

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 3rd August 2005
AUTHOR/S: Director of Development Services

**S/0958/05/F - Stapleford
Dwelling, Land Adjacent to 17 Gog Magog Way, for Hogger Homes Ltd**

**Recommendation: Approval
Date for Determination – 4th August 2005**

Site and Proposal

1. The 0.05 ha site is located on the northern edge of Stapleford. It is overgrown with trees on the Gog Magog frontage and has a dilapidated shed. The rear part of the site tapers and is part of an arable field.
2. To the east is a semi-detached dwelling with extensions to the side and rear. The common side boundary between the site and this property is unfenced.
3. To the west, set at a lower level, is a detached house (19 Dukes Meadow) set on a corner plot. The garden has boundary planting of shrubs and trees and a 1.8 m high panel fence to the site boundary.
4. To the rear of the site are fields. The full application submitted on 16th May 2005 and amended on 6th and 17th June, and the 4th July 2005, proposes the erection of a detached 4 bedroom house with an integral garage. The ridge height of the main accommodation and the rear 2 storey hipped element is 7.5 metres. The rear projection has a lower eaves line to reduce its bulk and the first floor bedrooms are partly with the roofspace and served by 2 rear facing dormers. The house is set back behind a driveway and turning area; the access is on the eastern side of the frontage to avoid the main group of frontage trees. The density equates to 20 dwellings to the hectare.

Planning History

5. The site is no planning history.

Planning Policy

6. The bulk of the site is within the village framework. The rear part is within the Cambridge Green Belt. The following policies are relevant:

Policy P1/2 – Environmental Restrictions on Development

Policy P1/3 – Sustainable Design in Built Development

Policy P5/3 – Density

Policy P5/5 – Homes in Rural Areas of the Cambridgeshire and Peterborough Structure Plan 2003.

Policy SE2 – Rural Growth Settlements

Policy SE8 – Village Frameworks

Policy SE9 – Village Edges

Policy GB2 – Green Belt of the South Cambridgeshire Local Plan 2004.

7. Para 3.12 states that the change of use of land to residential curtilage will be resisted where it harms the openness and landscape character of the Green Belt.

Consultation

8. **Stapleford Parish Council** objects:

“The proposed site includes agricultural land and the construction of a 4 bed roomed house on this constricted site would constitute overdevelopment. It was also noted that the current extent of adjoining buildings was not accurately shown on the plans.

9. **The Trees and Woodlands Officer** comments that the group of 2 elms on the frontage are currently healthy. The trees should be retained and the driveway/turning area located and constructed by the “No Dig” (APN 1) method.
10. There is a conifer of the cypress variety on the site side boundary which will be compromised by the development, but no objection is raised to its loss.
11. **The Chief Environmental Health Officer** has no objections subject to a standard condition concerning hours of operation and power operated machinery and informatives concerning pile driven foundations and bonfires.

Representations

12. 3 letters of objection were received from neighbours in response to the initial application. The comments can be summarised as follows:
- a) The adjacent dwellings, 19 Dukes Meadow and 17 Gog Magog Way are not shown correctly on the application plans as they have been extended.
 - b) The site includes Green Belt land this is unacceptable.
 - c) The access proposed is close to a corner and will present a traffic hazard.
 - d) The proposed access will necessitate the trimming or partial removal of trees on the site frontage despite the statement in the application that there would be no loss of trees.
 - e) The proposed access is obstructed by a stench pipe, cable TV junction box and BT pole and stay.
 - f) The agricultural element of the site is not overgrown paddock as stated on the application forms but arable farm land.
 - g) There is an existing fence and gate across the site to the agricultural element which is not shown on the application plans.
 - h) The elevation plans show no relationship between the height of the proposed dwelling and 17 Gog Magog Way neighbours. The ground level of this property is about 0.45 m above the application site.

- i) The proposed dwelling will overshadow adjacent properties, resulting in a loss of privacy and amenities.
- j) The rear door of 17 Gog Magog Way is immediately opposite the proposed dwelling and the landing window also faces the proposed development.
- k) The dwelling is overlarge for the site.

Discussions with the applicant led to the submission of a series of amended plans which addressed some of the points raised. The owners of 19 Dukes Meadow continue to object on the following grounds:

- l) The extensions to their property are still not shown on the application plan. They state:

“Our extensions were planned after we had lived in the house for a year. We changed the whole emphasis of our outlook towards what has now become the proposed dwelling. In making this decision we took into consideration the position of the sun through the day and the privacy of this view. As you can see from the enclosed map of the area with the arrows consists of full-length floor to ceiling windows to gain maximum benefit from this outlook. Consequently we consider that this proposed development would be an intrusion. We are not sure how the developer has made the assessment from his site evaluation that the extensions have “little relevance”. There is also the problem of different levels. We have established that the FFL of 19 Dukes Meadow is 0.46 m below the FFL of the proposed development. The apex of the gable wall and ridge on the elevation facing 19 Dukes Meadow will be 7.92 metres above the FFL of our property. We would suggest that before planning permission is given this should also come into the equation. The large expanse and height of the brickwork will be overbearing particularly as the proposed dwelling is disproportionately large for the site in comparison with neighbouring properties and it is very close to our fence.”

The owner of 17 Magog Way also repeats his earlier objections, particularly with reference to the accuracy of the plans and the information advanced by the applicant. He concludes the proposal is still a significant overdevelopment of the site and an unwarranted break of the Green Belt boundary.

Planning Comments – Key Issues

- 13. The key issues are:
 - The inclusion of Green Belt land within the site.
 - The impact of the proposed dwelling on the amenities of the adjacent dwellings.
 - The impact on the street scene.
- 14. The principle of a dwelling on the site was the subject of pre-application discussions with Officers. The applicants were advised that the inclusion of a small area of Green Belt land for use as additional rear garden was unlikely to lead to an official objection as in this instance it would not harm its openness and landscape character as it would

be seen against existing rear gardens and a planning condition could be attached taking away permitted development rights for garden buildings.

15. Discussions with the applicants during the course of the application have led to design changes to lessen the impact of the dwelling on neighbouring properties. Initially the scheme featured a detached garage in front of the proposed house, but this would have been far too prominent in the street scene. Incorporating the garage in the dwelling has led to its redesign with a larger 2 storey rear element. In order to reduce the impact of this on neighbouring properties in the final amendment the side elevation of the dwelling has been reduced by 1.8 m to the west and 0.5 m to the east, with the eaves of the rear element lowered and the roof hipped. Its width has also been reduced, pulling it further from the side boundary. The first floor windows on both elevations remain obscured glass. It is considered these modifications have rendered the development acceptable with regards to the impact on the amenities of neighbouring properties. The proposed dwelling is closest to 17 Gog Magog Way, but this has single storey extensions which to some extent form a buffer. At its closest the side of the proposed dwelling will be about 14 metres from the rear elevation of 19 Dukes Meadow which lies at an angle to the site. Although 19 Dukes Meadow is at a lower level than the application site, it has a large well landscaped garden which will mitigate the visual impact. There may be some loss of early morning sunlight to part of the garden but other areas will receive full sunlight.
16. The proposed dwelling will be set back about 12 metres from Gog Magog Way, and the existing frontage trees retained. Now that the detached garage has been deleted the dwelling will be well assimilated into the street scene. Finished floor levels have been submitted which demonstrate that the dwelling would be below the height of its nearest neighbour (17 Gog Magog Way). The density equates to 20 dwellings per hectare which is appropriate given the spacious character of the area.

Recommendation

17. Approval, as amended by plans ref. EDG/04/05/1e and EDG/04/05/2b franked 4th July 2005.
 1. Standard Condition A – Time limited permission (Reason A);
 2. Notwithstanding the provisions of Article 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order), the following classes of development more particularly described in the Order are expressly prohibited in respect of the area cross hatched on attached plan SCDC 1 unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf:
(1) PART 1 (Development within the curtilage of a dwellinghouse) Class E.
(Reason – The area hatched on plan SCDC 1 is in the Cambridge Green Belt where the erection of garden buildings could adversely affect its openness contrary to Policy GB2 of the South Cambridgeshire Local Plan 2004.)
 3. No development shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority;
 - a) The materials to be used for the external walls and roofs.
 - b) Details of the boundary fencing.

The development shall be carried out in accordance with the approved details.
(Reason – To ensure the development accords with the appearance of the

neighbouring buildings and appropriate fencing is erected, particularly on the Green Belt boundaries.)

4. The first floor windows in the east and west elevations shall be permanently glazed with obscure glass. (Reason – To ensure the privacy of neighbouring properties is protected.)
5. SC51 – Landscaping (RC51)
6. SC52 – Implementation of Landscaping (RC52)
7. The trees on the site frontage shall be adequately protected by fencing during the course of building operations. (Reason – To ensure their retention.)
8. The proposed access shall be of “no dig” construction (APN 1). (Reason – To ensure the frontage trees are not damaged.)
9. The proposed turning area shall be provided before the use commences and thereafter maintained. (Reason – In the interests of highway safety.)
10. During the period of construction no power operated machinery shall be operated on the premises before 0800 hours on weekdays and 0800 hours on Saturdays nor after 1800 hours on weekdays and 1300 hours on Saturdays (nor at any time on Sundays or Bank Holidays), unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions. (Reason – To protect the amenity of neighbouring residents.)

Informatives

The Chief Environmental Health Officer comments:

1. Should driven pile foundations be proposed, then before works commence, a statement of the method of construction of these foundations shall be submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.
2. During construction there shall be no bonfires or burning of waste on site except with the prior permission of the Environmental Health Officer in accordance with best practice and existing waste management legislation.
3. The Environment Agency comments:
 - a) Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management. This approach involves using a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands to reduce flood risk by attenuating the rate and quality of surface water run-off from a site. This approach can also offer other benefits in terms of promoting ground water recharge, water quality improvement and amenity enhancements. Approved Document Part H of the Building Regulations 2000 sets out a hierarchy for surface water disposal which encourages a SUDs approach.
 - b) In accordance with Approved Document Part H of the Building Regulations 2000, the first option for surface water disposal should be the use of sustainable

drainage methods (SUDS) which limit flows through infiltration eg. Soakaways or infiltration trenches, subject to establishing that these are feasible, can be adopted and properly maintained and would not lead to any other environmental problems. For example, using soakaways or other infiltration methods on contaminated land carries ground water pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under BRE Digest 365.

- c) Flow balancing SUDS methods which involve the retention and controlled release of surface water from a site may be an option for some developments at this scale providing balanced surface water flows exceed the minimum feasible discharge rate (approximately 5 litres/second/hectare). Flow balancing should seek to achieve water quality and amenity benefits as well as managing flood risk.
- d) Further information on SUDS can be found in PPG25 appendix E, in the CIRIA C522 document. Sustainable Urban Drainage Systems – design manual for England and Wales. The framework consultation document provides advice on design, adoption and maintenance issues. This will form the basis of a Code of Practice on SUDS and is available electronically on both the Environment Agency's website at: www.environment-agency.gov.uk and CIRIA's website at www.ciria.org.uk.
- e) Where it is intended that disposal be made to public sewer, the Water Company or its agents should confirm that there is adequate spare capacity in the existing system and that they would be willing to accept any increases to flows.

Note:

Development which involves a culvert or an obstruction to flow on an Ordinary Watercourse will require Agency consent under the Land Drainage Act 1991. An Ordinary Watercourse is defined as any watercourse not identified as a Main River held on maps by the Environment Agency and DEFRA. For further information see Procedure Key cell B25 in Excel version. Click on the attached hyperlink in HMTL version LDA 1991 – Consent Ordinary Watercourses.doc.

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:

Cambridgeshire and Peterborough Structure Plan 2003:

Policy P1/2 - Environmental Restrictions on Development.

Policy P1/3 - Sustainable Design in Built Development

Policy P5/3 – Density

Policy P5/5 – Homes in Rural Areas

South Cambridgeshire Local Plan 2004:

SE2 - Development in Rural Growth Settlements

SE8 – Village Frameworks

SE9 – Village Edges

GB2 – Green Belt

2. The proposal is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Impact on the Green Belt
 - Impact on amenities of neighbouring properties
 - Impact on the street scene

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
Planning Application File: S/0958/05/F

Contact Officer: Bob Morgan – Planning Officer
Telephone: (01954) 713395