

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

12 January 2011

AUTHOR/S: Executive Director (Operational Services)
Corporate Manager (Planning and New Communities)

**S/1848/10 – GIRTON
Erection of Dwelling - 17 St Margarets Road
for Mr & Mrs Greaney**

Recommendation: Approve

Date for Determination: 29th December 2010

Notes:

This Application has been reported to the Planning Committee for determination as the Parish Council recommendation is contrary to Officer recommendation.

Member will visit the site on the 12th January 2011.

Site and Proposal

1. The application site comprises an area of rear garden land of approximately 0.023ha that currently serves no.17 St Margaret's Road. Although pertaining to no.17 the application has a loser relationship to the development along Bandon Road, which runs along the western boundary of the site.
2. The site falls within the Girton Development Framework and surrounding development is predominantly residential comprising an early 20th century planned housing estate. House types within the vicinity of the application site on Bandon Road are generally two storey semi detached units finished externally in a mix of red stock facing brick and render with concrete plain tile roofs. Dwellings tend to front the street with open driveway access and private gardens to the rear.
3. The estate is relatively mature and as such some significant trees that have developed over time contribute to the character and appearance of the street scene. There are some trees within the application site, none are afforded statutory protection. More recent development is evident along Bandon Road and St Margaret's Road and generally comprises infill development.
4. The full planning application, submitted on 21st October 2010, proposes the erection of a dwelling.
5. The proposal has been amended to address concerns raised for the design of the structure and its impact upon the street scene.

Planning History

6. **S/0882/06/F** – Extension to Dwelling – Approved.

Planning Policy

7. 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/7** – Development Frameworks
- DP/4** - Infrastructure and New Developments
- HG/1** - Housing Density
- SF/10** - Outdoor Play space, Informal Open Space, and New Developments
- SF/11** - Open Space Standards
- NE/1** - Energy Efficiency
- NE/6** - Biodiversity
- TR/1** - Planning for more Sustainable Travel
- TR/2** - Car and Cycle Parking Standards

8. South Cambridgeshire LDF Supplementary Planning Documents (SPD):

- District Design Guide SPD – Adopted March 2010
- Open space in New Development SPD – Adopted January 2009

Consultations

9. Girton Parish Council – Recommends refusal of the application for the following reasons:

- Inaccuracies within the Design and Access Statement
- Level of neighbour hostility
- Impact upon the character and appearance of the area
- Highway safety
- Noise and disturbance

10. Tree Officer – No objections.

11. Landscape Design Officer – Verbally confirmed no objections.

12. Local Highways Authority - Raises no objection to the proposals. Recommend approval subject to standard conditions regarding surface water drainage and the use of hardbound materials.

Representations

13. Letters of representation received from the occupant and daughter of no.19 St Margaret's Road, no.24 and 23 St Margaret's Road and No.2 Bandon Road raising the following concerns:

- Inaccuracies of application form and Design and Access Statement
- Highway safety.
- Impact upon the character and appearance of the area in terms of design siting and loss of trees.

- Impact upon residential amenity arising from noise and disturbance and loss of privacy.

Planning Comments – Key Issues

14. The key issues to consider in the determination of this application are:
- The principle of development
 - The impact of proposals upon the residential amenity of neighbouring dwellings
 - The impact of proposals upon the character and appearance of the area
 - Highway Safety
 - Public open space and community facility provision

Principle of Development

15. The application site is within the Girton Development Framework and the proposal represents a density of approximately 43 dwellings per hectare, thus the proposed development is in accordance with policies DP/7 and HG/1 of the Local development Framework. However, the site currently comprises undeveloped garden land, which has implications for the residential development of the site. PPS 3 has been recently amended by the Government to remove garden land from the definition of previously developed land, and by virtue of this there is no longer a ‘presumption in favour of development’ of sites such as these.
16. It is necessary to look at the character of the area and surrounding development patterns on a case-by-case basis to establish whether or not the principle of residential development of garden sites is acceptable without causing adverse material harm.
17. In this instance the location of the proposed dwelling specifically its frontage onto Bandon Road and spatial relationship with other dwellings on this residential street is not considered a departure from the pattern of development in the area. Thus it is considered that residential development of the site is acceptable in principle.

Neighbour Impact

18. The proposed dwelling is sited within the rear garden of no.17 St Margaret’s Road. To the south west of the application is no.2 Bandon Road and to the southeast is garden land that serves no.19 St Margaret’s Road. The potential for undue impact upon residential amenity is therefore greatest upon these two neighbouring sites.
19. No.2 Bandon Road is two-storey semi-detached dwelling and is set approximately 8.5m away from the nearest point of the proposed dwelling. The rear amenity area serving no.2 is spatially divorced from the proposed dwelling and the land adjacent to the southwest boundary of the application site comprises an area of front lawn and off road parking. The proposed dwelling is sited approximately 5.8m away from the common boundary with this aspect of the site at no.2 and as such there is not considered to be a significant overbearing impact upon the occupants of this dwelling arising from the proposals. Similarly the northerly relationship of the proposed

dwelling to the neighbouring site precludes any significant loss of sunlight or daylight in this instance.

20. There is a small porthole window at first floor level in the north (side) elevation of no.2, this serves as a secondary window to a bedroom. The occupants of no.2 Bandon Road have raised concerns for the face-to-face relationship of this existing porthole window with a proposed bedroom window in the southwest elevation of the proposed dwelling. Given the close relationship of the two windows it is considered reasonable to condition this window to be obscure glazed to ensure that there is no significant loss of privacy in this instance.
21. A first floor glazed element is proposed upon the southwestern return of the projecting two-storey element on the front elevation of the dwelling. This faces the front garden of no.2 Bandon Road but is not considered to result in a significant loss of privacy to occupants of this dwelling for this reason.
22. A letter of representation received from the occupiers of no.2 Bandon Road raises concerns for the noise and disturbance arising from use of the vehicular access that is proposed to serve the site. However the vehicular access is existing and therefore there is no material change in circumstance to this affect.
23. The proposed dwelling is sited approximately 5.1m from the common boundary with the rear garden of no.19 that lies to the south east of the application site. The application site has been viewed from the rear garden area of no.19 and the garden is noted as being of significant size (approximately 33m length by 11m width). The proposed dwelling would be visible from the rear garden of no.19, but due to its siting, conservative ridge height (approx 7.7m), hipped roof form and the size of the rear garden serving no.19 is not considered to visually overbear upon the rear garden of no.19. The proposed dwelling is sited to the north west of the end of no.19s rear garden and as such there would be no significant overshadowing impact.
24. A first floor bathroom window is sited within the rear elevation of the proposed dwelling. This would afford a view to the rear garden of no.19 but would not be considered adversely harmful due to the nature of the room. Notwithstanding it is considered reasonable and justified to condition the window to be obscure glazed with a high level opening vent in this instance.
25. It is reasonable and justified in this instance to apply a condition to ensure that no further windows are added to the rear or side elevations of the dwelling without the express consent of planning permission to ensure that no future window insertions unduly impact upon the privacy of neighbouring sites.

Character and Appearance

26. St Margaret's Road and Bandon Road form part of an early to mid 20th century planned residential housing estate. The predominant character of dwellings is two storey semi detached units with hipped roof form, external materials being a mix of brickwork, render and concrete plain tile roofs. Notwithstanding this there are many examples of significant departures from this idiom evident on newer developments on the estate.

27. The proposed dwelling fronts Bandon Road and to this end would be read in conjunction with existing development on this street. Bandon Road is linear in layout and dwellings predominantly have open frontages onto the street.
28. The proposed dwelling follows the general form and proportions of surrounding dwellings and proposes predominantly rendered elevations in accordance with common external treatments. The frontage boundary treatment is proposed to be a low hedge, which is in character with many of the site frontages on Bandon Road.
29. Further to this the proposed design introduces elements of vertical timber cladding to the external elevations of the projecting two-storey range on the front elevation and a corner glazing detail on this part of the structure. These are more contemporary stylings than are present on many of the existing dwellings in the vicinity, however they are considered to provide depth and visual interest to the proposed structure and thus to enhance the character and appearance of the street scene in this instance. Notwithstanding it is considered reasonable and justified to condition details of the external materials to be agreed in writing to ensure that materials of a suitable quality are employed.

Highway Safety

30. The access to the proposed dwelling currently serves a garage unit and is at present gated. To this end the proposal, which makes no material change in this arrangement, would have no significant adverse effect upon the Public Highway should it gain the benefit of planning permission.
31. The Local Highways Authority has request that standard drainage and bound material use conditions be applied to any consent granted and this is found to be reasonable and justified in this instance.

Public Open Space and Community Facility Provision

32. The scheme would be required to contribute to the provision of public open space. There is no scope for on site provision in this instance and as such a financial contribution of £3,104.38, which the applicants have informally agreed to in the submitted Design & Access Statement.
33. Further to this a financial contribution of £523.93 for community facility provision, and for refuse bin provision will also be required in accordance with policy DP/4 of the adopted Local Development Framework, Development Control Policies DPD. The applicants have informally agreed to a contribution of this nature in writing. Both contributions can be agreed by a S106 agreement, which will be secured by conditional requirement that would be triggered prior to occupation of the proposed dwelling.

Recommendation

34. **Approve as amended by drawing numbers 10/29/03 B & 10/29/02 B date stamped 29th November 2010.**

Conditions:

1. **The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
2. **The development hereby permitted shall be carried out in accordance with the following approved plans; 10/29/03 B & 10/29/02 B, date stamped 29th November 2010, & 10/29/04.**
(Reason – To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990).
3. **During the period of demolition and construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.**
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
4. **No development shall begin until details of the scheme for provision of outdoor play space and informal open space infrastructure, community facilities and refuse bin provision to meet the needs of the development in accordance with adopted Local Development Framework Policies SF/10 and SF/11 have been submitted to an approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.**
(Reason – To ensure that the development contributes towards outdoor play space and informal open space infrastructure in accordance with policies SF/10, SF/11 and DP/4 of the adopted Local Development Framework 2007)
5. **The access and driveway shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority.** (Reason – In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
6. **The landscaping scheme as shown on plan ref 10/29/02 B 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. All soft landscape works shall be carried out in accordance with the approved details. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.**
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

7. **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 windows, doors or openings of any kind, other than those expressly authorised by this permission, shall be constructed in the side or rear elevations of the dwelling at and above first floor level unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.**

(Reason - To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

8. **The first floor windows proposed within the north eastern (side) and rear elevations of the dwelling, hereby permitted, shall be obscure glazed and fixed apart from any top hung vent greater than 1.7m from finished internal floor level unless otherwise agreed in writing with the Local Planning Authority.**

(Reason - To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

9. **The first floor window proposed within the south western (side) elevation of the dwelling, hereby permitted, shall be obscure glazed unless otherwise agreed in writing with the Local Planning Authority.**

(Reason - To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

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

- South Cambridgeshire Local Development Framework 2007

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