

**REPORT TO:** Development and Conservation Control Committee      10<sup>th</sup> May 2006  
**AUTHOR/S:** Director of Development Services

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**S/0356/06/F – Great Shelford  
Replacement Dwelling at 2 Woodlands Close for Mr J Price**

**Recommendation: Approval  
Date for determination: 20<sup>th</sup> April 2006**

**Site and Proposal**

1. The site extends to approximately 0.4 hectares/1 acre and is currently occupied by a two-storey brick, render and interlocking tile dwelling with a large flat roof single storey extension on its west side, corrugated sheeting lean-to on the east side and a timber dormer element to the rear and its garden. The dwelling that used to stand on the adjacent site to the west, 1 Woodlands Close, has been demolished and work on a replacement dwelling has commenced. The west/1 Woodlands Close boundary is marked by 1.8m high fencing and a 2.5m high beech hedge. The east/3 Woodlands Close boundary is marked by 1.8m high fencing, 5m high approximately conifers alongside the existing house at No.2 and a 2m high hedge extending to the south. There is a mature oak tree within No.2's front garden and a mature maple tree close to the boundary with the application site within the garden of No.3 Woodlands Close.
2. This full application, registered on the 23<sup>rd</sup> February 2006, proposes the erection of a 2½-storey house following the demolition of the existing dwelling. The proposed dwelling is 8.5m to ridge, has a 23m frontage which would fill 79% of the site frontage, has a 12m long ridge parallel to Woodlands Close and has a total depth of 54m including the proposed front garaging projection and swimming pool element to the rear. Gaps of 2.3m and 3.7m would be left between the proposed dwelling and the boundaries with Nos. 1 and 3 Woodlands Close respectively. The proposed dwelling would have 6 bedrooms with further accommodation including an office, games room, swimming pool, gym and cinema. The density equates to 2½ dwellings to the hectare. Following the refusal of the previous application (S/2300/05/F) but prior to the submission of this application, the results of a bat survey of the existing dwelling were submitted. This survey confirmed that, although no bats were found at the time of the survey, there was evidence of Pipistrelle and Serotine bats within the roofspace suggesting that both species are using the building, roosting on top of the west gable wall and probably also between the roof tiles and felt lining. Bat mitigation and compensation measures were also proposed.

**Planning History**

3. Permission for an extension to the dwelling was granted in 1983 (**S/1622/83/F**).
4. An application for extensions to the house was withdrawn in August 2004 (**S/1306/04/F**).
5. Planning permission for extensions to the house was granted following a Committee site visit in November 2004 under reference **S/1746/04/F**.

6. Planning permission for a replacement dwelling was refused in January 2006 under reference **S/2300/05/F** for the following reasons:

1. "By virtue of the large proportion of the plot width that would be filled by the proposed dwelling, the depth of the dwelling and the length of the proposed forward projecting garaging and office element, the proposed development would be out of keeping with and would detract from the low density, spacious, rural character of development in Woodlands Close and Woodlands Road.

The proposal is therefore contrary to: Cambridgeshire & Peterborough Structure Plan 2003 Policy P1/3, which requires a high standard of design for all new development which responds to the local character of the built environment; South Cambridgeshire Local Plan 2004 Policy SE2, which states that residential development will only be permitted on unallocated land within Great Shelford where the development would be sensitive to the character of the village; South Cambridgeshire Local Plan 2004 Policy HG10 which states that the design and layout of residential schemes should be informed by the wider character and context of the local townscape and landscape; and the aims of South Cambridgeshire Local Plan 2004 Paragraph 39.25 which seeks to protect the low density character of housing in Woodlands Road and Woodlands Close.

2. The proposed development would also result in serious overlooking of No.3 Woodlands Close's rear garden, particularly from the Master Bedroom window in the east elevation of the dwelling, and would be unduly overbearing when viewed from the rear garden and garden room of the approved replacement dwelling at No.1 Woodlands Close.

The proposal is therefore contrary to South Cambridgeshire Local Plan 2004 Policy SE2 which states that residential development will only be permitted on unallocated land within Great Shelford where the development would be sensitive to the amenities of neighbours.

3. The site is being used as a bat roost and, in the absence of a report outlining how the development might commence with a minimum impact on the bat population, it has not been demonstrated to the satisfaction of the Local Planning Authority that the development would not adversely affect the known bat population.

The proposal is therefore contrary to South Cambridgeshire Local Plan 2004 Policy EN13 which states that the District Council will not grant planning permission for development which could adversely affect the habitats of animal species which are protected by law unless the need for the development clearly outweighs the importance of conserving that habitat.

4. Due to its proximity to the mature maple tree within the garden of No.3 Woodlands Close, the development would compromise that important tree.

The proposal is therefore contrary to South Cambridgeshire Local Plan 2004 Policy EN5 which states that the District Council will require trees to be retained wherever possible in proposals for new development."

7. Planning permission for a replacement dwelling at No.1 Woodlands Road has been granted under references **S/1334/05/F** and **S/0136/06/F**.

## Planning Policy

8. Structure Plan 2003 **Policy P1/3** relates to sustainable design in built development and requires a high standard of design for all new development which responds to the local character of the built environment.
9. Local Plan 2004 **Policy SE2** states that residential development will be permitted on unallocated land within the village framework of Great Shelford 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 which relates to the loss of employment sites. It also states that development should provide an appropriate mix of dwellings in terms of size, type and affordability and should achieve a minimum density of 30 dwellings to the hectare unless there are strong design grounds for not doing so.
10. Local Plan 2004 **Policy HG10** states that the design and layout of residential schemes should be informed by the wider character and context of the local townscape and landscape. It states that schemes should also achieve high quality design and distinctiveness, avoiding inflexible standards and promoting energy efficiency.
11. Local Plan 2004 **Policy EN5** states that the District Council will require trees to be retained wherever possible in proposals for new development
12. Local Plan 2004 **Policy EN13** states that the District Council will not grant planning permission for development which could adversely affect, either directly or indirectly, the habitats of animal which are protected by law unless the need for the development clearly outweighs the importance of conserving that habitat and the advice of English Nature is to the effect that permission may be granted. Where development is permitted which may have an effect on these species, the District Council will impose conditions, where appropriate, and seek to use its powers to enter into planning agreements to: facilitate the survival of individual members of the species; reduce disturbance to a minimum; and provide adequate alternative habitats to sustain at least the current levels of population.
13. Local Plan 2004 **Policy ES8** states that the District Council will seek, by means of appropriate planning conditions, to minimise the impact of noise from railways on noise-sensitive development. The District Council's Adopted Standards for Protection Against Railway Noise and Vibration are set out in **Appendix 11/3** of the Local Plan.
14. Local Plan 2004 **Paragraph 39.25** seeks to protect the low density character of housing in Woodlands Road and Woodlands Close.
15. The Great Shelford Village Design Statement, adopted by the District Council as Supplementary Planning Guidance in February 2004, provides guidance for development in the village.

## Consultations

16. **Great Shelford Parish Council** recommends refusal stating “Only very small changes have been made to the plans which were refused (S/2300/05/F) and therefore the original objections still apply”.

In relation to application S/2300/05/F the Parish stated that “There is an existing planning approval for a large extension to the existing house, which was granted even though the Parish Council and the planning officer recommended refusal. The new house has a ground floor area almost double that of the approved enlarged house and as such constitutes over development of the site. The scale of the new house will be out of keeping with existing properties in Woodlands Close and Woodlands Road and is therefore contrary to policy HG10 of the Local Plan and advice contained within the Village Design Statement that development should reflect the scale of the village settlement. We also believe that the design is not sympathetic to details of the local character as recommended in the Village Design Statement.”

17. **Chief Environmental Health Officer** recommends that conditions relating to the times when power operated machinery shall not be operated during the demolition and construction periods except in accordance with agreed noise restrictions and driven pile foundations are attached to any approval. He also recommends that informatives are attached to any approval stating that there shall be no bonfires or burning of waste on site during demolition and construction except with his Department’s prior permission and, before the existing property is demolished, a Demolition Notice will be required. He also states that he has no record of any complaints from the occupiers in respect of adverse noise from trains on the nearby railway line but recommends that a condition requiring a scheme for protecting the occupiers from noise from the railway is attached to any permission.
18. **Trees & Landscape Officer** states that the footprint relates to the line of the existing dwelling and he has no objections subject to a condition to protect the oak tree in the front garden during the construction period.
19. Following receipt of the bat survey, the **Ecology Officer** raises no objections subject to the imposition of a condition requiring details of measures for bat mitigation and conservation to be submitted, approved and implemented.

## Representations

20. Objections have been received from the owners/occupiers of 4, 5, 7, 9 and 18 Woodlands Road and 1 Woodlands Close on the following grounds:
- a. Loss of a good quality family house that currently enhances the aesthetic attraction of the area and forms part of a harmonious environment of similar and compatible properties;
  - b. The proposed dwelling is too large in relation to the plot, substantially filling the available width of the plot and extending in depth more than 55 metres, and would create a massive intrusion within one of the most attractive residential areas in the District and immediately damaging the spacious feel and rural character that make Woodlands Close and Woodlands Road so special;
  - c. Proposed dwelling is more appropriate in scale to a large country estate than to a narrow private road where the inevitable increase in traffic would undoubtedly cause congestion;
  - d. Impact on occupiers of approved dwelling at No.1 Woodlands Close including loss of light to and overshadowing of approved conservatory;

- e. Loss of privacy to occupiers of No.3 Woodlands Close;
- f. Extending into the flood plain;
- g. Possible business use of proposed offices and precedent for further commercial development;
- h. Concern about survival of certain mature trees; and
- i. The changes do not overcome the reasons to refuse the previous application.

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

21. The main issues in relation to this application are the affect of the development on:
- a. The character and appearance of the area
  - b. The amenity of neighbours;
  - c. Bats; and
  - d. Trees.
22. By easing the dwelling a further 1.5 metres from the boundary and mature maple tree within the garden of No.3 Woodlands Close and having undertaken a bat survey and by proposing a bat mitigation and conservation scheme, this application satisfactorily addresses the third and fourth reasons application S/2300/05/F was refused, namely the impact on bats and the maple tree.
23. By deleting the previously proposed first floor windows in the east elevation and by easing the swimming pool element further from the west boundary, I also consider that this scheme would not unduly affect the amenity of neighbours and satisfactorily addresses the second reason application S/2300/05/F was refused, namely impact on neighbours. The proposed dwelling would still affect morning light to and outlook from the approved garden room to the rear of the approved replacement dwelling at No.1 Woodlands Close but I do not consider the impact to be so harmful as to warrant refusal.
24. The frontage of the proposed dwelling and the ridge length is one metre less than the scheme refused under reference S/2300/05/F and, together with clarification of the plot width, now fills 79% of the plot width compared to 86% at the time of application S/2300/05/F. The depth of the proposed front projection has also been reduced by 2.6m compared to the previously refused scheme to 5.5m two-storey plus 3m single storey. The proposed dwelling would undoubtedly have a greater impact on the low density, spacious, rural character of development in Woodlands Close and Woodlands Road than the existing dwelling. However, the approved extension to No.2 (S/1746/04/F) would result in an 8.1m high dwelling with a 20m long ridge, the two-storey part of which would fill 79% of the site width and the whole of which would fill 98% of the plot width. It would also have a two-storey element projecting 5.5m to the front. The most recent approved replacement dwelling at No.1 (S/0136/06/F) measures 9.5m high, has a 20m long ridge and would fill 83% of the plot width. In view of the extant permissions at Nos. 1 and 2, I consider that it would be difficult to demonstrate that the dwelling now proposed was unacceptable in terms of its impact on the character of the area. Existing and proposed planting along the site frontage would also reduce the impact of the dwelling on the area. The proposed dwelling is considerably deeper than existing surrounding dwellings but I do not consider that this would result in demonstrable harm to the character of the area.
25. One of the objectors refers to the development extending into the flood plain. The proposed dwelling is wholly within the Environment Agency's lowest risk flood zone.

## Recommendation

### 26. Approval

1. Standard Time Condition A – Time limited permission (RCA);
2. SC5a and f – Details of materials for external walls, roofs and hard landscaped areas (RC To ensure the satisfactory appearance of the development);
3. SC5 (a scheme to protect the occupiers of the hereby permitted dwelling from railway noise) (RC to protect the occupiers of the hereby permitted dwelling from railway noise; to accord with the requirement of South Cambridgeshire Local Plan 2004 Policy ES8);
4. During demolition and construction, ... SC26 – Use of power operated machinery during demolition and construction periods (RC26);
5. Before any development commences, a scheme to protect the existing trees on site, and the oak tree in the front garden of No.2 Woodlands Close and the maple tree in the garden of No.3 Woodlands Close in particular, during the demolition and construction periods shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and maintained during the course of the development operations (RC56);
6. SC51 Agreement of landscaping scheme (RC51);
7. SC52 Implementation of landscaping scheme (RC52);
8. No further windows or openings of any kind shall be inserted at first or second floor levels in the dwelling hereby permitted unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf (RC22);
9. SC21 (Part 1, Classes A, B and E) – Removal of permitted development rights (RC To protect the character of the area and the amenity of neighbours)
10. No development shall take place until full details of measures for bat mitigation and conservation have been submitted to and approved in writing by the Local Planning Authority. These measures shall include:
  - (a) Inspection of existing buildings on site within one month prior to their demolition or alteration to determine presence or absence of roosting or hibernating bats;
  - (b) No building containing bats shall be demolished or altered until the bats have been safely excluded using such measures as have been previously submitted to and approved in writing by the Council;
  - (c) Provision prior to demolition or alteration of existing buildings and the commencement of development of a new bat roost / hibernacula constructed to a design and in a location previously approved in writing by the Council; and
  - (d) A statement outlining the advice taken by the applicant from a professional ecologist experienced in working with bats.The works shall be implemented in accordance with the approved details and timing of the works unless otherwise approved in writing by the Local Planning Authority  
(RC To ensure the development does not adversely affect bats; to accord with the requirement of South Cambridgeshire Local Plan 2004 Policy EN13);

## 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:** SE2 (Residential Development in Rural Growth Settlements), HG10 (Housing Mix and Design), EN5 (Retention of Trees), EN13 (Protected Species) and ES8 (Noise from Railways)
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 character and appearance of the area, amenity of neighbours, trees and flood risk.

## Informatives

Should driven pile foundations be proposed, before development commences, a statement of the method for construction of these foundations should be submitted to and agreed by the District Council's Environmental Health Officer so that noise and vibration can be controlled.

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

Before the existing property is demolished, a Demolition Notice will be required from the District Council's Environmental Health Department establishing the way in which the property will be dismantled, including any asbestos present, the removal of waste, minimisation of dust, capping of drains and establishing hours of working operation.

**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
- Great Shelford Village Design Statement 2004
- Planning file Refs: S/1622/83/F, S/1306/04/F, S/1746/04/F, S/1334/05/F, S/2300/05/F, S/0136/06/F and S/0356/06/F

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