

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2 September 2015

AUTHOR/S: Planning and New Communities Director

Application Number: S/1238/15/FL

Parish: Comberton

Proposal: Demolition of existing dwelling, erection of a replacement dwelling and new access.

Site address: 19 Long Road, Comberton

Applicant(s): Mr & Mrs C Smith

Recommendation: Approval

Key material considerations: Principle of development
Impact on character of surrounding area
Residential amenity
Access, parking and highway safety
Tree Preservation Order

Committee Site Visit: 1 September 2015

Departure Application: No

Presenting Officer: David Thompson

Application brought to Committee because: The view of the Parish Council is contrary to that of Planning Officers

Date by which decision due: 3 August 2015

1. **Planning History**

None relevant

Planning Policies

2. **National Planning Policy Framework (NPPF) 2012**

3. **South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007**
ST/ 6 Group Villages

4. **South Cambridgeshire LDF 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 Village Frameworks
NE/6 Biodiversity
NE/15 Noise Pollution
SF/10 Outdoor Playspace, Informal Open Space and New Developments
SF/11 Open Space Standards
TR/2 Car and cycle parking standards

5. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**

District Design Guide SPD – adopted March 2010
Landscape in New Developments SPD – adopted March 2010
Trees and Development Sites SPD – adopted January 2009

6. **Proposed Submission Local Plan (July 2013)**

HQ/1 Design Principles
S/1 Vision
S/2 Objectives of the Local Plan
S/3 Presumption in Favour of Sustainable Development
S/7 Development Frameworks
S/9 Minor Rural Centres
NH/8 Mitigating the Impact of Development in and adjoining the Green Belt
SC/7 Outdoor Playspace, Informal Open Space, and New Developments
SC/8 Open Space Standards
TI/3 Parking provision

Consultations

7. **Parish Council** – Recommends refusal making the following comments:

The front elevation of the property should relate to Long Road as opposed to Mallows Close. The gable elevation which faces Long Road does not have any windows, resulting in a poor design. Concerns expressed in relation to the potential overlooking of no. 17 Long Road (to the south). There is a TPO in the south eastern corner of the site.

8. **Local Highway Authority (LHA)** – No objections subject to standard conditions being imposed in relation to the provision of pedestrian visibility splays from the proposed access, details of the construction of that access and details of the management of traffic and building materials during the construction process.

9. **Environmental Health Officer (EHO)** - no objections subject to the imposition of standard conditions relating to controls during the construction process

Representations

10. 4 letters of objection have been received which raise the following concerns:

- The dwelling is larger in footprint and height than the existing bungalow and 'exceeds' the building line on Long Road
- The vehicular access is too close to the junction with Mallows close which could represent a highway safety hazard
- The existing dropped kerb has not been used as a vehicular access before and is opposite the gateway

- Grassed verges on Mallows Close are privately owned and cannot be used as storage areas
- There is the potential for congestion during the construction process which could be a highway safety hazard and could result in damage to the highway
- The south facing first floor windows would cause unreasonable overlooking into the garden of the neighbouring property
- Hours of construction should be controlled to preserve the amenity of neighbouring residents
- Mallows Close should not be used for overspill parking (in accordance with a covenant that applies to those properties)
- Traffic during construction needs to be managed to preserve the amenity of neighbouring residents and reduce the potential for congestion.

Planning Comments

11. The key issues to be assessed in the determination of this planning application are the principle of development, impact of the design on the character of the site and surrounding area, residential amenity, parking and highway safety and any implication on the tree that is protected by a TPO.

Principle of Development

12. The NPPF advises that every effort should be made to identify and then meet the housing needs of an area, and respond positively to wider opportunities for growth. Additionally the Development Plan (Core Strategy Development Plan Document adopted January 2007 and Development Control Policies Development Plan adopted January 2007) identifies Comberton as a 'Group Village,' where the construction of new residential dwellings within the framework is supported.
13. The proposed development would have been acceptable in principle having regard to adopted LDF and emerging Local Plan policies, had policies ST/6 and DP/7 not become out of date as a consequence of the Council not currently being able to demonstrate a five-year supply of deliverable housing sites.
14. The proposal is for a replacement dwelling on a site located within an existing village framework and as such is considered to be acceptable in principle, subject to all other material considerations being satisfied.

Impact on the character of the surrounding area

15. The principal elevation of the proposed dwelling would face onto Mallows Close. In its objection, the Parish Council expressed an objection to this orientation, stating that the property should face onto Long Road, similar to the existing bungalow. However, the site occupies a corner plot on the junction between Mallows Close and Long Road and the 'L' shaped design is considered to be an effective approach to turning the corner between the two streets. This design allows an active frontage to be presented to both roads. Whilst it is acknowledged that the gable element would not contain any openings, the north-south orientated 'wing' of the development would contain windows facing Long Road and the access would be gained from the eastern boundary.
16. A concern raised by one of the objections received makes the comment that the proposed dwelling would be contrary to the pattern of development along Long Road. Whilst the eastern gable would extend forward of the building line of the existing property to be demolished and that of no. 17, the extent of that projection is

considered not be sufficient to be incongruous with the character of the street scene, given that there is a slight fluctuation in the building lines and variation in the gaps between the properties in the row from 1-19 Long Road. It is considered that the footprint and shape of the building would be similar to those on Mallows Close and that the one and a half storey dormer bungalow style would not be incongruous with the design of existing properties on either Mallows Close or Long Road.

17. It is acknowledged that the proposed building would be significantly (approximately 4 metres at the highest point) taller than the bungalow that it would replace. However, the dwelling would be positioned 17 metres from the boundary with no. 17, retaining a degree of separation with the properties that stretch along Long Road to the south. The proposed height would therefore be a transition between the dormer bungalows on Long Road and the two storey properties at the top end of the cul-de-sac of Mallows Close. The overall scale and bulk of the development is therefore considered not to be overbearing in relation to the character of the surrounding area.
18. In relation to the impact on the adjacent Green Belt, which is located on the opposite side of Long Road, it is considered that the proposed replacement dwelling would not be of a scale, siting or detailed design that would have an adverse impact on the openness of the Green Belt given that the plot sits within a residential area and is surrounded by existing dwellings.

Residential amenity

19. The proposed dwelling would have four first floor windows in the southern elevation, facing the property at 17 Long Road. There are no first floor windows in the corresponding elevation of that property and as such no opportunities for unreasonable overlooking would result. A concern has been raised regarding potential overlooking of the neighbouring property. The westernmost first floor proposed windows would result in some overlooking of the garden of no. 17. However, given the separation distance (in excess of 17 metres) and the fact that overlooking would be limited to a small section of the garden of the neighbouring property (the window is only marginally beyond the rear building line of the neighbouring property), the proposal would not result in a detrimental impact on the residential amenity of that property.
20. In relation to the impact on no. 1 Mallows Close to the west, the separation distance between the western elevation of the proposed development and that property would be 15 metres at the longest point, reducing to 8.75 metres at the south western corner of the proposal. The two first floor windows of the proposed dwelling facing across the common boundary are marked on the plans as being obscurely glazed (one being a secondary window to a bedroom, the other serving a bathroom) and this measure can be secured by condition. There are no window openings in the corresponding elevation of the neighbouring bungalow. Given this oblique relationship, it is considered that the proposal would not result in an adverse impact on the amenity of that property through overlooking or overshadowing. The element of 1 Mallows Close which is set further away from the application site contains only the entrance to that property and an obscurely glazed window, therefore no unreasonable overlooking or overshadowing could result to that part of the corresponding elevation that would adversely affect the amenity of the occupant. .

Access, Parking and Highway Safety

21. The proposed access is considered not to result in an adverse impact on highway safety, given that the adjacent properties along Long Road all have similar access

arrangements. The Highway Authority has raised no objection to the location of the access in relation to the junction between Mallows Close and Long Road. The proposal would not result in a significant intensification of the use of the site given that the scheme would not increase the net number of units on the site.

22. Comments have been received in relation to the status of the existing dropped kerb on Long Road which is proposed to be widened as part of the works to create the new access. The applicant will be required to apply to the LHA for approval of these works. The only related material planning consideration is the safety of the proposed access and there are no objections to the application in this regard.
23. In terms of parking, the proposed plans indicate the location of two parking spaces within the site, meeting policy requirements. The location of the property ensures that there would be space for an additional car and therefore it is considered that the scheme would not lead to an unreasonable increase in the pressure for on-street parking in the surrounding area. The reference made in public responses to the presence of a covenant restricting parking on Mallows Close is not a material consideration in determining this application although there is considered to be no demonstrable harm in this regard in any case.

Tree Preservation Order and landscaping

24. There is an Ash tree in the south eastern corner of the site which is the subject of a Tree Preservation Order (TPO). The applicant is not proposing to remove any of the trees on the site. The closest part of the development would be in excess of 15 metres from the centre of the protected tree and would be beyond the crown spread of the tree. It is considered necessary to condition details of the protection measures to be applied around all of the trees to be retained, during the construction process, to ensure that any potential harm to these trees is mitigated.

Noise and Disturbance

25. A standard condition is recommended to control noise and disturbance during the construction process, as set out at the end of this report.

Outdoor Playspace and Indoor Community Infrastructure

26. As the proposal would not result in a net increase in the number of dwellings on the site, contributions towards off site open space and infrastructure are not required by policy, nor necessary to make the proposal acceptable.

Conclusion

27. There are no impacts of the development that significantly and demonstrably outweigh its benefits, when assessed against the material considerations set out in this report. The principle of the development is acceptable and, although the height and scale of the proposed dwelling is larger than the bungalow it replaces, its design and layout makes effective use of a corner plot between streets of different character, retaining good separation distances with neighbouring properties. The scheme would not result in a detrimental impact on the amenity of neighbouring properties, highway safety or the condition of the protected tree on the site, subject to compliance with the recommended conditions.

Recommendation

28. Approval, subject to:

Conditions

- a) Time limit
- b) Approved plans
- c) Materials
- d) Details of boundary treatments
- e) Driveway construction
- f) Pedestrian visibility splays
- g) Details of hard landscaping
- h) Tree protection
- i) Obscure glazing of windows
- j) Control of noise during construction
- k) Management of traffic and materials during construction
- l) Removal of permitted development rights for extensions

Background Papers

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council's website; and
- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Plan Proposed Submission July 2013
- South Cambridgeshire Supplementary Planning Documents
- National Planning Policy Framework 2012
- Planning File Ref: S/0224/89/F

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