

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

1st September 2010

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

S/1057/10/RM – GREAT ABINGTON

Submission of Reserved Matters for the Approval of Layout, Scale, Appearance, Landscaping and Access of Outline Planning Permission S/0576/08/O for the Erection of a Dwelling Following Demolition of Existing Outbuilding at Land to the West of 1 Magna Close for Mr I. Kingsley and Mr D. Homer

Recommendation: Approval

Date for Determination: 23rd August 2010

Notes:

This application has been reported to the Planning Committee for determination as the officer recommendation conflicts with the Parish Council recommendation.

Site and Proposal

1. The site is located within the Great Abington village framework. It measures 0.023 of a hectare in area and currently comprises a parking area providing two spaces, an oil tank, garden, and single storey outbuilding that belong to No. 1 Magna Close. This is a two-storey, semi-detached, painted brick and tile house that is situated immediately to the east. It has a lounge window in its rear elevation adjacent the boundary.
2. No. 1B Magna Close lies to the west of the site. It is a two-storey, semi-detached dwelling that is set slightly forward of No. 1 Magna Close and has an access driveway/ parking area to its eastern side with a detached garage set back behind the rear elevation. This dwelling has a blank side elevation. No. 127 High Street is a listed building that is situated to the south west of the site.
3. This reserved matters planning application, received 28th June 2010, proposes the erection of a two-storey dwelling with a single storey attached element to the rear, and a single storey bin and cycle store to the front. One parking space would be provided.

Planning History

4. Planning permission was refused for a dwelling under reference **S/0647/10/RM** on the grounds of the siting and scale of the single storey rear element of the proposal and subsequent impact upon the amenities of the neighbour at No. 1 Magna Close when viewed from its rear windows and garden.
5. Outline planning permission was granted for a dwelling under reference **S/0576/08/O**. All matters were reserved for later approval.

Planning Policy

6. ***Local Development Plan Policies***

South Cambridgeshire Local Development Framework Core Strategy DPD 2007
ST/6 Group Villages

South Cambridgeshire Local Development Framework Development Control Policies DPD 2007

DP/1 Sustainable Development

DP/2 Design of New Development

DP/3 Development Criteria

DP/4 Infrastructure and New Developments

DP/7 Development Frameworks

HG/1 Housing Density

CH/4 Development Affecting the Setting of a Listed Building

SF/10 Outdoor Playspace, Informal Open Space, and New Developments

SF/11 Open Space Standards

TR/1 Planning for More Sustainable Travel

TR/2 Car and Cycle Parking Standards

7. ***Supplementary Planning Documents***

South Cambridgeshire Local Development Framework Open Space in New Developments 2009

Listed Buildings 2009

District Design Guide 2010

8. ***National Planning Guidance***

Planning Policy Statement 1 (Delivering Sustainable Development)

Planning Policy Statement 3 (Housing)

Planning Policy Statement 5 (Planning for the Historic Environment)

9. ***Circulars***

Circular 05/2005 Planning Obligations

Circular 11/95 The Use of Conditions in Planning Permissions

Consultation

10. **Great Abington Parish Council** – Recommends refusal and comments that the Council's concerns still remain about overdevelopment of the plot. It is concerned about the lack of daylight in the sitting room and that access to the rear garden will be impossible to the new dwelling and No. 1, so oil storage will be an issue.
11. **Conservation Officer** – Has no objections as the development would have a minimal impact upon the setting of the listed building. Comments that 1 Magna Close is within the setting of 127 High Street, a grade II listed building. The proposal involves infill and extension of a modern terrace and the rear extension towards the listed building is single storey.
12. **Local Highways Authority** – Requires conditions in relation to the provision of 1.5 metre x 1.5 metre pedestrian visibility splays either side of the accesses to the new and existing dwellings, that the parking areas shall be hard surfaced with adequate drainage measures, that temporary facilities are provided clear of the public highway for the storage of materials during the period of construction, and that any new vehicular access is constructed in accordance with the Cambridgeshire County Council construction specification. Requests informatives in relation to works to the public highway and the relocation of public utility apparatus.

13. **Environmental Health Officer** – Concerned that problems could arise from noise and requests conditions in relation to the hours of use of power operated machinery. Also suggests informatives in relation to the use of pile driven foundations and the burning of waste on site.

Representations

14. The occupiers of No. 1B Magna Close object to the application on the grounds of its scale and density, adequate technical material has not been submitted to be able to judge the impact of the proposal upon the adjacent listed building, that the development does not incorporate appropriate access from the highway network that does not compromise safety as a result of an increased number of vehicles reversing, turning and crossing the pavement in such a small area, that the roof extension to No. 1 Magna Close should be shown on the plans, and that some works such as the erection of a 1.8 metre high fence, dropped kerb and creation of the parking areas have already been carried out.
15. The occupier of No. 127 High Street has concerns regarding the proposal and comments that the plot is small and any dwelling should be built commensurate with the land available and the buildings in the vicinity, any increase in size should be resisted as it would result in a loss of privacy, and the building on this plot together with the works to No. 1 Magna Close will result in a loss of light and sun on the adjoining property. Also considers that safety is an issue with regards to fire risk due to lack of rear access and that the proximity of the site with a different character of properties is seriously impacting upon the potential value of the property.

Planning Comments – Key Issues

16. The main issues to be considered during the determination of this application relate to the impact of the dwelling upon the character and appearance of the area, the setting of the adjacent listed building, the amenities of neighbours, and highway safety.
17. The principle of the erection of one dwelling on this site has already been established through the outline planning permission. Therefore, this application purely relates to the siting, scale, appearance, access and landscaping of the development.

Character and Appearance of the Area

18. Magna Close is a modern development with a varied character that comprises pairs of semi-detached two-storey dwellings, some of which have had two-storey side extensions (Nos. 13 and 29) and some of a different and wider design (Nos. 39 to 42), a group of two-storey terraced dwellings (Nos. 16 to 19), a detached bungalow (adjacent No. 25), and a two-storey detached house (adjacent No. 34). The majority of the dwellings have a simple design and are constructed from painted bricks and plain tiles. The section of the High Street to the north west of the site consists of groups of three two-storey terraced dwellings two of which are attached (Nos. 115A to No. 121).
19. The proposal would result in the addition of a dwelling on to the side of the existing pair of semi-detached dwellings. This would create a terrace of three properties. Whilst it is acknowledged that the plot is narrow and the development would project right up to both side boundaries, it would be similar in scale and appearance to the existing dwellings that have been extended in Magna Close, the semi-detached dwellings in Magna Close of a different design, the existing terrace in Magna Close, and the existing terraces of dwellings in the High Street. It would have a simple design and be constructed from materials that would match existing dwellings in the

area. The development would not therefore have an unacceptable visual impact upon the street scene or harm the character and appearance of the area.

Setting of the Adjacent Listed Building

20. The dwelling would be located a distance of approximately 15 metres from the boundary of the site with the listed building and 30 metres from the listed buildings itself. The two-storey main section would continue the existing row of two-storey dwellings along the southern side of Magna Close and the rear section would be single storey in scale. It is not therefore considered to damage the open setting of the listed building as a result of its siting a substantial distance away and scale that matches existing dwellings.

Neighbour Amenity

21. The dwelling is not considered to seriously harm the amenities of neighbours through being unduly overbearing in mass, through a loss of light, or through a loss of privacy. The two-storey main element and single storey bin and cycle store to the front of the dwelling would be sited adjacent the parking area and blank side elevation of No. 1B Magna Close, and the single storey rear element would be situated adjacent the garage to that property. The two-storey element of the dwelling would be attached to the side elevation of No. 1 Magna Close and the single storey rear element would be situated adjacent the rear garden to that property. Given that the rear element would only project 3 metres from the rear elevation of the two-storey section of the dwelling and it would not obstruct a 45 degree/ 25 degree angle of view from the ground floor sitting room window in the rear elevation of No. 1 Magna Close, it would not harm the amenities of that property. The first floor windows in the rear elevation of the dwelling would be located a distance of 20 metres from the boundary with No. 127 High Street and No. 23 Mortlock Gardens and would not result in overlooking or a loss of sunlight to the gardens of those properties, given the considerable distance, orientation to the north, and existing first floor windows of dwellings along Magna Close.

Highway Safety

22. The proposal is not considered to be detrimental to highway safety. One parking space has been provided for the new dwelling and two parking spaces retained for the existing dwelling. This would be in accordance with the Council's parking standards that require an average of 1.5 spaces per dwelling and would be unlikely to result in significant on-street parking that would adversely affect the free flow of traffic along Magna Close. The provision of adequate pedestrian visibility splays would be a condition of any consent.

Other Matters

23. Conditions were attached to the outline consent in relation to the provision of adequate pedestrian visibility splays, retention of parking, landscaping, hours of use of power operated machinery and the requirement for a contribution towards open space. These conditions still stand.
24. Whilst it is acknowledged that the sitting room is located in the central area of the dwelling and that there is no direct window serving that room, it is not considered to provide an unacceptable standard of accommodation as it would be open plan to the kitchen and dining room and light would filter through from the patio doors and windows in the rear elevation.

25. The agent has stated that the new dwelling and existing dwelling at No. 1 Magna Close will have electric heating. This negates the need for access to oil storage tanks at the rear of the dwellings.
26. The drawings and supporting information submitted with the application is adequate to enable a proper assessment of the proposal in relation to the setting of the adjacent listed building. The drawings do not relate to development to the dwelling at No. 1 Magna Close so this does not need to be shown on the plans.
27. The works that have been carried out to date including the new fence, dropped kerb and parking areas are defined as permitted development that do not require planning permission.
28. The issue raised by the neighbour with regards to fire risk is a building control matter that cannot be considered in the determination of this planning application. The loss of potential value to a property is also not a planning consideration.

Recommendation

29. Approval subject to conditions (as amended by drawing number SK.200.1B) in accordance with outline planning permission reference S/0576/08/O and the additional conditions set out below:

Additional Conditions

1. **The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing numbers 1:1250 site location plan and drawing numbers SK.200.1B, 100.1A, 100.2A, 100.3A, and 100.4,**
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
2. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development within Classes A and E of Part 1 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 protect the amenities of neighbours in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

Informatives

1. The applicants attention is drawn to the conditions of the outline planning permission S/0576/08/O that continue to apply.
2. All building materials must be stored on the site during the period of construction and the parking spaces retained for such purposes.
3. Public utility apparatus may be affected by the proposal. The developer should contact the appropriate utility service to reach agreement on necessary alterations, the cost of which will be borne by the applicant.
4. Should pile driven 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.

5. During demolition and construction, there shall be no bonfires or burning of waste on site except with the prior permission of the District 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 Core Strategy DPD 2007
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- Planning Policy Statements 1, 3 and 5
- Planning File References: S/1057/10/RM, S/06476/10/RM and S/0576/08/O

Contact Officer: Karen Pell-Coggins - Senior Planning Officer
Telephone: (01954) 713230