

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

5<sup>th</sup> April 2006

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

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**S/0223/06/F – Over  
House at Land Adj. 10 Meadow Lane for M Chapman**

**Recommendation: Approval  
Date for Determination: 4<sup>th</sup> April 2006**

**Members will visit this site on Monday 3<sup>rd</sup> April 2006.**

### **Site and Proposal**

1. The 0.075 ha site has a frontage which measures approximately 18 metres and is located behind a 1.6 metre high brick wall with a gated access, which opens directly on to Meadow Lane. The site comprises of an area of largely flat scrubland. There is no public footpath on either side of the lane at this point. Apart from the front wall the site is surrounded by 1.8 metre high fencing to either side with an open boundary to the rear. The adjacent dwellings, either side of the plot, are both 2 storey detached dwellings. The dwelling to the north-west of the application site, number 10, is located hard on to the back edge of the vehicular carriageway and close to the shared boundary with the application site.
2. This full application, registered on 7<sup>th</sup> February 2006, seeks permission to erect a part 2 ½ storey and part 1 ½ storey four bedroom dwelling, with integral double garage, on the site. The density equates to 13.3 dph.

### **Planning History**

3. **S/2073/05/F** – application refused for the erection of a dwelling on the basis of its height, design, scale and form having an overbearing impact on the streetscene, contrary to Structure Plan Policies P1/3 and P5/5 and Local Plan Policy SE3.
4. **S/1119/05/O** – outline consent granted for a single dwelling on the site.
5. **S/1019/00/O** – Application approved for the renewal of time-limited consent for the erection of a dwelling.
6. **S/0626/95/O** – Original application for the erection of a dwelling approved with conditions relating to the submission of reserved matters, parking spaces, visibility splays and access.

### **Planning Policy**

7. The site is located within the Over village development framework.
8. Structure Plan 2003 **Policy P5/5** states that small-scale housing developments will be permitted in villages only where appropriate, taking into account the need for affordable rural housing, the character of the village and its setting; and the level of

jobs, services, infrastructure and passenger transport provision in the immediate area.

9. Structure Plan **Policy P1/3** requires a high standard of design and sustainability for all new development.
10. Over is a Limited Rural Growth Settlement, as identified by **Policy SE3** of the South Cambridgeshire Local Plan 2004, in which residential development will be permitted on unallocated land subject to a number of criteria, including being sensitive to the character of the village and the amenities of neighbours. Density should achieve a minimum of 30 dph unless there are strong design grounds for not doing so.
11. Local Plan 2004 **Policy CS3** states that the development of sites where drainage to a public sewer is not feasible, will not be permitted if proposed alternative facilities are considered inadequate and would pose an unacceptable risk to the quality or quantity of ground or surface water, pollution of local ditches, watercourses or sites of ecological importance. In proposals for development, the presumption is for drainage to a public sewer to be provided wherever possible. If this is not feasible, a package sewage treatment plant should be pursued. Only where it can be clearly demonstrated that neither of these options is feasible will a system incorporating septic tank(s) be considered.
12. Local Plan 2004 **Policy CS5** states that planning permission will not be granted for development where the site is liable to flooding, or where development is likely to: (1) increase the risk of flooding elsewhere by materially impeding the flow or storage of flood water; or (2) increase flood risk in areas downstream due to additional surface water runoff; or (3) increase the number of people or properties at risk, unless it is demonstrated that the above effects can be overcome by appropriate alleviation and mitigation measures and secured by planning conditions or planning obligation providing the necessary improvements which would not damage interests of nature conservation.
13. Structure Plan 2003 **Policy P6/3** states that if development is permitted in areas where flood protection is required, flood defence measures and design features must give sufficient protection to ensure that an unacceptable risk is not incurred, both locally and elsewhere.
14. Structure Plan 2003 **Policy P6/4** states that all new development will be expected to avoid exacerbating flood risk locally and elsewhere by utilising water retention areas and other appropriate forms of Sustainable Drainage Systems (SuDS) for the disposal of surface water run-off.
15. Draft LDF 2006 **Policies DP/1, DP/2, DP/3, NE/9, NE/10, and NE/11** support and reflect the principles of the Local Plan 2004 and Structure Plan 2003 policies outlined above.

### **Consultation**

16. **Over Parish Council** – recommends refusal and comments “Over PC feel that little has been done with this revised application to make the proposed dwelling satisfy requirements to a) fit into the streetscene and b) to be less dominating in relation to surrounding dwellings. It was felt that this dwelling is still too high in roofline and constitutes a 3 storey dwelling in essence, it’s still too imposing on neighbouring dwellings and is so large as to be out of character with the existing streetscene of Meadow Lane.”

17. **Old West Internal Drainage Board** – has no comment from a drainage point of view.
18. **Chief Environmental Health Officer** – comments “I am concerned that problems could arise from noise and suggest that conditions are attached to any planning consent in order to minimise the effects of the development to nearby residents or occupiers.” The conditions recommended relate to noise arising during the construction of the proposed dwelling.

### **Representations**

19. The following comments/objections were received from the owner/occupiers of Beausite House (4) and 10 Meadow Lane:
  - (a) Adverse impact on the streetscene by virtue of size and scale – will dominate/bully the setting of neighbouring dwellings.
  - (b) Rear breakfast room appears to extend beyond the building line – although single storey will be visible from adjoining properties.
  - (c) Loss of outlook – the existing vacant plot provides a welcome vista in an area which is already overdeveloped.
  - (d) Severe loss of light to the dwelling at number 4 which has a number of windows on the side elevation facing the application plot – will stare upon an almost blank wall for the entire length of the side of the property.
  - (e) The highest part of the proposed house will be immediately adjacent to number 4 resulting in the maximum loss of sunlight to its garden which enjoys sunlight in the garden only in summer, and only from early morning to about midday before being in shadow from number 2, and then again gets light from about 5pm from the south west, across the application site. The new construction will eliminate all sunlight – adverse impact on value of number 4.
  - (f) Concern about drainage – water runs down Meadow Lane and into the dyke near Barns Close. Development of this land may have serious consequences on run-off. Lower part of number 4 has flooded over the past 20 years.
  - (g) No contact with applicants/agent has caused concern – boundary wall illustrated on shared boundary in location of existing fence owned by occupiers of no. 4. How would fence be maintained/would it be removed?
  - (h) Parking area within application site would require a car to turn 180 degrees within the site to rejoin Meadow Lane. The exit would be adjacent to the boundary wall to 10 Meadow Lane and would not provide sight lines for children using the lane. The access should be considered on the other side of the plot, adjacent to no. 4, with a low wall and possibly openings built into it.
  - (i) The position of the access to the paddocks to the rear appears difficult for associated traffic to negotiate and impacts on the space available to site the dwelling. This issue should be reconsidered. Children will also no longer be able to ‘pet’ horses over the existing gate.
  - (j) Application should either be refused or conditioned to reduce the height of the dwelling and its size by a third to make it more in keeping with the surrounding

environment. Drainage culverts should be installed under or alongside the building to disperse floodwater. The main part of the dwelling should be located on the opposite side of the plot.

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

20. The key issues to consider in the determination of this application relate to:
- (a) The impact of the development upon the streetscene
  - (b) The impact of the development on the amenity of neighbouring dwellings
  - (c) Suitability of the access

#### ***(a) The impact of the development upon the streetscene***

21. The principle of the erection of a dwelling on this site has previously been established by the successive granting of outline consent for a single dwelling, the most recent being S/1119/05/O. The site is located within the development framework for Over and the village is identified as a Limited Rural Growth Settlement. The density does not comply with the requirements of policy SE3, but because of the potential for disturbance to neighbouring properties, the need for off street parking and to avoid a pattern of development which would be out of keeping with the character and appearance of the street scene, it was considered that any additional dwelling on this site would be inappropriate. The pattern of the existing development generally features detached dwellings set at varying distances from the highway.
22. The applicants, since the time of the previous refusal, have made efforts to reduce the scale of the proposed dwelling to suitably reflect the character and appearance of the area. The overall height of the dwelling has decreased by approximately a metre and the span of the dwelling has been reduced by approximately 0.3m.
23. The forward-most projecting gable of the dwelling, which would serve the lounge and bedroom 3 and is located approximately 3.5 metres from the back edge of the highway, measures 6.9m in height to the ridge and 5m to the eaves. As a comparison, this would be the same ridge height as the main body of the modern dwelling at No. 4 Meadow Lane, which is located approximately 11.3m back from the rear edge of the highway, whilst no.10 measures 6.3m to the ridge but is located immediately adjacent to the back edge of the highway. The proposed dwelling does then feature a secondary, larger gable, set behind the aforementioned gable, which measures approximately 8m to the ridge, but this located further back into the site so that it is approximately 7 metres from the back edge of the roadway. The development then features a smaller scale 1 ½ storey wing adjacent to number 10, which encompasses an integral garage with bedroom accommodation above.
24. The applicants have also positioned the dwelling so that it reflects a stagger between the location of no. 10, which is hard against the back edge of the footpath, and no. 4, which is located further back into the plot, although it does possess a long single storey projection to the front, located a similar distance from the road as the proposed dwelling, which rises up to the main bulk of the house. By virtue of the proportions of the forward-most projecting gable the bulk of the dwelling is broken. Coupled with the low eaves and set-back of the 1 ½ storey element which contains the garage and bedroom 1 there is a degree of sympathy with the scale of the existing dwelling at no. 10. Given the relative positions and scale of the existing and proposed dwellings and particularly the height of the eaves of the existing dwelling at no. 10, I am of the opinion that the design and scale of the proposed dwelling is unlikely to result in an undue overbearing impact on the street scene.

25. The street scene, at present, contains structures using a variety of differing materials. However, it would be necessary for the details of the materials for the proposed development to be submitted to and approved in writing by the Authority, should the development be granted consent, in order to ensure that the development is not incongruous and so a condition is recommended below.
26. No details have been submitted with regards to the design and appearance of the 1.5 metre front boundary wall serving the development. Given that a wall of this height would normally require planning permission, although it is replacing an existing wall, a condition is attached requiring details of the wall to be submitted and approved prior to the commencement of development.

**(b) *The impact of the development on the amenity of neighbouring dwellings***

27. Although no.10 Meadow Lane is located close to the north-western boundary of the application site, the only facing windows apparent were obscure glazed at first floor. The proposed dwelling is separated from the shared boundary by the proposed access to the paddocks to the rear of the site, leading to the overall separation between the dwellings being approximately 3.5 metres. The proposed dwelling on this side of the site is 1½ storey, with dormer windows positioned front and back, which could not overlook the garden or facing windows serving no. 10. Although the proposed dwelling is located to the southwest of no. 10 Meadow Lane, by virtue of the height of the proposed dwelling on this side of the site, the design and position, the proposed development will not result in undue overshadowing of the neighbouring dwelling.
28. The main bulk of the proposed dwelling will be located adjacent to the existing, relatively modern dwelling at no. 4 Meadow Lane. The two dwellings are proposed to be located approximately 4.5 metres apart, with a two-storey wall, measuring 5 metres to eaves height, running parallel to the shared boundary. The dwelling at no.4 is a two-storey structure in its own right and has a number of windows on the side elevation facing the proposed dwelling. The dwelling at no.4 is located approximately 4.3 metres further back into its plot than the 2 – 2 ½ storey rear wall of the proposed dwelling and approximately in line with the rear wall of the breakfast room of the proposed dwelling. Although the proposed dwelling will alter the view from the side facing windows in the existing dwelling at no.4 Meadow Lane, by virtue of the separation between the dwellings and the position of the proposed dwelling, I am of the opinion that the development would not result in an overbearing impact on the amenities of the existing dwelling at no.4. The proposed dwelling features a single facing window at ground floor level which is proposed to serve a dining room, which is located approximately in line with the forward-most 2 storey element of the existing dwelling, whilst the two proposed windows at first floor serve a bathroom and an ensuite and could be conditioned to be permanently fitted with obscure glazing. Conditions are recommended below to ensure that no further openings are installed in either side elevations without consent to protect the amenities of the adjacent dwellings.
29. With regards to the potential for loss of light to the rear garden of no.4, whilst appreciating the existing issues regarding light to the rear garden serving this dwelling, given the orientation of the proposed dwellings, with the application site being located to the north-west of the existing, and by virtue of the separation between the dwellings, it is considered that apart from late, low evening sun in autumn and winter months particularly, the proposal will not result in any undue loss of light to the rear garden serving no.4.

30. The issues raised regarding the position of the proposed boundary wall along the shared boundary and the impact upon the existing fence is not covered by planning legislation and so cannot be considered as material in the determination of the planning application. The proposed wall, would be 1.8 metres in height and is of a scale that would usually be considered within permitted development tolerances. The height of the wall, in itself, would not cause any overbearing impact on the amenities of the neighbouring dwelling.
31. With regard to the issues raised regards flooding, the site is identified as being within a low risk flood zone (Zone 1) as identified by the Environment Agency. Furthermore the Old West Internal Drainage Board has considered the application and makes no comment from a drainage point of view. In light of this information it would not be reasonable for the Authority to insist on the submission of a flood risk assessment. The applicants have indicated that the proposed dwelling would be connected to soakaways and the mains sewer. Standard informatives, however, relating to the need to consider and implement a suitable method of disposing of foul and surface water would be attached to any approval.

***(c) Suitability of the access***

32. Meadow Lane is relatively narrow and lacks footpaths on either side of the vehicular highway. By virtue of the position of the existing house at no.10 hard on the back edge of the road, it would need to be demonstrated that the occupants of the proposed dwelling could park and turn within the site to avoid reversing into the narrow lane, causing a highway safety issue, and that the access could achieve sufficient pedestrian visibility in both directions to allow for its safe use. By virtue of the space provided for the integral garage and turning area in front of the dwelling I am satisfied that the site would achieve adequate off road parking and turning facilities, in accordance with the parking standards outlined in Appendix 7/1 of the Local Plan. The layout plan for the development does not illustrate any pedestrian visibility splays. Given the proposed access' proximity to number 10 a condition is recommended below to ensure that suitable visibility splays can be achieved with the access proposed, or otherwise the access be altered to achieve visibility, and that the access is constructed in accordance with any approved details prior to the occupation of the dwelling. There appears to be scope within the plans to alter the access without wholesale changes to the development being necessary given the position of the proposed access and the location of the proposed dwelling.

**Recommendation**

33. Approval subject to the following conditions:
1. Sca – Rca.
  2. Sc5 – the materials for the external walls and roofs; and the design and materials for the 1.5 metre high front boundary wall. (Rc5 – aii).
  3. No development of the boundary walls shall commence until details of the design and materials to be used for the boundary walls have been 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.)

4. No further windows, doors or openings of any kind shall be inserted in the northwest and southeast elevations 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 properties.)
5. Sc23 - obscured glazing southeast elevation. (Rc23).
6. The permanent space to be reserved for parking and turning shall be provided before the use commences and thereafter maintained. (Reason – In the interests of highway safety.)
7. Visibility splays shall be provided on both sides of the access and shall be maintained free from any obstruction over a height of 600mm within an area of 2.0m x 2.0m measured from and along respectively the highway boundary. (Reason – In the interests of highway safety.)
8. The vehicular access shall be un gated. (Reason – In the interest of highway safety.)

And Standard Environment Agency 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)
    - P6/3** (Flood Defence)
    - P6/4** (Drainage)
    - P5/5** (Homes in Rural Areas)
  - **South Cambridgeshire Local Plan 2004:**
    - SE3** (List of Limited Rural Growth Settlements)
    - CS3** (Foul and Surface Water Drainage)
    - CS5** (Flood Protection)
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 the street scene
  - Relationship to surrounding dwellings
  - Design and scale

**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 Refs: S/0223/06/F, S/2073/05/F, S/1119/05/O, S/11019/00/O, S/0626/95/O

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