

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee

6th April 2005

AUTHOR/S: Director of Development Services

S/1404/04/F

Amendment - Erection of Two Dwellings at 77 Hay Street, Steeple Morden for M Harris, D Harris and L Forrest

Recommendation: Approval

Members will visit the site on Monday 4th April 2005

Site and Proposal

1. The site lies within the village framework, and adjacent to a Grade II Listed Building, No. 73. It contained a bungalow which is now demolished and two dwellings, are currently under construction.
2. The amendment, received 28th January 2005 proposes a correction to the approved scheme which incorrectly identified the position of the boundary between No. 77 and No. 73. The true position of the boundary has resulted in the dwellings being closer to the boundary than originally considered for approval.
3. A revised landscape scheme has been submitted showing the erection of a close boarded fence with trellis above to a total height of 2m and a mix of shrub planting and climbers between the new properties and the new boundary fence.

Planning History

4. In November 2002 a planning application was submitted for the erection of 2 dwellings following the demolition of the existing bungalow. Officers expressed concern with regard to the distance (front to back) of the new dwellings from the listed building No. 73 and following negotiations the buildings were set back within the site by approximately a further 2m. The distance to the side boundary was approximately 1.3m at the front and 0.8m at the rear. The application was recommended for approval to the Development and Conservation Control Committee (then Planning Committee).
5. Members granted delegated approval at the April 2003 meeting subject to revisions to take the new dwellings further off the side boundary with No. 73. The minute states:
6. **"DELEGATED APPROVAL/REFUSAL**, as amended by letter dated 14th January 2003 and plans ref. 242/01, 242/02 A and 242/03 A date stamped 12th February 2003, subject to the outcome of negotiations about the design and layout of the scheme, and to the Conditions referred to in the Planning Director's report and an additional Condition requiring the provision of adequate turning space for vehicles".
7. In September 2003 amended plans were received and permission granted. One of the two garages between the two properties was omitted (replaced with a separate building) allowing a greater distance to the side boundary of No. 73 - approximately 3.2m at the front and 2.8m at the rear.

8. In July 2004 a revised planning application was submitted changing some of the detail of the scheme. The distance to the boundary of No. 73 was reduced as part of the revisions to approximately 2.6m at the front and 2.1m at the rear. The application was approved under delegated powers in August 2004.
9. The buildings are substantially completed. The applicants have accepted that the original plans contained an error in that the site was not as wide as shown. As a result the distance of the dwellings to the side boundary of No. 73 is approximately 1.9m at the front and 1.5m at the rear. The relationship of the position of the new dwellings to existing dwellings largely corresponds with the submitted plans - the error relates to the incorrectly shown position of the side boundary with No. 73.
10. A previous landscape scheme showed only existing planting to be retained between the new dwellings and the boundary with No. 73. This planting was removed during the construction of the dwellings.

Planning Policy

11. **Policy HG10 - Housing Mix and Design** of the South Cambridgeshire Local Plan 2004 ("The Local Plan")
12. **Policy SE4 - List of Group Villages** of the Local Plan
13. **Policy EN28 - Development within the Curtilage or Setting of a Listed Building** of the Local Plan

Consultation

14. **Parish Council**
Recommends approval
"Please ensure that the garage wall facing Hay Street is finished in dark timber."
15. **Conservation Manager**
"No comment. Landscaping needs to be appropriate."
16. **Landscape Design Officer** (with regard to the newly submitted landscape proposal)
"Subject to tank and tree switching this would be acceptable."

The addition of trellising / climbers and the fastigate tree gives significant more screening than the original scheme.

The moving of house wall back by 0.7m would not be sufficient to practically get any additional tree planting so in landscape terms nothing would be gained".

Representations

17. Strong objections have been expressed by the occupiers of No. 73 Hay Street due to the increased impact of the new development upon their property. The full objections will be reported verbally. The neighbour has also expressed concern that the building is higher than approved.
18. Further representations from the applicants are attached as appendix 1.

Planning Comments - Key Issues

19. The key issue in the consideration of this amendment is the impact on the amenity of the occupiers of No. 73 Hay Street. The question of the height of the building is being looked into and I shall update Members at the site visit.
20. In my view the proposal has a greater impact on the amenity of the occupiers of No. 73 than that considered in previous applications in that it appears more dominant when viewed from the rear garden due to its closer proximity to the side boundary of this property. However I consider that the recently submitted landscape scheme, including the proposal to erect a 2m high fence (including trellis) on the boundary, ameliorates the concerns sufficiently to lead me to recommend approval.
21. The agent for the application has stated that the reason Members insisted that the dwellings be moved off the boundary with No. 73 in the 2002 application was more because of the relationship of the new dwellings with No. 73 rather than any specific concerns with regard to the distance to the side boundary. I do recall that concern was expressed that the new dwellings should not significantly wrap behind the Listed Building. The relationship of the buildings to one another is not at issue here (because it is largely as approved) and it is my view that Members will need to consider whether moving the buildings 0.7m further off the boundary (to that previously approved) is necessary to overcome any loss of amenity caused to the occupiers of No. 73 due to the errors in the application.
22. In discussion with the occupiers of No. 73 the point has been clearly made that they should not have to suffer a loss of amenity because of an error made by the applicants and that the proposal was considered on false information. I understand this concern but the issue is whether or not the proposal in its current position is acceptable and if there are any measures that can make it acceptable. In light of the comments of the Landscape Design Officer I now consider that, on balance, the additional loss of amenity due to the buildings being 0.7m closer than originally considered is not significant as to justify refusal provided a 2m high fence (including trellis) is erected and the planting, shown in the latest scheme, implemented. These matters can be controlled under the conditions imposed on the previous planning permission ref. S/1404/04/F.

Recommendation

Approval of the amendment.

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **South Cambridgeshire Local Plan 2004: SE4** (Development in Rural Growth Settlements),
 - **HG10** (Housing Mix and Design)
 - **EN28** (Development within the Curtilage or Setting of a Listed Building)
2. The proposal conditionally approved is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:

- Neighbour amenity

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

Planning Files reference:

- S/2278/02/F and S/1404/04/F
- South Cambridgeshire Local Plan 2004

Contact Officer: Nigel Blazeby - Senior Planning Assistant
Telephone: (01954) 713256