

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

S/0373/06/F - Lolworth
Erection of Two Houses following Demolition of Existing Dwelling
Bright Haven, Robin's Lane for Mr T Daniel

Recommendation: Delegated Approval
Date for determination: 21st April 2006

Site and Proposal

1. 'Bright Haven' is a part two-storey, part single-story timber-clad dwelling accessed from Robin's Lane. Robin's Lane is the main highway serving the village, but at this point is narrow in width and has no pavements. The driveway serving Bright Haven is shared with a two-storey dwelling to the south-east, 'Churchmede'. The site is on sloping land rising up from Robin's Lane. The site boundaries are marked with mature hedgerows and trees, and there is a large Horse Chestnut in the rear garden. This is protected by a Tree Preservation Order (TPO).
2. This full application, received 24th February 2006, and amended 22nd March 2006, proposes the demolition of the existing dwelling. Two dwellings on the footprint of the existing are proposed. These are two-storey, both having a main ridge height of 6.5m. House 1 has a single-storey gable facing Robin's Lane, and House 2 has a ridge window with a height of 7.7m (the same maximum height as the existing house). A rear addition to House 2 is shown to be set back 6.0m from the Horse Chestnut. The proposed external materials are clay tiles, facing brick and timber cladding.
3. The proposal includes an improvement to the visibility splay to the north-east down Robin's Lane. By removing and replanting further back a hedgerow on the frontage of the neighbouring dwelling at 'Highfield', a visibility of 50m minimum can be achieved. The proposed driveway is 5.0m wide at the entrance and 4.0m wide for the first 20m. Two parking spaces for each dwelling are shown, as well as space for the turning of vehicles. An amended plan, received 22 March 2006, includes a visitor's parking space adjacent to House 2.
4. The proposal represents a density of 13.3 dwellings per hectare.

Planning History

5. Planning permission for similar redevelopment to the current application was refused by Members at the 2nd November 2005 Planning Committee following a site visit last year (**S/1771/05/F**). The reasons for refusal referred to the proposed two dwellings being out of keeping with the established pattern of development in the area and likely harm to a tree protected by a Tree Preservation Order.
6. Outline planning permission for the replacement of the existing dwelling was granted in 2001 (**S/1706/01/O**). This permission has lapsed. Planning permission for the existing dwelling was granted in 1973 (**C/73/1655/F**). Earlier in 1973, planning

permission for the erection of three dwellings on the land comprising Bright Haven and Churchmede (prior to the construction of these dwellings) was refused as being of too high a density and out of keeping with the character of the area (C/73/0086/O).

Planning Policy

Cambridgeshire and Peterborough Structure Plan 2003

7. **Policy P1/3** (Sustainable Design in Built Development) A high standard of design and sustainability for all new development will be required which minimises the need to travel and reduces car dependency by providing compact forms of development through the promotion of higher densities, and which provides a sense of place which responds to the local character of the built environment.
8. **Policy P5/5** (Homes in Rural Areas) – 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.

South Cambridgeshire Local Plan 2004

9. **Policy SE5** (Infill-Only Villages) Residential developments within the village frameworks of these villages will be restricted to not more than two dwellings comprising:
 1. A gap in an otherwise built-up frontage to an existing road, provided that it is not sufficiently large to accommodate more than two dwellings on similar curtilages to those adjoining; or
 2. The redevelopment or sub-division of an existing residential curtilage; or
 3. The sub-division of an existing dwelling; or
 4. Subject to the provisions of Policy EM8, the conversion or redevelopment of a non-residential building where this would not result in a loss of local employment. Provided the site in its present form does not form an essential part of village character, and development is sympathetic to the historic interests, character, and amenities of the locality.

In very exceptional cases a slightly larger development may be permitted if this would lead to the sustainable recycling of a brownfield site bringing positive overall benefit to the village.
10. **Policy SE8** (Village Frameworks) of the Local Plan states that there will be a general presumption in favour of residential development within the frameworks of villages.
11. **Policy HG10** (Housing Mix and Design) requires residential developments to have a mix of units making the best use of the site. The design and layout of schemes should be informed by the wider character and context of the local townscape.
12. **Policy TP1** (Planning for More Sustainable Travel) – car parking requirements will be restricted to the maximum levels set out in Appendix 7/1. (For dwellings, Appendix 7/1 gives a level of an average of 1.5 spaces per dwelling, up to a maximum of two per 3 or more bedrooms in poorly accessible areas).

13. **Policy EN5** (Trees, Woodlands and Hedgerows): the District Council will require trees, hedges and woodland and other natural features to be retained wherever possible in proposals for new development.
14. **Policy EN6** (Tree Preservation Orders and Hedgerow Retention Notices): The District Council will make orders and notices to protect trees and hedges where it considers that they contribute to local amenity or have visual or historic significance.

Consultations

15. **Lolworth Parish Meeting** has made no recommendation. Members of Lolworth Parish, at the Parish Council Meeting, were of mixed views, regarding the proposal with 10 supporting, 10 against and 9 making no recommendations.

It comments "The Chairman reminded the meeting that in voting on the proposal, parishioners should remember that Mr Daniel was going to submit further amended plans to address the issue of the visibility splay and to provide a fifth parking space. Persons at the meeting were informed there is a covenant restricting development to a single dwelling no more than two storeys high."

16. **Council's Trees and Landscape Officer:** Comments awaited. These will be reported verbally at the meeting.
17. **Council's Chief Environmental Health Officer:** No objection. Recommends informatives.

Representations

18. **Highfield, Robin's Lane**

- 1) Withdrawal of consent for the removal of hedgerow at the front of the property.

19. **Churchmede, Robin's Lane**

- 1) Objection to the sub-division into two plots. This is too high a density and is out of keeping with the character of the area. Other examples of dwellings close to each other (Highfield and Church Hill) have substantial plots each.
- 2) No development in Lolworth will reduce car-dependency so the presumption in favour of higher-density development does not apply here. There is no transport provided in the village and the A14 is constantly congested.
- 3) Since consent for the provision of a sight line across the frontage of Highfield has been withdrawn, access will be more difficult and parking more crucial. The present access has a blind entrance into Robin's Lane which is very narrow at this point.
- 4) There is little room for visitor parking which may overspill into Robin's Lane.

20. **Church Hill, Robin's Lane**

- 1) Concern at the countryside pursuit of in-filling gardens.
- 2) Precedent for future division of gardens leading to a hotchpotch of houses and suburbia.
- 3) Traffic, parking etc.

21. **Summer Hill**

- 1) Infill brings more traffic and doesn't enhance the village.
- 2) There is a covenant on the land limiting development to a single dwelling no more than two-storeys in height.

Applicant

22. Comments from the applicant in respect of the current application and the reasons for refusal of the last application are attached at **Appendix 1**.

Planning Comments – Key Issues

23. The existing dwelling is part two-storey and part single-storey in design, whereas the proposed replacement dwellings are predominately two-storey. There is a consequent increase in the bulk of building on the site, although the ground floor areas are equivalent and the siting is very similar and there is no increase in ridge height. The additional bulk is well screened by trees and hedgerows, and in my opinion will not be detrimental to the street scene nor have any adverse impact on the amenity of the occupiers of neighbouring dwellings. The design and materials are of a good quality, and I consider that the proposal conforms to policies P1/3, P1/5, SE5, SE8 and HG10 of the Local Plan 2004.
24. The issues of precedent does not, in my opinion, amount to a reasonable ground for refusal in this case, as the development occupies a similar footprint as the existing building, and does not adversely affect the character of the area.
25. The rear extension to House 2 has been adjusted to take into account previous comments of the Council's Trees and Landscape Officer, and comments to the current application are awaited.

Highway Safety and Access

26. The existing vehicle-to-vehicle visibility onto Robin's Lane from the site will be considerably improved as a result of the development. This requirement remains although the adjoining owner has indicated he is not willing to consent to the necessary hedge trimming/removal works on his frontage. The proposed parking provision of four spaces complies with the recommended maximum car parking standard. The access track is shown to be widened to 5.0m to allow two cars to pass. The amended plan indicates an additional space for visitor parking. I consider that the proposal will comply with policy TP1 of the Local Plan 2004. A condition to ensure off-street parking of construction traffic can be attached, as recommended.

Recommendation

27. Subject to no objections being received from the Council's Trees and Landscape Officer, approval as amended by plans received 22 March 2006 subject to the following conditions:
1. Standard Condition A – Time limited permission (3years) (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. Sc22 – Except as shown in the approved plans, no further windows at first floor level in the south-east elevation of the development (Rc22);
8. D5 Visibility splays to be provided (Reason- In the interests of highway safety);
9. The vehicular access to be un gated (Reason- In the interests of highway safety);
10. The permanent space to be reserved on the site for the garaging, parking and turning of vehicles shall be provided before any dwelling is occupied and thereafter retained for that purpose. (Reason -To ensure the adequate availability of car parking provision within the development and in the interests of highway safety);
11. Details of construction traffic parking to be agreed. (Reason- In the interests of highway safety);
12. Restriction of hours of use of power operated machinery (Reason – To safeguard neighbouring amenity during the construction period).

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:**
Policy P1/3 (Sustainable Design in Built Development); **Policy P5/5** (Homes in Rural Areas)
 - **South Cambridgeshire Local Plan 2004:**
Policy SE5 (Infill-Only Villages); **Policy SE8** (Village Frameworks); **Policy HG10** (Housing Mix and Design); **Policy TP1** (Planning for More Sustainable Travel); **Policy EN5** (Trees, Woodlands and Hedgerows).
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Highway safety
 - Visual impact on the locality

Informatives

- (a) During construction there shall be no bonfires or burning of waste on the site except with the prior permission of the District Council's Environmental Health Officer in accordance with best practice and existing waste management legislation.

- (b) Before development commences, there shall be submitted to and approved by the Local Planning Authority in consultation with the District Environmental Health Officer a statement of the method of construction of driven pile foundations (if used). The foundations shall be constructed in accordance with the approved scheme. This is necessary in order to safeguard the amenity of the occupiers of nearby dwellings from disturbance from noise and vibration during the construction period.
- (c) Before the existing buildings are demolished, a Demolition Notice will be required from the Council's Environmental Health Section, in order to establish the means by which the demolition will take place including the removal of any asbestos present, the removal of waste, minimisation of dust, capping of drains, and establishing hours of working operation, so as to ensure the protection of the residential environment of the area.
- (d) During construction there shall be no bonfires or burning of waste on the site except with the prior permission of the District Council's Environmental Health Officer in accordance with best practice and existing waste management legislation.

The Environment Agency has provided the following advice:-

1. Developments on this scale in these lower risk locations within Flood Zone 1 fall outside the scope of formal standing advice. The following is offered to aid developers in managing the surface water runoff issues for information purposes only as a pointer towards best practice for surface water disposal.
2. Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management. This approach involves using a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands to reduce flood risk by attenuating the rate and quantity of surface water run-off from a site. This approach can also offer other benefits in terms of promoting groundwater recharge, water quality improvement and amenity enhancements. Approved Document Part H of the Building Regulations 2000 sets out a hierarchy for surface water disposal which encourages a SUDs approach.
3. In accordance with Approved Document Part H of the Building Regulations 2000, the first option for surface water disposal should be the use of sustainable drainage methods (SUDS) which limit flows through infiltration e.g. soakaways or infiltration trenches, subject to establishing that these are feasible, can be adopted and properly maintained and would not lead to any other environmental problems. For example, using soakaways or other infiltration methods on contaminated land carries ground water pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under BRE Digest 365.
4. Flow balancing SUDS methods which involve the retention and controlled release of surface water from a site may be an option for some developments at this scale where uncontrolled surface water flows would otherwise exceed the local greenfield run off rate. Flow

balancing should seek to achieve water quality and amenity benefits as well as managing flood risk

5. Further information on SUDS can be found in PPG25 paragraphs 40-42, PPG25 appendix E, in the CIRIA C522 document Sustainable Urban Drainage Systems-design manual for England and Wales and the Interim Code of Practice for Sustainable Drainage Systems. The Interim Code of Practice provides advice on design, adoption and maintenance issues and a full overview of other technical guidance on SUDs. The Interim Code of Practice will be made available electronically on both the Environment Agency's web site and CIRIA's web site.
6. Where it is intended that disposal be made to public sewer, the Water Company or its agents should confirm that there is adequate spare capacity in the existing system taking future development requirements into account
7. Development which involves a culvert or an obstruction to flow on an Ordinary Watercourse will require Agency consent under the Land Drainage Act 1991. An Ordinary Watercourse is defined as any watercourse not identified as a Main River on maps held by the Environment Agency and DEFRA. For further information see LDA 1991 -Consent Ordinary Watercourses and Land Drainage Act Consent etc.

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/0373/06/F, S/1771/05/F, S/1706/01/O, C/73/1655/F, C/73/0086/O.

Contact Officer: Ray McMurray – Senior Planning Assistant
Telephone: (01954) 713259