

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

4th April 2007

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

S/2460/06/F - LINTON

Erection of 4 Dwellings (Amended Design) at 4, Bartlow Road, for Ford Construction.

Recommendation: Approval

Date for Determination: 16th February 2007

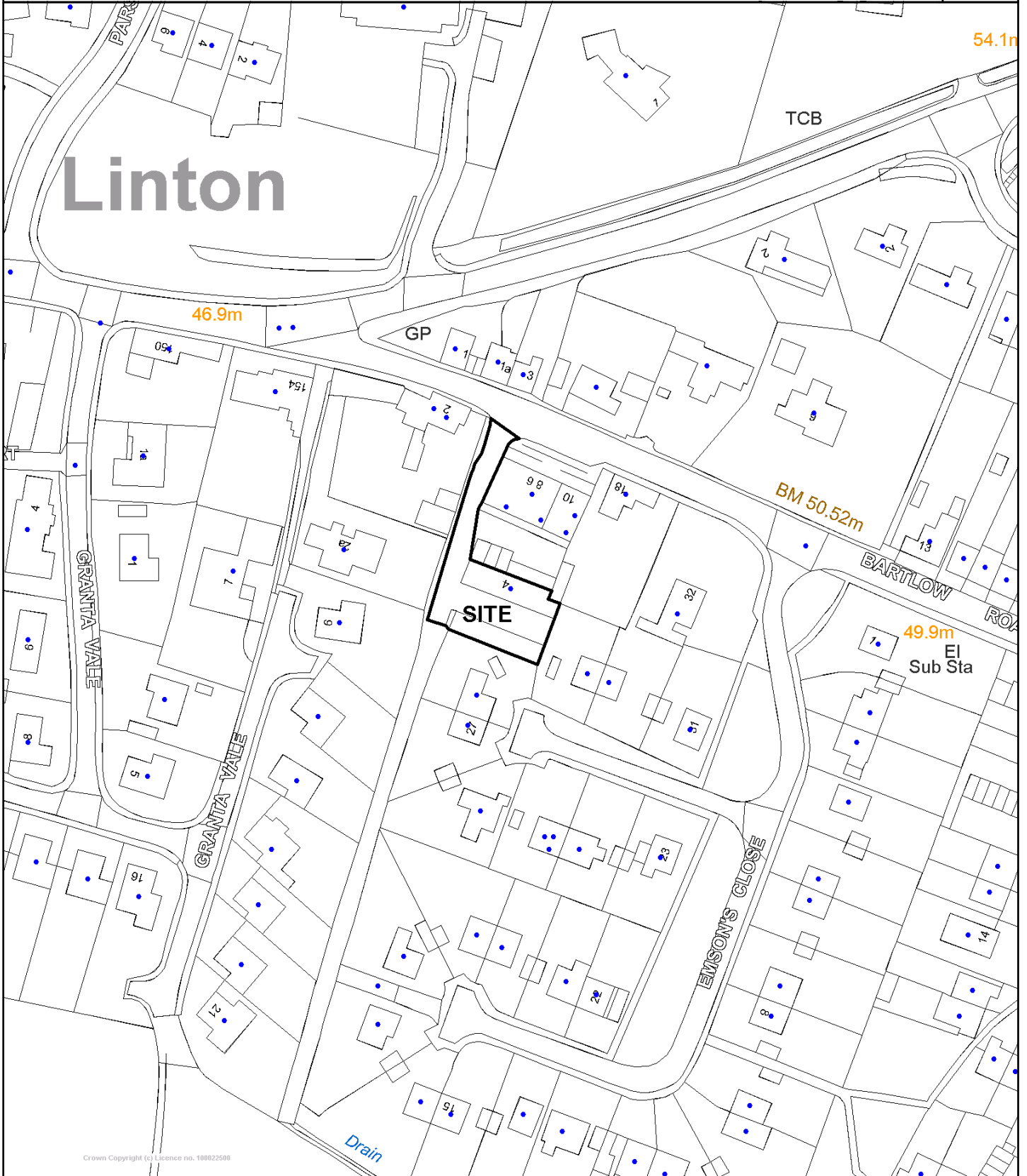
This Application has been reported to the Planning Committee for determination because the recommendation of Linton Parish Council does not accord with the officer recommendation.

Site and Proposal

1. The application site is a vacant area, 0.05ha, formerly occupied by offices and stores, which have been demolished. The site is accessed from Bartlow Road via a single track driveway which is on a steep gradient down to the site. To the north, the site is bounded by garaging on higher ground, which serves a block of ground floor shops/restaurant with flats above fronting Bartlow Road. To the northeast, the site adjoins the rear garden area of 18 Bartlow Road, which is Grade 2 listed. The detached garage of this property backs onto the application site. This has recently been provided with a pitched roof. To the east, the site adjoins the side boundary of 29, Emson's Close. To the south, the boundary with 28 Emsons Close is marked by a tall screen wall. To the west, the site and access road adjoins the rear garden boundaries of 9 Granta Vale and 2A Bartlow Road.
2. The full application, received 22nd December 2006, proposes the erection of a terraced block comprising four two-bedroomed houses as an amended design to the development granted consent 16th September 2004 (S/0099/04/F). The main changes are the lengthening of the terrace by 2.1m, repositioning of 3 of the 5 proposed car parking spaces, and a variation on the windows proposed in the rear elevation of Plot 4. In order to protect the rear garden of 18 Bartlow Road from overlooking, in the consented scheme the only window proposed in this elevation was high level in bedroom 2. The scheme now submitted shows casement windows to bedroom 2 and the bathroom at first floor level. Modifications to the appearance of the front elevations of all four dwellings have also been included. Amended plans have been received 19th February and 9th March, in response to criticisms about the accuracy of the plans raised by occupiers of neighbouring dwellings.

Planning History

3. Planning permission to erect four terraced dwellings on the site was granted 16th September 2004 (S/0099/04/F). An application to erect 5 dwellings in two separate blocks on the site was refused 31st August 2006 (S/1336/06/F). The reasons for refusal referred to a cramped form of development and overlooking of the houses and gardens at 28 and 29 Emsons Close.



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Scale 1/1250 Date 22/3/2007

Centre = 556737 E 246740 N

Planning Committee April

Planning Policy

South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007.

4. **ST/e** (Strategic Vision and Objectives) - seeks to ensure that the scale and location of development in each village is in keeping with its size, character and function and that the buildings and open spaces which create their character are maintained and wherever possible enhanced.
5. **ST/5** (Minor Rural Centres) Residential development and redevelopment up to an indicative maximum scheme size of 30 dwellings will be permitted within the village frameworks of Minor Rural Centres, as defined on the Proposals Map.

South Cambridgeshire Local Plan 2004

6. **HG10** (Housing Mix and Design) requires residential developments to have a mix of units making the best use of the site. The design and layout of schemes should be informed by the wider character and context of the local townscape.
7. **TP1** (Planning for More Sustainable Travel) – car parking requirements will be restricted to the maximum levels set out in Appendix 7/1. (For dwellings, Appendix 7/1 gives a level of an average of 1.5 spaces per dwelling, up to a maximum of two per 3 or more bedrooms in poorly accessible areas. Visitor/service parking should not fall below 0.25 spaces per dwelling provided with 2 parking spaces).
8. **EN28** (Development within the Curtilage or Setting of a Listed Building) requires development to protect the setting, well being and attractiveness of a Listed Building.

Cambridgeshire and Peterborough Structure Plan 2003

9. **P1/3** (Sustainable Design in Built Development) requires compact forms of development through the promotion of higher densities that responds to the local character of the built environment.
10. **P5/5** (Homes in Rural Areas) – small scale housing developments will be permitted in villages only where appropriate, taking into account the need for affordable rural housing, the character of the village and its setting, and the level of jobs, services, infrastructure and passenger transport provision in the immediate area.
11. **P7/6** (Historic Built Environment) requires development to protect and enhance the historic built environment.

Consultation

12. **Linton Parish Council** – Recommendation of refusal to the amended application, following a 'no recommendation' return to the application as originally submitted. The concerns of the Parish Council are:
 - a. 18 Bartlow Road is a listed building;
 - b. the plans do not show with certainty the relationship of the eaves and ground level – this is not acceptable;
 - c. the agent is not clear about the relationship of the proximity of the gable in respect of the listed building and the new dwelling;
 - d. the views of the residents of neighbouring properties are being ignored;
 - e. lack of car parking spaces;

- f. parking may take place in the lay-by on Bartlow Road, which is intended for the commercial premises;
 - g. the fabric of the garage to 18 Bartlow Road, a listed building, should be protected;
 - h. the brick wall on the west boundary should be retained and protected during the construction period.
13. **Chief Environmental Health Officer** No objections subject to a condition restricting the hours of operation of power-operated machinery during the construction period.
14. **Local Highway Authority** – as originally submitted, the LHA had continued concern about the number of parking spaces, and lack of turning facilities within the development. Visibility at the junction with Bartlow Road is severely restricted. As amended, the LHA has acknowledged that the scheme is no better or worse than the scheme previously approved.

Representations

15. **6-8 Bartlow Road (Linton Tandoori)**
The original plans had all first floor windows in the rear elevation frosted and with limited openings, to prevent overlooking. These windows are now larger and no longer frosted, and will look straight into their residential property above the restaurant. There will not be enough turning space on site, which will result in vehicles using their drive behind the restaurant to turn.
16. **18 Bartlow Road**
The proposal is significantly larger than the original plans; The north wall of No.4 occupies more of the boundary; Windows will open directly onto the gable of the garage, which will not be possible; ridge level of garage not drawn correctly; Previously, only a small high-level window in the rear elevation of Plot 4, because these windows will open directly onto their garden. A bedroom window would be an infringement of privacy. This and other windows will look onto the downstairs bathroom window; In the previous application, all windows in the north elevation had frosted glass with limited opening, to maintain privacy of adjoining occupiers; The new enlarged building will extend further east than previously, which will threaten the survival of the existing hedge along the east wall of Plot 4, which provides essential screening.
17. To the first amended plans, the residents at 18 Bartlow Road have drawn attention to further detailed inaccuracies in the drawings. The dwelling will be 5 metres taller than the single-storey dwelling that it replaces, and only 20cms from their boundary. The drawing of the north elevation is inconsistent with the floor plans, and shows the windows incorrectly placed behind their garage roof, when actually the bathroom window will be fully visible from their garden. The boundary wall is incorrectly shown higher than it actually is, and so will not obscure the proposed north elevation as much as shown. Objection in particular to the position of the bathroom window overlooking their property and to the height of the development.
18. **9 Granta Vale**
Serious overlooking of rear conservatory, adjacent room and garden; the existing boundary walls will not screen the view over their property from proposed dwellings.

19. **29 Emsons Close**

Concern about the proposed bay window to the bedroom when other houses in the neighbourhood have flat windows; the bay window will overlook their rear garden. The proposal to glaze the window with obscure glass could be ignored in the future.

20. To the first amended plans, the writers have concern about the dwelling on Plot 4. The existing conifers will not obscure views from first floor bay window (to be obscure glazed); the profile of the boundary wall on the eastern boundary is incorrectly shown; the drawings may be at a different scale to that shown (1:100).

Representations from the applicant's agent

21. The applicant's agent has provided a design and access statement and has responded to concerns raised by Linton Parish Council and adjoining residents to the proposal as originally submitted. These documents are reproduced at Appendices 1 and 2.
22. To the comments received in response to the first amended plans, the agent has stated that:
- a. The bathroom window will be more visible from No. 18 but there will still not be any undue overlooking. This is a small bathroom window which by virtue of that will have obscure glass, it will also be hinged on the eastern side so that when open it would still obscure a view, if any exists, to No. 18. The applicant will consider the fitting of limit opening stays to this window.
 - b. The precise relationship of unit 4 to the boundary will depend on site conditions, existing foundations etc. However the amended elevation drawing is as best as can be determined at the moment and is correct given the existing wall and footings. The gable to the garage is not on the boundary wall.
 - c. The measurements he has worked to are the dimensions taken from the application site and not from the neighbours side, therefore the height of the dwelling above the wall are, as far as he is aware, shown as near as possible to that which will be built. The ground level of the application site is lower than the adjacent site, there is also a specific note which relates to ground levels on the current plan.

Planning Comments

23. Members should be aware that planning permission S/0099/04/F for the erection of four dwellings on this site is extant and may be implemented. The issues raised by the current proposal relate to the differences between the two schemes, and neither to the principle of development nor to those details that remain unaltered.

Residential amenity

24. The main revision has been to the fenestration in the rear elevation of Plot 4. The extent to which the garage roof would screen the house and garden of 18 Bartlow Road has become clear only in the second amended plans. These show that the bedroom window would be fully screened, but that the bathroom window would not be screened. This window can be required to be obscure glazed and with only limited opening, so that views from the opened window would be onto the garage roof only. With such a condition, I consider that no undue loss of amenity to 18 Bartlow Road would result from the amended scheme.

25. The remaining concerns raised by residents are in respect of the previously approved scheme, and not to the amendments in the current application. The previous scheme did not require all first floor windows in the rear elevation to be obscure glazed, and so there is no change in the current scheme in this respect. I have considered the concerns raised by the Parish Council and adjoining residents and I do not consider that any gives reasonable grounds for refusal of planning permission.

Parking and turning

26. The concerns of the Highway Authority are noted. The current scheme offers an equivalent facility for the turning of vehicles in the amended layout plan to that previously approved. The previous scheme allowed for the use of the existing access and the provision of five parking spaces, taking into account the previous use as an office with store. I consider that, in terms of highway safety, the scheme is no worse than the layout previously approved.

Recommendation

27. Approval as amended by plan no 2511/02B date stamped 9th March 2007.

Conditions

1. Standard Condition A – (Reason - A);
2. SC5 a, d, e and f – (RC To ensure the satisfactory appearance of the development);
3. SC22 (west/side elevation of dwelling No.1, the east/side elevation of dwelling No.4, the north elevation of dwelling No.4 other than the bathroom and bedroom windows shown on drawing no. 2511/02B or in the roof of the development, hereby permitted) – (RC22);
4. The windows in the west side of dwelling No.1's first floor bay and in the east side of dwelling No.4's first floor bay shall be permanently fitted with obscured glass and shall be fixed/non-opening (as shown upon drawing no. 2511/02B). The windows shall be maintained in this condition. – (RC22);
5. The bathroom window in the northern elevation of dwelling No.4 shall be fitted with obscured glass and shall be side hung along its eastern edge, and permanently fitted with limit opening stays, details of which shall have previously submitted to and approved by the Local Planning Authority. The windows shall be maintained in this condition. – (RC22);
6. Details of the treatment of the site boundaries, including precise details of the materials and height of the boundary wall along the southern boundary, shall be submitted SC60 – (RC60 and RC22);
7. SC51 – (RC51);
8. SC52 – (RC52);
9. Highway condition C3a & b – (RC In the interests of highway safety).

Reasons for Approval

1. The approved 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)
P7/6 (Historic Built Environment)

- **South Cambridgeshire Local Plan 2004:**
HG10 (Housing Mix and Design)
TP1 (Planning for More Sustainable Travel)
EN28 (Development Within the Setting of a Listed Building)
- **South Cambridgeshire Local Development Framework (LDF) Core Strategy**, adopted January 2007
ST/e (Strategic Vision and Objectives)
ST/5 (Minor Rural Centres)

2. The proposal conditionally approved is not considered to be significantly detrimental to the following material planning considerations, which have been raised during the consultation exercise: vehicular parking and turning provision; the suitability of the access to serve the development; residential amenity interests.

General

1. Should driven pile foundations be proposed, before development commences, a statement of the method for construction of these foundations should be submitted to and agreed by the District Council's Environmental Health Officer so that noise and vibration can be controlled.
2. During demolition and construction, there shall be no bonfires or burning of waste on site except with the prior permission of the District Council's Environmental Health Officer in accordance with best practice and existing waste management legislation.

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

- South Cambridgeshire Local Development Framework (LDF) Core Strategy adopted January 2007.
- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning Files refs S/2460/06/F, S/1336/06/F and S/0099/04/F.

Contact Officer: Ray McMurray – Acting Area Officer
Telephone: (01954) 713259