

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6 August 2014

AUTHOR/S: Planning and New Communities Director

Application Number: S/1117/14/FL

Parish(es): Willingham

Proposal: Erection of one new dwelling & works to existing outbuilding to create a home-office and cycle/bin store.

Site address: 31 Long Lane, Willingham, CB24 5LB

Applicant(s): Dr and Mrs JA and J Mullet

Recommendation: Delegated authority for officers to approve subject to completion of a S106 legal agreement securing contributions towards public open space, community facilities, waste receptacles and monitoring and legal fees.

Key material considerations: Principle of development; Character and Appearance including Heritage Assets; Residential Amenity; Highway Safety, and Other Considerations

Committee Site Visit: Yes

Departure Application: No

Presenting Officer: Andrew Fillmore

Application brought to Committee because: The officer recommendation is contrary to the views of the Parish Council

Date by which decision due: 10 July 2014

Planning History

1. None

Planning Policies

2. *National*

National Planning Policy Framework

3. *South Cambridgeshire LDF Core Strategy DPD, 2007*

ST/5 Minor Rural Centres

4. *Adopted Local Development Framework, Development Control Policies*

DP/1 Sustainable Development

DP/2 Design of New Development

DP/3 Development Criteria

DP/7 Development Frameworks

HG/1 Housing Density

NE/6 Biodiversity

NE/15 Noise Pollution

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

SF/11 – Open Space Standards

TR/2 - Car and Cycle Parking Standards

CH/4 Development within the curtilage or setting of a Listed Building

5. *Draft Local Plan*

S/5 Provision of new jobs and homes

S/9 Minor Rural Centres

HQ/1 Design Principles

H/11 Residential Space Standards for Market Housing

TI/2 Planning for Sustainable Transport

TI/3 Parking Provision

6. *Supplementary Planning Document(s)*

District Design Guide SPD – adopted 2010

Listed Buildings – Works to or affecting the setting thereof SPD – adopted 2009

Consultations

7. **Willingham Parish Council** – Recommend refusal on the grounds that the new dwelling would be too large for the intended plot, and that it was felt that the height of the building was not sympathetic to the (closely) adjacent bungalow at 15 Silver Street.

8. **Local Highways Authority** – Comments awaited.

9. **Conservation Officer** – No objection. The application site lies opposite a Grade 2 listed building. I would not consider the effects of the application as positive, the part demolition of the attractive single storey outbuilding, reducing its length and its replacement with a large house of rather anonymous appearance set back from the road would not improve the setting of the listed building. However, the surroundings of the listed building are such that they are incidental townscape, rather than important aspects of the setting and it would be difficult to argue that there would be harm to substantiate refusal.

Representations

10. Four letters of representation have been received from neighbouring residents supporting the proposed development for the following reasons;
- The new property's road frontage would reduce the opportunity to park on both sides of the road which is potentially dangerous and frustrating

- The proposal would introduce varying roof heights making the area aesthetically more interesting
- Houses are much needed in this village and surrounding area
- Off-road parking would be provided
- Development would enhance the street scene
- Development has been designed sensitively

11. Five letters have been received opposing the application for the following reasons;

- The neighbours are going to lose a parking space in what is not the widest of roads
- Represents a danger to highway safety
- A four bedroom house is unacceptable when others have only been allowed to build bungalows
- The comments made in the Heritage Statement regarding the modern houses being of poor quality design is offensive
- Site is too narrow and not suitable for two properties
- Site is too narrow and has no depth
- The site is only suitable for a bungalow to be built
- South Cambs planning policy has always been to build bungalows in this area
- 50% of our garden will be affected – overshadowing and loss of privacy (29 Lane Lane)

Planning Comments

12. The host dwelling (31 Long Lane) is a detached two storey property set to the front of a rectangular plot on the corner of Long Lane and Silver Street, Willingham. This dwelling faces Long Lane. A single storey former barn building is positioned to the south-eastern corner of the plot and extends parallel with Silver Street. This outbuilding is constructed from a mix of gault and red brick with asbestos and slate roof, and is served by vehicular access off Silver Street including dropped kerb. This access appears not to be in use and there is a step up from the footpath to the building. An additional vehicular access, serving 31 Long Lane, is located between the dwelling and outbuilding on Silver Street.

13. Diagonally opposite to the south-west lies 8-12 Silver Street, a Grade 2 Listed building which is used as three cottages and benefits from the following listing description:

‘House, late C17 or early C18 now three cottages. Narrow red brick, irregular bonding, with broad mortar courses. Steeply pitched roof or long straw thatch with plain brick eaves cornice and stepped end parapets on kneelers. Originally, projecting, end stacks. The one to the right hand has three shafts, cut down, on a base with a round recessed blind panel. The left hand stack has three rebuilt diagonally set shafts. Two storeys. Front elevation framed by original red brick pilasters with moulded bricks to capitals, and divided by a three brick band between the two storeys. One C19 horizontal sliding sash and two casements at first floor. The three ground floor windows although later retained the late C17 elliptical arches with raised key blocks. There are three doorways. Nos. 8 and 12 have the original arches, but No. 10 has a C19 arch of yellow brick. The rear elevation has similar pilasters to the corners. Interior not seen. R.C.H.M. record card’

14. Moving east from the listed building modern dwellings set back from the road can be found to the southern side of Silver Street with bungalows to the north. North of the application site Long Lane is characterised by dwellings of modern appearance, with number 29’s garden extending parallel with the application site.

15. The application proposal seeks full planning consent for the erection of a four bedroom dwelling to be served by two parking spaces, and follows partial demolition of the outbuilding. This dwelling is 1½ storey's in height with the ridge extending to 7.4m and has a width of 10.5m. A single storey forward projecting extension is to connect to the existing outbuilding providing office space.
16. The site lies within the village framework as defined by the Local Development Framework (LDF) inset map for Willingham.

The principle of development on this site

17. The NPPF advises that every effort should be made to identify and then meet the housing needs of an area, and respond positively to wider opportunities for growth. Additionally the Development Plan (Core Strategy Development Plan Document adopted January 2007 and Development Control Policies Development Plan adopted January 2007) identifies Willingham as a 'Minor Rural Centre' where the construction of new residential dwellings within the framework is supported.
18. This proposed development would have been acceptable having regard to adopted LDF and emerging Local Plan policies, had policies ST/5 and DP/7 not become out of date as a consequence of the Council not currently being able to demonstrate a five-year supply of deliverable housing sites.

Character and Appearance including Heritage Assets

19. Section 7 of the NPPF relates to 'good design' advising great weight should be afforded to the importance of design of the built environment with planning decisions required to respond to local character and reflect the identity of local surroundings. Paragraph 58 states development should 'respond to local character and history, and reflect the identity of local surroundings', with paragraph 60 encouraging development to 'promote or reinforce local distinctiveness'. Section 12 relates to conserving and enhancing the historic environment where paragraph 131 advises that in determining planning applications local planning authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness.
20. The site lies diagonally opposite a Grade 2 listed building. The Conservation Officer expresses disappointment over the reduction in length of the outbuilding on the site and anonymous appearance of the new house, but draws attention to the isolated siting of the heritage asset and concludes it would be difficult to argue that there would be harm sufficient to substantiate refusal.
21. The Parish Council is concerned that the house is too large for its plot. In respect of form and mass the buildings, the 7.4m ridge height acts as a transition between the larger host property and bungalows to the east, ensuring the development doesn't stand out in the street scene. A large proportion of the representations from neighbours do not oppose the principle of building a dwelling in this location but express concern over the building being a house, indicating a bungalow would be acceptable and in conformance with the other properties to the north of Silver Street. Officers are of the view a 1½ storey building is suitable on this site and it is not necessary for the dwelling to be a bungalow to be acceptable.
22. The property would also have a rear garden approaching 100 sq m. in area. This accords with the advice in the adopted District Design Guide and is not unreasonable for a house of this size.

23. In respect of detailed design the dwelling has been designed to have a barn like appearance, being 1½ storey's in height with minimal openings set into the front elevation and the fenestration finished in black. The velux windows are 'conservation' type and will sit 'flush' with the roof slope. This design is considered suitable subject to conditions covering materials, fenestration and bonding details.
24. Furthermore it is necessary to remove permitted development rights to ensure no inappropriate development is undertaken in an uncontrolled manner.

Residential Amenity

25. Policy DP/3 requires amongst other things that planning permission will not be granted where proposals would have an unacceptable impact on residential amenity.
26. The dwelling is positioned in line with the adjoining bungalow to the east and set 7m in from the boundary of the garden of 29 Long Lane to the north. Given these relationships and the buildings 4.3m eaves height no material overshadowing or loss of outlook arises.
27. To the rear elevation at first floor level a single dormer window and three velux rooflights serve bedroom accommodation. These velux rooflights are set a minimum of 1.8m above the floor level and do not offer easily accessible views out and subject to conditioning this no loss of privacy arises. The single dormer window is positioned to the eastern side of the building and offers views of the end of the neighbouring properties (29 Long Lane) rear garden. This garden extends to circa 25m in length and it is not considered the development results in a material loss of privacy.
28. It is necessary to restrict use of the office for purposes ancillary to the dwelling preventing an inappropriate use in this residential area with limited off road parking.

Highway Safety

29. Silver Street is a narrow one-way street with some on road parking. The Highways Authority have been consulted and their comments are awaited in respect of the impact on highway safety.
30. In terms of parking provision, two spaces are proposed within the site in compliance with adopted policy. Some residents have questioned the loss of on-street parking provision, but whilst this may cause inconvenience to existing residents it does not justify refusal of consent.

Other Considerations

31. The applicant is prepared to pay the council's contributions in respect of open space provision, community facilities, waste receptacles and legal fees, with these to be secured through a S106 legal agreement.
32. No specific concerns are raised with regards to Crime and Disorder.

Conclusions

33. It is considered that the development can be adequately accommodated on the site in harmony with the surrounding area without causing undue harm to neighbouring amenity in terms of over shadowing or loss of privacy.
34. Any adverse impacts of the development are not considered to significantly and demonstrably outweigh the benefits when assessed against the material considerations set out in this report, and the proposed development remains acceptable. As such it is recommended that permission be granted for officers to approve the scheme subject to the completion of a S106 legal agreement securing contributions towards open space, community facilities, waste receptacles and monitoring and legal fees, and the conditions outlined below.

Recommendation

35. Delegated authority for officers to approve subject to completion of a S106 legal agreement securing contributions towards public open space, community facilities, waste receptacles and monitoring and legal fees, subject to the following 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: 'Promap site location plan' and Drawing number '003'
(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 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.)
 4. Precise details of the proposed windows shall be submitted for the prior, written approval of the Local Planning Authority. The development shall be implemented 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.)
 5. Precise details of the bond and mortar mix shall be submitted for the prior, written approval of the Local Planning Authority. The development shall be implemented 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.)
 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 development within Classes A, B, C, D or 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 the appearance of the built environment and neighbour amenity in accordance with policy DP/1 and DP/3 of the adopted Local Development Framework 2007.)

7. The office area, hereby permitted, shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling hereby permitted.
(Reason - To protect the amenities of adjoining residents in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
8. The access drive shall be constructed from a bound material and so that its falls and levels are such that no surface water from the site shall drain across or onto the adopted public highway.
(Reason: For the safe and effective operation of the public highway)
9. Prior to the first occupation of the development hereby permitted two 2m x 2m pedestrian visibility splays shall be provided and kept clear of obstruction above a height exceeding 600mm.
(Reason: In the interests of highway safety).
10. The lowest part of the velux rooflights to the north elevation of the dwelling hereby permitted shall be set a minimum of 1.8m above the level of the finished floor level of the room to which the window serves.
(Reason - To protect the amenities of adjoining residents in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

Background Papers

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council's website; and
- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

The following list contains links to the documents on the Council's website or elsewhere at which copies can be inspected.

- Nation Planning Policy Framework
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>
- Local Development Framework, Development Control Policies, Adopted July 2007
<http://www.scambs.gov.uk/content/local-development-framework>
- South Cambridgeshire Local Plan, Proposed Submission July 2013
<http://www.scambs.gov.uk/localplan>

Report Author: Andrew Fillmore – Senior Planning Officer
Telephone: (01954) 713180