

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

3 April 2013

AUTHOR/S: Planning and New Communities Director

**S/0167/13/FL – ICKLETON
Erection of Dwelling at Land to the West of 20 Church Street
for Heddon Management Ltd.**

Recommendation: Approval

Date for Determination: 27 March 2013

Notes:

This application has been reported to the Planning Committee for determination as the officer recommendation conflicts with the recommendation of Ickleton Parish Council

Conservation Area

To be presented to the Committee by Karen Pell-Coggins

Site and Proposal

1. The site is located within the Ickleton village framework and conservation area. It is a triangular shaped plot that measures approximately 0.05 of a hectare in area. The site currently comprises an area of rough grass that has a number of trees around the perimeter. The land levels rise to the north. A public footpath runs along the north eastern boundary. The site lies within flood zone 1 (low risk).
2. An electricity substation is situated immediately to the east of the site. It is surrounded by high fencing. No. 20 Church Street is a detached, two-storey, render and plain tile listed building that lies to the south east. It has a high curtilage listed flint wall along the boundary with the site and first floor kitchen, bathroom and landing windows in its rear elevation. No. 1 Frogge Street is a detached, two and a half storey, render and plain tile listed building that lies to the south west. It has a high fence along its rear boundary. No. 28 Church Street is a one and a half storey, render and slate dwelling that lies to the west. It has a ground floor kitchen window in its side elevation and ground lounge patio doors and a first floor bedroom window in its rear elevation. A low fence and trees align the boundary with the site. No. 10 Butchers Hill is a detached, one and a half storey, weatherboard and plain tile dwelling that lies to the north. It is set at an elevated level and has sitting room and bedroom windows in its rear elevation and its main sitting out area adjacent the southern boundary wall.
3. This full planning application, received 30 January 2013, seeks the erection of a part two-storey and part single storey L shaped dwelling along the north western and south western site boundaries. It would be set below existing ground levels (0.8 metres lower than the previous application) and have a maximum height of 5.8 metres. The building would measure 11.4 metres (3 metres shorter than the previous application) and a depth of 17 metres (the same as the previous application). It would have a contemporary design with two monopitch elements of different heights separated by a link. The materials of construction for the monopitch elements would be vertical timber cladding above a brick plinth for the walls and sedum for the roofs. The link would have a zinc roof. The accommodation would have three bedrooms.

Two parking spaces would be provided on the driveway. The existing Walnut and fruit trees in the south eastern corner of the site would be retained. The remaining trees would be removed. Three new trees and a laurel hedge would be planted on the south western boundary of the site, two new trees would be planted on the north /north eastern boundary of the site, and one new tree would be planted within the courtyard amenity area.

Planning History

4. An appeal was dismissed for the erection of of a dwelling on the site under reference **S/1725/11**. The proposal was considered by the Inspector to have an unacceptable impact upon the amenity of the neighbour at No. 10 Butchers Hill.
5. Planning permission was refused for the erection of a dwelling on the site under reference **S/2123/08/F**. The proposal was considered to damage the setting of the listed building at No. 20 Church Street and the conservation area through the bulk of the development affecting the site's open character and design being unsympathetic to the traditional character of buildings within the vicinity of the site and harm to the amenities of neighbours at No. 28 Church Street through being unduly overbearing in mass, through noise and disturbance from the use of the access; and through overlooking.
6. An appeal was dismissed for the erection of dwelling and garage on the site under reference **S/0750/05/F**. The proposal was considered by the Inspector to damage the setting of the listed building at No. 20 Church Street through the loss of a significant section of the curtilage listed boundary wall, the bulk of the development affecting the secluded surroundings, and the height of the building destroying the majority of the site's open character; harm to the amenities of neighbours at No. 28 Church Street through being unduly overbearing in mass and through noise and disturbance from the use of the access; and an adverse impact upon the new dwelling though overlooking from existing dwellings.

Planning Policy

7. ***Local Development Plan Policies***

South Cambridgeshire LDF Core Strategy DPD, 2007:
ST/7 Infill Villages

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
HG/1 Housing Density
CH/3 Listed Buildings
CH/4 Development Within the Setting of a Listed Building
CH/5 Conservation Areas
NE/1 Energy Efficiency
NE/6 Biodiversity
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

South Cambridgeshire LDF Supplementary Planning Documents (SPD):

Open Space in New Developments SPD - Adopted January 2009

Development Affecting Conservation Areas SPD - Adopted January 2009

Listed Buildings SPD - Adopted July 2009

Trees & Development Sites SPD - Adopted January 2009

Landscape in New Developments SPD - Adopted March 2010

Biodiversity SPD - Adopted July 2009

District Design Guide SPD - Adopted March 2010

Consultation by South Cambridgeshire District Council as Local Planning Authority

8. Ickleton Parish Council – Recommends refusal and has the following comments:

“The current application differs only slightly from the proposals submitted under ref: S/1725/11 (as originally submitted and amended) which were decisively rejected by the Planning Committee. An appeal against that decision has also been dismissed by the Planning Inspectorate. The width of the roof of the upper storey of the rear portion of the building has been reduced by 3025mm, by removing one bedroom compared with the original application. The relative height of the rear portion has been reduced by 800mm by sinking it further into the ground by that amount. The roof will still be higher than the boundary wall with 10 Butcher's Hill - 1.5m above the garden ground level of that dwelling. The footprint of the building remains as before.

We consider that the current proposals fail completely to overcome the Planning Inspector's objections at paras. 16 & 17 of the Appeal Decision dated 22 November 2012. They should be rejected for the same reasons that are given there.

In addition, we consider that the changes from the previous proposals, which result in the proposed dwelling having fewer windows and being sunk even deeper into the ground than before, merely add to the overall unattractiveness of the design. It is even more reminiscent of a military bunker than before.

The additional excavating needed compared with the previous proposals increases our concerns for the historic flint walls bordering the site. They now seem under even more threat than before. No account appears to have been taken of the Conservation Officer's remarks in the Update Report to Planning Committee dated 11 January 2012 that points out that flint walls are unlikely to be suitable for the type of underpinning apparently being recommended to and contemplated by the applicant.

Ickleton Parish Council's view continues to be that this dwelling, even as revised, is far too large for the site, and its design is wholly incongruous and unsympathetic to the area and the surrounding dwellings. By virtue of the scale, design and form of the proposed dwelling the development would intrude upon the open and natural setting of the listed Gurner House, and it would therefore adversely affect the setting of this listed building. In addition it would adversely affect the special character and appearance of the Conservation Area. We recommend refusal.

(Policy CH/4 of LDF 2007, Listed Buildings SPD, Policy HE10 of PPS 5, Policy CH/5 of LDF 2007, Conservation Areas SPD, & Policy HE9 of PPS 5)

For ease of reference we repeat our specific comments in relation to the previous application S/1725/11 as an Appendix below. We think these still apply to the current proposal. We are dismayed and disappointed that, despite complete rejection of these proposals from all parties at a local level, they should be put before you again with no significant revision. When as a local council we are being told by Central Government that planning policy and regulations are being changed to give local communities the development they want, and of a design and quality they want, we

are especially concerned not to have this particular development foisted on our community. We urge refusal.”

9. **Conservation Officer** – Recommends approval given the views of the Inspector in relation to the previous application.
10. **Local Highways Authority** – Requires conditions to ensure that the driveway is constructed with adequate drainage measures and bound material within 6 metres of the public highway.
11. **Environmental Health Officer** – Has no objections and suggests an informative in relation to the burning of waste on site.
12. **Trees and Landscapes Officer** – Has no objections.
13. **Landscape Design Officer** – No reply (out of time).
14. **Ecology Officer** – No reply (out of time). No objections to previous application.
15. **Rights of Way and Access Team** – Has no objections but comments that Public Footpath No. 6, Ickleton runs along north eastern boundary of the site and highlights points of law in relation to the footpath.

Representations by Members of the Public

16. Three letters of objection have been received from the neighbours at No. 10 Butchers Hill, No. 30 Church Street, and Gurner House 20 Church Street. A letter of objection has also been received from the Ickleton Society. Concerns are raised on the following grounds: -
 - Not significantly different from previous application;
 - Roofline shown on plan for previous application is inaccurate;
 - Unduly overbearing mass, noise and disturbance, and loss of privacy to No. 10 Butchers Hill;
 - Impact upon retaining wall at No. 10 Butchers Hill;
 - Noise and disturbance from the driveway, overlooking and overbearing mass to No. 28 Church Street;
 - Overlooking to and from Gurner House
 - Noise and disturbance from the driveway and overlooking to and from the annexe to Gurner House;
 - Limited access width and highway safety issues with regards to pedestrian visibility and manoeuvring as there is no on-site turning;
 - The scale, design, form, siting, proportions, materials, texture and colour of the building is out of keeping with the conservation area;
 - The scale, design, form of the building would enclose the existing open setting of the adjacent listed building (Gurner House) and other cottages in Church Street;
 - Overdevelopment of the site;
 - Impact upon the listed wall;
 - Amenity to new dwelling from lower ground levels;
 - Planning history of the site;
 - Overlooking to No. 30 Church Street;
 - Damage or loss of Ash tree

Representations by Applicant's Agent

17. The applicant's agent has responded to the above consultation responses and representations as follows: -
- Sole reason for the previous application being dismissed at appeal was the impact of the development upon the neighbour at No. 10 Butchers Hill;
 - A number of representations from neighbours raise issues that the Inspector considered acceptable;
 - Any decision that deviates from an Inspector's view must be based upon material planning considerations that did not affect the previous decision otherwise this could result in costs at appeal;
 - There have been no change in circumstances since previous appeal decision;
 - The changes that have been made in terms of the lower height and reduced width of the building significantly alter the relationship of the development with No. 10 Butchers Hill to a satisfactory extent;
 - The design of the building retains the contemporary design and remains co-ordinated in relation to its form and appearance;
 - Appropriate protection measures for the surrounding walls will be incorporated into the development; and,
 - The dimensions quoted by some of the neighbours are inaccurate. The roof extends from between 150mm and 600mm above the height of the boundary wall with No. 10 Butchers Hill and not at a height of 1 metre. The roofline on the plan from the previous application is accurate.

Material Planning Considerations

18. The key issues to consider in the determination of this application are the principle of the development and density, and the impacts of the development upon the setting of adjacent listed buildings, the character and appearance of the conservation area, the curtilage listed wall, trees and landscaping, highway safety, and neighbour amenity.

Principle of Development

19. The site is located within the village framework of an 'Infill Village' where residential developments of up to two dwellings are considered acceptable in principle subject to all other planning considerations.

Density

20. The development of one dwelling would equate to a density of 20 dwellings per hectare. Whilst this would be below the density requirement of 30 dwellings per hectare that should be achieved in villages such as Ickleton, it is considered appropriate in this case given the sensitive nature of the site within the conservation area and adjacent listed building, and the access restrictions.

Setting of Adjacent Listed Buildings

21. The Inspector made the following comments in relation to the previous application dismissed at appeal: -

"As open space, the land helps to maintain a very pleasant, spacious setting for the rear of the listed building at 20 Church Street. On the other hand with the garden of 1 Frogge Street narrowing as it does on the western side of the appeal site, the contribution to the setting of that building is less obvious".

22. No. 20 Church Street is situated to the east of the site. It is a two-storey listed building that is set on the back edge of the footpath. The original building is to the eastern side with the main garden to the rear, and a 1970's two-storey annexe extension is to the western side with a kitchen garden to the rear and parking area to the side. There is a high flint wall along the eastern side boundary and large conifers to the rear.

23. The Inspector made the following comments in relation to the previous application dismissed at appeal: -

“The curtilage of 20 Church Street once extended to the appeal site, albeit separated from the main part of the garden by the flint wall. The archway allowing access to the site is still evident but otherwise the relationship of the site to the listed house is somewhat tenuous. Its contribution to the interest and significance of the listed building is generally for the backdrop of openness it provides. Although there is no doubt that the proposed dwelling would be visible from 20 Church Street, the new building's L-shape, its partial setting into the ground and part single storey construction would maintain much of the openness that the previous inspector regarded as important. Furthermore, the two-storey part of the new house would be some distance from the listed building and largely below the height of the flint boundary wall. The combination of these factors would limit the extent to which the dwelling would impinge on the spacious setting of Gurner House”.

24. Given the above comments and that the current proposal has been further set into the ground with a lower height and a reduced in scale, the development is not considered to damage the setting of the listed building at Gurner House, No. 20 Church Street.

25. No. 1 Frogge Street is situated to the west of the site. It is a two and a half storey building that is set on the back edge of the footpath. It is situated a distance of 20 metres from the site boundary and has a high fence along its rear boundary. There are some trees and landscaping within the site that act as a screen.

26. The Inspector made the following comments in relation to the previous application dismissed at appeal: -

“The generous garden of 1 Frogge Street would prevent the new building from intruding harmfully on its well-defined setting”.

27. Given the above comments and that the current proposal has been further set into the ground and reduced in scale so that the two-storey element is situated further from the boundary, the development is not considered to damage the setting of the listed building at No. 1 Frogge Street.

Curtilage Listed Wall

28. The Inspector made the following comments in relation to the previous application dismissed at appeal: -

“As an important feature of the listed building's curtilage, and of special historic interest itself, the wall's preservation and its long term integrity must be ensured during construction of the new dwelling and after it has been erected. There is nothing to suggest that the wall is structurally unsound, and its fabric is generally in a serviceable condition. The report (structural) identifies the means by which the stability of the wall could be secured as excavations take place to accommodate foundations for the new dwelling. The technique described is not unusual and often successfully implemented under similar circumstances of proximity of historic buildings to new development. I am confident that there are sufficient expertise and

construction methods available to be assured of adequate protection of the wall during and after construction of the proposed house. Such measures could be controlled by condition.”

29. Given the above comments and subject to a condition that requires details of the method of excavation to be agreed to enable its retention and protection, the development is not considered to harm the curtilage listed wall.

Character and Appearance of the Conservation Area

30. The Inspector made the following comments in relation to the previous application dismissed at appeal: -

“The appeal site is not readily visible from public vantage points. However, public views are not the only determinant of a site’s contribution to the character and quality of an area. Considerations also include openness, pattern of development and historic layouts. The conservation area close to the appeal site is characterised by a mix of buildings with open spaces glimpsed in between. Open spaces around buildings facing Church Street, Frogge Street and Butchers Hill are mainly enclosed gardens with trees and vegetation contributing to the appearance of the conservation area. Although frontage development predominates, 18 and 28 Church Street and 10 Butchers Hill are set back from the roadside behind front gardens or forecourts. The differences in the way that buildings west of the church are positioned in relation to their plots and to each other introduce a pleasing variety to the area. The new dwelling would be positioned some distance from the road frontage. By virtue of that set back, as well as planting and fences or masonry boundaries, it would remain largely secluded from public views. It is likely that sections of the two-storey house would be glimpsed from Church Street. However, with the benefit of distance and a backcloth of trees, it would no more impinge upon views from public vantage points than the house already visible alongside to the north of the site. The same applies to how it would be perceived by neighbours. The new development would be seen in context of variety in building types and ages; it would be of a scale respectful of its surroundings and interposed with houses already visible from the rear of existing properties. No. 28 Church Street and 10 Butchers Hill occupy positions that do not conform to a pattern readily discernible as frontage development, and the appeal proposal would be similarly perceived as part of that small group. The design is contemporary but that should not be held against the scheme, especially as the height and scale intended would allow the new housing to integrate into its surroundings.”

31. Given the above comments and that the current proposal has been reduced in height and scale without resulting in a substantially different design approach, the development is considered to preserve the character and appearance of the conservation area.

Trees and Landscaping

32. The proposal would not result in the loss of any important trees or landscaping that contribute to the visual amenity of the area. The significant Walnut tree would be retained and protected. The trees to be removed along the south western boundary would be replaced. A landscaping condition would be attached to any consent ensure that planting softens the impact of the development upon the surrounding listed buildings and conservation area.

Highway Safety

33. The proposal is not considered to result in a material increase in traffic generation to and from the site that would be detrimental to highway safety. The access width is considered suitable. Whilst it is acknowledged that the standard requirement of 2.0 metres x 2.0 metres pedestrian visibility splays could not be achieved on each side of the access due to the boundary wall and that this would lead to restricted visibility when exiting the site, the use of lower splays are considered acceptable in this case given the support by the appeal Inspector who did not consider the level of traffic that would use the access and standard of visibility to pose a significant threat to pedestrian safety.
34. Two on-site parking spaces would be provided for the new dwelling that would accord with the Council's parking standards. The proposal would not therefore lead to on-street parking that would cause a hazard and adversely affect the free flow of traffic along Church Street.
35. Although it is noted that the proposal would not provide an on-site turning area and vehicles would have to reverse out of the site, this is considered acceptable given the nature of the existing access and the lack of any objection from the Local Highways Authority.

Neighbour Amenity

36. The Inspector made the following comments in relation to the previous application dismissed at appeal: -

"The new house would be visible from habitable rooms at the rear of 20 Church Street. However, the separation distance of some 29 metres from the rear wall of the listed building to two-storey part of the new house would be well beyond the sort of distances or relationship expected by the Council's standards. Intervening vegetation and the flint wall would reinforce the separation and the existing occupiers would be assured a good level of privacy. The distance of the new building from Nos. 20 and 28 Church Street, as well as 1 Frogge Street, combined with its low profile and partial setting into the ground would remove the likelihood of the existing properties being dominated, overshadowed or overlooked to any harmful extent."
37. Given the above comments and that the current proposal would be reduced in height and scale and have a lesser number of first floor windows, the development is not considered to have an unacceptable adverse effect upon the amenities of the neighbours at Nos. 20 and 28 Church Street, and No. 1 Frogge Street.
38. The Inspector made the following comments in relation to the previous application dismissed at appeal: -

"The relationship with 10 Butchers Hill troubles me. The two-storey part of the new building would extend across much of the width of the neighbour's property, and situated at a distance of only 1.5 metres from the stepped boundary wall marking the end of their garden. Although the eaves would rise to 0.8 metres to 1.1 metres above the wall, the roof would slope upwards (albeit at a shallow pitch) to rise a further 1.7 metres. The expanse of roof would occupy a large part of the outlook from south facing windows and dominate the garden; the effect would be exacerbated by the elevated positioning of No. 10 in relation to the appeal site. Whilst the sedum roof would soften the roof's profile, because of its proximity to No. 10, the two-storey part of the new dwelling would be seriously harmful to the enjoyment of the existing occupant's use of their garden and to their outlook."

39. Given the above comments, the design of the proposal has been revised as part of the current application to address the concerns of the Inspector. The new dwelling has been lowered 0.8 metres further into the ground that would result in an eaves height that sits below the boundary wall to No. 10 Butchers Hill and a ridge height of 0.15 metres above the wall at the eastern end and 0.6 metres above the wall at the western end, both at a distance of 8.3 metres away. In addition, the width of the dwelling has been reduced by 3.025 metres at its western end at first floor level that would result in an 11.4 metre long rear elevation. Whilst it is acknowledged that the dwelling would still be visible from the windows in the south elevation and garden of this neighbour, the changes are considered to significantly alter the impact of the new dwelling so that there would be a satisfactory relationship between the properties. The limited height that the new dwelling would project above the boundary wall at such a long distance away immediately adjacent the main part of No. 10 Butchers Hill together with its reduced width and the soft appearance of the roof would not result in a dominant bulk and unduly overbearing mass of built development that would seriously harm the amenities of the occupiers' enjoyment of their property through a loss of outlook.
40. The existing dwellings at Nos. 20 and 28 Church Street and No. 10 Butchers Hill are not considered to result in harm to the occupiers of the new dwelling through being unduly overbearing in mass, through a loss of light, or through a loss of privacy. The windows between the properties would have the same relationships identified above and the internal courtyard amenity area would be screened by the proposed dwelling or situated a distance of 20 metres from any windows.
41. The lowering of the dwelling by an additional 0.8 metres is not considered to lead to the boundary walls of the site resulting in an unduly overbearing and dominant mass when viewed from the windows or amenity area of the new dwelling, given that they would be a distance of at least 6 metres away and screened by landscaping.

Developer Contributions

42. The South Cambridgeshire Recreation Study 2005 identified a shortage of play space within Ickleton. No public open space is shown within the development. The increase in demand for sport space as a result of the development requires a financial contribution of £3,104.38 (index linked) towards the improvement of existing open space in the village to comply with Policy SF/10 of the LDF. A section 106 legal agreement has been completed that secures this contribution.
43. The South Cambridgeshire Community Facilities Assessment 2009 states that Ickleton has an excellent level and standard of indoor community facilities. However, investment is required and due to the increase in the demand for the use of this space from the development, a financial contribution of £513.04 (index-linked) is sought towards the provision of new facilities or the improvement of existing facilities in order to comply with Policy DP/4 of the LDF. A section 106 legal agreement has been completed that secures this contribution.
44. South Cambridgeshire District Council has adopted the RECAP Waste Management Design Guide which outlines the basis for planning conditions and obligations. In accordance with the guide, developers are requested to provide for the household waste receptacles as part of a scheme. The fee for the provision of appropriate waste containers is £69.50 per dwelling. A section 106 legal agreement has been completed that secures this contribution.

Other Matters

45. The drawings submitted with the current planning application are accurate in relation to the previous scheme determined at appeal.

Conclusion

46. 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 granted in this instance.

Recommendation

47. It is recommended that the Planning Committee approves the application subject to the following conditions and informatives: -

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: 1:1250 location plan and drawing numbers 10044-05 Revision D, 06 Revision D, 07 Revision D, 08 Revision E, 09 Revision A; LD 11 895-2 and 5A; and Prior Associates Report ref: 9581 dated November 2011 updated January 2013.
(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 samples of the materials to be used in the construction of the external surfaces of the dwelling 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.)
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 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. No development shall take place until details of the materials to be used for hard surfaced areas within the site 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 ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 2007 of the adopted Local

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

6. No development shall take place until details of the method of surface water drainage for the driveway has 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 - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework.)
7. The permanent space to be reserved on the site for the parking of two cars shall be provided before the development hereby permitted is occupied and thereafter maintained.
(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework.)
8. 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.)
9. 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 any elevation/roof slope 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.)
10. The first floor bathroom window in the south west side elevation of the dwelling, hereby permitted shall be fixed shut and glazed with obscure glass.
(Reason - To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
11. 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, C, D, and 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 - To safeguard the amenities of adjoining occupiers 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 before 08.00 hours and after 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. No development shall take until details of the method of excavation of the site and the method of construction for the dwelling and associated works, 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 protect the listed wall in accordance with Policy CH/3 of the adopted Local Development Framework 2007.)

Informatives

1. The site is subject to an agreement under section 106 of the Town and Country Planning Act 1990 dated 26 February 2013.
2. The driveway should be constructed from bound materials within 6 metres of the public highway in order to avoid the displacement of loose materials on to the public highway.
3. The access shall remain open at all times and not be obstructed.
4. Should pile driven foundations be proposed, then before works commence, a statement of the method of construction for these foundations shall be submitted and agreed by the Environmental Health Office so that noise and vibration can be controlled.
5. 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.
6. See attached Environment Agency advice regarding soakways.
7. Public footpath No. 6, Ickleton runs along north eastern boundary of the site. The following points of law should be noted in relation to the public footpath: -
 - i) No alteration to the surface of the footpath is permitted without the consent of the Cambridgeshire County Council Rights of Way and Access Team (it is an offence to damage the surface of a public right of way under s.1 of the Criminal Damage Act 1971).
 - ii) The footpath must remain open and unobstructed at all times. Building materials must not be stored on it, and contractors' vehicles must not be parked on it (it is an offence under s. 137 of the Highway Act 1980 to obstruct a public right of way).
 - iii) Landowners are reminded it is their responsibility to maintain hedges and fences adjacent to public rights of way, and that any transfer of land should account for any such boundaries (s. 154 of the Highways Act 1980.)
 - iv) The granting of planning permission does not entitle a developer to obstruct a public right of way (Circular 1/09 para. 7.1)

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

- 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

- National Planning Policy Framework 2012
- Planning File References: S/0167/13/FL, S/1725/11, S/2123/08/F, and S/0750/05/F

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