

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Development and Conservation Control Committee 2<sup>nd</sup> November 2005  
**AUTHOR/S:** Director of Development Services

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### **S/1710/05/F - Willingham Erection of 6 dwellings Following Demolition of 2 Existing Dwellings, 6 and 8 Earith Road, and Land R/O 3 Fen End for Januarys**

**Recommendation: Approval**

**Date for Determination - 2<sup>nd</sup> November 2005**

#### **Site and Proposal**

1. The 0.17ha site is situated to east of Earith Road apposite Lordship Close and just to the north of Pegler Court. On the frontage of the site is a pair of Victorian semi-detached cottages, currently unoccupied. Each has its own vehicular access. The extensive rear garden are overgrown.
2. To the south is Pegler Court, modern development of 9 dwellings, and 1 Fen End a detached Victorian House. The rear portion of the garden of 3 Fen End is included in the application site, and the rear gardens of adjoining houses in the terrace, 5-11 Fen End back onto the site. To the north is a detached house, with a conifer hedge approximately 3m high and a lower beech hedge along the side boundary.
3. The full application, received on the 7<sup>th</sup> September 2005 and amended on the 11<sup>th</sup> and 21<sup>st</sup> October 2005 proposes the demolition of the existing cottages and the erection of 6 dwellings on the site, consisting of a semi-detached pair on the site frontage and a bungalow, a detached house and a semi-detached pair to the rear, all served by a private driveway from Earith Road on the southern boundary of the site. A total of 11 parking spaces are proposed, including a disabled space.
4. The proposed houses are in the Victorian idiom, with slate roofs, brick detailing and chimneys. Ridge heights are in the 7.2 - 7.9m range. Plots 3, 4 and 5, which back onto the rear gardens in Fen End, have high level windows at first floor level to reduce overlooking and rear gardens with an average depth of between 9-14m.
5. The amendments involve minor changes to the fenestration on the front elevation of the detached house on plot 3 to reduce overlooking of the neighbouring property, 14 Earith Road, clarification of the highway boundary to Earith Road and a change of the access detail. The density equates to 35 dwellings per ha.

#### **Planning History**

6. Outline planning permission was granted for the erection of 4 houses following the demolition of the 2 existing dwellings in 2001; the period for the submission of reserved matters was subsequently extended by 3 years in 2004.
7. A full application to erect 8 dwellings on a slightly enlarged site was refused in June 2005 on the following grounds:

1. "Willingham is designated a Rural Growth Settlement, by virtue of Policy SE2 of the South Cambridgeshire Local Plan 2004. Although the proposed density of 47 dwellings per hectare achieves the minimum density of 30 dph, the scale of the proposal would fail to comply with criteria (b) of the above-mentioned policy, by virtue of:
  - a) The proposed houses on plots 3 and 4 would be unacceptable close (approximately 6.3m) to the boundary wall of the garden of No. 1 Fen End; the proposed houses would be overbearing in the aspect from that garden and would cause a degree of overlooking with loss of privacy to that property;
  - b) The proposed house in Plot 3 is unacceptable close to the north east elevation of No 4 Pegler Court, in which is a first floor window; the proposed house would be overbearing from the garden and NE elevation of that property and would cause a degree of overlooking with the loss of privacy to that property;
  - c) The proposed houses on Plots 7 and 8 would be unacceptably close to and dominating from, the rear gardens of Nos 5-11 odd Fen End; the rear part of these gardens would also be overlooked with loss of privacy; and
  - d) The proposed layout is building and hard surface dominated with little meaningful space available for landscaping and planting as required by Policy EN5 of the Local Plan 2004.

Although the proposed layout achieves an average parking standard of 1.5 spaces per dwelling for residents, there is no provision for the short-term needs of service vehicles and visitors; an additional two spaces would be necessary. The proposal would not therefore comply with the standards included at Appendix 7/1 of the Local Plan 2004".

8. The subsequent appeal was discussed on the 14<sup>th</sup> October 2005, principally for reason a) and b) above.

### **Planning Policy**

9. The site is within the village framework.

The following policies apply:

Cambridgeshire and Peterborough Structure Plan 2004  
**Policy P1/2 Environmental Restrictions on Development;**  
**Policy P1/3 (Sustainable Design in Built Development);**  
**Policy P5/5 Homes in Rural Areas;**  
**Policy P6/1 Development - Related Provision.**

South Cambs Local Plan 2004  
**Policy SE2 Rural Growth Villages;**  
**Policy SE8 Village Frameworks.**  
**Policy HG10 (Housing Mix and Design);**  
**Policy HG11 (Backland Development);**  
**Policy CS10 Education**  
**(Appendix 7/1 - Car Parking Standards**  
**Policy EN15 Development Affecting Potential Archaeological Sites**

### **Consultations - (Pre-amendment)**

10. **Willingham Parish Council** objects: “concerned that this is an over-development of this site, with a consequent negative effect of traffic in and out of the proposed development into Earith Road.”
11. **Local Highway Authority:** recommends visibility and maintenance of turning area conditions, and that the access should compromise a crossing of the existing footway with no radius up stand kerbs. The Earith Road highway boundary needs clarification.
12. **The Old West Internal Drainage Board:** has no comments.
13. **The Chief Financial Planning Officer (County Council):** requires a contribution to educational and community facilities, using the formula used on previous development sites in the village.
14. **The Development Control Archaeologist (County Council)** requires a condition concerning a programme of archaeological investigation before development commences.
15. **The Cambridgeshire Fire and Rescue Service:** does not require additional water supplies for fire fighting.
16. **The Chief Environmental Health Officer:** has no objections subject to condition concerning restrictions on the use of power operated machinery and informatives concerning driven pile foundation and the requirements for a Demolition Notice.
17. **The Trees and Landscape Officer** has no objections.

### **Representations**

18. 2 letters has been received from local residents. The owners of 1 Fen End, which backs on to the site’s southern boundary, state that they are much happier now that a bungalow replaces the house previously proposed on Plot 6 behind their property, providing the ridge height does not exceed the 4.5m proposed. It is understood a private drive should serve no more than 5 dwellings and this should be adhered to by replacing a pair of semi-detached houses with another bungalow.
19. The owner of 13 Fen End, part of the terrace which backs onto the site’s southern boundary, is concerned that Earith Road is a very busy route particularly in the morning rush hour and to allow more cars to manoeuvre onto the road would be detrimental to highway safety. The proposed parking is insufficient, leading to potential on-road parking further endangering road users. The area to the rear of Fen End and Earith Road is quite densely populated and further housing would detract from the nature of the environment in this corner of the village.

### **Planning Comments – Key Issues**

20. The key issues are the impact of the proposed development on the amenity of neighbouring properties and whether it is in keeping with the character of the area. Following the refusal of planning permission for 8 dwellings on the site, discussions with the applicants have led to the current applications being submitted.

21. The major change is the replacement of the 2 semi-detached dwellings previously proposed on Plot 3 (now Plot 6) with a bungalow. This overcomes previous concerns of overlooking and the overbearing proximity to neighbouring properties highlighted by the Inspector. Two dwellings overall have been deleted from the scheme, enabling more space to be given over to landscaping, less hardstanding and adequate car parking to be achieved. The houses on Plots 3, 4 and 5 have been designed with high level windows to the first floor bedrooms facing towards Fen End and given the back to back distance to the main terrace (No's 3-15) in the order of 40m, overlooking was not considered an issue by the Inspector. One Fen End is closer to the site boundary but the bungalow now proposed with an 8.7m back garden should not affect the amenity of that property. The amended plans adjusted the first floor fenestration on the front elevation of the Plot 3 dwelling to reduce potential overlooking by deleting a bedroom window and repositioning another further from the boundary. This measure, combined with the existing conifers and beech hedge, on the common boundary should provide acceptable levels of privacy for 14 Earith Road, in excess of that required by the Inspector.
22. The site adjoins Pegler Court to the south which is a modern development with a high density (about 57 dwellings per ha). Therefore, although there is predominantly frontage development further north along Earith Road and along Fen End, I do not consider the proposed development at 35 per ha will be out of keeping with the character of the area.
23. Concerns have been expressed by the Parish Council and local residents about the traffic implications of a six-house development but the Local Highway Authority is satisfied adequate visibility and turning is available in the site. Eleven parking spaces meets the requirements for 1.5 spaces per dwelling with visitor parking, although of course it cannot be guaranteed that owners/visitors will not park on Earith Road.

### **Recommendation**

24. .Approval, as amended by plans (90) 01A and (21) 02A dated 11<sup>th</sup> October 2005 and plan dated 21<sup>st</sup> October 2005 subject to:
  1. Standard Condition A – Time limited permission (Reason A)-3 years.
  2. No development shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.
    - a) The materials to be used for the external wall(s) and roof(s).
    - b) Details of the bin stores.
 (Reason - To ensure that the development is not incongruous.)
  3. 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 property and each unit thereon unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf:-  
PART 1, (Development within the curtilage of a dwellinghouse, All Classes).  
(Reason - To safeguard the character of the area.)

4. No development shall commence until there has been submitted to and approved in writing by the Local Planning Authority; a scheme of hard and soft landscaping, which shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for the protection in the course of development and specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.  
(Reason - To enhance the quality of the development and to assimilate it within the area and to ensure the retention of the conifer and beech hedge on the north-eastern boundary of the site.)
5. All hard and 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.  
(Reason - To ensure the development is satisfactorily assimilated into the area.)
6. Details of the treatment of all external and internal site boundaries shall be submitted to and approved in writing by the Local Planning Authority and the work completed in accordance with the approved details before the dwellings are occupied or the development is completed, whichever is the sooner.  
(Reason - To ensure that the appearance of the site does not detract from the character of the area.)
7. The development hereby permitted shall not commence until a binding undertaking prepared in accordance with the agreements of Section 106 of the Town and Country Planning Act 1990 shall have been entered into with the Local Planning Authority, requiring the payment of an education and community facilities contribution.  
(Reason - To ensure the development makes provision for education and community facilities in accordance with Policy P6/1 of the Cambridgeshire and Peterborough Structure plan 2003 and Policy CS10 of the South Cambridgeshire Local Plan 2004.)
8. Vehicle to vehicle to visibility splays shall be provided on either side of the junction of the proposed access road with the public highway. The minimum dimensions to provide the required splay lines shall be 2.4 metres measured along the centre line of the proposed access road from the its junction with the channel line of the public highway, and 90.0 metres measured along the channel line of the public highway from the centre line of the proposed access road.  
(Reason - In the interests of the highway safety.)
9. The access road shall be of a minimum width of 5m for a minimum distance of 15m from the edge of the existing carriageway.  
(Reason - In the interests of the highway safety.)
10. Before the development hereby permitted commences the access from the existing highway shall be laid out and constructed to the satisfaction of the Local Planning Authority.  
(Reason - In the interests of highway safety.)

11. The permanent space to be reserved on the site for parking and turning shall be provided before the use commences and thereafter maintained.  
(Reason - In the interests of highway safety.)
12. The first floor high-level windows in the south elevation of plots 3, 4 and 5 hereby approved, shall have a cill height no lower than 1.7m above first floor level.  
(Reason - To safeguard the privacy of occupiers of the of adjoining properties.)
13. No further windows, doors or openings of any kind shall be inserted at first floor level in the rear elevations of plots 3-5 of the development, hereby permitted, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.  
(Reason - To safeguard the privacy of occupiers of the adjoining properties.)
14. During the period of demolition and construction, no power operated machinery shall be operated on the site, before 08:00 hours and after 18:00 hours on weekdays and after 13:00 hours on Saturdays, nor at any time on Sundays or Bank Holidays), unless otherwise previously agreed in writing with the Local Planning Authority.  
(Reason - To minimise noise disturbance to adjoining residents.)
15. No development shall take place within the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been approved in writing by the Local Planning Authority.  
(Reason - To secure the provision of archaeological excavation.)
16. The first floor en-suite windows in the gable elevations of the houses on Plots 3, 4 and 5 shall be permanently glazed with obscure glass.  
(Reason - To protect the amenities of neighbouring properties.)

### **Informatives**

25. The Council's Chief Environmental Health Officer comments:
  1. Should driven pile foundations be proposed, then before works commence, a statement of the method for construction of these foundations shall be submitted to and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.
  2. Before the existing property is demolished, a Demolition Notice will be required from the Environmental Health Department establishing the way in which the property will be dismantled, including any asbestos present, the removal of waste, minimisation of dust, capping of drains and established hours of working operation. This should be brought to the attention of the applicant to ensure the protection of the residential environmental of the area.

### **Reason 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 P5/5 Homes in Rural Areas;**  
**Policy P6/1 Development - Related Provision.**

South Cambs Local Plan 2004  
**Policy SE2 Rural Growth Settlements;**  
**Policy SE8 Village Frameworks.**  
**Policy HG10 (Housing Mix and Design);**  
**Policy HG11 (Backland Development);**  
**Policy CS10 Education**  
**(Appendix 7/1 - Car Parking Standards**  
**Policy EN15 Development Affecting Potential Archaeological Sites**

2. The development is not considered to be significantly detrimental to the following material planning considerations, which have been raised during the consultation exercise:
  - Impact upon the amenities of neighbouring properties
  - Compatibility with the existing character of the area
  - Highway safety

**Background Papers:** the following background papers were used in the preparation of this report: County Structure Plan 2003  
South Cambs Local Plan 2004  
Planning files S/0043/05/F and S/1710/05/F

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