

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 2nd February 2005
AUTHOR/S: Director of Development Services

S/1100/04/F - Caxton
House and Garage at Land Adjacent 1 Bourn Road, for Mr and Mrs S. Hogg

Recommendation: Delegated Approval
Date of Determination: 21 July 2004

Members will visit this site on 31st January 2004

Conservation Area

Site and Proposal

1. The irregular shaped site measuring 0.21 hectares is situated in the former garden area of the adjacent dwelling, 1 Bourn Road (a listed building). It has a road frontage of approximately 10m and of depth of approximately 90m, with a width varying from approximately 10m to 35m. Along the western boundary of the site are several tall beech trees, with a hedge along the front property boundary.
2. The site is situated on the eastern edge of the Caxton Conservation Area, and near the southern edge of the Caxton village framework. Fields adjoin the site to the north and the south (on the opposite side of Bourn Road), with residential properties adjoining the site to the east and west. Land on the site rises to the north, with the site at its southern boundary approximately 3m above road level. This area of Bourn Road is characterised by large detached houses on spacious plots.
3. The full application received 21 July 2004 is for the erection of a chalet-style house and detached garage, with a new vehicular access off Bourn Road. The proposed dwelling has a ridge height of 8.5m with an eaves height of 4m. The dwelling measures 17.2m in length and up to 12.2m in width and is setback 42m from Bourn Road. The materials for the proposed dwelling are blacked stained weatherboarding on a brick base, with clay tiles.
4. The detached garage is situated 15m to the west of the dwelling, adjacent the western property boundary and measures 6m in width, 6.1m in length, with a ridge height of 6m. The garage is setback 50m from Bourn Road.
5. Amendments to the application received 2 August, 23 September and 9 November 2004 resulted in a reduction in the height of the detached garage, the removal of dormer windows on the dwelling and revisions to the design and position of the proposed vehicular access.

Planning History

6. No relevant planning history on site.

7. It is noted that outline planning permission was given for two dwellings on the adjacent site, 15 Bourn Road, Caxton in 1989 (**Ref: S/0349/89/O**). This permission has now lapsed.

Planning Policy

8. **Policy P1/3** of the Cambridgeshire and Peterborough Structure Plan 2003 (“The County Structure Plan”) requires a high standard of design for all new development that responds to the local character of the built environment.
9. **Policy P5/5** 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.
10. **Policy P7/6** of the County Structure Plan states that Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.
11. **Policy SE5** of the South Cambridgeshire Local Plan 2004 (“The Local Plan”) identifies Caxton as an Infill-only village. Residential developments within the village framework of these villages are restricted to not more than two dwellings comprising:
 - A gap in an otherwise built-up frontage to an existing road;
 - The redevelopment or sub-division of an existing residential curtilage; or
 - The sub-division of an existing dwelling.

“Provided the site in its present form does not form an essential part of village character, and development is sympathetic to the historic interests, character, and amenities of the locality”.

12. **Policy SE9** of the Local Plan specifies “development on the edges of villages should be sympathetically designed and landscaped to minimise the impact of development on the Countryside.”
13. **Policy EN28** of the Local Plan aims to protect the setting, well-being and attractiveness of Listed Buildings.
14. **Policy EN30** of the Local Plan states that proposals in conservation areas will be expected to preserve or enhance the special character and appearance of the area, especially in terms of their scale, massing, roof materials and wall materials. Schemes which do not specify traditional local materials or details that do not fit comfortably into their context will not be permitted.

Consultation

15. **Caxton Parish Council** - In response to the original planning application, has recommended the refusal of the planning application on the following grounds:
 - “Site access - there is no footpath in this area and the road is narrow. Also poor entrance visibility which is dangerous;
 - Backland development - contrary to planning policy for Caxton; and
 - This will set a precedence.”

In response to amendments received, the Parish Council continues to recommend the refusal of the planning application, adding site access is still a concern to the Parish Council. There is no footpath in this area and visibility is poor. The Parish Council notes and agrees with, the comments below from the Local Highway Authority. The Parish Council suggests that members of the Development and Conservation Control Committee undertake a site visit to see the problem for themselves before determining the application.

16. **Conservation Manager** - In response to amendments to the design of the proposed dwelling and garage, has no objection to the proposal, subject to recommended conditions of consent.

In response to comments from the Local Highway Authority regarding visibility splays, he adds that the listed building stands on a bank and is approximately 2m from the road at the point of the existing access and 4-6m further west. Cutting back the bank to increase visibility would affect the structural integrity of the listed building. As a rule, timber framed buildings have virtually no foundations and are often supported by a few courses of brickwork below ground and 4-8 courses above. As the new access is sited further to the east than the existing access, i.e. further away from the junction, the Conservation Manager can see no reason why visibility has to be improved to the extent suggested by the Highways Authority. I recommend that the applicant be required to provide satisfactory evidence that any necessary earth bank removal in front of No. 1 to provide the proposed visibility splay will not affect the structural stability of the building before any planning permission is issued.

17. **Trees and Landscape Officer** - No objection, subject to recommended conditions of consent. He adds that he has no objection to the loss of fruit trees shown on the application, that the site is well treed and the application has been designed to retain the principal trees on site.

18. **Landscape Design Officer** - No objection, providing full details of the replacement and management of the frontage hedge is submitted. Adds that the loss of hedge is undesirable.

19. **Local Highways Authority** - Recommendation of refusal. Stating:

"I must agree with the Parish Council.

The location of the proposed access is only some 54.0m from the Bourn Road/Royston Road junction, consequently vehicle speed past the site is less than that further along Bourn Road. However, intervisibility between vehicles wishing to exit the site and those within Bourn Road negotiating the junction and travelling eastwards and those travelling westwards towards the junction is very very restricted.

The maximum that could be achieved to the west (with all the frontage enclosure to No. 1 being reduced in height to 600mm above carriageway level) is only some 56.0m. Visibility to the east is very restricted 12.0m.

The concern of the Parish Council relating to the lack of footway could be resolved by the provision of a footway along the frontage from that existing within Royston Road, up to and including the new access. However, it is my view that the proposal should be refused due to lack of vehicle-to-vehicle visibility".

In response to the amended vehicular access details, the Local Highway Authority states that "whilst the access has been relocated in an attempt to increase visibility to

the east, no attempt has been made to address the visibility to the west. Visibility provided in this direction would certainly affect the frontage enclosure of the adjacent dwelling.

In addition, I have doubts that the splay to the east as indicated on the submitted plan can actually be achieved. My recollection of the site, which seems to be borne out by ordinance survey, is that the highway verge in front of the building in the south-east corner is only about 1m wide not some 1.8m as shown on the plan. This of course affects the available visibility”.

In response to comments from the agent, it adds that “I note and accept the comments relating the barn/carriageway distance. However, as can be seen from the survey plan, the available vehicle-to-vehicle visibility to the east is restricted to 24.0m (using an ‘x’ distance of 2.4m).

Given the proximity of the site to the Bourn Road/Royston Road junction, I would be prepared to accept a 2.4m by 50.0m visibility splay as vehicles are naturally approaching the proposed access at a slower speed. Such a splay, as you can see from the returned plan, affects the frontage of the application site and that of No. 1 and is not achievable to the east without affecting the barn.”

Representations

20. None received

Representations by Agent

21. The proposed access position has been repositioned five metres west from that shown on the original application diagram. This allows for a 2.4m by almost limitless splay to the east as Bourn road curves slightly to the south as it travels eastwards. It is proposed to cut the earth bank back to give a maximum height of 600m above the carriageway level in from of the visibility splay and replant the existing hedge behind this splay.
22. The proposed access arrangement and visibility splays shown were based on a detailed survey of the site as it exists, and they confirm that an almost limitless visibility splay to the east is achievable.
23. In order to address visibility to the west of the site, the bank between the new access and the existing access to No. 1 has also been cut back and the hedge moved back beyond the visibility splay line. Without affecting the frontage of No. 1, visibility splays of 2.4m by approximately 38 metres can be achieved. If the hedge and bank in front of No. 1 were cut back then a greater length of visibility splay could be obtained.
24. Other information supplied by the agent in support of the application is summarised as follows:
- The proposed dwelling does not extend as far into the rear of the site as the immediately adjacent property to the south-east;
 - The proposed siting of the dwelling was arrived at, following consultation with Council’s Conservation Officers;
 - The proposal is to build a house in the general form of an agricultural building;
 - The proposal will not result in overbearing, overlooking or overshadowing of existing residential properties;

- The property will not result in noise and disturbance to existing residential properties through the use of the proposed access; and
- The proposed house will not be out of character with the pattern of development in the vicinity.

Planning Comments - Key Issues

25. The main issues to be considered are whether the principle of development in this position is acceptable and if so, whether the detailed design and siting submitted are suitable, in addition to highway impacts.

Suitability of Site for Residential Development

26. I am of the view that the proposal does not represent backland development, given that the dwelling will not be positioned behind an existing dwelling and the similar setback of the adjacent dwelling, 15 Bourn Road from the public road.
27. The site is situated within the Caxton village framework and represents the redevelopment of an existing residential curtilage, as encouraged by policy SE5 of the Local Plan. The dwelling has been positioned 44m from 1 Bourn Road, to protect the setting of this listed building and setback approximately 17m from the adjacent dwelling, 15 Bourn Road.
28. I am of the view that the siting and design of the dwelling has been sympathetically designed in relation to the surrounding character of development of large houses on spacious plots, in addition to respecting the setting of the adjacent listed building and responding to its location within a conservation area by its barn-like dimensions and materials.
29. The proposed dwelling and detached garage will not seriously harm the residential amenities of surrounding dwellings, given its setback from both adjacent dwellings, in addition to the setback of the access from both adjacent dwellings. Windows on the south-east elevation of the dwelling have been carefully positioned so as to protect the privacy of occupiers of the adjacent dwelling, 15 Bourn Road.
30. The proposed development also will not harm the visual amenities of adjacent land within the countryside.

Impact on Listed Building and Conservation Area

31. The proposal is considered to have an acceptable impact on the setting of the adjacent listed building and the character and appearance of the Caxton Conservation Area. In that respect, consideration has been given to the statutory requirements in respect of listed buildings and conservation areas, required under Sections 66 and 72 of the Planning (Listing Building and Conservation Areas) Act 1990 (c.9).

Highway Safety

32. The Local Highways Authority and Caxton Parish Council have recommended the refusal of the planning application on the grounds of inadequate vehicle-to-vehicle visibility. The applicant has amended the proposed vehicular access to increase the pedestrian and vehicle-to-vehicle visibility to the maximum achievable, given the constraints of the site. The Local Highways Authority advised that the 50m visibility splay in the easterly direction is acceptable. This will involve some cutting into the

bank fronting No. 1, potentially affecting the structural stability of the building. I recommend that the applicant provide satisfactory professional evidence on this matter before any consent is issued. The recommended visibility splay in the westerly direction cannot be achieved without the demolition/repositioning of the barn on the adjacent property. However, I am of the opinion that the 24m visibility splay to the west is adequate to serve a single dwelling.

33. Given that the site falls within a speed limit of 30mph, its proximity to the Bourn Road/Royston Road junction (where drivers are expected to slow down) and the ample turning space on site to allow vehicles to enter and leave in forward gear, I am of the view that the proposal, has on balance, an acceptable impact on highway safety and would not result in a significant loss of highway safety for either pedestrians or vehicles subject to conditions of consent requiring the access to be laid out in accordance with the submitted plans. I am also of the view, that the absence of a public footpath along Bourn Road, does not prevent the granting of planning permission for an additional dwelling along the road.

Recommendation

34. Subject to receipt of satisfactory evidence that the proposed cutting into the earth bank adjacent to the highway will not adversely affect the structural stability of the listed building at No. 1 Bourn Road, then Delegated approval as amended by Drawing No. 0309.02 Rev C franked 12 November 2004 is sought.

Conditions of Consent

1. Standard Condition A - Time limited permission (Reason A);
2. Sc5a - Details of materials for external walls and roofs of dwelling and garage (Rc5a(ii));
3. SC5 - details of external finishes and joinery for dwelling and garage (Reason: to ensure that detailing is appropriate to the Caxton Conservation Area);
4. SC5 - details of foundations of garage (Reason: to minimise the threat to trees along the western boundary of the site, by reason of root damage caused by underground excavation);
5. SC5 - details of finished floor levels in relationship to existing and proposed ground levels (Reason: to ensure the preservation of the appearance of the Conservation Area and the setting of the adjacent Listed Building);
6. Sc22 - No windows at first floor level in the south-east elevation of the development (Rc22);
7. During the period of construction, no power-operated machinery shall be operated on the premises before 08.00 am on weekdays and 08.00 am 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. (Reason: to minimise noise disturbance to adjacent residents);

8. The use of the garage, hereby permitted, shall be confined to domestic purposes incidental to the enjoyment of the dwellinghouse only and no business or trade shall be carried from the premises. (Reason: to protect the amenities of adjoining residents);
9. SC57 - No demolition, site clearance or building operations shall commence until the chestnut pale fencing (or any other type of fencing approved by the Local Planning Authority) of a height of not less than 1.3m shall have been erected around each tree or tree group to be retained on site. Such fencing shall be maintained to the satisfaction of the Local Planning Authority during the course of development operations. (Reason - to protect trees which are to be retained in order to enhance the development and the visual amenities of the area);
10. SC21 - Withdrawal of Permitted Development rights - Part 1 (Development within the curtilage of a dwellinghouse (Classes A, B and C). (Reason: to safeguard the character of the Caxton Conservation Area and the setting of the adjacent listed building, 1 Bourn Road);
11. SC5f - materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas. (Reason: to ensure the preservation and appearance of the Conservation Area and the setting of the adjacent listed building);
12. SC20(c) - The development shall not be occupied until space has been laid out within the site in accordance with Plan 0309:02 C franked 12 November 2004 attached hereto, for cars to be parked and for vehicles to turn so that they may enter the site in forward gear, and that area shall not thereafter be used for any other purpose other than the parking, loading and unloading or turning of vehicles. (RC20);
13. The gradient of the access shall not exceed 1 in 10 for a distance of 5m from the edge of the existing carriageway. (Reason: in the interest of highway safety);
14. Before the use is commenced, the access from the existing highway shall be laid out and constructed in accordance with Plan 0309:02 C franked 12 November 2004 attached hereto. (Reason: in the interest of highway safety);
15. Visibility splays shall be provided on both sides of the access in accordance with Plan 0309:02 C franked 12 November 2004 attached hereto, and shall be maintained free from any obstruction over a height of 600mm. (Reason: in the interest of highway safety);
16. SC51 - submission of scheme of landscaping. (Reason: to ensure the preservation and appearance of the Conservation Area and the setting of the adjacent listed building);
17. SC52 - implementation of landscaping scheme. (Reason: to ensure the preservation and appearance of the Conservation Area and the setting of the adjacent listed building).

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), P5/5 (Homes in Rural Areas) and P7/6 (Historic Built Environment);

South Cambridgeshire Local Plan 2004: SE5 (Development in Infill-Only Villages), **SE9** (Village Edges), **EN28** (Development within the Curtilage or Setting of a Listed Building) and **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:
 - Siting
 - Highway safety
 - Visual impact on the locality

Other

1. Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach (SUD) to surface water management. This approach involves using a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands to reduce flood risk by attenuating the rate and quantity of surface water run-off from a site. This approach can also offer other benefits in terms of promoting groundwater recharge, water quality improvement and amenity enhancements. Approved Document Part H of the Building Regulations 2000 sets out a hierarchy for surface water disposal which encourages a SUDs approach.
2. In accordance with Approved Document Part H of the Building Regulations 2000, the first option for surface water disposal should be the use of sustainable drainage methods (SUDS) which limit flows through infiltration e.g. soakaways or infiltration trenches, subject to establishing that these are feasible, can be adopted and properly maintained and would not lead to any other environmental problems. For example, using soakaways or other infiltration methods on contaminated land carries ground water pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under BRE Digest 365.
3. Further information on SUDS can be found in Planning Policy Guidance No. 25 appendix E, in the CIRIA C522 document Sustainable Urban Drainage Systems-design manual for England and Wales and the consultation draft Framework for Sustainable Drainage Systems (SUDS) in England and Wales. The framework consultation document provides advice on design, adoption and maintenance issues. This will form the basis of a Code of Practice on SUDS and is available electronically on both the Environment Agency's website at: www.environment-agency.gov.uk and CIRIA's website at: www.ciria.org.uk.
4. Where it is intended that disposal be made to public sewer, the Water Company or its agents should confirm that there is adequate spare capacity in the existing system and that they would be willing to accept any increases to flows.

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/1100/04/F and S/0349/89/O

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