

## 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/1835/06/RM – GAMLINGAY**  
**Dwelling – Land to the Rear of 32 Mill Street (off School Close)**  
**for Mr and Mrs A Hibbert**

**Recommendation: Approval**

**Date for Determination: 20<sup>th</sup> November 2006**

**Notes:**

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

**Members will visit this site on Monday 5<sup>th</sup> February 2007**

**Adjacent Conservation Area**

**Site and Proposal**

1. The 0.0744 ha site of the proposed dwelling is centrally located within a relatively well built up area of the village of Gamlingay and with an eastern boundary that abuts the village Conservation Area. Access to the site is gained via School Close, which is a cul-de-sac of modern two-storey dwellinghouses. At the time the application was submitted the site was heavily overgrown, though it has recently been cleared with the only mature tree remaining being a centrally located walnut tree that is the subject of a tree preservation order. To the east of the site, within the Conservation Area, there is a terrace of three-storey properties that front Mill Street and have gardens abutting the development site. Nos. 16/16A and 22 Mill Street are Listed Buildings, the latter abutting the eastern site boundary.
2. This reserved matters application, received on 25th September 2006 proposes the erection of a two-storey dwellinghouse with a ridge height of 8.1 metres that faces in a southerly direction, in line with the adjacent dwellinghouses in School Close: siting, design, means of access and landscaping are all for consideration in this application. The design of the dwellinghouse also incorporates a lower west facing wing with an asymmetrical roof (6.5metres in height) and dormer windows looking onto School Close. The dwellinghouse is proposed to be constructed from facing brickwork and concrete tiles, the exact details of which are to be approved by the Local Planning Authority.
3. The application has been amended twice in order to reduce the overall height of the dwellinghouse and to alter the details of fenestration. In addition to this the west facing wing has been moved away from the boundary abutting the properties in Mill Street.

## **Planning History**

4. An outline planning application was originally submitted in 2001 for the erection of four houses on land to the rear of 32 Mill Street, all of which were proposed to be accessed off School Close. During the determination of this application the site area was reduced to 0.15ha as was the number of dwellings. The application went before Members in February 2004 with consent being granted for two dwellings on 23<sup>rd</sup> February 2004. All matters were reserved.

## **Planning Policy**

### *Cambridgeshire and Peterborough Structure Plan 2003*

5. **Policy P1/3** 'Sustainable Design in Built Environment' states that a high quality of design will be required for all new developments and promotes more compact forms of development through higher densities.
6. **Policy P7/6** 'Historic Built Environment' states Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.

### *South Cambridgeshire Local Plan 2004*

7. **Policy SE3** 'List of Limited Rural Growth Settlements' sets out the requirements for new dwellings in Limited Rural Growth Settlements, such as Gamlingay, considering issues of impact upon character and amenities of the locality.
8. **Policy HG10** 'Housing Mix and Design' sets out the requirements for residential developments to make the best use of sites in addition to be informed by the wider character and context of the surrounding area.
9. **Policy EN30** 'Development in Conservation Areas' of the Local Plan 2004 sets out the requirements for development within Conservation Areas.

## **Consultation**

10. **Gamlingay Parish Council** – Originally recommended that the application be approved, though noted that feedback from local residents was limited due to the timing of the application and the concerns of local residents needed to be taken into account. The Parish Council had concerns about the height of the building in relation to other properties on Mill Street/School Close. It was also stipulated that the tree be protected during construction.
11. Following the first amendment to reduce the height of the dwelling the Parish Council recommended that the application be refused as complaints had been received from residents on Mill Street concerning the size/massing of the property. The Parish Council therefore objected to the size of the property on the basis of its proximity to properties in Mill Street.
12. At the time of writing this report the comments of the Parish Council had not been received following the second amendment.
13. **Bedfordshire and River Ivel IDB** – Has no comments to make.
14. **Chief Environmental Health Officer** – Has no objection, though recommends that any consent granted be conditional to limit the impact upon neighbour amenity

through the hours of operation of power operated machinery during the period of construction.

15. **Conservation Manager** – Has commented on the use of materials and the fenestration details of the elevation abutting the Conservation Area, though essentially has no objection to the proposal.
16. **Trees and Landscapes Officer** – Has no objection. Details of a method statement for the protection of the tree will need to be submitted by way of a planning condition.
17. **Ecology Officer** – Has no objection, though suggests that a condition be used to control the removal of vegetation and seek the provision of nest boxes.

### **Representations**

18. Originally a letter and E-mail of representation were received from the owner/occupiers of 26 Mill Street. Their objections relate to the following:
  - (a) The area is a haven for wildlife with many species in the area very much under threat
  - (b) The development will completely transform the immediate environment due to the size of the dwelling
  - (c) Impact upon people's lives from the construction of such a large building
  - (d) If the site is to be developed it should be a modest bungalow
  - (e) There is no need for a five bedroom house in the space as infrastructure will be stretched to breaking point with the forthcoming massive planning that will add a large number of houses to the edge of the village
  - (f) The development will further erode the unique historically documented nature of the unique village
19. Following the first amendment objections were received from the owner/occupiers of 24, 26 and 28 Mill Street. Their objections relate to the following:
  - (a) That the application is being rushed through
  - (b) The amendment shows no outward size or height
  - (c) The tranquillity of the immediate environment will be destroyed from the building works and the noise and disturbance that a large family house will create
  - (d) Loss of light
  - (e) Erosion of traditional English life
  - (f) The development is being driven on a solely commercial basis
  - (g) Damage to a silver birch tree in the rear of 24 Mill Street
  - (h) Proximity of the development to the rear boundary of number 24 Mill Street
  - (i) Loss of property value
  - (j) Possible overlooking

20. Following the latest amendment an objection was received from the owner/occupiers of 26 Mill Street, whose objections relate to the following:
- (a) No reduction in height
  - (b) Loss of view

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

21. With outline consent already being granted the principle of a dwelling on the land in question has already been accepted. On the decision notice of the outline application an informative stated that there was no implied approval for a large two-storey dwelling and that an application for Reserved Matters would have to demonstrate design, height and scale that are appropriate to the character and appearance of the Conservation Area and an acceptable impact upon neighbouring amenity. Therefore the main issues for Members to consider are the suitability of design and scale of the proposed dwellinghouse with regard to the visual impact upon the adjacent Conservation Area and the impact upon neighbour amenity. Other material planning considerations have been raised as a result of the consultation process. These are also considered below.

### ***Impact upon the Conservation Area***

22. As the Conservation Area stretches south along Mill Street one of the main character defining features of it are the front facades of the dwellings that line either side of the highway. The physical proximity of these dwellings to each other and the highway means that views into the site from the public highway of Mill Street are severely limited. Moreover although other Conservation Areas in the District have retained a strong rural identity parts of the village of Gamlingay are more built-up in nature, which is demonstrated in this case by the fact that the development site is surrounded by built development. Moreover in terms of character the site will relate more to the dwellings of School Close rather than the older properties of Mill Street.
23. In considering the visual impact of the Conservation Area the main bulk of the dwellinghouse will be located behind the tall outbuilding at the rear of number 22 Mill Street. The Conservation Manager has commented on details of the design of the east elevation of the dwelling, though he has no objection to its form in relation to the Conservation Area. The west facing wing of the building will be the most visually prominent element of the development from properties in the Conservation Area, principally numbers 24 and 26 Mill Street.

### ***Impact upon Neighbour Amenity***

24. The main issue to consider in terms of neighbour amenity is whether the dwellinghouse would have an overbearing impact, by virtue of its height and proximity, on the properties in Mill Street. Although forward of the adjacent dwellinghouse at 33a School Close, I do not consider that the proposed dwellinghouse will have an unacceptable impact upon neighbour amenity to that property, even though it will be visible from the front parking area. Moreover the reduction in height as a result of the first amendment has lessened the visual impact that the dwellinghouse would have on the properties in School Close.
25. As mentioned previously the main bulk of the dwellinghouse would be accommodated behind the tall outbuilding to the rear of number 22 Mill Street, and the lower west facing wing would be the element of the dwelling nearest to numbers 24 and 26 Mill Street. After visiting the rear gardens of the aforesaid properties I was concerned

about the proximity of the wall to the rear of gardens of the dwellings, in particular number 24 Mill Street, which also has a semi-mature silver birch tree close to the boundary. Following this site visit the applicants agreed to amend the application in order to incorporate an asymmetrical roof design, taking the ridgeline further away from the eastern boundary, and moving the entire wing away from the boundary. Details of the foundations were also submitted so that the impact upon the silver birch could be assessed. I now consider that the overbearing impact of the development has been lessened by virtue of the fact that the rear eaves of the west facing wing have been reduced to 3.2m in height and will be 1.5m from the property boundary.

26. The dwellinghouse has been designed in such a way as to limit any overlooking from habitable rooms, and due to the orientation of the site, I do not consider that any loss of light is sufficiently adverse to recommend the refusal of this application. It is accepted that the dwelling will represent a visual impact upon the environments of the occupants of numbers 24 and 26 Mill Street, though a loss of view is difficult to uphold as a material planning objection especially given the already well developed character of the area and the fact that outline permission has already been granted for some development on the site.

### ***Impact upon Wildlife***

27. It is recognised that the site has been cleared recently. However there has been no breach of planning control as a result of the clearance works. Prior to the clearance the Council's Ecology Officer had an opportunity to visit the site and confirm that there were no species under threat at the site as believed by one of the objectors. Furthermore the use of a condition to secure measures aimed at increasing the biodiversity of the site is considered appropriate to mitigate any loss of habitats that has occurred. Once again it has to be noted that outline permission had already been granted for the development of the site.
28. The constraint of the protected walnut tree at the centre of this site has resulted in the proposed dwellinghouse having to be accommodated in a location where it has a greater visual presence on the properties in School Close and Mill Street. However in the absence of the proposed dwellinghouse being considered unacceptable in terms of its impact upon the character and appearance of the adjacent Conservation Area or having an unacceptable impact upon neighbour amenity I do not consider that there are any reasonable grounds to refuse the application.

### **Recommendation**

29. Approval of siting, design and means of access(As amended by drawing number P331/11 Rev D and P331/8 Rev B in accordance with outline planning permission S/0141/01/O dated 23<sup>rd</sup> February 2004.)
1. Sc5a – Notwithstanding the details enclosed on the plans, hereby approved, no development shall commence until details of materials for external walls and roofs and foundations have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details. (Rc5aaii);
  2. Sc22 – No further windows at first floor level in the east elevation and roofslopes of the development (Rc22);

3. The first floor window in the east elevation of the dwelling, hereby permitted, shall be fitted with and permanently maintained with obscure glazing. (Rc In order to protect the amenity of the occupiers of adjoining properties.)
4. The roof lights in the east elevation of the west facing wing shall be 'conservation style' rooflights and shall be no lower than 1.7 metres above finished floor levels. (Rc In order to protect the amenity of the occupiers of adjoining properties.)
5. No development shall commence until details of a scheme of habitat enhancement and nest box provision has been submitted to and approved in writing by the Local Planning Authority, the approved scheme shall then be implemented prior to the occupation of the dwelling. (Rc To enhance the biodiversity of the site and mitigate the loss of natural habitats as a result of its development.)
6. Notwithstanding the provisions of Regulations 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order), the following classes of development more particularly described in the Order are expressly prohibited in respect of the property unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf:
  - i) PART 1, (Development within the curtilage of a dwellinghouse, classes A, B, C and E). (Rc. To preserve the character and appearance of the adjoining Conservation Area.)
7. No development shall commence until a method statement has been submitted to and approved in writing by the Local Planning Authority detailing the method of protection for the walnut tree on the site during the period of construction; the construction works shall thereafter be carried out in accordance with the approved method statement. (Rc To ensure that the protected walnut tree is protected during the period of construction.)

### 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)  
**P7/6** (Historic Built Environment);
  - **South Cambridgeshire Local Plan 2004:**  
**SE3** (Development in Limited Rural Growth Settlements),  
**HG10** (Housing Mix and Design)  
**EN30** (Development in Conservation Areas)
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 including noise disturbance and overlooking issues
  - Visual impact on the locality
  - Impact upon setting of adjacent Conservation Area

**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 File Ref: S/1835/06/RM and S/0141/01/O

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