

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

---

**REPORT TO:** Planning Committee

6 July 2011

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

---

### **S/0654/11 - STAPLEFORD**

**Replacement two-storey dwelling. - 27, Mingle Lane, Stapleford, Cambridge,  
Cambridgeshire, CB22 5SY for Mr & Mrs Robert Mill**

**Recommendation: Delegated Approval**

**Date for Determination: 25 May 2011**

#### **Notes:**

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

#### **Site and Proposal**

1. The application site is located on the north side of Mingle Lane and is occupied by a single-storey hipped roof render and tile bungalow. A one-and-a-half-storey brick and tile dwelling of half-hipped design lies to the west whilst, to the east, is an open area of grassland beyond which is a single-storey render and tile property. To the rear, the curtilage of the property bounds land that falls outside the village framework and within the countryside and Green Belt.
2. The full application, received on 30<sup>th</sup> March 2011, and amended on 26<sup>th</sup> April and 10<sup>th</sup> June 2011, proposes to erect a two-storey dwelling on the site following the demolition of the existing property. The replacement dwelling would be a 7.6 metre high render and tile property that would be constructed mainly on the footprint of the existing bungalow. The design of the dwelling incorporates a two-storey gable to the front and two-storey projecting wings to the rear, whilst the west side nearest to No.25 Mingle Lane consists of a single-storey flat-roofed element which includes an integral double garage.

#### **Planning History**

3. C/0140/50 – Bungalow – approved.

#### **Planning Policy**

4. **South Cambridgeshire LDF Core Strategy DPD, 2007:**  
ST/4: Rural Centres
5. **South Cambridgeshire LDF 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  
GB/3: Mitigating the Impact of Development Adjoining the Green Belt  
HG/1: Housing Density  
NE/15: Noise Pollution  
SF/10: Outdoor Playspace, Informal Open Space and New Developments  
SF/11: Open Space Standards  
TR/1: Planning for More Sustainable Travel  
TR/2: Car and Cycle Parking Standards

6. South Cambridgeshire Local Development Framework Supplementary Planning Documents:  
Open Space in New Developments – Adopted January 2009  
District Design Guide – Adopted March 2010  
Landscape in New Developments – Adopted March 2010
7. **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.
8. **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.

### **Consultations**

9. **Stapleford Parish Council** - Recommends approval, stating:  
  
“Application S/0654/11 by Mr and Mrs Robert Mill for replacement two-storey dwelling at 27 Mingle Lane led to members endorsing the views of the immediate neighbour about previous height restrictions and negative impact on their property. Members agreed that there must be consistency but resolved to approve the plan subject to officers ensuring the consistency referred to and the application of strict working conditions.”
10. During a subsequent telephone conversation, the Parish Council clarified that the Parish Council comments amount to a recommendation of refusal as the application stands and that approval is only recommended if the drawings are amended to ensure consistency with the scheme approved for the property at No.25 Mingle Lane.
11. Any responses received in respect of the amended plans will be reported in an update prior to the Committee meeting.

### **Representations**

12. Letters of objection have been received from the occupiers of No.25 Mingle Lane, the adjacent property to the west, and Nos. 22a and 22b Mingle Lane on the opposite side of the road.
13. No. 25 Mingle Lane objects for the following reasons:

- The height and volume of the proposed development would have a detrimental impact on the rear living rooms and sitting out areas by reason of overshadowing.
  - The development should be reduced in height and designed with a fully hipped roof.
  - Is there a need for a first floor element across the whole of the rear elevation? If the master suite could be reduced in size, this would lessen the impact on the rear living rooms.
  - The above change would also improve the appearance of the development, which needs careful consideration due to the prominent position of the development from surrounding properties and from fields to the rear.
  - First floor windows would overlook neighbouring properties. Also, there are windows directly facing No.25 that should be frosted glass.
  - Numerous design matters had to be addressed in obtaining planning permission for the development at No.25, with the height of the proposal and possible impact on adjoining properties being a primary consideration. These considerations resulted in the current one and a half storey design with bedrooms in the roof space.
14. No.22a Mingle Lane states that the development would result in the loss of another bungalow. As the population is ageing, the need for bungalows is increasing, and the type of development proposed is therefore of no benefit to the village. Long established hedges have already been removed resulting in considerable environmental damage.
15. No.22b Mingle Lane objects to the loss of a bungalow, stating that the village character requires an appropriate mix of different types of housing. The height of the proposed development is excessive and out of proportion with nearby houses on that side of Mingle Lane, and around 1 metre higher than the immediately adjacent property at No.25. The volume is also excessive and should be reduced by the use of hipped roofs. The proposed render would give the house a harsh appearance, out of keeping with the general style of Mingle Lane, which is generally characterised by brick dwellings.
16. Any further responses received in respect of the amended plans will be reported in an update prior to the Committee meeting.

### **Planning Comments**

#### ***Principle of development***

17. The site measures approximately 0.136 hectares in area. The erection of one dwelling on the site equates to a density of approximately 7 dwellings per hectare. This is below the minimum 40 dwellings per hectare density required within sustainable locations by Policy HG/1. The starting point as part of the consideration of the application is that a minimum density of 40 dwellings per hectare should be achieved (in this instance 5 dwellings) unless other material considerations indicate a different density would be more

appropriate. The supporting statement explains that the government amended Planning Policy Statement 3 last year to abolish the national indicative density of 30 dwellings per hectare and change the definition of previously developed land to exclude residential gardens. The statement then argues that there is an established pattern of development along Mingle Lane that suggests a single dwelling on the site would be appropriate, that there is countryside and Green Belt land to the rear, and that the introduction of a different form of development would amount to an alien addition to the longstanding layout of the area. Given the character of the area, it is argued that there is no justification for the loss of this land for development. Officers consider that accommodating any more than one dwelling on the site would either result in development in depth or the subdivision of the site into long narrow plots. Development in depth would be out of keeping with the immediate character of the area whilst the vertical subdivision of the site, even into just two plots, would result in each plot being narrower than any other site in the vicinity. As such, Officers concur that erecting any more than one dwelling on the site would result in a form of development that would be out of keeping with, and result in harm to, the linear character and appearance of the area.

18. Concerns have been raised by the occupiers of Nos. 22a and 22b Mingle Lane (both located opposite the site) on the basis that the development would result in the loss of a bungalow, the need for which is increasing in view of the ageing nature of the population. Whilst this fact is not disputed, there are no planning policies in place requiring the retention of single-storey dwellings and, as such, refusing the application on this basis could not reasonably be justified.

***Impact upon the character of the area***

19. Concerns have been raised regarding the scale and visual impact of the proposed dwelling. No.25 to the west is an approximately 6.7m high dwelling with a half-hipped roof and first floor rooms in the roof space lit by rooflights. Additionally, the dwelling beyond the grass strip of land to the east is a single storey property. Beyond these two properties, the dwellings on the north side of Mingle Lane include bungalows, chalet-style dwellings and two-storey properties, with both brick and render finishes. The two-storey properties are generally in the region of 7.5-8m high with their principal ridge lines running parallel to the road and, in some cases, incorporating a two-storey subservient projecting wing to the front. The proposed replacement dwelling would be 7.6m high and would occupy the approximate footprint of the existing bungalow. It has been designed with its ridge parallel to the road and with a subservient forward projecting wing. Although the dwelling would be approximately 1 metre higher than No.25, its scale and design is not out of keeping with the character of other properties in the immediate area, and the development is not therefore considered to result in undue harm to the character and appearance of the area.
20. The Parish Council and owner of the adjacent property at No.25 Mingle Lane have stressed the need to ensure consistency between the approach to this site and that taken in respect of the works approved for No.25. The extensions to No.25 were approved in 1986 (S/0166/86/F). There is no indication from the paperwork available on the file that dormer windows or full two-storey height development was deemed to be unacceptable and it is therefore assumed that this may have been the subject of pre-application

discussions. It is evident from the file, however, that amendments were requested to the proposed scheme in order to resolve concerns regarding the impact of the development upon the amenities of occupiers of No.23 Mingle Lane. It must also be stressed that each application has to be considered on its own merits. In this instance, the plot occupied by No.27 is much wider than that of No.25, whilst the open parcel of land to the east side provides more flexibility in the scope to accommodate a two-storey dwelling on the site. For these reasons, it is considered that there would be insufficient justification to require any development on the plot to replicate that approved at No.25 Mingle Lane.

### ***Residential amenity***

21. The owners of No.25 Mingle Lane to the west of the site have expressed strong concerns regarding the impact of the development upon their rear living rooms and sitting out area. This property has no windows in the east side gable facing the site. There is however a private sitting out area/patio immediately to the rear of the dwelling adjacent to the boundary of the site, and patio doors and a window serving a dining area in the eastern part of the rear elevation. At present, the existing dwelling has an approximately 4 metre high single-storey element (with approximately 3 metre high eaves) directly adjacent to No.25's patio area. This already has quite an overbearing impact on the neighbour's patio area and the effect of the proposed development therefore needs to be judged against the existing situation. The original plans included a 5.3 metre deep two-storey wing set around 4 metres away from the boundary with No.25. This was considered to have a greater impact upon No.25 than the existing single-storey element and to have an unacceptably overbearing presence upon the patio and rear windows. The scheme has therefore been amended to reduce the size of the westernmost two-storey gable to the rear, resulting in this element being positioned an additional 1.8 metres away from the boundary with No.25, whilst the depth of the entire two-storey rear section has been reduced by in excess of 400mm. As a result of these changes, the impact of the proposed development upon No.25's sitting-out area and rear windows would be no greater than that caused by the existing high single-storey. Additionally, the development would not encroach into a 45 degree line drawn from the centre of the affected windows and projected 25 degrees upwards, as recommended within the Building Research Establishment's Guidance. In this respect, the proposal is therefore considered to be acceptable.
22. The proposal includes two first floor windows in the west side elevation. These both serve bathrooms and can be required by condition to be fixed shut and obscure glazed, whilst permitted development rights should be removed for the insertion of further first floor windows in the side elevation of the dwelling.

### ***Infrastructure requirements***

23. The proposal would result in the need for a financial contribution towards the provision and maintenance of open space, in accordance with the requirements of Policies DP/4 and SF/10 of the Local Development Framework. Based on the increase in the number of bedrooms between the existing and proposed dwellings (3 and 4+ bedrooms respectively), this amounts to £1,154.52, as calculated at the time of the application. It would also result in the need for a contribution towards the provision of indoor

community facilities (£194.85), together with additional costs relating to Section 106 monitoring (£50) and legal fees (minimum £350). The applicants have confirmed their agreement to such payments.

### **Recommendation**

24. Approval, as amended by drawing numbers PL01 Rev B, PL02 Rev B, PL03 Rev B and PL04 Rev B date stamped 10<sup>th</sup> June 2011:
1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
  2. The development hereby permitted shall be carried out in accordance with the following approved plans: PL05 and PL06; and PL01 Rev B, PL02 Rev B, PL03 Rev B and PL04 Rev B date stamped 10<sup>th</sup> June 2011.  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
  3. No development shall take place until details of the materials to be used for the external walls and roof of the dwelling have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
(Reason – To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the Local Development Framework 2007)
  4. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the dwelling is occupied in accordance with the approved details and shall thereafter be retained.  
(Reason – To ensure 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. During the period of demolition and construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays or Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.  
(Reason – To minimise noise disturbance to adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
  6. 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 west side elevation of the dwelling at and above first floor level 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.)

7. Apart from any top hung vent, the proposed first floor windows in the west side elevation of the dwelling hereby permitted shall be fixed shut and fitted 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.)
8. No development shall begin until details of 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 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 recreational infrastructure in accordance with the above-mentioned Policy SF/10 and Policy DP/4 of the adopted Local Development Framework 2007 and to the Supplementary Planning Document, Open Space in New Developments, adopted January 2009)
9. No development shall begin until details of a scheme for the provision of community facilities infrastructure to meet the needs of the development in accordance with adopted Local Development Framework Policy DP/4 has 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 community facilities infrastructure in accordance with the Policy DP/4 of the adopted Local Development Framework 2007)

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

- South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007
- South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007
- Supplementary Planning Documents: Open Space in New Developments – Adopted January 2009, District Design Guide – Adopted March 2010, Landscape in New Developments – Adopted March 2010.
- Circular 11/95 and 05/2005
- Planning File References: S/0654/11, C/0140/50 and S/0166/86/F.

**Contact Officer:** Lorraine Casey – Senior Planning Officer  
Telephone: (01954) 713251