

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 3rd February 2010
AUTHOR/S: Executive Director (Operational Services)/Corporate Manager
(Planning and Sustainable Communities)

S/1760/09/F - CASTLE CAMPS
Dwelling (Revised Design) (Retrospective Application) at Land to the South of
Fielde House, Haverhill Road for Mr C. O'Malley

Recommendation: Approval

Date for Determination: 26th January 2010

Notes:

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

Site and Proposal

1. The site is situated within the Castle Camps village framework. It measures 0.0435 of a hectare in area and formerly comprised the garden to Fielde House. The site was later subdivided to create a new plot and planning permission was granted for a dwelling in 2009. The site currently comprises the new dwelling but it has not been built in accordance with the approved plans under application reference S/0019/09/F.
2. This full planning application, received on 1st December 2009, proposes the retention of the dwelling currently under construction on the site. The main differences to the previously approved dwelling are its siting, a greater overall width; higher, wider and shorter front and rear gable projections; wider side gables; changes to the porch design; the loss of the garage to provide a family room; changes to window sizes and positions; a re-positioned chimney; addition of second floor accommodation; and roof lights to the rear elevation. The dwelling measures 7.7 metres in height to the ridge and 4.5 metres in height to the eaves. It is set back 8 metres from the road. Two parking spaces and a turning area are provided to the front. A tree would be planted in the north western corner of the site's frontage.
3. Fielde House is a two-storey dwelling that is situated to the north. It currently has a ground floor lounge window (secondary) and a first floor bedroom window in its side elevation facing the site. It should be noted that planning permission is likely to be granted for extensions to this property in the immediate future and this would result in a rearranged internal layout with ground floor study and lounge windows, and first floor bathroom and en-suite bathroom windows in its side elevation. Barton Villa is a two-storey dwelling that is located to the south. It has ground floor dining room, study and kitchen/diner windows and first floor bathroom and en-suite bathroom windows in its side elevation facing the site. The garden to 'Haling' lies to the east.



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Scale 1/1250 Date 19/1/2010

Centre = 563375 E 243680 N

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Planning History

4. Planning permission was granted for one dwelling on the site in March 2009 (reference **S/0019/09/F**).
5. Planning permission was refused for one dwelling on the site and the adjacent plot of land at Fielde House in November 2007 (reference **S/1886/07/F**). The main reason for refusal related to the density of the development.

Planning Policy

Local Development Plan Policies

6. East of England Plan 2008:
SSS1 Achieving Sustainable Development
ENV7 Quality in the Built Environment
7. South Cambridgeshire Local Development Framework Core Strategy DPD 2007:
ST/6 Group Villages
8. South Cambridgeshire Local Development Framework Development Control Policies DPD 2007:
DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/4 Infrastructure and New Developments
DP/7 Development Frameworks
HG/1 Housing Density
SF/10 Outdoor Playspace, Informal Open Space and New Developments
SF/11 Open Space Standards
NE/6 Biodiversity
TR/1 Planning for More Sustainable Travel
TR/2 Car and Cycle Parking Standards
9. South Cambridgeshire Local Development Framework Supplementary Planning Documents 2009:
Open Space in New Developments
Biodiversity

National Planning Guidance

10. Planning Policy Statement 3 (Housing)
- Circulars***
11. Circular 11/95 (The Use of Conditions in Planning Permissions) - Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.
 12. Circular 05/2005 (Planning Obligations) - Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.

Consultation

13. **Castle Camps Parish Council** - Recommends refusal and makes the following comments:-

- (a) "Obviously our comments do not interest and are not required by South Cambs., as the property is almost finished and on the market for sale via Cheffins Estate Agents.
 - (b) As I read Mr Denn's description of a building to fit in with the surrounding area it is a misinterpretation of height, position [and] car parking as he has made the original garage part of the house, he also forgot to say he has made this four bedroom house into a townhouse with rooms in the loft to make four bedrooms plus.
 - (c) It has also brought up the subject again about the drainage in the village as Mr Denn admits this property has been connected to the mains sewerage."
14. **Local Highway Authority** - No objection subject to conditions in relation to the use of dropped rather than radii kerbs, the construction of the access in accordance with County Council specification, the provision of adequate surface water drainage measures, the prevention of the use of unbound material for the driveway, and the retention of parking and turning areas. Also requests dimensions of the garage and parking spaces on the plans and informatives with respect to works to the public highway and the relocation of public utility apparatus.
15. **Environmental Health Officer** - Requires a condition in relation to the working hours of power operated machinery during the period of construction and informatives with respect to the type of foundations and the burning of waste on site.
16. **Landscape Design Officer** - Requests a green beech or yew hedge along the front boundary and advises that there would not be enough room for a beech tree but a small tree would be acceptable.
17. **Trees and Landscapes Officer** - No objections.

Representations

18. Two letters have been received from occupiers of dwellings in Claydon Close. Concerns are raised regarding the visual impact of the development upon the surrounding area in terms of its scale, form, mass and siting and the loss of a view of the countryside.

Planning Comments – Key Issues

19. The main considerations in the determination of this application relate to the principle of development on the site and the impact of the development upon the character and appearance of the area, the amenities of neighbours, highway safety, and drainage.

Principle of Development

20. Castle Camps is identified as a Group Village. The site lies within the village framework. Residential developments of up to eight dwellings are acceptable in principle in the village frameworks of such settlements.
21. The erection of one dwelling on the site has already been established through planning consent reference S/0019/09/F. Although it is acknowledged that one dwelling equates to a density of 23 dwellings per hectare, which is below the requirement of at least 30 dwellings per hectare outlined in Policy HG/1, it is considered appropriate. A greater number of dwellings would result in a higher density that would not be in keeping with the character of the area and would result in a cramped layout.

Impact upon the Character and Appearance of the Area

22. The siting of the dwelling is considered acceptable. Although it is set forward of Barton Villa, it does not result in a prominent development within the street scene, as it is set back from the road by 8 metres and behind the forward most point of Fielde House to Haverhill Road. The staggered relationship and pattern of existing dwellings within the street scene is maintained. The loss of the existing open gap between Fielde House and Barton Villa does not have a significant and unacceptable visual impact, given the close-knit nature of dwellings to the south of the site.
23. The dwelling, by virtue of its height, width and design, is similar in appearance to the existing dwellings along Haverhill Road and is considered to relate well to the character of the surrounding area. The external changes to the proportions of the dwelling and the revised details such as the windows and chimney are not considered harmful. The use of render and plain tiles for the materials is appropriate.
24. Whilst it is acknowledged that the loss of the garage results in additional cars being parked to the front of the dwelling, this is not considered visually unacceptable, given that it is a common occurrence in the area.
25. An additional space has been created along the front boundary of the site as a result of the dwelling being sited further back. This will be able to accommodate a hedge that will soften the development.

Highway Safety

26. The proposal is not detrimental to highway safety. Although the access is close to the junction of Claydon Close, its use for one dwelling does not result in significant traffic generation that makes it dangerous. The provision of pedestrian visibility splays would be a condition of any consent. Adequate space is provided on the site for the parking of two cars in accordance with Council standards. There is also space for turning to enable vehicles to leave the site in forward gear.

Neighbour Amenity

27. Whilst it is acknowledged that the ground floor study and dining room windows, and first floor bathroom and en-suite bathroom windows in the side elevation of Barton Villa have an outlook of the two-storey side elevation of the new dwelling, it does not adversely affect that property through being unduly overbearing in terms of its mass or through a loss of light, as it is orientated to the north, set 5 metres off the boundary, the dining room window is secondary in nature, and the study and bathrooms are non-habitable rooms.
28. The impact upon the ground floor dining room window and first floor bedroom window in the front elevation of Barton Villa is not considered to be harmful, as a result of the positioning of the two dwellings.
29. Although the ground floor study and lounge windows, and first floor bathroom and en-suite bathroom windows in the side elevation of the neighbour at Fielde House face towards the two-storey side elevation of the new dwelling, it is not considered to seriously harm the amenities of that property through being unduly overbearing in mass or through a significant loss of light, as the lounge window is secondary in nature and the study and bathrooms are non-habitable rooms.

30. The impact upon the ground floor lounge French doors and the first floor bedroom window in the rear elevation of Fielde House is considered acceptable, due to the relationship between the two dwellings.
31. The first floor bedroom windows in the rear elevation and the roof lights in rear roof slope serving the second floor gamesroom do not result in a loss of privacy to the neighbour at Haling, as they are situated a distance of 14 metres from the boundary and do not overlook the main sitting out area in the garden of that property.
32. The loss of the view of the countryside from the front elevation of the dwelling on the opposite side of the road at No. 30 Claydon Close is not a planning consideration.

Other Matters

33. Foul water drainage will be disposed of via the main sewer, as was approved under the previous planning permission (ref. S/0019/09/F). The capacity of the sewer will be considered at the Building Regulations stage and is not a matter that would warrant refusal of the planning application. However, a condition to agree the method of disposal will be attached to any consent.
34. The South Cambridgeshire Recreation Study 2005 identifies a shortage of open space in Castle Camps. The development requires the on-site provision of 13 square metres of informal open space. No open space is provided on site, therefore, a financial contribution of £4,258.90 (index-linked) towards the provision and maintenance of open space 'off-site' would be required. The applicant's agent has confirmed that the applicant would be willing to pay a contribution towards such facilities and a condition will be attached to any consent securing such payment.

Recommendation

35. Approval, subject to the following planning conditions:

Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing number DD 389.03C (except the block plan showing parking layout, landscaping and rear boundary treatment, details of which are to be agreed).
(Reason – For the avoidance of doubt and in the interests of proper planning.)
2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, doors or openings of any kind, other than those expressly authorised by this permission, shall be constructed in the first floor side elevations of the dwelling, hereby permitted, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.
(Reason - To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

3. Apart from any top hung vent, the proposed first floor bathroom windows in the side elevations of the dwelling, hereby permitted, shall be fixed shut and permanently glazed with obscure glass.
(Reason - To prevent overlooking of the adjoining properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
4. Within three months of the date of this permission, details of the treatment of the rear site boundary shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority and in accordance with the approved details and shall thereafter be retained.
(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
5. Within three months of the date of this permission, full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
6. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
7. Within three months from the date of this permission, a plan showing space to be reserved on the site for the parking of two cars and turning to enable vehicles to leave the site in forward gear shall be submitted to and approved in writing by the Local Planning Authority. The space shall be laid out before the development, hereby permitted, is occupied and thereafter maintained for those purpose.
(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
8. Within three months from the date of this permission, a plan showing the provision of pedestrian visibility splays measuring 2.0 metres x 2.0 metres on both sides of the access within the curtilage of the dwelling shall be submitted to and approved in writing by the Local Planning Authority; the visibility splays shall be maintained thereafter free from any obstruction over a height of 600mm.

(Reason - In the interests of pedestrian and highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

9. Within three months from the date of this permission, a plan showing the provision of dropped kerbs rather than radii kerbs shall be submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.
(Reason - In the interest of pedestrian and highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
10. Within three months from the date of this permission, the access where it crosses the public highway shall have been laid out and constructed in accordance with the Cambridgeshire County Council construction specification.
(Reason - In the interests of highway safety and to ensure satisfactory access to the site in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
11. Within three months from the date of this permission, details of surface water drainage measures to prevent run-off to the public highway shall 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.
(Reason – To minimise the risk of flooding to the public highway in the interests of highway safety and to ensure satisfactory access to the site in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
12. During the period of construction, no power operated machinery shall be operated on the site before 08.00 hours and after 18.00 hours on weekdays and 13.00 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
13. Within three months from the date of this permission, a scheme for the provision of recreational infrastructure to meet the needs of the development in accordance with adopted Local Development Framework Policy SF/10 shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.
(Reason - To ensure that the development contributes towards open space in accordance with the above-mentioned Policy SF/10 and Policy DP/4 of the adopted Local Development Framework 2007.)

Informatives

1. A financial contribution of £4,258.90 as calculated at the date of this decision and to be index-linked will be required in relation to condition 13 above.
2. See attached Environment Agency advice regarding soakaways.

3. During construction, there shall be no bonfires or burning of waste on site except with the prior permission of the District Environmental Health Officer in accordance with best practice and existing waste management legislation.
4. This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an offence to carry out any works within the public highway without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.
5. Public Utility apparatus may be affected by this proposal. Please note that it is the applicant's responsibility and at their own cost to contact the appropriate utility service to reach agreement on any necessary alterations.

Reasons for Approval

1. The approved development is considered generally to accord with the Development Plan and particularly the following policies:
 - a) East of England Plan 2008:
Policy ENV7 (Quality in the Built Environment)
 - b) South Cambridgeshire Local Development Framework Core Strategy 2007:
Policy ST/6 (Group Villages)
 - c) South Cambridgeshire Local Development Framework Development Control Policies 2007:
Policy DP/2 (Design of New Development); Policy DP/3 (Development Criteria); Policy DP/4 (Infrastructure and New Developments); Policy DP/7 (Development Frameworks); Policy HG/1 (Density); Policy SF/10 (Open Space); Policy SF/11 (Open Space Standards); Policy NE/6 (Biodiversity); Policy TR/1 (Planning for More Sustainable Travel);
Policy TR/2 (Car and Cycle Parking Standards)
2. The proposal conditionally approved is not considered to be significantly detrimental to the following material considerations, which have been raised during the consultation exercise:
 - Visual Impact
 - Foul Water Drainage
3. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.

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

- East of England Plan 2008
- South Cambridgeshire Local Development Framework Core Strategy DPD 2007

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents 2009
- Planning Policy Guidance Note 3 (Housing)
- Circular 11/95 Circular (The Use of Conditions in Planning Permissions) and Circular 05/2005 (Planning Obligations)-
- Planning File references S/1760/09/F, S/0019/09/F and S/1886/07/F

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