

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee 7<sup>th</sup> February 2007  
**AUTHOR/S:** Executive Director / Head of Planning Services

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**S/2290/06/F – HARSTON**  
**Dwelling – Land r/o 37 London Road for Joywell Homes Ltd**

**Recommendation: Approval**

**Date for Determination: 23<sup>rd</sup> January 2007**

### Notes:

**This Application has been reported to the Planning Committee for determination because the Officer recommendation is contrary to the recommendation of the Parish Council.**

### Site and Proposal

1. This 0.2 hectare application site is located on the east side of London Road and comprises an orchard that forms part of the rear garden area to No.37 London Road, a two storey detached dwelling.
2. The full application, submitted on 28<sup>th</sup> November 2006, seeks to erect a 9.7 metre high two and a half storey 8-bedroom brick and tile dwelling on the site. Access to the site would be along the south-eastern side of No.37's garden. The access would be shared between the existing and proposed dwellings and would be 5 metres wide for 10 metres into the site, after which it would narrow to a width of 3.7 metres. It would be some 60m in length. The density of the development equates to 6 dwellings/hectare.

### Planning History

3. **S/0329/06/O** – Outline planning permission granted for the erection of a dwelling on 0.17 ha of this site. The means of access was approved with all other matters reserved for further consideration.
4. There are other approved applications in the immediate area that are of note. **S/0899/03/F** – An application to erect two dwellings at No.51 London Road (one frontage dwelling following the demolition of the existing and one to the rear) was approved. Under reference **S/1604/02/F**, an application for the replacement of a bungalow on an existing backland plot at No.55 London Road with a two storey dwelling was approved. Members may also recall that, at Committee in December 2006, consent was granted for the erection of a two storey dwelling to the rear of No.41 London Road (**S/2069/06/F**).

### 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 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.
7. **Policy HG11** of the Local Plan states that development to the rear of existing properties will only be permitted where the development would not:
  1. Result in overbearing, overlooking or overshadowing of existing residential properties;
  2. Result in noise and disturbance to existing residential properties through the use of its access;
  3. Result in highway dangers through the use of its access;
  4. Be out of character with the pattern of development in the vicinity.
8. **Policy DP/5** of the Local Development Framework Submission Draft 2006 relates to cumulative development and states that development will not be permitted where it:
  1. Forms part of a larger site where there would be a requirement for infrastructure provision if developed as a whole;
  2. Would result in a piecemeal, unsatisfactory form of development;
  3. Would prejudice development of another site adjacent or nearby.

### **Consultations**

9. **Harston Parish Council** objects to the application stating:
  1. "This application is for an 8 bedroom house, over 3 storeys (ground, first, 2<sup>nd</sup> storey), which is in conflict with the character of the neighbourhood, being predominantly bungalows, and some two storey houses....
  2. The traffic generated from such a large house, including service traffic, would naturally be more than generated by a house of proportions smaller, and more sympathetic to the village character of Harston.
  3. The shared access from London Road could be detrimental to the occupiers of the existing house at the front of the property for the reasons above.
  4. The existing house at No 37 London Road will lose much of its privacy from the overpowering and dominating presence of the proposed 3 storey house in the back garden.
  5. The application lists the proposed development as at 5 Church View, Witchford, Ely CB5 2HH, which clearly is a confusion. Perhaps the wrong house has been applied for in the back garden of 37 London Road.
  6. The drawings indicate a ridge height of some 9.7m, which confirms the overbearing size of the proposed development.
  7. There are concerns about the sewage pumping station serving London Road, which we understand is already running at capacity of 200L/hour and which floods at time raw sewage running in the road in the vicinity of the Old English Gentleman PH".

10. The **Chief Environmental Health Officer** raises no objections subject to a condition restricting the hours of use of power operated machinery being attached to any consent in order to minimise noise disturbance to neighbours.
11. The **Local Highways Authority** states that the existing access should be improved so that it is a minimum of 5 metres wide for a minimum distance of 10 metres back from the carriageway. In addition, parking and turning must be provided and maintained for both the proposed and existing dwellings. An amended layout plan, which clearly indicates the improvements to the access and the proposed parking and turning facilities for the existing dwelling, should be submitted.
12. The **Trees and Landscape Officer**, who was requested to advise whether the proposed dwelling would be likely to compromise a row of very mature conifers sited immediately beyond the western boundary of the site, stated that, to retain the screening afforded by these trees, trial pits should be dug to establish root development of the conifers to determine the appropriate foundation type to use. Notwithstanding this, overshadowing from the conifers may be an ongoing issue with the new dwelling and moving the footprint away from this boundary would help alleviate this issue.

### **Representations**

13. A letter has been received from No. 39 London Road, who find themselves having to reluctantly accept that large imposing dwellings are becoming a feature of the backland in London Road. Large unoverlooked gardens are disappearing. The main points raised are:
  1. The dwelling should be no nearer to the main road or to No.39 than shown on the submitted plan;
  2. Setting the property further back and reducing its height would help to reduce the visual impact of the dwelling;
  3. There should be good natural screening between the property and No.39's garden to prevent overlooking;
  4. A boundary wall/fence should be constructed from the road frontage to at least the rear of the proposed property to prevent access to No.39's garden.
14. A letter has also been received from the owner of No.37 London Road, who raises no objections to the siting and style of property.

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

15. The key issues to consider in the determination of this application are:
  1. Impact upon the character of the area;
  2. Affect upon the amenities of adjoining residents;
  3. Impact upon trees;
  4. Highway safety;
  5. Drainage.

#### ***Impact upon character of area***

16. The principle of erecting a dwelling in this backland location, with the means of access running along the south-eastern side of the existing dwelling at No.37, has been established by the approved outline consent (Ref: S/0329/06/O). This is not a reserved matters application because an extra 10 m depth of garden of No.37 has been included in the application site.

17. To the south-east of the site are three backland plots located to the rear of Nos. 51, 53/57 and 59-65 London Road, these plots being occupied by substantial detached 2<sup>1</sup>/<sub>2</sub> storey dwellings (2 of which are just under 10 metres high) set within spacious gardens and located to the rear of single storey or 1<sup>1</sup>/<sub>2</sub> storey dwellings. In addition, consent has recently been granted for a 2<sup>1</sup>/<sub>2</sub> storey 9.4 metre high dwelling on a backland plot to the rear of a bungalow sited at No. 41 London Road. The character of constructed and approved backland development in the vicinity of the site is therefore one of substantial detached dwellings on spacious plots. The scale, height and siting of the dwelling proposed within this application is very much in keeping with this character whilst it's design is very similar to the modern houses constructed to the rear of 53/57 and 59-65 London Road.
18. The key difference between this site and those to the south-east is that it is bounded by countryside to the north-east (rear) and north-west. The site is well screened from both views but the screening to the north-west is provided by a row of very mature conifers sited on neighbouring land directly adjacent to the boundary. It is essential that these trees be retained to ensure the dwelling would not have a harmful visual impact upon its surroundings. With this in mind, the Trees Officer has advised that the dwelling be moved further away from the boundary to ensure the trees would not be compromised by the foundations and to minimise overshadowing and consequent pressure in the future to fell the trees.

#### ***Residential amenity***

19. The proposed access is the same as that approved in the outline application. Although the present application is a full rather than reserved matters proposal, the access was considered to be acceptable at the time, in terms of its impact upon the amenities of neighbours, and there has been no material change in circumstances in the intervening period to warrant taking a different view now.
20. The proposed dwelling would be sited in excess of 40 metres away from windows within the neighbouring properties at Nos. 35, 37 and 39 London Road. The occupiers of No.39 London Road have specifically requested that the building remain in the position shown and that a good level of screening be provided along the boundary of the site with their property.
21. The building will need to be pulled further away from the north-western boundary to avoid compromising adjacent trees as explained within paragraph 18 above. However, the dwelling should still be sited sufficiently far from the boundary with No.39 to provide sufficient space for planting and to avoid more direct overlooking of No.39's garden from first floor windows in the front elevation of the proposed house. I will have further discussions on this matter with the Council's Trees Officer and advise Members accordingly at the Committee meeting.

#### ***Highway safety***

22. The access details are the same as those approved under the outline planning application. This showed the provision of a 5 metre wide access for a few metres back into the site and then reducing to a width of 3.7 metres to ensure adequate access for emergency vehicles. The access was also shown routed around a group of yew trees which were protected by a Tree Preservation Order during the consideration of the outline proposal.
23. The Local Highways Authority has requested that the plan be clearly annotated to show a 5 metre wide access for at least 10 metres back into the site as well as the provision of parking and turning for the existing dwelling. The latter was conditioned as part of the outline planning approval – at that time the site and No.37 were under the same ownership and the remaining curtilage to No.37 was shown edged in blue.

However, the dwelling at No.37 has now been sold, is in separate ownership to the application and therefore falls outside the red and blue site areas. To ensure that the aforementioned condition can be reapplied to this application, it will be necessary to increase the site area to include the land at the front of No.37 and to amend the ownership certificates accordingly. Amended plans/certificates have been requested but have not been received to date.

### ***Drainage***

24. With regards to the drainage issues raised by the Parish Council, conditions requiring the submission of surface and foul water drainage details should be added to any consent and the details considered in liaison with the Council's Building Inspector.

### **Recommendation**

25. Subject to the receipt of amended plans to revise the position of the dwelling relative to the north-western boundary and to amend the site edged red to include parking/turning space for the existing dwelling at No.37, approval:
1. Standard Condition A (Reason A);
  2. Sc5a – Details of materials for external walls and roofs of the dwelling (Rc5aii);
  3. Sc5b – Surface water drainage details (Rc5b);
  4. Sc5c – Foul water drainage details (Rc5c);
  5. Sc5 – Details of materials to be used for the access. (Reason – To minimise noise disturbance to neighbouring properties);
  6. The section of access between the front/roadside boundary of the site up to a point level with the north-eastern/rear boundary of No.37 London Road shall be of no-dig construction in accordance with Arboricultural Practice Note 1. (Reason – To ensure the retention of 4 protected yew trees);
  7. Before the occupation of the dwelling, hereby permitted, a physical boundary shall be erected between the access to the site and the existing dwelling/rear garden, details of which shall previously have been submitted to and approved in writing by the Local Planning Authority (Reason – To minimise noise disturbance to the occupiers of No.37 London Road);
  8. The access road shall be of a minimum width of 5 metres for a distance of 10 metres from the edge of the existing carriageway, and a minimum width of 3.7 metres thereafter (Reason – In the interests of highway safety and to ensure the access is of sufficient width to accommodate fire engines);
  9. 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);
  10. An adequate space shall be provided both within the site and within the remaining curtilage of No.37 London Road to enable vehicles to enter and leave in forward gear and park clear of the public highway (Reason – In the interests of highway safety);
  11. The permanent space to be reserved on the site and within the remaining curtilage of No.37 London Road for turning and parking shall be provided before the occupation of the dwelling, hereby permitted, and thereafter maintained (Reason – In the interests of highway safety);

12. 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).

## **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)  
**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 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
- LDF Submission Draft 2006
- Planning application references: S/2069/06/F, S/0329/06/O, S/0899/03/F S/1604/02/F and S/2290/06/F

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