

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee

5th April 2006

AUTHOR/S: Director of Development Services

S/2035/00/F - Fowlmere 15 Houses and Garages (Amendment), Land off Long Lane/Rectory Lane for

Recommendation: Delegated Approval

Site and Proposal

1. The site, situated between Long Lane and Rectory Lane, has planning consent for the erection of 15 houses and garages. Building work is nearing completion.
2. Plots 2 to 7 are constructed fronting Rectory Lane although vehicular access is proposed to the rear. The originally approved scheme indicated that a brick wall was to be erected along the Rectory Lane frontage. However amended details propose the construction of a 1.2m high picket fence with pedestrian access direct to Rectory Lane. The fence has been constructed.

Planning History

3. Planning consent for the erection of 15 houses and garages was granted in January 2004 and included a condition requiring the approval of boundary treatment.

Consultation

4. **Fowlmere Parish Council** is of the view that the wall previously proposed should be re-instated.
5. The **Conservation Manager** has no objection to a picket fence but feels that additional fencing and gates should be erected to close the gap that currently exists between the two plots.

Representations

6. A letter has been received from the occupiers of "Barinas", a detached house on the opposite side of Rectory Lane, pointing out that the original plans for the development showed a brick wall running all the way in front of the low cost houses and the pair of semi-detached houses. However the wall is now only in front of the former. No access for any vehicles was agreed originally in Rectory Lane but as there is no wall in front cars have been parked.
7. When this was queried with officers it was felt that the houses might have been built slightly further from Rectory Lane than approved. The developers also dug up part of the road in Rectory Lane, outside the two houses to give access to park in the front. The Highway Authority was contacted and the path has now been taken up and replaced by turf, although there is still felt to be an encroachment into the public highway, which is already very narrow.

8. It is questioned why there are 4 paths leading from the development directly onto Rectory Lane, which has no footpaths. One of the paths from the low cost houses slopes directly onto Rectory Lane, which is extremely dangerous for children and the Council will be held responsible for any accidents. This would not be the case if the original wall was constructed.
9. It is also questioned why the original approved car ports are now being built as large double garages with windows at first floor. Are they to be used as additional living accommodation or for industrial use? Why was there no consultation with residents on this change and why are the roof tiles different to the houses.

Planning Comments – Key Issues

10. The key issues to be considered are whether the proposed boundary treatment of a picket fence is appropriate to the Conservation Area and whether it achieves the aim of preventing vehicular access to Plots 2 and 3 from Rectory Lane.
11. The Conservation Manager has no objection to the picket fence as constructed but equally would not object to the continuation of the brick wall at the front of Plots 4 to 7. However, it is felt that the picket fence is the preferable option from a visual point of view provided the current fencing is lengthened as outlined above.
12. Whilst the erection of a wall would provide a stronger boundary treatment to Rectory Lane a picket fence could prevent vehicular access to the front of the plots and provided its retention can be guaranteed in the longer term I have no objection to the proposal subject to the alterations suggested by the Conservation Manager. These revisions would include pedestrian access direct from the plots to Rectory Lane being deleted and instead provided to the side of each plot to link to the existing footway. I have written to the applicant on this point.
13. As conditions cannot be attached to an amendment I would suggest that the applicant be requested to enter into a Section 106 Agreement to ensure the retention of the fence.
14. The matter of the garages raised by the occupiers of “Barinas” has already been taken up with the applicant and will be dealt with as a separate issue. An earlier amendment to these structures has been approved. At that time adjoining residents were not consulted as it was felt that the proposals would not specifically change the impact of the scheme on adjacent properties. What is now being constructed is not in accordance with the approved amended drawings and local residents will be given the opportunity to comment on further drawings when they are received.
15. I will ask the Local Highway Authority to visit the site again and comment on whether there is still any encroachment into the public highway, although I am of the view that if there is any issue it is likely to relate only to the area of turfing and not the fence.

Recommendation

16. That, subject to the further amendments outlined above, the applicant be invited to enter into a Section 106 Agreement requiring the retention of the fence in perpetuity. Subject to the prior signing of that agreement that the amended boundary treatment be approved.

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 Ref: S/2035/00/F

Contact Officer: Paul Sexton – Area Planning Officer
Telephone: (01954) 713255