

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

11 January 2012

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

S/2183/11 - COTTENHAM

Outline application for erection of one and a half storey dwelling together with formation of new access to the existing dwelling – 88 Rampton Road, Cottenham, Cambridge for Mr & Mrs Bainbridge

Recommendation: Approval

Date for Determination: 3rd January 2012

A. Update to the report

Agenda report paragraph number 27 – Representations

- a) A letter of objection has also been received from the owners of No.18 Pelham Way, who express the following concerns:
- The plot should remain open in order to protect the setting of the Edwardian dwelling.
 - Erecting a building side on to the road would detract from the character of the street.
 - The dwelling would dominate the neighbouring residence at No.88 Rampton Road.
- b) A letter has been received from Hutchinsons planning consultants, who are representing the applicants and have arranged to address Committee members at the meeting. The main points raised are:
- The applicants have sought to address the reasons for refusal of the 2010 application (S/0998/10/F). However, they have experienced difficulties in trying to draw up a scheme that is acceptable to their neighbours as, each time a concern is addressed, new issues appear to have been raised. It was therefore felt an outline application would be a more appropriate way of re-establishing the principle of development on the site, with matters of detail reserved for further discussion and consideration.
 - The principle of the development of a dwelling on the application site is well established, with outline permission first being granted in 1988, and followed by an unconditional detailed permission in 1990. A further outline consent was approved in 2001 but was allowed to lapse, and the applicants therefore submitted the detailed application in 2010, which followed the lines of the previous permission.
 - The principle of development was not an issue in the reasons for refusal of S/0998/10/F, with the authority's objections relating to design and neighbour amenity issues.

- The situation at the site has not changed since the grant of outline permission in 2001. No.88 had already been extended and the relationship with No.84 has not changed. Indeed, the current proposals provide a better relationship with No.84 than the 1990 permission, which proposed a larger dwelling closer to the boundary.
 - Permission has been granted at No.82 for a similar style of development, a 1½ storey dwelling sited gable end to the road.
 - The proposed dwelling would have a smaller mass and be sited further away from No.84 than in the refused scheme and is therefore considered to overcome the first reason for refusal of the previous scheme. The second reason for refusal of the previous application related to the fenestration design. In the current outline application, such matters would be reserved for further approval.
 - The application complies with the requirements of Article 4 of the 2010 Order and provides more than sufficient information for the local planning authority to assess and determine the proposal. Any decision by the authority to require additional details would be unreasonable and excessive bearing in mind the planning history of the site.
- c) District Councillor Edwards has advised that he is unable to attend the Committee meeting, but has expressed support for the representations made by Cottenham Parish Council in paras 18(1), (2), (3), (4a), (4b) and (4c), and requests that Members give substantial weight to the comments made in para 18(4c).
- d) District Councillor Wotherspoon has advised that he is unable to attend the meeting and does not intend to make any written representation to the Planning Committee on this decision.
- e) The owners of No.84 Rampton Road have expressed the following concerns regarding the Committee report:
- The site location plan does not identify the plot for which outline permission is being sought as it includes the front garden of No.88, which will be retained by that property. This is misleading and the plot for which permission is being sought should be clearly identified and outlined in red.
 - Paras. 2, 24 and 47 imply the ability to turn a car on site has been established, and this is not the case.
 - Para 18(2) incorrectly refers to No.84, instead of No.88 Rampton Road.
 - The statement in Para 33 that, it is only in visually sensitive locations such as within a conservation area or setting of listed building, where outline applications will not normally be appropriate is misleading. Circular 01/2006 states that an authority can request further details if it is of the opinion the application ought not to be considered separately from any or all of the reserved matters. The statement in para 33 comes instead from the Development Control Practice Guide that states further information should be sought in circumstances where a development is proposed in a visually sensitive or physically restricted situation where there is room for doubt that

a development can be designed that would be acceptable. Para.33 makes no reference to the term “physically restricted” and could mislead.

- The statement in para.34 that there has been no significant change in policy status or criteria affecting the site since 2001 is incorrect. PPS3 has been revised, case law has moved on, traffic surveys carried out and the LDF and Village Design Statement have been adopted.
- Para 41 could mislead as the 25 degree line is achieved by less than 1 degree and therefore light is being compromised. The acceptability of the application is therefore marginal on a basic test, and the file includes no angular calculations.
- Para 41 – the ground floor kitchen window in the side elevation of No.84 will be directly overlooked at a distance of 6m by a front door, kitchen/dining and lounge windows, seriously compromising the privacies of the occupants of No.84.
- Para 42 – it is incorrect to state that No.88’s ground floor windows face front and back only. The single storey extension has a side window that would face the blank wall of the new development some 2.4m away, resulting in a significant loss of light to No.88.
- Para 43 – first floor windows to the rear would face windows of the main living area of No.1 Manse Drive. Reference should also be made to overlooking of gardens referred to in the District Design Guide.
- Para 44 – boundary treatments should not be relied upon to create privacy, and would also adversely impact on light and amenity to No.84.

Planning Comments

With regards to the concerns raised by No.88 Rampton Road, Officers have the following comments:

- The proposal includes access as a detail. As the proposed dwelling would utilise No.88’s existing access, it is necessary to show as part of this application that a replacement means of access and parking can be provided for the existing property, and the land at the front of No.88 has therefore correctly been shown within the site edged red.
- There is clearly ample space within the available width of the plot to provide on-site parking and turning. This would be considered in more detail as part of any reserved matters application.
- The statement in para.33 of the committee report was intended to summarise the relevant guidance. The guidance referred to is contained within paragraph 5.1312 of the Development Control Practice Manual. This states that, in practice, circumstances where authorities have considered further detail is required have normally been where a development is proposed in a visually sensitive or physically restricted situation where there is room for doubt that a development can be designed that would be acceptable. This is particularly the case in conservation areas. The merits of the case, in terms of the

character of the area and space available for development, have been fully debated and considered in the report.

- Para.34 of the Officer report acknowledges that there has been a change in policy context. However, neither the characteristics of the site nor its relationship to Nos. 88 and 84 Rampton Road has changed since outline permission was granted in 2011. Additionally, the implications of the revisions to PPS3 have been debated in the report.
- The comments in respect of paras.41-44 are matters of detail that would be considered as part of any subsequent reserved matters application, as the layout, scale and design of the property do not form part of this outline application.
- Officers consider the plot to be of sufficient width to accommodate a 1¹/₂ storey dwelling without compromising the amenities of adjoining residents. It is standard practice to accept that boundary treatments can prevent overlooking between ground floor windows. With regards to No.88, this property does have a high level window in the side elevation of its single-storey element. However, this serves the study/music room that is also served by windows in the front and rear elevations. The development is not therefore considered to have a significant impact on this window. With regards to overlooking of No.1 Manse Drive, the illustrative drawings indicate a distance of at least 25m between the rear elevation of the dwelling and windows in the rear elevation of this neighbouring property, and this accords with the guidance in the District Design Guide.

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