

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

1 June 2011

**AUTHOR/S:** Executive Director (Operational Services)/ Corporate Manager (Planning and New Communities)

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### **S/0504/11/F – OVER**

### **Erection of Dwelling and Associated Works, Land to the Rear of 14 Fen End for Mr and Mrs Maguire**

**Recommendation: Delegated Refusal**

**Date for Determination: 9 May 2011**

#### **Notes:**

**This Application has been reported to the Planning Committee for determination at the request of the local member Councillor Mrs Corney**

**Members will visit this site on 1 June 2011**

#### **Site and Proposal**

1. This outline application, with all matters reserved, seeks consent for the erection of a house on a 0.11 hectare area of garden land to the rear, and north east of, No 14 Fen End, Over. The site extends across the rear boundary of No 16 Fen End.
2. No 14 Fen End is a modern detached house, set back from the road, with a detached garage building forming part of the front boundary with the highway. The area in front of the dwelling is blocked paved. To the rear is a fenced garden area with a large pond and landscaping beyond. A driveway to the north east of the house serves the land to the rear, which includes a workshop building and barn.
3. To the north east of the site is 16 Fen End, a Grade II listed building. The curtilage of this property extends to the rear and adjoins the north west boundary of the application site. The grounds include a line of three trees, a Cherry, Plum and Willow, immediately adjacent the rear boundary with the application site.
4. To the north east of the site is an area of glasshouses. To the south east and south west is garden land of 14 Fen End. No 12 Fen End, fronting the road to the south west, is another Grade II listed building, however although its curtilage adjoins 14 Fen End it does not adjoin the application site itself.
5. The application site currently comprises a low workshop and barn. The proposal involves the demolition of the existing workshop building and the erection of a new dwelling on the footprint of the existing building (within the village framework). Illustrative drawings accompanying the outline application, and the scale parameters set out on the Design and Access Statement, indicate a barn style dwelling with maximum ridge height of 7.6m. The Design and Access Statement indicates that the existing barn at the rear of the site would be retained as part of the proposals, although it would be significantly reduced in size. No details are provided at this stage.

6. The site will be accessed from Fen End across the existing paved area at the front of No 14, and will involve the demolition of part of the existing front boundary wall. The driveway will run to the north east of the existing dwelling and south west of the boundary with No 16. The existing access to No 14 Fen End will remain.
7. The site is part within and part outside the village framework, the boundary being identified as the south west edge of the existing workshop building.
8. The density of the scheme is approximately 10 dwellings per hectare.
9. The application is accompanied by a Design and Access Statement, Planning Statement (including Heritage Assessment) and Tree Survey including Arboricultural Implication Assessment and Method Statement.

### **Planning History**

10. Application **S/1714/10** for the erection of one dwelling on the site was withdrawn. Illustrative drawings and scale parameters set out in the Design and Access Statement referred to a dwelling with a maximum ridge height of 8.9m.
11. Planning consent was refused in 2008 (Ref **S/0208/08**) for the addition of a first floor above the existing single storey projection on the north east side of the dwelling on the grounds that the scale, bulk and design would be detrimental to the setting of the adjacent listed building at 16 Fen End.

### **Planning Policy**

12. **South Cambridgeshire Local Development Framework Core Strategy Development Plan Document: ST/6 – Group Villages**
13. **South Cambridgeshire Local Development Framework Development Control Policies adopted July 2007: DP/1 Sustainable Development, DP/2 Design of New Development, DP/3 Development Criteria, DP/7 Development Frameworks, SF/10 Outdoor Playspace, Informal Open Space, and New Developments, SF/11 Open Space Standards, NE/1 Energy Efficiency, NE/6 Biodiversity, CH/4 Development Within the Curtilage or Setting of a Listed Building, TR/2 Car and Cycle Parking Standards.**
14. Open Space in New Developments SPD, Trees and Development Sites SPD, Listed Buildings SPD, District Design Guide SPD.

### **Consultation**

15. **Over Parish Council** recommends refusal. 'The application consists of back building; proximity of proposed building to and impact on neighbouring listed building; proximity of access road to both the listed building and neighbouring buildings, even though now altered, is now closer to the bend making it even more dangerous and has detrimental effect on both dwellings; visibility splay is poor even though now altered; the reduction in roof height does not address previous concerns.'
16. The **Conservation Manager** comments that the application contains inadequate information. The main heritage asset affected is the Grade II listed building at 16 Fen End. Whilst it may be possible to design a scheme that would preserve the setting of No 16, and be relatively unobtrusive on the skyline, from the information available it is

not possible to tell whether the proposed height would achieve that. There is no section or elevation showing the development together with the listed building and trees. The elevation facing the listed building has a complex roof form which would add to the apparent bulk, and it would be preferable, in principle, to keep the roof facing the listed building simple, minimising openings, and if any complexity or glazing is needed, to locate that facing the opposite direction. This would also mean that openings were not obstructed by trees.

17. It is noted that the span of the proposed building is greater than any span of any house in this locality, including the listed building, or any other building on this site. There is therefore an element of domination that would be harmful and there should be an investigation by the applicant of less damaging alternatives.
18. It is suggested that the application is premature and should be refused on that basis. Alternatively it could be withdrawn and a full pre-application process followed, together with an assessment and drawings showing how the proposed house relates to the listed building and exploring any possible options to lessen the height and complexity if necessary.
19. The **Local Highway Authority** has raised no objection in principle. It requests that conditions are included in any consent requiring the provision of pedestrian visibility splays; levels of the driveway; and use of bound material for the first 10 metres from the highway.
20. The **Trees and Landscapes Officer** has no objection commenting that if the details in the report are adhered to the existing trees can be retained.
21. The **Acting Manager Environmental Health** comments that the site currently comprises a workshop and therefore recommends that a condition be included in any consent requiring the submission of a scheme for the investigation, recording of contamination and any remediation works required.

### **Representations**

- 22.. None received

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

23. The key issues to be considered in the determination of this application are the principle of development, the impact on the setting of adjacent listed buildings and character of the area, highway safety, residential amenity.

### ***Principle of Development***

24. Over is identified by Policy ST/6 as a group village where residential development and redevelopment up to an indicative maximum scheme size of 8 dwellings may be permitted within the village framework. Although the site is part within and part outside the village framework the proposed dwelling itself will be within the framework, albeit adjoining the framework boundary. The remainder of the site, and adjoining land owned by the applicant has a mixed residential and agricultural character but I am of the view that in principle use of this land, as curtilage to the new dwelling, need not have an adverse impact on the existing character of the area.
25. I note the comment of Over Parish Council that the proposal represents back building, however the issue to be judged is whether the erection of a dwelling on this

site would be out of character with the character and existing pattern of development of the area. Given the existence of buildings on the site, the extensive area of glasshouses to the north east, and other buildings further to the south west of the site, I am of the view that a low building, of simple design would not adversely affect the pattern of development.

26. Although the density of the proposed development is only 10 dwellings per hectare I am of the view that the limitations of the site presented by the line of the village framework and the relationship of the access to existing properties, means that it would not be appropriate to develop the site for more than a single dwelling.

#### ***Impact on the setting of 16 Fen End***

27. The Conservation Manager has expressed concern that the application has been submitted in outline, and therefore does not contain sufficient information to allow the impact of the development of setting of 16 Fen End, a Grade II listed building, to be adequately assessed. Although illustrative elevations have been supplied further information on relative heights of existing and proposed buildings and sections are required. The agent has been requested to supply these details.
28. The existing setting of No 16 is enhanced by the garden area to the rear and relatively open nature of the land beyond, with the skyline being unobstructed by any intrusive building. The existing building on the site has a very low height and is not viewed from No 16, and whilst being of no architectural merit, has a neutral impact on its setting. Although the existing barn building, to be retained and modified on the south west boundary of the site can be viewed with the listed building it is set away from the boundary, and appears to be of a lower height than the proposed dwelling. As a simple agricultural barn again this building has a neutral impact on the setting of the listed building. As currently proposed the new building has a maximum ridge height of 7.6m with seven roof lights in the north west elevation. Although the building is designed with a low eaves, and in a barn-like style, the height, span and detailing of the proposed building will result in it having a significantly greater impact on the setting of the listed building, detracting from the current more open, rural setting at the rear. Officers are of the view however that it may be possible to overcome these concerns with a modified form and design of building.

#### ***Highway Safety***

29. The proposal involves the formation of a new access immediately to the side of the existing access to No 14 Fen End, which is to remain. Whilst I note the concerns expressed by Over Parish Council the Local Highway Authority has considered the proposal and is content that, subject to conditions, it will not compromise highway safety. Whilst there is a bend in Fen End, given the proposed access will serve a single dwelling, I share that view the use of an additional access by a single dwelling will not have an adverse impact on highway safety.

#### ***Residential Amenity***

30. The proposed dwelling has the potential to have an impact on the amenities currently enjoyed by both the occupiers of No 14 and 16 Fen End. The access to the proposed dwelling will be immediately to the north east of wall of the existing dwelling at 14 Fen End. There are three ground floor windows in the elevation of No 14 facing the access serving a bathroom, w.c. and a small secondary window to a lounge area. The north east boundary of the existing garden area is more open and could result in a degree of disturbance through use of the driveway to serve a dwelling at the rear,

however I am of the view that appropriate additional boundary treatment, which could be secure by condition, would satisfactorily address this matter. At the front of the site the proposed driveway access for the new dwelling will require division of the open paved area but with appropriate boundary treatment any impact on No 14 can be satisfactorily controlled.

31. The boundary to No 16 Fen End is currently formed by outbuildings, fencing and planting, which in my view will protect the occupiers of that property from any undue disturbance arising from the use of the driveway. The retention of the existing trees at the rear of the garden of No 16 will be important in helping to mitigate the visual impact of any new building when viewed from No 16. The report submitted with the application indicates that this can be achieved and a condition can be attached to any consent to ensure that the development is carried out in accordance with the recommendations of the report. Provided the height of any new dwelling is low, and designed without openings at first floor level in the north west facing elevation which could overlook the garden of No 16, I am of the view that the residential amenity currently enjoyed by the occupiers of that property need not be adversely affected.

### ***Other Matters***

32. The application is accompanied by a Unilateral Undertaking addressing the requirements of Policy SF/10 for the development to make a contribution for public open space, and for community infrastructure under Policy DP/4.
33. The requirement of the Acting Manager Environmental Health for an investigation into contamination can be covered by condition.
34. The application recognises the requirements of Policy NE/1 for the development to be energy efficient, referring to the use of under floor heating powered by a heat pump, the incorporation of rainwater harvesting and solar energy collection, which are all being investigated.

### ***Conclusion***

35. The current application follows the withdrawal of an earlier scheme and a meeting with officers to discuss the constraints of the site. It was suggested that revised designs for a proposed dwelling were submitted for further pre-application discussion prior to a revised planning application, however the application was submitted without these further discussions.
36. Officers are of the view that it may be possible to accommodate a dwelling, of a suitable scale and design, on this site, and I will report the receipt of any further information from the applicant. Officers are of the view that the proposal as currently submitted cannot be supported.

## **Recommendation**

### **Delegated Refusal**

No 16 Fen End, Over, the south east boundary of which abuts the application site, is a Grade II listed building, the setting of which is enhanced by the garden area to the rear and relatively open nature of the land beyond, with the skyline being unobstructed by any intrusive building. As submitted the application fails to demonstrate that the proposed erection of a dwelling of the span proposed, with a maximum ridge height of 7.6m, and including a number of openings in the north west elevation, will not preserve the existing setting of No 16 Fen End and is therefore contrary to the aims of Policy CH/4 of the Local Development Framework Development Control Policies 2007.

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- Planning File Ref: S/0504/11 and S/1714/10

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