

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7th March 2007

AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S/2259/06/F - COMBERTON Erection of Dwelling at Land to the Rear of 64 Barton Road

Recommendation: Delegated approval

Date for Determination: 9th March 2007

This Application has been reported to the Planning Committee for determination because the Parish Council objection does not accord with the Officer recommendation.

Conservation Area

Members will visit the site on Monday 5th March 2007

Site and Proposal

1. This approximately 1600m² site lies within the village framework of Comberton and within the Conservation Area. Its southern portion lies within the Protected Village Amenity Area (PVAA) which also lies to the south and west. A public footpath runs along the eastern boundary. Mature trees lie to the south and west. Those to the south are protected with Tree Preservation Orders. An existing dwelling on the front portion of the site sits in an elevated position in relation to the road. An existing garage building lies to its east adjacent to the footpath.
2. The full planning application, received 23rd November 2006 and amended on 22nd February 2007, proposes extensions and alterations to the existing dwelling, the demolition of the existing garage and its replacement with a new double garage and the erection of a new 1½ storey dwelling to the rear. The new dwelling would lie immediately north of the PVAA with its garden within it. The height to the eaves is approximately 2.8m and 6.8 to the ridge. The density (gross) equates to 12.5 dwellings per hectare.

Planning History

3. **S/1295/06/F** – Erection of two dwellings following demolition of existing house and garage. This application was withdrawn largely due to concerns that the replacement dwelling to the front was not of sufficient architectural quality and the test of preserve or enhance within Policy EN30 of the South Cambridgeshire Local Plan 2004 was not satisfied.
4. **S/1432/06/CAC** – Application to demolish the existing dwelling was withdrawn.
5. **S/1031/83/F** – Planning permission was approved in July 1983 for a garage.



Comberton



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Scale 1/790 Date 26/2/2007

Centre = 538434 E 256285 N

March 2007 Planning Committee

Planning Policy

6. **Policy P1/3** of the Cambridgeshire and Peterborough Structure Plan 2003 ('the County Structure Plan') requires a high standard of design and sustainability for all new development and which provides a sense of place which responds to the local character of the built environment. This policy is supported by policy DP/2 of the Local Development Framework, Submission Draft 2006.
7. **Policy P7/6** of the County Structure Plan – Historic Built Environment states that Local Planning Authorities will protect and enhance the quality and distinctiveness of the historic built environment.
8. **Policy P5/5** of the County Structure Plan adds small-scale developments will be permitted in villages only where appropriate, taking into account the character of the village and its setting.
9. **Policy ST/6** of the adopted South Cambridgeshire Local Development Framework lists Longstanton as a Group Village.
10. **Policy HG10** of the Local Plan 2004 states the design and layout of schemes should be informed by the wider character and context of the local townscape and landscape.
11. **Policy EN30** of the Local Plan – Development in Conservation Areas states that proposals will be expected to preserve or enhance the special character and appearance of Conservation Areas especially in terms of their scale, massing, roof materials and wall materials. The District Council will refuse permission for schemes which do not specify traditional local materials and details and which do not fit comfortably into their context.
12. **Policy SE10** of the Local Plan – Protected Village Amenity Areas states that development of these areas will not be permitted if it would be harmful to the distinctive qualities and functioning lying behind their inclusion in the PVAA.

Consultation

13. **Comberton Parish Council** – recommends refusal. It states:
“The proposed second dwelling is in the conservation area. As such it must be rejected because it provides no net addition to public amenity – in fact it reduces it. Furthermore, its access road and associated hard standing: obstruct the public footpath, which was originally much wider than stated; would necessarily have cars parked on it, which would obstruct the public footpath; compromises the access to the public footpath at Barton Road.

Other undesirable features of the proposals are: the 1.8m high brick wall beside the access road would intimidate footpath users; the 1.8m high boundary fence is out of keeping with the current open style; two adjacent driveways are unsuitable in the conservation area, as are block-paved driveways; it requires removal of trees in a conservation area.

The proposed extension is too big and would affect the street scene when viewed diagonally. It is good that it is at the rear, and a more modest extension that tidied the rear would be in keeping with the proportionate development permitted in the conservation area. It would be an improvement if it included timber windows and the existing windows at the front were replaced in timber.

Replacing the existing ugly garage is welcome.

If SCDC planners are minded to approve the application, it should be considered by SCDC's full Planning Committee".

14. **Chief Environmental Health Officer**

No objections.

15. **County Council Definitive Maps Officer**

"As previously commented in our response dated 16/08/06 to the previous application, Public Footpath no. 5 Comberton is affected by the proposals. As you may be aware, following that letter the relevant officers had a meeting with the applicant and solicitor to discuss the issues arising. We are pleased to see that the new application seems to take our advice in to account. The Countryside Access Team does not object to the proposed development but would comment as follows:

1. The footpath is to be reinstated to its historic width of 4 metres and will, for the large part, share a private access-way to the new rear dwelling. The applicant proposes to construct a block-paving surface along the access-way to allow private vehicular use. We wish to make clear for the avoidance of doubt that Definitive Statement (the legal description of the path) records that the surface is a grass track, and this is all that would be required for footpath use. Therefore as the block-paving is required only because the applicant needs to drive vehicles along it, and the liability for maintenance of it must rest with the applicant/landowner....The extent of the path beyond the private access should remain grassed."

The remainder of the comments highlight additional restrictions regarding parking, obstruction, the storage of builders materials and the requirement that the surface of the path at the Barton Road end be made level across its whole width.

One further comment states: "The County Council will supply the hand-gate to be located towards the end of the path near Barton Road, adjoining the applicant's new access gate. A kissing gate has historically been here and it will serve to mitigate against children, dogs etc running out on to the road."

16. **Ramblers Association**

There do not appear to be major issues surrounding this application, and note that John Cooper (County Council) has already been consulted. We would be concerned if footpath 5 was adversely affected during any building work and would ask that:

- a) That the surface of the footpaths should not be unduly disturbed by increased traffic during building work.
- b) That materials etc should be stored/dumped on the RoW.
- c) That vehicles visiting the site should not impede the safe passage of pedestrians.
- d) That any fp signs are not obscured or removed during building work

17. **Conservation Manager**

Comments in relation to the original submission:

"The pattern of development in this part of Comberton has been significantly changed in the latter half of the 20th Century and there is now significant development in depth away from the Barton Road. I have no objection in principle to the idea of

remodelling the existing dwelling, demolishing the existing unsightly garage and erecting a modest, subservient dwelling to the rear, indeed a well designed development has the potential to offer significant enhancement of the Conservation Area. However, aside from the removal of the unsightly garage building, I do not find that the current proposals offer any real enhancement of the Conservation Area, and am particularly concerned by the works to the existing dwelling.

New Dwelling

The new dwelling that is to be sited to the rear is relatively low lying, (being 1 and 1/2 storeys) and is set back off the road where it is also well screened by existing trees to the west. The building will therefore not impact excessively on the Conservation Area and my only concerns with this part of the scheme are:

- i) The drawings refer to the roof as being interlocking concrete tiles, which is not appropriate for a site within the Conservation Area.
- ii) There are also a number of rooflights in the roofslope and the design would be improved if these were reduced in number (and those that remain also changed to conservation type).

Works to Existing Dwelling

The existing dwelling appears to date from the Edwardian period, though has been rather unsympathetically modernised with inappropriate replacement windows and a concrete tiled roof. The current proposals involve demolishing existing elements to the rear and then building a very significant two storey extension. However, no attempt is made to reinstate the original appearance of the building on its front elevation. The rear extension also has a new two storey gabled element which is wider than the proportions of the existing gable to the original house. An extension to the original dwelling would sit more comfortably into this context if it took the form of a 'matching gable' built to the rear - such that the roof takes on an 'M' profile - possibly with a single storey 'lean-to' in turn on the rear of the two storey element, to provide additional ground floor accommodation. At the same time, the front elevation would be greatly enhanced if the windows were returned to a more Edwardian form, (from an examination of the proportions of the existing window openings, these may have been subdivided into three casements with fanlights over, or possibly subdivided into two pairs of double hung sashes - with glazing bars only in the top sashes - see attached sketch). Given the extent of works to this house, it would also be appropriate to remove the inappropriate concrete tiles and return the roof to a natural slate finish. Finally there is a new single garage to be constructed to the side of the existing dwelling and a wall built to separate the house from the new dwelling at the rear. Again, rather than have a standard 'estate' type garage, the opportunity should be taken to site the garage such that it links to, and terminates, the garden wall that will now separate the existing house from the new dwelling to the rear. Forward of the garage a native species hedge might then be planted to separate the two driveways, providing a greater degree of 'greenery' to the front. The garage doors should be vertically planked and its roof should again be slate, not interlocking concrete tiles. The window would be better located on the west side (ie away from the drive to the neighbouring house) and also to be changed to a double casement window. If it is to have a personal door in place of the window, then this should be a timber ledged and braced door."

With regards the amended scheme:

The Conservation Manager has been in negotiations with the applicant's regarding improvements to the scheme and is largely in support of it as amended. His detailed comments will be given verbally at the meeting.

18. **Comments of Cllr Harangozo**

Four concerns:

1. An apparent change of view of the officers about this development over time according to one objector who has contacted me and studied the case file.
2. Any incorporation of the path into the driveway so that it becomes completely suburbanized. I've asked Nigel Blazeby to try to ensure only a single driveway access which should then hopefully mean that the current path can stay as it is. Retention of the existing path seems to be a particularly strong concern which I share.
3. Damage to wildlife, especially woodpeckers.
4. The justification for building a second house to the rear and its scale/massing. Is a large house really sympathetic to such an area which is currently very open?

19. **Conservation Manager's response to concerns:**

1. "I don't believe that there has been a change of view by officers on this application. The actual application has changed significantly over time in response to concerns raised by officers. You will recall it started off as an application to demolish the existing house and erect two houses, then changed to an extension on the existing house and new dwelling to the rear, with subsequent revisions to the design and the scope of the works on the front dwelling. In reviewing the application the conservation section has sought to ensure an overall enhancement of the conservation area. The current version of the application will remove a very unsightly garage structure, which is also prominently sited on rising ground, and undertake significant improvements to the existing house (including returning the windows to more appropriate Edwardian style and replacing the unsightly concrete tiles with slate). The downside is obviously the second dwelling behind, but on balance we came to the conclusion that a modest dwelling that was visually subservient to the main house would be acceptable as part of an overall enhancement of other parts of the site. In reaching this conclusion we considered the development in depth that has already taken place to the east.
2. My understanding is that the footpath remains separate and I too would want to avoid an 'urbanisation' of this piece of Comberton. In the event that members decide to support the application, then no doubt Nigel would be able to draft suitable safeguarding conditions.
3. Damage to wildlife, especially woodpeckers. I am not aware of these issues but will pass this aspect on to Rob Mungovan for him to review and comment on.
4. Justification for the second house - see comments against item 1 above. My view is that, on balance, there is potential for enhancement of the Conservation Area with these proposals, but I fully accept that others may view the losses to outweigh the enhancements. Again, in the event that planning permission is to be granted, I would look for conditions linking the improvements at the front of the site (including the enhancement of the

existing dwelling and removal of the unsightly garage) to the occupation of the second dwelling - i.e. that the second dwelling could not be occupied until the enhancement works have been completed.”

20. **Cambridgeshire Preservation Society**

“We acknowledge that the existing 1920’s building requires improvement however wish sufficient space being afforded to the existing public right of way i.e. the route should not be taken up by rogue verge parking etc.

The entire new built plot should also be located further south to ensure an adequate footpath is implemented along this property and overall detailing could be improved to merit the Conservation Area.”

As part of planning gain (on and off site) some improvements to the public footpath running through the sites should be made overall making it clearly inviting from either roads in terms of signage and installation of easy accessible gates (including for disabled persons) and ensuring a clear access width throughout and avoiding the creation of a narrow lane of unsafe impression. Thus overall the status and condition of this route linking between the communities (incl. School etc) should be safeguarded and improved.

Improvements to green space between both site – if publicly owned – and improvements to orchard/fruit tree planting.”

21. **Ecology Officer**

Comments will be reported verbally at the meeting.

Representations

22. 13 letters of objection have been received from the occupiers of 13 Roman Hill, Barton; 12 Woottens Close; Brock’s Close, Swaynes Lane; 100 Swaynes Lane; 12 Swaynes Lane; 104 Barton Road; 59 Swaynes Lane; 68 Barton Road, 69 Swaynes Lane; 60 Coronation Street, Cambridge; and 15 Harefields, Oxford

23. The Objector at Brock's Close, Swaynes Lane has, in addition to his letters, corresponded with the case officer in a number of e-mails. The last of these contains his own summary of his points of objection which are reproduced below:

1. Wootten's Close should not be taken as a precedent for building in depth.

Quite distinct and separated by footpath and sections of the CA and PVAA boundaries - and 64 is up on a hill.

2. The adjoining land had an application refused because it was in the CA this whole site is in the CA and for that reason and precedent alone, should be refused.

3. The site is partly in the PVAA and wrapped round on two sides by the PVAA - which would be very very severely affected by the development to the rear.

4. The wildlife and its habitat would be severely and adversely affected by the loss of meadow etc. at the rear.

5. The house at the rear would be v.v.v.v.v shady and dark for its proposed inhabitants.

6. The feel and aspect and view form the precious PF would be ruined and suburbanized.
7. There could be a much more suitable one house development put there - in this precious and key village location.
8. The site is a west looking and more **like** the land to the west...and on the same level as the rest of the PVAA land to the west - and this precious inner lung to the village should not be eroded - even at the edges.
9. The concreting and paving over of the footpath is wrong for a rural footpath - should stay grassy and open... and not hemmed in by extra house and walls and or fences
10. Paving concreting etc. will increase run-off and make already overstretched sewers more so - and increase risk of flooding on the lower parts of Barton Rd - as happened a few years ago.
11. Further traffic emerging over pavement, and onto a tricky spot of Barton Rd.
12. The rear house: imposing and encroaching on the privacy of No. 68 - whose bedroom windows are the same level as the 64 ground level....
13. Wrecking of the next door house's amenity of this rural corner - and they particularly enjoy watching the woodpeckers on the old pear tree that would be lost -if bulldozed..
14. traditional orchard would be swept away - in stead of preserving in this CA setting.
15. Removal of the horrid current garage should not have to be 'bought' by allowing bulldozing at the rear.

Could be dealt with as a condition of a future approval of a more appropriate single house application.

24. In addition to these points of concern the following were raised by the other objectors:
 - (a) The building of a new house to the rear cannot preserve or enhance the character and appearance of the Comberton Conservation Area and will seriously damage the quality of this part of the village.
 - (b) Impact of the new house to the rear on the adjacent Protected Village Amenity Area.
 - (c) Notwithstanding the objections, the repair and alteration of the existing house would be welcome.
 - (d) The proposed block-paving of the forecourt and driveway will completely change the rural feel of the footpath south from Barton Road. The proposed footpath on block paving is not acceptable.
 - (e) Future viability of footpath once paved and used as vehicular access.

- (f) Highway danger of combining footpath with vehicular access.
- (g) Access onto Barton Road has poor visibility. Down sloping driveways will increase the danger to users of the footpath which is very busy especially at school times.
- (h) Heavy use of access to rear dwelling will cause physical damage to adjacent properties.
- (i) Overlooking of No. 68.
- (j) The new house to the rear would be rather dark, overshadowed by existing trees to the south.
- (k) The development could set a dangerous precedent.

Planning Comments – Key Issues

25. The key issues to consider in the determination of this application are:

- (a) Impact upon the character and appearance of the Conservation Area,
- (b) Impact upon the Protected Village Amenity Area and countryside,
- (c) Impact upon residential amenity,
- (d) Impact upon the footpath,
- (e) Impact upon highway safety.

Impact upon the character and appearance of the Conservation Area

26. I note the comments of the Conservation Manager and that the proposal has been submitted following negotiations with officers. I accept some of the local criticism with regard to the erection of a dwelling to the rear and I agree that this element of the proposal neither preserves or enhances the Conservation Area. However, the proposal should be viewed as a whole. The benefit of the removal of a poor garage building and the improvement works to a very prominently sited existing dwelling amount to an overall development that will enhance the character and appearance of the Comberton Conservation Area.
27. The dwelling at the front will be far more visible in the street scene than the new one to the rear and its considerable improvements of design and materials together with an appropriately designed garage building to replace a building that is rather ugly will result in an overall enhancement of the site though I accept that the various elements of the proposal need to be weighed in coming to this view.
28. If Members are minded to approve the application I consider a condition requiring the works to the existing dwelling and replacement garage to be completed prior to the occupation of the new dwelling to ensure that the benefits of the proposal are delivered.
29. Although, as stated above, I consider that the new dwelling, on its own, would not 'preserve or enhance' I nevertheless do not consider it is otherwise inappropriate. The site lies within the village framework, there is no strong linear character and development in depth exists on the other side of the footpath. A modest dwelling here would not be out of character with the existing settlement pattern.

30. I am concerned that the block paving material for the driveway may not be wholly appropriate and I await the comments of the Conservation Manager in this regard. The detail of the material used can be controlled through a condition should Members be minded to grant planning permission.

31. The garage is of simple form and design and will not appear incongruous. It will not therefore harm the Conservation Area or street scene.

Impact upon the Protected Village Amenity Area and countryside

32. The site lies right on the edge of the PVAA. I consider that the new rear dwelling is modest in scale and would be well screened by existing vegetation, particularly to the south by TPO protected trees. The garden would lie within the PVAA and for this reason I consider a condition to remove permitted development rights for the erection of structures would be necessary. Otherwise I do not consider the proposal will harm the PVAA. Unlike Conservation Areas and the setting of Listed Buildings the PVAA restrictions in policy do not refer to the setting of the PVAA. This application is not proposing any built development within the PVAA. There are other examples of PVAAs that include garden land.

Impact upon residential amenity

Front dwelling extensions

33. There are no windows proposed in the eastern elevation at first floor level that would have the potential to overlook the side and garden of the adjacent property, No. 68. A condition to ensure that no windows are added could be imposed if Members are minded to grant planning permission.

Rear dwelling

34. The site abuts the gardens to No. 68 Barton Road and No 2 Woottens Close. Windows in the western elevation of the dwelling to the rear look over fields, those in the southern elevation look towards mature trees and those in the northern and eastern elevations are rooflights that do not serve habitable rooms apart from one secondary bedroom window. However I consider that whilst there may be limited views of the garden to No. 68 from these windows there would be a perception of overlooking due to their proximity. A condition could be imposed requiring these to be obscure glazed and no further windows added in these elevations.

35. I do not consider there are any material overbearing or overshadowing issues in relation to either dwelling.

Footpath

36. I note that the County Council Definitive Maps Officer is raising no objections. I share the concerns about materials and, as referred to above, more appropriate materials such as a bound gravel can be secured through conditions.

Highway Safety

37. Each property will be served off its own access and parking and turning can be achieved for both properties. Appropriate pedestrian visibility splays can also be achieved. Subject to conditions to ensure these controls are in place I do not consider the proposal will result in any danger to highway safety.

Recommendation

38. Delegated Approval subject to no new material issues being raised during the amendment consultation period (as amended by letter dated 10th January 2007 and by drawing No. 5 Rev. B, drawing No. 8 Rev. A, drawing No. 11, drawing No. 1 Rev. B and drawing No.9 Rev. A date stamped 22nd February 2007) and subject to conditions to require submission of details of materials for walls and roofs and hard surfaced areas, landscaping and its implementation, removal of permitted development rights for rear dwelling, no further windows in the first floor east elevation of front property and north and east elevations of rear property, rooflights in north and east elevations of rear property to be obscure glazed, no occupation of the rear dwelling until the works to the front dwelling and the demolition of its existing garage building have been completed and parking, turning and visibility.

Informatives

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:**
P1/3 (Sustainable design in built development),
P5/5 (Homes in Rural Areas) and
P7/6 (Historic Built Environment);
 - **South Cambridgeshire Local Plan 2004:**
HG10 (Housing Design and Mix),
EN30 (Development in Conservation Areas) and
SE10 (Protected Village Amenity Areas)
 - **South Cambridgeshire Local Development Framework (LDF) Core Strategy**, adopted January 2007
ST/6 (List of Group Villages)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity
 - Character and Appearance of the Streetscene
 - Character and Appearance of the Comberton Conservation Area
 - Protected Village Amenity Area
 - Surface and Foul Water Disposal
 - Highway Safety
 - Ecology

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning Files Ref: S/2259/06/F; S/1295/06/F; S/1432/06/CAC and S/1031/83/F.

Contact Officer: Nigel Blazeby – Area Planning Officer
Telephone: (01954) 713165