

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee
AUTHOR/S: Director of Development Services

7th June 2006

S/0667/06/F – Caldecote
Variation of Condition 1 of Planning Consent S/1620/03/O to Extend Period for the Submission of Reserved Matters on Land Adjacent 26 East Drive, Highfields for G. P. Eatwell

Recommendation: Delegated Approval
Date for Determination: 31st May 2006

Site and Proposal

1. The application site is a 0.056 hectare (0.14 acre) plot of land which lies on the south-east side of a narrow public bridleway (East Drive) and between two bungalows. The site forms part of the garden area of No. 26 East Drive, the bungalow situated to the north-east of the plot, and contains a brick garage and stable block.
2. A high Leylandii hedge and gated field access form the front boundary of the site, whilst beyond the site to the rear is open countryside. The site is adjacent to, but within the village framework boundary of Highfields Caldecote.
3. The application, submitted on 5th April 2006, seeks to vary condition 1 of Outline Planning Consent (S/1620/03/O) for a dwelling, to extend the period for the submission of a reserved matters application. The illustrative layout drawing is identical to that supplied for the previous application and indicates that the dwelling will be sited approximately 17 metres back from the frontage of the plot with 4 parking spaces provided at the front. The existing gate would be utilised as the point of access to the site.

Planning History

4. Outline planning permission for the Erection of a Dwelling following Demolition of Existing Garage and Stables (Renewal of Time Limited Permission **S/1337/00/O**) was given on the 5th November 2003, after consideration by Members at the 5th November 2003 Planning Committee Meeting.
5. Condition 1 of the consent required an application for approval of the reserved matters (in this case, siting of the building, design and appearance of the building, the means of access thereto and landscaping of the site) within three years of the date of consent. The permission lapses on 5th November 2008. Condition 4 of the consent stated the dwelling shall be single storey or a chalet bungalow only.
6. Outline planning consent for the erection of a dwelling following demolition of existing garage and stables was given on 7th September 2000 (Ref **S/1337/00/O**), also following consideration of this item at Planning Committee.
7. An outline application (Ref: **S/0160/99/O**) for the dwelling on the site was also approved at the Committee Meeting of 7th July 1999, subject to conditions restricting the property to single storey/chalet style only and requiring details of the construction of the parking area in order to safeguard the health of a Walnut tree on the site at the time. The scheme also

involved the creation of an access to serve both the new plot and the existing property at 26 East Drive and a further condition requiring the existing access to No 26 to be closed upon the completion of the new one.

8. Outline applications for a new dwelling on the plot were refused in 1980 and 1963 (Ref: **S/0542/80/O** and **C/0663/63/O**).
9. Outside the site area, but also of relevance, it is noted that planning permission for an extension and double garage on the adjacent site, No. 26 was approved in 2004, with an amended design approved in September 2005 (Planning Refs: **S/0161/04/F** and **S/1420/05/F**).
10. Opposite the site on the other side of East Drive, permission for reserved matters for 118 dwellings with associated works was approved in September 2002. A large proportion of these dwellings has now been constructed.
11. It is noted that since the last renewal of planning permission on this site, planning permission for two dwellings between No. 2 and 8 East Drive was approved in January 2005, following consideration at Planning Committee (Planning Refs: **S/1797/04/F** and **S/1798/04/F**). A full planning application for a new dwelling on land adjacent 12 East Drive has recently been received, and was undetermined at the date of writing this agenda report (Ref: **S/0560/06/F**).

Planning Policy

12. **Policy P1/3** of the County Structure Plan requires a high standard of design and sustainability for all new development and which provides a sense of place which responds to the local character of the built environment.
13. **Policy 5/3** of the County Structure Plan states that Local Planning Authorities should seek to maximise the use of land by applying the highest density possible which is compatible with maintaining local character.
14. **Policy 5/5** of the County Structure Plan 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.
15. **Policy 6/1** of the Structure Plan specifies that development will only be permitted where the additional infrastructure and community requirements generated by the proposal can be secured. Policy 6/3 adds 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.” With Policy 6/4 stating that all new development will be expected to avoid exacerbating flood risk locally and elsewhere. These policies are supported by Policies CS3, CS4 and CS5 of the adopted South Cambridgeshire Local Plan 2004 (“The Local Plan 2004”).
16. **Policy SE1** of the Local Plan 2004 states “existing planning permissions will be renewed providing that development would not conflict with other policies and proposals of the development plan”.

17. **Policy SE4** of the Local Plan 2004 identifies the village of Highfields Caldecote as a Group Village. This policy permits residential development and redevelopment within this village providing:
- (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 employment **Policy EM8**.
18. **Policy SE9** of the Local Plan 2004 states that development on the edges of villages should be sympathetically designed and landscaped to minimise the impact of development on the countryside.
19. **Policy HG10** of the Local Plan 2004 states that the design and layout of residential schemes should be informed by the wider character and context of the local townscape and landscape. Schemes should also achieve high quality design and distinctiveness, avoiding inflexible standards and promoting energy efficiency.
20. **Policy EN5** of the Local Plan specifies that trees, hedges and woodland and other natural features should be retained wherever possible in proposals for new development. Landscaping schemes will be required to accompany applications for development where it is appropriate to the character of the development, its landscape setting and the biodiversity of the locality.

Consultations

21. **Caldecote Parish Council** objects to the application stating:
- “This is not the first request to renew this application and the Council ask if a further renewal is in the best interests of planning procedure. It is necessary to ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development which have not been acted on.”
22. **The Chief Environmental Health Officer’s** response to be verbally reported at Committee. It is noted that this officer raised no objection to the earlier application.
23. **Environment Agency** – No objection but notes site is within flood zone 1 (low flood risk). Adds that soakaways are unlikely to function satisfactorily. Surface water harvesting systems have been used in this area as an alternative.
- It is noted that the Environment Agency requested that a condition of consent be imposed on the earlier application in 2003, regarding the submission of details for provision and implementation of surface water drainage, prior to the commencement of development.
24. **Trees and Landscape Officer** – Response to be verbally reported at Committee. It is noted that this officer raised no objection to the earlier application, adding that the Walnut Tree previously identified on the site has been felled and was not subject to a tree preservation order. “The proposal would require the removal of the Beech “hedge” that is now of considerable proportion. It would however be difficult to justify

a tree preservation order on the Beech hedge/trees. I note that their removal appeared to be acknowledged in previous applications.”

- 25. **Cambridgeshire County Council Definitive Map Officer** – Response to be verbally reported at Committee.
- 26. **Ramblers** – Response to be verbally reported at Committee
- 27. **Local Access Forum** – Response to be verbally reported at Committee

Representation

- 28. None received

Planning Comments – Key Issues

- 29. The principle of erecting a dwelling on this plot has been previously established. The proposal would not result in a form of development alien to that along East Drive, particularly given that new dwellings have now been erected opposite the site. It is noted that the application does not differ in anyway from the previous application.
- 30. No details are given at this stage regarding the siting of the dwelling or its design and appearance. However, I am satisfied that a single-storey or chalet dwelling could be erected on this site, in such a manner, as to avoid serious harm to the residential amenities of adjacent properties.
- 31. The loss of the Beech hedge/trees as a result of the proposal was previously accepted in the approval of the previous outline planning permissions on the site in 2000 and 2003. The Trees and Landscape Officer did not identify the hedge as suitable for a tree preservation order in 2003 or 2000. The loss of these trees, therefore does not represent grounds for refusing the planning application.
- 32. The proposal involves utilising an existing point of access, which could be sited at sufficient distance and from those serving adjoining properties to avoid having any impact upon highway safety. The additional traffic generated from just one dwelling would not be significant enough to represent a traffic hazard on East Drive.
- 33. I would however suggest that any gates be set back at least 5 metres from the frontage of the plot to avoid cars obstructing the road when closing/opening gates. This is recommended as a condition of consent.
- 34. It is noted that East Drive is a public bridleway and that separate legislation may prevent some vehicles from lawfully driving along this bridleway to access the dwelling. Nevertheless, this situation does not prevent the granting of planning permission.
- 35. Drainage issues can be satisfactorily addressed through a condition requiring the approval of scheme for the provision and implementation of surface water drainage prior to the commencement of development, as required under the earlier consent.
- 36. There are no substantive changes in planning policy or site characteristics which prevent the approval of the proposed variation of Condition 1, to extend the period for the submission of reserved matters. The fact that this application represents a renewal of an earlier consent, does not represent a material planning consideration that would justify the refusal of the application.

37. The application is recommended for approval and all conditions of the previous outline reapplied.

Recommendation

38. Delegated Approval following the expiration of the 21-day notice period for advertisements and site notices, and consultation period to Cambridgeshire County Council, Definitive Map Officer, Ramblers and Local Access Forum.

Recommended Conditions of Consent

1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

The development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development which have not been acted upon.)
2. No development shall commence until full details of the following reserved matters have been submitted to and approved in writing by the Local Planning Authority:-
 - a) The siting of the building;
 - b) Design and external appearance of the building;
 - c) The means of access thereto;
 - d) The landscaping of the site.(Reason - The application is for outline permission only and gives insufficient details of the proposed development.)
3. Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted to and agreed in writing with the Local Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme.
(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding.)
4. The dwelling hereby permitted shall be single storey or a chalet bungalow only.
(Reason - To ensure that the dwelling accords with the scale and character of adjoining dwellings.)
5. Details of the treatment of site boundaries shall be submitted to and approved in writing by the Local Planning Authority and the work completed in accordance with the approved details before the dwelling is occupied or the development is completed, whichever is the sooner.
(Reason - To ensure that the appearance of the site does not detract from the character of the area.)
6. If gates are to be provided to the vehicular access, they should be setback 5.0m from the edge of the carriageway.
(Reason - In the interests of highway safety.)
7. Prior to the occupation of the dwelling, an adequate space shall be provided within the site to enable two vehicles to enter and leave in forward gear and park clear of

the public highway. The permanent space to be reserved on the site for turning and parking shall be provided before the occupation of the dwelling commences and thereafter maintained.
(Reason - In the interests of highway safety.)

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), **P5/3** (Density), **P5/5** (Homes in Rural Areas), **P6/1** (Development Related Provision), **P6/3** (Flood Defence) and **P6/4** (Drainage)
 - **South Cambridgeshire Local Plan 2004:**
SE1 (Existing Planning Permissions), **SE4** (Residential Development in Group Villages), **SE9** (Village Edges), **HG10** (Housing Mix and Design), **EN5** (The Landscaping of New Development), **CS3** (Foul and Surface Water Drainage), **CS4** (Ground Water Protection and **CS5** (Flood Protection).
2. The proposal is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Visual impact on the locality
 - Design and Appearance
 - Highway safety

General

1. The public bridleway by which the site is accessed should not be obstructed at anytime as a result of the development hereby permitted.
2. Before development commences the applicant needs to be satisfied that they have lawful authority to access the site via the bridleway, as it is an offence under Section 34 of the Road Traffic Act to drive on a public bridleway.

Environment Agency Informatives

Informatives regarding surface water and drainage

Any informatives recommended by Cambridgeshire County Council.

Background Papers: the following background papers were used in the preparation of this report:

- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- Planning File Refs: S/0667/06/F, S/1337/00/O, S/0542/80/O, C/0663/63/O, S/0161/04/F, S/1420/05/F, S/1797/04/F, S/1798/04/F and S/0560/06/F.

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