

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

10<sup>th</sup> May 2006

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

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**S/0485/06/F – Haslingfield  
Bungalow, Land to the rear of 37 School Lane (Accessed via Lilac End) for Mr and Mrs  
N Russell**

**Recommendation: Approval  
Date for Determination: 5<sup>th</sup> June 2006**

### Site and Proposal

1. Number 37 School Lane is a large detached two-storey property within the Haslingfield village framework. To the rear of the dwelling a long linear rear garden extends to the north where it abuts the curtilages of properties in the cul-de-sac of Lilac End. The land in question is domestic in appearance and nature and is bounded by close-boarded fencing and mature hedgerows. In the northeast corner of the site there is a 2.5 metre wide boundary strip that abuts the public highway of Lilac End, which is presently defined by close-boarded fencing and a gate.
2. The full application received on the 9<sup>th</sup> March 2006 proposes to site a bungalow to the rear of number 37 School Lane with vehicular access via Lilac End and a turning area within the site. The two bedroom bungalow has an 'L' shaped footprint with a height to eaves of 2.25 metres and an overall height of 4.25 metres. The application was amended on the 18<sup>th</sup> April 2006 to increase the width of the proposed curtilage by an additional 2 metres. The proposed dwelling now has a plot of approximately 330m<sup>2</sup>, which equates to a density of 30 dwellings per hectare.

### Planning History

3. Earlier this year an application for a chalet style bungalow was refused for being out of keeping with the pattern of development that characterises Lilac End by virtue of the physical presence of such a large dwelling within such a modest plot of land (**S/2275/05/F**). There was also an issue of the overlooking of number 6 Lilac End that would have resulted from the orientation of the first floor fenestration.

### Planning Policy

4. **Structure Plan Policy P1/3** requires a high standard of design and sustainability for all new development.
5. **Policy SE4 'Group Villages'** sets out requirements for the development of dwellings within the frameworks of group villages having regard to impact upon neighbour amenity and the street scene.
6. **Policy HG11 'Backland Development'** sets out requirements for development to the rear of existing properties having regard to issues of overbearing, overlooking or overshadowing of existing properties; noise, disturbance and highway safety through the use of its access; and whether the development would be out of character with the pattern of development in the vicinity.

## Consultation

7. **Haslingfield Parish Council** strongly objects to the application, as it believes that the development contravenes policy SE4 in that it doesn't sit comfortably within the pattern of development in Lilac End. Moreover the increase in traffic generated would constitute a danger to the users of the cul-de-sac and footpath particularly at weekends and in the evenings with children.
8. **Ecology Officer** has no objection to the principle of the development, though would like to see the existing hedges on the site retained due to their local biodiversity value in line with policy EN12, and if fences are to be erected, then consideration should be given to leaving gaps of 200mm at the base to allow the continued movement of animals across the site.
9. **Chief Environmental Health Officer** has no objection to the application but has requested that a condition and informatives be attached to any consent granted.

## Representations

10. Five letters of objection received from owner/occupiers of properties in Lilac End (numbers 1,2,4,5 and 6), three of which are identical in format and raise identical issues but are signed by separate parties. The objections relate to –
  - a. The fact that the dwelling does not sit comfortably within the pattern of development that characterises Lilac End, which maintains its rural feel. It is stated that the layout of the Close was carefully constrained by the planning authorities in 1965 to create a peaceful environment in which to live
  - b. Adverse impact upon the amenity of existing properties
  - c. Intensification of vehicular traffic in the cul-de-sac that would be detrimental to the general safety in the road, particularly children
  - d. The development would be contrary to Policy HG11
  - e. The development would set a precedent for the further development of the western side of the Close; and
  - f. The land in question acts as a natural route for badgers, foxes and deer to enter the Close from the nearby countryside.

## Planning Comments – Key Issues

11. Although a previous application for a dwelling on the site in question was refused, I am of the opinion that this latest proposal successfully addresses the reasons for refusal that applied to the 2005 application. These reasons for refusal were impact upon neighbour amenity and the impact of the development upon the pattern of development in the vicinity. Moreover from the very beginning issues surrounding the use of the proposed access have raised concerns locally.

## Impact Upon Neighbour Amenity

12. With the latest proposal the development is a relatively modest single storey dwelling. Therefore issues such as overbearing, overlooking and overshadowing are not considered to be unacceptable given the existing screening that surrounds the site

and the modest height and central location of the proposed bungalow within the site. The access to the site and the turning area would result in the movement of vehicles close to the boundaries with numbers 6 and 9 Lilac End, in the case of the latter the rear openings of the dwelling are approximately 20 metres from the boundary. With number 6 Lilac End the turning area stops short of the side elevation of the property, and there is an existing driveway between the dwelling and the boundary of the application site. Therefore I do not consider the impact upon neighbour amenity through increased vehicular movements as being unacceptable.

### **Out of keeping with the pattern of development in the vicinity**

13. Along School Lane the pattern of development is clearly a linear one and it is unlikely that officers would consider further dwellings to the rear of properties in School Lane, especially if they were to be accessed off School Lane. However the site to the rear of number 37 is different in that it is possible for it to be accessed via Lilac End. Therefore the proposed dwelling should be viewed with regards to its relation to the properties in Lilac End. Although the previous application was refused for being out of keeping with the pattern of development this reason for refusal related more to the size and scale of the proposed dwelling. It is noted that the properties of Lilac End are all chalet style bungalows, but a similar such property is not considered appropriate for the site in question due to the impact upon neighbour amenity.
14. In terms of the continuation of the cul-de-sac an additional dwelling adjacent to number 6 Lilac End is not considered to be unacceptable, in principle. Though to limit the impact of the dwelling on neighbour amenity and the visual character of the area it should be as low as possible, in part so that it is visually screened from views from the cul-de-sac. I am of the opinion that the proposed bungalow successfully achieves this and aside from views through the access the dwelling will have no greater visual impact upon the street scene of Lilac End than a large outbuilding would have in the rear garden of number 37.

### **Highway Access and Highway Safety**

15. As Lilac End is not a classified road the creation of a vehicular access onto it is not a matter that would require the specific consent of the Local Planning Authority. For this reason the objections surrounding the highway access were not used as a reason for refusal of the previous application. At a width of 2.5 metres the proposed access is considered to be suitable for a vehicle to use, and the inclusion of a turning area within the site will make it easier for vehicles to manoeuvre within the site so as to access and exit it in a forward gear.
16. On past visits to the area it is clear that at certain parts of the day there are vehicles parked on the public highway of Lilac End, and at times in front of the proposed access to the rear of number 37. However it should be noted that all of the properties in Lilac End have sufficient on site provision for the parking of at least two vehicles clear of the public highway. To refuse this application on the basis that other nearby residents were not using their driveways to park their vehicles would be unreasonable.
17. In terms of the highway access the turning head within the site would allow vehicles to safely leave the site in a forward gear, and a condition would be attached to any approval to secure the retention of the turning area. As the proposed vehicular access is in the corner of the site, and Lilac End is not a through route for vehicular traffic, even given the limited visibility splays I would consider it unlikely for a vehicle to be travelling at such a speed so as not to notice a vehicle exiting the site.

18. The local concern about the safety of school children in the area would not appear to be relevant to the proposal as there is no public footpath in front of the proposed access and the footpath leading to number 6 Lilac End terminates there. Moreover any additional vehicles entering and leaving the cul-de-sac would be expected to adhere to highway safety legislation. Therefore it should not be assumed that the vehicles accessing the proposed dwelling will be any more likely to breach such highway safety legislation than any other vehicle on the road.

### **Biodiversity**

19. The land to the rear of number 37 is presently a well-maintained private garden, with a physical barrier (the existing fence and gate) preventing the movement of any large animals between the open countryside and Lilac End. Even if this weren't the case it is unclear as to why a deer or any such animal would want to access Lilac End or whether such an urbanised part of the village would be safe for such an animal to be in. Further to the letter of objection that referred to the natural value of the site in its present form the application was sent to the Council's Ecology Officer who has no objection to the proposal.
20. Given the consideration of all of the objections surrounding the proposed dwelling I am not of the opinion that the impacts upon highway safety, neighbour amenity or the pattern of development in the vicinity are sufficiently unacceptable for the application to be refused.

### **Recommendation**

21. Approval – (As amended by site layout and block plan revision A – franked 18<sup>th</sup> April 2006) – Subject to the following conditions -
1. Standard Condition A – Time limited permission (Reason A);
  2. Sc60 – Details of boundary treatment (Rc60);
  3. 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);
  4. Restriction of hours of use of power operated machinery;
  5. Sc21 – Removal of permitted development rights (Part 1 – all classes)
  6. The turning area at the front of the dwelling, hereby approved, shall be constructed before the occupation of the dwelling and shall thereafter be used and retained exclusively for the parking and manoeuvring of vehicles.

### **Informatives**

Should driven pile foundations be proposed, then before works commence, a statement of the method for construction of these foundations shall be submitted and agreed by the District Environmental Health officer so that noise and vibration can be controlled.

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

## 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: SE4** (Development in Group Villages),
  - **HG11** (Backland Development)
  
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
  - Residential amenity
  - Highway safety
  - Impact upon the pattern of development in the area
  - Impact upon natural routes used by wildlife

**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 Ref: S/2275/05/F and S/0485/06/F

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