

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2 September 2015

AUTHOR/S: Planning and New Communities Director

Application Number: S/1291/15/FL

Parish(es): Horseheath

Proposal: Erection of five bedroom dwelling, garage, car port and store including change of use of strip of land to residential curtilage and landscaping works

Site address: The Stables, Haverhill Road, Horseheath

Applicant(s): Mr Dean Hills

Recommendation: Approval

Key material considerations: Visual Impact
Neighbour Amenity

Committee Site Visit: None

Departure Application: No

Presenting Officer: Katie Christodoulides

Application brought to Committee because: The recommendation of Horseheath Parish Council conflicts with the Officer's recommendation of approval.

Date by which decision due: 29 July 2015

Planning History

1. **S/1145/15/PO-** Application to Remove Planning Obligation of Planning Permission ref. S/0200/09/F-Refused.

S/2488/14/FL- Detached dwelling with garaging, including change of use of land to garden land-Withdrawn.

S/0891/12/DC- Details of conditions 2, 3, 4, 6 and 11 of planning permission S/0200/09/F-Approved.

S/0200/09/F- Dwelling and Single Garage- Approved.

Planning Policies

2. **National Planning Policy Framework**
National Planning Policy Guidance

3. **South Cambridgeshire Core Strategy DPD 2007**
ST/7 Infill Villages

4. **Local Development Framework, Development Control Policies 2007**
DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/4 Infrastructure and new developments
HG/1 Housing Density
NE/1 Energy efficiency
NE/6 Biodiversity
NE/9 Water and Drainage Infrastructure
NE/10 Foul Drainage
NE/15 (Noise Pollution)
TR/2 Car and Cycle Parking standards
SF/10 Outdoor Playspace, Informal Open Space, and New Developments
SF/11 Open Space Standards

5. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
District Design Guide - Adopted March 2010
Open Space in New Developments - Adopted January 2009
Trees and Development Sites-Adopted January 2009
Landscape in New Developments-Adopted March 2010

6. **Proposed South Cambridgeshire Local Plan**
S/1 Vision
S/2 Objectives of the Local Plan
S/3 Presumption in favour of sustainable development
S/11 Infill Villages
HQ/1 Design Principles
H/7 Housing Density
TI/3 Parking Provision
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision
TI/8 Infrastructure and New Developments
TI/9 Education facilities
SC/6 Indoor Community Facilities
SC/7 Outdoor Play Space, Informal Open Space and New Developments
SC/8 Open Space Standards
CC/1 Mitigation and Adaption to Climate Change

Consultations

7. **Horseheath Parish Council** - Recommends refusal and raises concerns regarding the balcony and the scale and mass on the rear elevation. The proposed front elevation windows are out of scale, proportion and character with the original dwelling and are not appropriate to the area. The removal of the rear balcony and replacement of the front elevation windows will reduce the bulk for the house. The dwelling does not match the adjoining properties in scale, materials and detail, with the roof tiles being inappropriate. Concerns are raised regarding lighting, provision of protection from cricket balls and the lean-to building over the oil tank.

8. **Local Highways Authority** - Raises no objections and requests conditions are added to any consent granted in regard to pedestrian visibility splays, the falls and levels of the highway and an informative in regard to works to the highway.
9. **Environmental Health Officer** - Raises no objections and requests conditions are added to any consent granted in regard to house of work, burning of waste, driven pile foundations and informatives in regard to noise and dust and a demolition notice.

Representations

10. **Wigs Croft** - Agrees to the proposed amendments to the balcony, chimney and porch. Raises concerns regarding the breach in planning.

Planning Comments

11. **Site**

The site forms The Stables a newly built 5 No. bedroom, detached, three storey property located on the south side of Haverhill Road in Horseheath. The site originally comprised of a single storey stable block. To the south of the site lies the village recreation ground, with semi-detached cottages lying to the north, a single storey workshop building lying to the east and large detached dwellings lying along Howards Lane. The site lies within the Horseheath Village Framework, but is otherwise unconstrained.
 12. **Proposal**

This Full Planning Application seeks retrospective consent for unauthorized development comprising the erection of a 5 No. bedroom detached dwelling, garage, car port and store, and the change of use of a strip of land to the south to residential and associated landscaping. The application follows a previously approved application (S/0200/09/F) for a 3 No. bedroom dwelling and single garage. The dwelling that has been constructed on site did not accord with the approved plans by:

 - The length of the dwelling being increased by 200mm.
 - Changes to the fenestration and window styles in the front elevation.
 - Addition of a porch to the front.
 - Rear extensions altered to a flat roof and glazed doors added at first floor level serving two balconies.
 - Addition of roof lights in rear roof slopes.
 - Omission of the chimney from the east side elevation and inclusion of door in this elevation.
 - Increase in the size of the garage.
 - Additional land included in the site area.
 13. The key issues to consider in this instance are the principle of development, impact upon the character and appearance of the area, neighbour amenity, trees and landscaping, highway safety and parking provision.
- ### **Principle of development**
14. 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 Horseheath as an Infill Village where the construction of new residential dwellings will be restricted to not more than 2 dwellings within the

framework.

15. The proposed development would have been acceptable in principle having regard to adopted LDF and emerging Local Plan policies, had policies ST/7 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. In any event, planning application (S/0200/09/F) was approved for a dwelling on the site and therefore the principle of a dwelling has been established.
16. The dwelling would equate to a density of 14 dwellings per hectare which would be significantly below the required density of achieving 30 dwellings per hectare in more sustainable locations in accordance with Policy HG/1 of the LDF. Given the character of the area and restricted size of the site, the proposal is considered acceptable in terms of density.

Impact upon the character and appearance of the area

17. The proposed revisions to the design of the previously approved application (S/0200/09/F) comprise the retention of the balcony serving bedroom 2 and obscure glazed guardrail, windows on the front elevation to be painted in white and altered to a multi-pane style, removal of the front porch canopy, removal of the balcony serving bedroom 1, erection of a carport and oil store adjacent to the garage building and the addition of a chimney stack on the east elevation.
18. Horseheath Parish Council in their comments raised concern regarding the proposed balcony serving bedroom 2 being visually intrusive and out of scale with the dwelling. Given the balcony would be sited to the front of the rear projecting gable, it is not considered to result in a significant visual mass and bulk to the dwelling and is considered acceptable in terms of visual amenity.
19. The proposed white painted timber windows with glazing bars would be more appropriate and in keeping with the character and design of dwellings in the area and would not result in significant visual impact. The proposed materials are considered appropriate to the character and appearance of the area.
20. It is acknowledged that the site is within a prominent position and the proposed carport and store would be evident in open views across the recreation ground. Given, however, their appearance and design as subservient to the main building, the proposal is not considered to result in significant harm in terms of visual impact. Nonetheless, permitted development rights should be removed given the potential for harm to the character and appearance of the area should the property be enlarged.
21. The proposed change of use of a strip of land to the rear of the site to be included in the residential curtilage of the site to serve as the residential garden area is not considered to result in significant harm in terms of visual amenity and to the rural character of the area.

Neighbour Amenity

22. To the side (east) of the site lie the neighbouring properties along Howards Lane serving Minstrels Hall and Howards End. Within the front elevation of Minstrels Hall are various windows serving habitable rooms. The proposal is not considered to result in any loss of privacy to Minstrels Hall, subject to the removal of the balcony serving bedroom 1 and replacement with a lean-to roof.
23. The proposed roof lights serving bedroom 4 and 5, which lie within the rear (south) and side (west) roof slope and the balcony serving bedroom 2, would face towards the

recreation ground, with oblique views towards the neighbouring properties to the east and so would not result in direct overlooking to significantly harm neighbour amenity.

24. The proposal has been assessed in regard to neighbour amenity through loss of light and overbearing impact and is not considered to result in any harm.

Trees and landscaping

25. There are no significant trees on the site which will be impacted by the proposal. The proposed block plan submitted details various hard landscaping comprising of a low picket fence to the front of the site and a post and rail fence, close boarded fence and brick wall to the rear and sides. The character of the area comprises hard and soft landscaping and given the lack of proposed soft landscaping, a condition shall be added to any consent granted to require details of the landscaping to be submitted and agreed.

Highway safety and parking provision

26. A vehicular access is proposed to the west of the dwelling in which a large driveway lies to the side of the dwelling, and to the front of a garage and carport building. The Local Highways Authority have raised no concerns regarding highway safety subject to the addition of conditions in regard to pedestrian visibility splays, no water draining onto the site, retention of adequate space for cars to park and turn and an informative in regard to permission not constituting permission to carry out works to the public highway.
27. The proposal would provide two car parking spaces within the carport and garage and within the driveway and therefore the proposal would comply with Policy TR/2 of the LDF.

Other Matters

28. Horseheath Parish Council in their comments raised concern regarding the proximity of the dwelling to the cricket club and the safety of future residents resulting from cricket balls being hit into the property. As per the previous approved application S/0200/09/F a condition shall be added to any consent granted to require the glazing in the south and rear elevation to be fitted with toughened glass.
29. Given that planning permission has already been granted for a dwelling, the need for infrastructure contributions does not arise.

Conclusions

30. 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.

Recommendation

31. Approval subject to:

Conditions

- (a) **The development hereby permitted shall be carried out in accordance with the following approved plans: H10314.02B, H10314.01F & H10314.03D.**
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

- (b) **The materials to be used for the development, hereby permitted, shall Accord with the specification in the application form and approved plans, unless otherwise agreed in writing by the Local Planning Authority.** (Reason – To ensure the appearance of the development is satisfactory in accordance with Policies DP/2 and DP/3 of the adopted Local Development Framework 2007.)
- (c) **All glazing in the rear/south elevation of the dwelling, hereby permitted, shall be fitted with toughened glass, in accordance with a scheme that shall previously have been submitted to and approved in writing by the Local Planning Authority. The glazing shall thereafter be maintained in Accordance with the approved details**
(Reason - To ensure a satisfactory level of safety and amenity for future occupants, arising from the proximity of the site to the adjoining cricket ground, in accordance with Policy DP/3 of the adopted Local Development Framework 2007)
- (d) **Notwithstanding the provisions of the Town and Country Planning General Permitted Development) (England) Order 2015, (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, and within Class A of Part 2, 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 ensure that development that would not otherwise require planning permission is not carried out with consequent potential harm to the character of the area, in accordance with the requirements of Policies DP/2 and DP/3 of the adopted Local Development Framework 2007)
- (e) **The vehicular access, and parking and turning areas, shall be provided in accordance with drawing number HI0314.01F date stamped 3 June 2015.**
(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- (f) **Visibility splays shall be provided on both sides of the access and shall be maintained free from any obstruction over a height of 600mm within an area of 2m x 2m measured from and along respectively the highway boundary.**
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007)
- (g) **The vehicular access, hereby permitted, shall be un gated.**
(Reason – In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007)
- (h) **The access and driveway shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority.**
(Reason – In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007)

- (i) **The property shall not be occupied until full details of 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.)
- (j) **The 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 of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, another tree 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.)
- (k) **No power operated machinery (or other specified machinery) shall be operated on the premises before 0800am on weekdays and 0800am on Saturdays nor after 1800pm on weekdays and 1300pm 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.)

Informatives

- (a) The granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.
- (b) There shall be no burning of any waste or other materials on the site, without the prior consent from the Environmental Health Department.
- (c) Should driven pile foundations be proposed, then before works commence a statement of the method for construction of these foundations shall be submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.
- (d) The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise and dust during the construction phases of development. This should include the use of water suppression for any stone or brick cutting and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated

noise or dust complaints be received. For further information please contact the Environmental Health Service.

(e) The applicant is reminded that it is an offence under the Highways Act 1980 if any part of the development falls within Public Highway Land. Please contact Cambridge County Council's Searches Team at Shire Hall to ascertain the exact extent of the public highway in the vicinity of the site.

Background Papers:

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- 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
- Proposed Local Plan
- National Planning Policy Framework 2012
- Planning File Reference: S/0200/09/F

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