

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

**S/0534/06/O – Harston
Chalet Bungalow – Land r/o 46 London Road & Queens Close,
for Mrs C Klimaszewska**

**Recommendation: Approval
Date for Determination: 12th May 2006**

Site and Proposal

1. The 0.07 hectare application site forms part of the rear garden area to No.46 London Road and is located on the south-east side of Queens Close. Directly to the north of the site is 'Ashlea', a modest bungalow fronting Queens Close, and the rear garden of No.46 London Road, a two storey detached dwelling. To the south and south-west are two bungalows, known as 'Cartref' and 'The Orchard' respectively, that are accessed via a shared driveway off Queens Close (known as Orchard Way). Between the site and the road is a grassed area of land owned by this Authority which comprises a number of trees including a mature ash.
2. The outline application, submitted on 17th March 2006 and amended on 17th May 2006, seeks to erect a chalet bungalow on the site. Consent is sought for the siting and means of access, with the design and landscaping being reserved for further consideration. The site plans show the erection of a 1½ storey, hipped roof 4-bedroom L-shaped property sited approximately 9 metres back from the Queens Close frontage of the plot and 5.6 metres away from the boundary with 'Ashlea' to the north. Access to the site would be off Queens Close and across the adjoining Council owned grassed area. The density of the development equates to 12 dwellings/hectare.

Planning History

3. **S/0643/89/O** – Outline application for the erection of a dwelling on the north-western half of the site was refused but subsequently allowed at appeal, with all matters reserved. The application was then renewed under reference **S/1680/92/O**.
4. **S/1224/99/F** – Application for use of domestic outbuilding within garden of No.46 London Road as a gym was refused for neighbour amenity reasons.

Planning Policy

5. Harston is identified within **Policy SE4** of the South Cambridgeshire Local Plan 2004 as a Group Village. In such locations, Policy SE4 states that residential development up to a maximum of 8 dwellings will be permitted providing the site does not form an essential part of village character, and providing development is sympathetic to the historic interests, character, and amenities of the locality. Exceptionally, development may consist of up to 15 dwellings if this would make the best use of a brownfield site. All developments are expected to provide an appropriate mix of dwelling size, type and affordability.

6. **Policy P1/3** of the County Structure Plan 2003 stresses the need for a high standard of design and a sense of place which corresponds to the local character of the built environment.

Consultations

7. **Harston Parish Council** objects to the application stating:

“We have great concern for the privacy and light for owner at Ashlea (Queens Close) whose lounge with windows abuts this property with no hedge/fence between. The owners of Cartref and The Orchard also have objections on these grounds. We feel this piece of land is too small and should be left. How is access to be gained over SCDC land. The large trees should also remain.”

8. **The Trees and Landscape Officer** raises no objections to the application as amended providing the driveway is constructed in accordance with ‘no dig’ principles.
9. **The Lands Officer** considers it would make more sense to use the adjacent access, Orchard Way, rather than constructing a new access road. However, if Officers consider the use of the adjacent access to be unsuitable, no objections are raised to the formation of a new access across the Council owned grassed area.
10. **The Chief Environmental Health Officer** raises no objections subject to a condition restricting the hours of use of power operated machinery during construction being attached to any consent in order to minimise noise disturbance to neighbours.
11. The comments of **EDF Energy** will be reported verbally at the Committee meeting.

Representations

12. The owners of the adjacent property Ashlea initially objected to the application for the following reasons:
 - a. No detailed plans available;
 - b. The development, being to the south, would cut out light to the living room and bedroom, and be overbearing in the outlook from these windows;
 - c. The development would result in overlooking of the living room and a loss of privacy to the bedroom.
13. With regards to the revised plans, they are pleased to see a reduction in height, a reduction in the width of the access road and the dwelling sited further away from the ash tree. However, concerns are still expressed regarding the lack of specified dimensions on the plans.
14. A letter of objection has also been received from ‘Cartref’, the bungalow to the south, whose occupiers express the following concerns:
 - a. The proposal would result in a loss of privacy by overlooking Cartref’s front garden and front of the property;
 - b. It would result in a loss of value;
 - c. The removal of trees and hedges would harm the outlook from Cartref.

Planning Comments – Key Issues

14. The key issues to consider in the determination of this application are:
 - a. Impact upon the character of the area;
 - b. Affect upon the amenities of adjoining residents;
 - c. Impact upon trees.
15. The site lies inside the village framework. Harston is designated within the Local Plan as a Group Village where residential development is acceptable in principle providing development is sensitive to the character of the area and the amenities of local residents.
16. Permission has previously been allowed at appeal for the erection of a dwelling on the western/roadside half of the site. That permission has now expired so it is necessary to reconsider the principle of erecting a property on the land.
17. Ashlea, to the north of the site, is a very modest bungalow. There are also bungalows to the south and south-east of the plot although these are set well back from the road and are not readily visible in the street. Situated between these bungalows and Queens Close, are a terrace of two storey properties, Nos. 1-5 Queens Close, whilst the remainder of Queens Close and London Road is predominantly two storey in nature. When viewed from Queens Close, the proposed dwelling will fill a gap between a single storey and two storey dwelling, and I consider a 1¹/₂ storey property to be acceptable in terms of its impact upon the street scene.
18. With regards to the impact of the proposed property upon the amenities of neighbours, the adjacent dwelling 'Ashlea' has a lounge/dining area within its southernmost element that is served by 3 windows facing to the east, west and south, with the latter window being on the common boundary. There is also a south facing bedroom window (the only window serving this bedroom) set around 3 metres further away from the boundary. Initially, the proposed dwelling was sited so that its forwardmost part was just 7 metres to the south of the neighbour's south facing lounge window and the highest element (7 metres high) only 9 metres directly to the south of the bedroom window. In the amended plans, the dwelling has been set approximately 2.4 metres further away from the frontage of the site, thereby moving it out of the direct line of sight from the south facing lounge window and ensuring that the highest element of the dwelling would be moved away from the immediate outlook from the bedroom window. I am satisfied that the illustrative drawings demonstrate that a 1¹/₂ storey dwelling can be accommodated in the position shown without unduly harming the outlook from or cutting out light to Ashlea's lounge and bedroom windows. It will be important within any reserved matters application to carefully consider the height of the dwelling. Concerns regarding overlooking of the south facing lounge window from ground floor windows in the north elevation of the proposed dwelling have been overcome by showing the erection of a 1.8 metre high close boarded fence between the north-eastern corner of the dwelling and the boundary with Ashlea.
19. With regards to the impact on Cartref, the proposed property would be some 18 metres away from the frontage of this adjoining bungalow. This distance, together with the fact that the roof is hipped away from the southern boundary and that there is an approximately 4 metre high leylandii running beyond this boundary of the site means that the outlook from Cartref would not be unduly harmed by the development.

Potential overlooking problems can be resolved at the reserved matter stage through careful consideration of the positions of first floor windows.

20. When outline permission was granted in 1992 for the erection of a dwelling on this site, a condition required the building to be acoustically insulated (ie – fitted with acoustic double glazing to habitable rooms) in order to minimise the level of noise audible within the building from the nearby electricity substation. EDF Energy has been consulted on this application and asked to consider whether they feel such a stipulation is still necessary in this instance.
21. The Trees Officer objected to the initial application due to the proximity of the dwelling and access to the mature ash tree situated adjacent to the front boundary of the site. In the amended plans, the access has been reduced in width and the dwelling moved further away from the frontage of the site, thereby ensuring they are 2 metres and 9.6 metres away from the tree, respectively, and resolving the Trees Officer's concerns.
22. Officers do not consider the use of Orchard Way to access to the site to be appropriate as it would necessitate the removal of the leylandii thereby increasing the impact upon Cartref. In addition, to ensure that the development is in keeping with the character of the area, it is considered that the dwelling should front onto and be accessed from Queens Close.

Recommendation

23. Approval subject to the following conditions:
 1. Standard Condition B (Reason - B);
 2. Sc1b and d – Reserved Matters of the design, external appearance and landscaping (Rc1);
 3. Sc5b – Surface water drainage details (Rc5b);
 4. Sc5c – Foul water drainage details (Rc5c);
 5. Sc60 – Boundary treatment details (Rc60);
 6. Before the occupation of the dwelling, hereby permitted, the access from the existing highway shall be laid out and constructed to the satisfaction of the Local Planning Authority after consultation with the Local Highway Authority (Reason – In the interests of highway safety);
 7. The access, hereby permitted, shall be constructed in accordance with 'No Dig' principles, as set out in Arboricultural Practice Note No.1 (Reason – To ensure that the access would not compromise the adjoining mature ash tree);
 8. During the period of construction no power operated machinery shall be operated on the premises before 08.00 hours on weekdays and 08.00 hours on Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any time on Sundays or Bank Holidays) unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions (Rc26);

+ requirement for any dwelling to be acoustically insulated if considered by EDF Energy to be necessary.

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);
 - **South Cambridgeshire Local Plan 2004: SE4** (Development in Group Villages);
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;
 - Impact on trees;
 - Impact on character of area.

General

1. 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.
2. 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.

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 application references: S/0534/06/O, S/1224/99/F, S/1680/92/O and S/0643/89/O

Contact Officer: Lorraine Casey – Senior Planning Assistant
Telephone: (01954) 713251