

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee

6th April 2005

AUTHOR/S: Director of Development Services

**S/2535/04/F - Hildersham
Extension to Existing Dwelling and Erection of New Dwelling - Seven Beeches, High
Street for Mr & Mrs Humphreys**

**Recommendation: Refusal
Date for Determination: 9th February 2005**

Conservation Area

Members of Committee will visit the site on Monday 4th April 2005.

Site and Proposal

1. The application site is occupied by a two storey 1950's brick dwelling (Seven Beeches) sited on the east side of the High Street in a backland position to the east/rear of two properties fronting the High Street. The dwelling is set approximately 40 metres back from the road. To the north-east is a large detached brick dwelling whilst to the south is a 1970's architect designed property. Detached two storey properties lie to the west whilst to the east is meadow land. On the south side of the dwelling within the garden area are a number of trees.
2. The full application, submitted on 15th December 2004, comprises two elements:
 - The erection of a new dwelling within the garden land (approximately 0.09 hectares) to the south of the existing property. The proposed dwelling would be a part two storey-part single storey property comprising three linked elements that range in height from 5.2 metres to 6.7 metres. It would comprise three bedrooms and an integral double garage. The dwelling has been orientated and designed to ensure that there would be no overlooking of the existing dwelling with the only first floor window facing northwards being a rooflight serving a toilet. On the south side of the dwelling, the only first floor windows are three rooflights to a bedroom. Dormers to a bathroom and bedroom are proposed in the east and west elevations respectively of the easternmost part of the property. The dwelling would be constructed of a mixture of feather-edge boarding, brickwork and painted timber joinery, with pantile or plain tile roofs. The density of the development equates to around 11 dwellings/hectare.
 - An extension to the existing dwelling. A single storey element would be removed from the west side of the existing property in order to provide vehicular access to the proposed new dwelling. In addition, a first floor extension would be added above the existing lounge which sits on the south-western corner of the property.
3. A covering letter has been submitted with the application by the applicants agent. This states that the proposed dwelling would be a retirement cottage for the present occupants of Seven Beeches, who have lived in the village for 20 years. It is explained that Officers have previously advised informally that the erection of a dwelling on this site may be acceptable in principle.

4. In support of the application, reference is made to at least ten houses that have been built on backland plots in recent years. The site falls within the development area of the village which has pockets of dense development in otherwise open or wooded countryside. The proposal would not detract from the setting of the village and would continue the historic pattern of settlement. The presence of mature trees will ensure that the dwelling would not be seen from other properties or from the High Street. There would be no overlooking of adjoining dwellings, permitted development rights could be withdrawn if seen to be necessary and a planting scheme would be provided.

Planning History

5. **S/1060/04/F** - An application to erect a two storey dwelling on this site was withdrawn. Officers had intended to refuse the application due to its impact upon the character of the area and upon the amenities of adjoining residents.

Planning Policy

6. Hildersham is identified within **Policy SE5** of the South Cambridgeshire Local Plan 2004 as an Infill-Only village. In such locations, Policy SE5 states that residential development will be restricted to no more than two dwellings comprising (amongst others) the redevelopment of an existing residential curtilage providing the site does not form an essential part of village character, and development is sympathetic to the historic interests, character, and amenities of the locality.
7. **Policy P1/3** of the County Structure Plan 2003 stresses the need for a high standard of design and a sense of place which corresponds to the local character of the built environment.
8. The site lies within the village Conservation Area. **Policy P7/6** of the County Structure Plan 2003 requires development to protect and enhance the quality and distinctiveness of the historic built environment, whilst **Policy EN30** of the South Cambridgeshire Local Plan 2004 requires new development in a Conservation Area to either preserve or enhance the character of the area.
9. **Policy HG11** of the Local Plan states that development to the rear of existing properties will only be permitted where the development would not:
 - Result in overbearing, overlooking or overshadowing of existing residential properties;
 - Result in noise and disturbance to existing residential properties through the use of its access;
 - Result in highway dangers through the use of its access;
 - Be out of character with the pattern of development in the vicinity.
10. **Policy CS5** of the Local Plan requires alleviation and mitigation measures to be secured to overcome potential flooding.

Consultation

11. **Hildersham Parish Council** recommends approval of the application.
12. **The Conservation Manager** objects to the application stating:

“ I am of the opinion that this development is inappropriate and should not be supported. The proposal is to erect a 2-storey, rather sprawling property in the rear garden of the existing property. The form of the building results from the necessary contortions to fit the building on the site. The development conflicts with the loose pattern of development in the village, which is characterised by relatively spacious development within a well treed landscape. The proposal would, therefore, be out of character with the pattern of development in the Conservation Area. The development would essentially cover the available site, resulting in the loss of some young trees and be within 7.5 metres of the adjacent property and 5 metres from the adjoining owner's boundary. I would therefore suggest that the proposal should be refused for the reasons of a detrimental impact on the character of the Conservation Area and potential negative impact on neighbouring amenity. The proposal would also create an unfortunate precedent which may result in further site cramming to the detriment of the form of this infill only village.

13. **The Trees and Landscape Officer** considers the footprint of the dwelling to be acceptable in relation to the walnut tree. The tree at the gable end of the footprint close to the eastern boundary should be afforded more clearance if possible.
14. **The Chief Environmental Health Officer** raises no objections in principle although does express concerns about potential noise disturbance to residents during the construction period. As such, it is recommended that a condition restricting hours of use of power operated machinery be applied to any planning consent.
15. **The Building Inspector** has been consulted in respect of the suitability of the access for emergency vehicles and has forwarded dimensions that would need to be satisfied.
16. **The General Works Manager** has advised that the existing access is unsuitable for refuse collection vehicles and that existing residents place bins on the curtilage of the property at the High Street. A conveyancing agreement for any other residents to present their waste in a similar manner would be required.
17. **The Environment Agency** has not been consulted on the current application but did comment in respect of the previous withdrawn application, stating that the applicant should carry out an assessment of flood risk and that the application should be deferred until a satisfactory Flood Risk Assessment had been received. No FRA has been submitted as part of the current application.

Representations

18. 2 letters of objection have been received from Willow House and Victoria Cottage to the south and west of the site respectively. The main points raised are:
 - The proposal overfills a site of natural and conserved beauty;
 - The development would affect the privacies of Willow House to the south as well as neighbours to the west and east;
 - The development does not conserve or enhance the Conservation Area and spoils the spacious character and amenities of Hildersham

Planning Comments - Key Issues

18. The key issues in relation to this application are:

- The impact of the development upon the character and appearance of the Conservation Area;
 - Residential amenity;
 - Impact on trees;
 - Flood risk
19. The site lies within the village framework in a backland position where policies generally support the principle of erecting a dwelling providing the site in its present form does not form an essential part of village character and providing development is sympathetic to the character of the surrounding area and the amenities of local residents.
20. The Conservation Manager has objected to the application, stating that the development would materially harm the character and appearance of the Conservation Area by conflicting with the loose pattern of development within the village. Although no specific objections have been raised by the Trees and Landscape Officer to the loss of some of the trees on the site based on their quality, their removal would result in visual harm to the character of the area.
21. With respect to the impact of the development upon the amenities of neighbouring properties, the proposed dwelling has been designed and orientated so that it would not overlook, or be overlooked by, the existing property, Seven Beeches. It would be sited just 9 metres away from windows in the rear/south elevation of Seven Beeches. However, the nearest element of the proposed dwelling would be just 5.2 metres high and, although it would have some impact upon the outlook from rear facing windows, its impact is not considered to be harmful enough to warrant a refusal on this basis. It is considered, however, that the amenities of future occupiers of Seven Beeches would be affected by vehicle movements due to the proximity of the new driveway and the turning area to Seven Beeches' garden area. I am satisfied that the development would not overlook or unduly affect the outlook from the neighbouring dwellings to the south and west.
22. Based on the figures forwarded by the Building Inspector relating to turning space required for fire engines, there is insufficient space within the site itself for a fire engine to turn. As such, vehicles would need to turn in front/on the north side of Seven Beeches thereby further affecting the amenities of the occupiers of this property.
23. Finally, no Flood Risk Assessment has been submitted with this application. It has therefore not been demonstrated that the flood risk and run-off implications of the development are acceptable.

Recommendation

24. Refusal - for the following reasons:
1. The proposed dwelling, by virtue of its form and scale, together with the loss of trees, would conflict with the loose pattern of development of the village which is characterised by relatively spacious development within a well treed landscape. The proposed development would neither preserve nor enhance the character and appearance of the Conservation Area.

The proposal is therefore contrary to Cambridgeshire and Peterborough Structure Plan 2003 Policies P1/3 which requires a high standard of design that responds to the local character of the built environment, and P7/6 which requires

development to protect and enhance the quality and distinctiveness of the historic built environment; and South Cambridgeshire Local Plan 2004 Policies SE5 which requires development in infill villages to be sympathetic to the character of the locality, EN30 which states that permission will be refused for schemes within Conservation Areas which do not fit comfortably into their context and HG11 which states that development to the rear of existing properties will only be permitted where the development would not be out of character with the pattern of development in the vicinity.

2. The proposed dwelling would be accessed by an approximately 50 metre long driveway that entails a 90 degree turn approximately half way along its length and then runs adjacent to the west side of Seven Beeches, with the turning area being next to the southern edge of Seven Beeches' garden. The proposed access and turning area would adversely affect the amenities of the present and future occupiers of Seven Beeches as a result of noise and disturbance caused by vehicle manoeuvring (including emergency vehicles). Consequently, the proposal would contravene Policies HG11 of the South Cambridgeshire Local Plan 2004 which states that development to the rear of existing properties will only be permitted where the development would not result in noise and disturbance to existing residential properties through the use of its access and SE5 of the Local Plan which requires development in Infill villages to be sympathetic to the amenities of the locality.
3. Notwithstanding the above, in the absence of a Flood Risk Assessment, it is unclear whether the development would increase flood risk as a result of additional surface water runoff. The proposal therefore contravenes Policy CS5 of the South Cambridgeshire Local Plan 2004 which states that permission will not be granted for development where the site is liable to flooding unless it is demonstrated that any effects can be overcome by appropriate alleviation and mitigation measures.

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

- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- File Refs: S/1060/04/F and S/2535/04/F

Contact Officer: Lorraine Casey - Senior Planning Assistant
Telephone: (01954) 713251