consider in this application are the proposed revisions to the proposal. I have not addressed the objections relating to the principle of erecting a dwelling on this site or other matters that have already been considered and are approved. It is regrettable that the developers have decided to go ahead with the development before gaining consent but this fact is not material to the consideration of this application.
33. The overall size and height of the dwelling is broadly the same and some details of design such as smaller barge boards on the front projecting gable are to be welcomed. The internal layout has achieved a further habitable room at first floor which may be used as a fourth bedroom.
34. Due to amendments to the position of rooflights in the rear roofslope, there remain only two windows that afford views towards the rear of No. 10 Church Street at a distance of approximately 38m (back to back). I do not therefore consider there to be any material increase in loss of privacy to this property. The Parish Council has raised this as an objection but I note that it did not object to the two windows that backed onto No. 10 Church Street in the previous application. The amendments follow negotiations to ensure that the number of openings serving habitable rooms in the rear roofslope that afford views out has not been increased from that approved i.e. two.

35. The Parish Council and the occupiers of No. 4 Butler Way have objected to the revised eastern boundary treatment. I share this concerns and note the comments of the Conservation Manager. I therefore consider that it will be necessary to revise this boundary in accordance with the suggestions of the Conservation Manager. A specifically worded condition could address this concern.
36. With regard to the objections of the occupiers of No. 4 Butler Way I consider the revised proposal will not have any greater impact on the street scene or the amenity of neighbours from that approved. The WC window in the front of the dwelling will not impact on the amenity of the occupiers of No. 4 in any material way. A new beech hedge is proposed on the front boundary, the window will be obscure glazed and the distance is such that no reason for refusal would be justified.
37. The revision in the roof profile including a lowering of the eaves height cannot further overshadow No. 2 Butler Way.
38. With regard to the inclusion of a study, which will effectively increase the number of bedrooms to four, I do not consider this to be an overdevelopment of the plot since the dimensions of the dwelling remain largely the same as approved. I note the objection regarding insufficient parking. The dwelling will have three spaces. This is in excess of the parking standards contained within the Local Plan and is in my view more than adequate to serve a four-bedroom property.

### **Recommendation**

39. Approval as amended by plans reference AD/2/30A, AD/2/31A and AD/2/32A and subject to the following conditions:
  1. Within 28 days from the date of this Decision Notice, details of the materials to be used for the external walls and roof shall be submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.  
(Reason - To ensure that the development is not incongruous in accordance with the requirements of Policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE4, HG10, EN28 and EN30 of the South Cambridgeshire Local Plan 2004.)
  2. Within 28 days of the date of this Decision Notice, details of the finished floor levels of the building in relation to ground levels shall be submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.  
(Reason - To ensure that the height of the buildings is well related to ground levels and is not obtrusive in accordance with the requirements of Policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE4, HG10, EN28 and EN30 of the South Cambridgeshire Local Plan 2004.)
  3. Within 28 days of the date of this Decision Notice, a scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. This shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.  
(Reason - To enhance the quality of the development and to assimilate it within the area in accordance with the requirements of Policies P1/3 and P7/6 of the

Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE4, HG10, EN28 and EN30 of the South Cambridgeshire Local Plan 2004.)

4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the dwelling or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.  
(Reason - To enhance the quality of the development and to assimilate it within the area in accordance with the requirements of Policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE4, HG10, EN28 and EN30 of the South Cambridgeshire Local Plan 2004.)
5. Within 28 days of the date of this Decision Notice, details of the materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas, shall be submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.  
(Reason – To protect the visual quality of the area in accordance with the requirements of Policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE4, HG10, EN28 and EN30 of the South Cambridgeshire Local Plan 2004.)
6. Notwithstanding the approved plans, the dwelling, hereby permitted, shall not be occupied until a scheme of boundary treatment for the eastern site boundary has been submitted to and approved in writing by the Local Planning Authority and completed in accordance with the approved details in so far as they relate to hard landscaping. The hard landscaping shall thereafter be maintained. Any planting contained within the approved details shall be carried out in the first planting and seeding seasons following the written approval of the details and any trees or plants which within a period of five years from this date die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.  
(Reason - To enhance the quality of the development and to assimilate it within the area in accordance with the requirements of Policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE4, HG10, EN28 and EN30 of the South Cambridgeshire Local Plan 2004.)
7. Within 28 days from the date of this Decision Notice, details of the design and materials to be used for the external windows and doors shall be submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.  
(Reason - To ensure that visually the development accords with neighbouring buildings and respects the visual quality of its surroundings in accordance with the requirements of Policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE4, HG10, EN28 and EN30 of the South Cambridgeshire Local Plan 2004)
8. The dwelling, hereby permitted, shall not be occupied until space has been laid within the site for the parking of 3 cars in accordance with the details contained within plan no. AD/2/101 and that area shall not thereafter be used for any purpose other than the parking of vehicles.

(Reason - To ensure adequate space is provided and thereafter maintained on site for the parking of vehicles.)

9. Within 28 days from the date of this Decision Notice, precise details of both the existing provision for surface water drainage and foul sewage disposal and the proposed method of surface water drainage and foul sewage disposal shall be submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.  
(Reason - To ensure satisfactory drainage of the site and satisfactory disposal of foul sewage from the site).
10. No power operated machinery shall be operated on the premises during the period of construction, 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.  
(Reason – To minimise noise disturbance to adjoining residents during construction.)
11. No further windows, doors or openings of any kind shall be inserted in the south or west elevations of the dwelling, 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 properties in accordance with Policies SE4 and HG10 of the South Cambridgeshire Local Plan 2004.)
12. The first floor window in the south elevation of the dwelling shown serving a bathroom and the ground floor window in the north elevation shown serving a WC and the first floor window in the west elevation shown serving a WC on plan nos. AD/2/30A and AD/2/31A, hereby permitted, shall be fitted and permanently maintained with obscured glass.  
(Reason - To safeguard the privacy of occupiers of the adjoining properties in accordance with Policies SE4 and HG10 of the South Cambridgeshire Local Plan 2004.)
13. Notwithstanding the provisions of Regulations 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order), the following classes of development more particularly described in the Order are expressly prohibited in respect of the property unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf:
  - i) PART 1, (Development within the curtilage of a dwellinghouse, all classes
  - ii) PART 2, (Minor operations), Classes A (erection of gates, walls or fences)

(Reason - To safeguard the character of the area and to ensure that additions or extensions which would not otherwise require planning permission do not overdevelop the site with consequent harm to the setting of the Conservation Area, nearby Listed Buildings and the visual quality of the street scene in accordance with the requirements of Policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Policies SE4, HG10, EN28 and EN30 of the South Cambridgeshire Local Plan 2004).



## 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) and **P7/6** (Historic Built Environment);
  - **South Cambridgeshire Local Plan 2004: SE4** (List of Group Villages), **HG10** (Housing Mix and Design), **EN30** (Development in Conservation Areas), **EN28** (Development within the Curtilage or Setting of a Listed Building)
2. The proposal is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
  - Residential amenity including overlooking issues
  - Highway safety
  - Visual impact on the locality
  - Impact upon setting of adjacent Conservation Area and nearby Listed Buildings

**Background Papers:** the following background papers were used in the preparation of this report: Planning Files reference S/2290/05/F, S/2002/04/F, South Cambridgeshire Local Plan 2004, Cambridgeshire and Peterborough Structure Plan 2003.

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