

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

7 December 2011

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

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### **S/0194 - COMBERTON**

**New Dwelling - Land to Rear, 25, Green End, Comberton, Cambridgeshire, CB3 7DY  
for Mr & Mrs Ian Johnson**

**Recommendation: Delegated Approval**

**Date for Determination: 30 March 2011**

#### **Notes:**

**This Application has been reported to the Planning Committee for determination because the Officer recommendation is contrary to the recommendation from the Parish Council.**

**Members will visit this site on 6 December 2011**

#### **Site and Proposal**

1. The application site is partially located within the framework and partially outside. The northwest and southwest section of the site is located outside the village framework and within the Green Belt. The rest of the site is located within the framework. To the south of the site is the grade II listed property The Manor House, 19 Green End. To the north/northeast of the site are the dwellings 29 and 31 Green End, Comberton.
2. The site is accessed via a strip of land that runs beside the dwellings and the rear gardens of nos. 19, 25 and 29 Green End. This strip of land is 70m long from the edge of the footway on Green End to where the wider part of the site begins and is 11m wide from the rear corner of the garden of no. 29 to the side boundary of 19 Green End, the narrowest part of the access at the front measuring 3.9m.
3. The larger section of the site measures 29m wide and 38m long, with the depth of the section that falls within the Green Belt and countryside measuring 26m long at the widest part and 22m at the smaller part. The boundary treatment along the shared boundary with no.19 Green End consists of 1.5m high timber fence between the garden of no. 25 and the wall of the existing curtilage listed building in the garden of no. 19 followed by a 3m high wall, followed by the wall of another outbuilding within the curtilage of no. 19 followed by 2m high brick wall and 1.5m high timber fencing. The boundary treatment on the shared boundary with no. 29 consists of a three bar timber fence that stretches to the end of the garden of no. 25, while the rear boundary of no. 29 consists of chicken wire and metal poles. There are also some existing trees within the curtilage of no. 29 Green End that runs along the boundary.

4. This full application, received 3rd February 2011, proposes a new dwelling to the rear of 25 and 29 Green End in the section of the plot that is within the framework, and adjacent to the Green Belt. The proposed dwelling is to have a two storey and single storey section. The two storey element measures 6.5m high and is positioned to be in line gable to gable with the existing barn located within the garden of no. 29 Green End. The two-storey section would have three bedrooms and bathroom at first floor level with sitting room and study below. The single storey element would project towards the south with the gable end facing the direction of the listed building and would accommodate the kitchen, utility and family room. The single storey section is proposed to be 4.4m high and 9.8m long. The walls are to be constructed from timber boarding, the roofing material is proposed to be slate. The east elevation that faces no. 29 Green End is to have no openings at first floor level and four ground floor windows. The windows to the bedrooms consist of rooflights on the side elevations. The rear elevation is to have a top to floor glazing on the two-storey gable end overlooking the Green Belt and some additional openings on the single storey element. A turning court would be provided with two parking spaces either side of this area. A passing place would be provided along the driveway near the rear garden of no. 25 Green End. The proposal also includes the planting of a hedge along part of the shared boundary with no. 29 Green End.

#### **Planning History**

5. **S/2355/87/F** – This application proposed one bungalow on the strip of land, which is located between the side boundaries of no. 19 and 29 Green End. It was refused on the harm the new dwelling would pose on residential amenity of the adjoining properties.

#### **Planning Policy**

##### **South Cambridgeshire Local Development Framework, Core Strategy, adopted July 2007:**

ST/1 – Green Belt

ST/6 – Group Villages

##### **South Cambridgeshire Local Development Framework, Development Control Policies DPD, adopted July 2007:**

DP/1 – Sustainable Development

DP/2 - Design of New Development

DP/3 - Development Criteria

DP/4 – Development Infrastructure

DP/7 – Development Frameworks

CH/4 – Development within the Curtilage or Setting of a Listed Building

GB/3 – Mitigating the Impact of Development Adjoining the Green Belt

HG/1 – Housing Density

SF/10 – Outdoor Playspace, Informal Open Space, and New Developments

##### **South Cambridgeshire Local Development Framework, Supplementary Planning Documents:**

District Design Guide, Adopted March 2010

Open Space in New Developments, Adopted January 2009

Listed Buildings, Adopted July 2009

#### **National Planning Policy**

PPS5: Planning for the Historic Environment

## Consultation

6. **Comberton Parish Council – Amended Drawings 8 July 2011 -**  
Recommends that the application is refused for the following reasons: The barn is more than 1½ storey; the amended proposal is higher than the original proposed dwelling. No measurements on the drawing, scale and mass, drainage, vehicular movements underestimated, what is the drive to be made of and TPOs on trees.
7. **Conservation Officer**  
It is desirable to preserve the existing building line of the settlement, and avoid new development, which encroaches onto backland. This would probably point to building in the northeast corner of the wider part of the site, with a limit of one small unit. It should be sufficiently far north to be unseen from the entrance pathway, in order to preserve the verdant character of the Conservation Area. It should be as discreet as possible and therefore limited to a single storey without roof lights. The open, rural and verdant character of the area important and should be safeguarded. It is also important to protect the integrity of the existing walls and outbuildings, which new boundary walling would compromise. The amended design of the new dwelling generally follows advice given.
8. **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.
9. **Local Highways Authority –** Would like conditions to be added to any planning consent for the following: two 1.5m x 1.5m pedestrian visibility splays shall be provided and the are kept clear 600mm high, the drive shall be constructed using a bound material to prevent materials spreading to the adopted highway. The use of gravel bound macadam is unacceptable in this location; the proposed driveway shall be constructed so that no private water from the site drains across onto the adopted public highway. It would also like an informative that the permission of the Local Highways Authority would be required for works to the public highway.
10. **Trees Officer –** The Horse Chestnut tree has been incorrectly plotted and is far closer to the boundary than the drawings would indicate. A root protection area of 6.5m would be required and the footprint clearly falls within this area. While the existing building is within the root protection area it is a light structure and will have had limited impact on the tree. The proposed location of the dwelling will sever roots and place post development pressure on the tree for tree works due to seasonal debris e.g. conkers, leaves etc...
11. **Comments from Trees Officer following amendments -** While changes have been made and the adjacent tree to the site have been given consideration, details are required to be submitted as per BS 5837 2005 – Tree Survey as Para 4.2.6, Tree Constraints and Protection Plan with supporting method statement as Clause 7 – to be submitted and approved before further comment.

## **Representations**

12. There were objections from the owners/occupiers of nos. 16, 19, 29 and 31 Green End, Comberton and are summarised below:
- a) There would be overlooking of nos. 29 and 31 Green End
  - b) Impact upon the rural character of the area
  - c) Loss of views to the Green Belt/Countryside and historic ridge and farrow
  - d) Vehicular movements would be harmful to the listed wall on shared boundary with no. 19 Green End.
  - e) The proposal would have an overbearing and loss of light impact upon no. 29 and 31 Green End due to its height and proximity. Height of proposed dwelling is higher than height of existing barn.
  - f) The proposal would be harmful to the retention of the existing tree in the south west corner of the garden of no. 29 Green End, Comberton
  - g) No cross section was provided
  - h) Vehicular movements to and from the new house have been underestimated and the parking and turning area would impact on the amenity of no. 29 Green End. There would be disturbances from headlights and parking of these vehicles.
  - i) No adequate screening has been provided along the shared boundary with no. 29 Green End.
  - j) It would be better to have parking and turning area closer to the wider part of the site.
  - k) The use of timber rather than bricks for the walls of the dwelling is better and the lowering of the height from 6.8m to 6.5m is an improvement.

## **Planning Comments – Key Issues**

### **Housing**

13. The proposal would result in a density of 6 dwellings per hectare. This is well below the requirement of Policy HG/1 of the Local Development Framework, Development Control Policies, adopted July 2007, which requires a minimum of 30 dwellings per hectare. However, given the location of the site and its position in relation to the Green Belt, the countryside, the listed building and the neighbouring properties the above density is considered to be appropriate for the site. Comberton is a group village in which residential development of up to 8 dwellings are generally supported and the proposal of one new dwelling in this location is not considered to be harmful to maintaining the existing services and facilities within the village.

### **Residential Amenity**

14. The application site runs along the side boundaries of nos. 19, 25, and 29 Green End and part of the rear garden of no. 31 Green End. The dwelling is to be part single storey and part 1½ storey. The 1½ storey element would be located in line with the existing timber barn within the garden of no. 29 Green End. The east elevation would face the direction of no. 29 Green End; there are no proposed windows at first floor level but there would be some openings at ground floor level. These openings would be screened by the proposed new hedge. The first floor openings on the proposed north elevation, which would face the end of the rear garden of no. 31 Green End, consists of rooflights and two ground floor windows. The proposed hedging would screen the ground floor windows. The south elevation faces the direction of the listed building no. 19 Green End, the first floor openings consist of rooflights and central glazing on the single storey gable end. The proposed

new trees would provide additional screening along the southern boundary to prevent overlooking. The west elevation faces the Green Belt and the open countryside and would not result in harm to residential amenity. It has been suggested that the level of vehicular movements to and from the site has been underestimated and that the proposed turning area would be harmful to the amenity of no. 29 Green End, the proposal is for a 3 bedroom dwelling therefore it is not considered the number of vehicles accessing the site would be significant to be harmful to residential amenity. A landscaping scheme is to be agreed and the applicant is willing to accommodate measures along the shared boundary with no. 29 Green End to mitigate any negative impact from the proposal.

15. At pre-application stage the applicant was advised that it would be preferable for a single storey dwelling rather than a two-storey dwelling. The applicant has proposed a dwelling comprising both single storey and 1½-storey elements. It is considered that in its current form the proposed new dwelling would not have an overbearing impact upon residential amenity due to its scale, mass and form. It is therefore considered that the proposed new dwelling would not be harmful to residential amenity and therefore complies with Policy DP/3 of the South Cambridgeshire Local Development Framework, Development Control Policies, adopted July 2007.

#### **Green Belt and Countryside Impact**

16. The proposed new dwelling would abut the Green Belt and the countryside with the amenity space at rear of the dwelling being located within the Green Belt and outside the village framework. Any planning consent would be conditioned so that permitted development rights were removed for "Development within the Curtilage of a Dwellinghouse Classes A, B, and E" due to the sensitive location of the dwelling. It is considered that there are no public views from within the Green Belt to the application site and that the proposed dwelling when viewed from within the Green Belt would be read in conjunction with the other buildings surrounding the site. The dwelling is proposed to be finished in horizontal timber boarding details of colour finish not supplied but these can be dealt with by condition. The timber boarding is considered to be more appropriate in this rural location than the original suggestion of brickwork. There were concerns with regard to loss of views from public highway along Green End. There is currently an open area within the curtilage of no. 29 Green End, which offers views from Green End to the Green Belt. This is considered to be a modest viewpoint; the single storey element of the proposed dwelling would be viewed in the distance. This section is modest in scale and the materials are suitable to the rural nature of the area. The view down the proposed vehicular access from Green End would be of the proposed trees near the boundary of the no. 19 Green End, therefore it is not considered that the existing limited views to the Green Belt from Green End would be significantly harmed by the proposal. It is considered that the scale, form, mass, design and materials would not injure the visual amenities of the Green Belt. The proposal is therefore considered to comply with Policies GB/3 and DP/7 of the South Cambridgeshire Local Development Framework, Development Control Policies, adopted July 2007.

### **Landscaping and Tree Issues**

17. There is a large mature tree in the southwestern corner of the application site. The dwelling would be within close proximity the tree and its rooting system. Information has been submitted with regards to tree protection measures to be used in accordance with BS5827.2005. The Trees Officer is currently assessing this information, an update will be provided at planning committee regarding this matter. The Landscape Officer is also assessing the landscaping information, which has been provided on drawing no.10/1278:001C. Again an update will be provided at planning committee regarding this matter.

### **Setting of the Listed Building**

18. To the south of the application site is the listed building The Manor, 19 Green End, the share boundary between the sites consists of a combination of a 2m brick wall and 1.8m high close-boarded fencing. It has been proposed to plant some additional trees along this shared boundary in order to provide additional screening between the listed building and the application dwelling. The scale, mass, form and design of the proposed dwelling as amended is not considered to be harmful to the setting of the adjacent listed building and therefore complies with Policy CH/4 of the South Cambridgeshire Local Development Framework, Development Control Policies, adopted July 2007.

### **Infrastructure Provision**

19. The proposal is for a three bedroom dwelling. In order to meet the requirements of this development the proposal would require the provision of an off-site contribution towards public open space within the village. This has been calculated at £3,104.38 (index linked).
20. In addition to the above the proposal would require a sum of £69.50 to provide refuse bins and £50 S106 monitoring fee. The applicant has agreed to meet the above obligations by way of condition.

### **Other matters**

21. The distance from the edge of the footway to the corner of the site where the tree is positioned is 63m. It is a requirement in the Building Control Regulations that emergency vehicles require space to turn safely within the site, it would appear that the proposal cannot accommodate this and therefore a sprinkler system would be required in the dwelling to overcome this.

### **Conclusion**

22. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should be approved in this instance.

### **Decision**

23. Approve

## Conditions

- 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: Site Plan and Sections Drawing no. 10/1278:001C and Elevations and Floor Plans Drawing no.10/1278: 002C date stamped amended 15 November 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 full details of both hard and soft landscape works have been 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.)
- 4. 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.)
- 5. No demolition, site clearance or building operations shall commence until tree protection comprising weldmesh secured to standard scaffold poles driven into the ground to a height not less than 2.3 metres shall have been erected around trees to be retained on site at a distance agreed with the Local Planning Authority following BS 5837. Such fencing shall be maintained to the satisfaction of the Local Planning Authority during the course of development operations. Any tree(s) removed without consent or dying or being severely damaged or becoming seriously diseased during the period of development operations shall be replaced in the next planting season with tree(s) of such size and species as shall have been previously agreed in writing with the Local Planning Authority.**  
(Reason - To protect trees which are to be retained in order to enhance

the development, biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)

- 6. No development shall take place until details of the materials to be used in the construction of the external surfaces of the building hereby permitted 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 adopted Local Development Framework 2007.)
- 7. 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 development within Classes A, B & E of Part [1] of Schedule 2 of the Order shall take place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.**  
(Reason - In the interests of limiting the impact of the development upon the Green Belt, the Countryside and Residential Amenity in accordance with Policies GB2, DP/2, DP/3 and DP/7 of the adopted Local Development Framework 2007.)
- 8. 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 side (north, south and east) elevations 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.)
- 9. No development shall take place until two 1.5m x 1.5m pedestrian visibility splays has been submitted to and approved in writing by the Local Planning Authority. This area shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high. The development shall be carried out in accordance with the approved details.**  
(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- 10. The proposed driveway shall be constructed so that it falls and levels are such that no private water from the site drains across or onto the adopted public highway.**  
Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- 11. No unbound material shall be used in the construction of the first 6m of the proposed drive to prevent debris from spreading onto the adopted public highway.**  
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the Local Development Framework 2007.)



12. **No development shall begin until details of a scheme for the provision of public open space infrastructure to meet the needs of the development in accordance with adopted Local Development Framework Policy DP/4 and 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 public open space in accordance with the above-mentioned Policy SF/10 and Policy DP/4 of the adopted Local Development Framework 2007.)

13. **No power operated machinery (or other specified machinery) shall be operated on the premises before 08:00 am on weekdays and 08.00 am on Saturdays nor after 6:00 pm on weekdays and 1:00 pm on Saturdays (nor at any time on Sundays or Bank Holidays), unless otherwise previously agreed in writing by the Local Planning Authority in accordance with any agreed noise restrictions.**

(Reason - To minimise noise disturbance to adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

#### **Reason for Approval**

1. The proposal conditionally approved is not considered to be significantly detrimental to the following material considerations, which have been raised during the consultation exercise: **Residential Amenity, Green Belt, Countryside, Setting of Listed Building, Landscaping and Trees**
2. 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:

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007) and Development Control Policies (adopted July 2007)
- Planning File Ref: **S/2355/87/F** – One Bungalow, Refused and dismissed at appeal

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