

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Development and Conservation Control Committee

5<sup>th</sup> April 2006

**AUTHOR/S:** Director of Development Services

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### **S/0068/06/F – Over**

### **Erection of Bungalow and Alterations to Vehicular Access and Car Parking for Existing Dwelling on Land Adjacent 6 Lowburyholme Road for Mr and Mrs Clements**

**Recommendation: Approval**

**Date for Determination: 12<sup>th</sup> May 2006**

#### **Site and Proposal**

1. The application relates to an irregular shaped site situated on the northern side of Lowburyholme Road, to the front of and adjacent to 6 Lowburyholme Road. The site currently forms part of the garden of 6 Lowburyholme Road and contains a vehicular access to No. 6 and detached double garage. The site is split into two areas, being the intended residential curtilage of a new dwelling with detached garage with a site area of approximately 0.046 hectares (0.11 acres) and area to the front of the existing dwelling to provide a replacement vehicular access and car parking area. The entire site is within but adjacent to the village framework boundary for Over.
2. Adjacent the site to the north-east is residential garden, bungalow (No. 6) to the south-east, woodland to the south-west and scattered rural buildings and field to the north-west. There is a row of trees adjacent to, but outside, the north-western property boundary of the site.
3. Public Footpath No. 17 Over runs along the full length of Lowburyholme Road. Lowburyholme Road is characterised by a mixture of dwelling types.
4. The reserved matter application received on 17<sup>th</sup> January 2006 and amended to a full planning application received 17<sup>th</sup> March 2006 proposes the erection of a three-bedroom bungalow with an eaves and ridge height of 2.7m and 5.8m respectively. The bungalow will have a front and rear gable end and be setback a minimum of 4.8m from the front property boundary. The proposal equates to a density of 21.9 dwellings per hectare. Serving this bungalow is a detached garage measuring 2.4m in width, 6m in length and 3.5m in height.
5. The site area has been amended to include the grass verge adjacent Lowburyholme Road and replacement vehicular access and car parking area for the existing dwelling.

#### **Planning History**

6. Outline planning permission for a bungalow with means of access approved at the outline stage, was approved on 31 March 2005 subject to several conditions of consent (**Ref: S/2539/04/O**). Condition 4 of the consent required the dwelling to be single storey only.
7. Outline planning application **S/2188/04/O** with all matters reserved was withdrawn on 10 December 2004.

8. Planning permission was given for an extension to the dwelling in 1981 (Ref: **S/0663/81/F**).
9. Outline planning permission for a dwelling on this site was refused in 1980 (Ref: **S/0874/80/O**).

### **Planning Policy**

10. **Policy P1/3** of the County Structure Plan requires a high standard of design and sustainability for all new development and which provides a sense of place which responds to the local character of the built environment.
11. **Policy P5/3** of the County Structure Plan states that Local Planning Authorities should seek to maximise the use of land by applying the highest density possible which is compatible with maintaining local character.
12. **Policy P5/5** of the County Structure Plan states that 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.
13. **Policy SE3** of the adopted South Cambridgeshire Local Plan 2004 (“ The Local Plan 2004”) identifies the village of Over as a Limited Rural Growth Settlement. This policy permits residential development and redevelopment within this village providing:
  - (a) The retention of the site in its present form is not essential to the character of the village;
  - (b) The development would be sensitive to the character of the village, local features of landscape or ecological importance, and the amenities of neighbours;
  - (c) The village has the necessary infrastructure capacity; and
  - (d) Residential development would not conflict with another policy of the Plan, particularly employment policy EM8.

It adds that development should achieve a minimum density of 30 dph unless there are strong design grounds for not doing so.

It is noted that **Policy ST/6** of the Core Strategy Local Development Framework Submission Draft (2006) identifies Over as a Group Village.

14. **Policy SE9** of the Local Plan 2004 states that development on the edges of villages should be sympathetically designed and landscaped to minimise the impact of development on the countryside.
15. **Policy HG10** of the Local Plan 2004 states that the design and layout of residential schemes should be informed by the wider character and context of the local townscape and landscape. Schemes should also achieve high quality design and distinctiveness, avoiding inflexible standards and promoting energy efficiency.
16. **Policy EN5** of the Local Plan specifies that trees, hedges and woodland and other natural features should be retained wherever possible in proposals for new development. Landscaping schemes will be required to accompany applications for

development where it is appropriate to the character of the development, its landscape setting and the biodiversity of the locality.

*Local Development Framework Submission Draft 2006:*

17. **Policy DP/1** states that development will only be permitted where it is demonstrated that it is consistent with the principles of sustainable development, as appropriate to its location, scale and form. It outlines various criteria to assess the sustainability of proposed development.
18. **Policy DP/2** outlines that all new development must be of high quality design, appropriate to the scale and nature of the development. It outlines criteria, which define what is meant by high quality design.
19. **Policy DP/3** outlines requirements for new development within the district. Of particular relevance is the statement that planning permission will not be granted where the proposed development would have an unacceptable adverse impact on village character.
20. **Policy DP/7** largely reiterates the advice contained in policy SE3 regarding development and redevelopment of land on unallocated land within village frameworks.
21. **Policy HG/b** outlines that new residential proposals should protect and enhance the environment by making the best use of land and being appropriate to its location.
22. **Policy HG/1** states that residential developments will make the best use of land by achieving average net densities of at least 30 dwellings per hectare, unless there are exceptional local circumstances that require a different treatment.

**Consultation**

23. **Over Parish Council** – Recommendation of Refusal of Original and Amended Application.

“Concerns that the bungalow size is increased from two to three bedroom and may be outside building line. Concerns also that possible inadequate parking provision will lead to on-road car parking in a single track lane where access to farmer’s field is required”.

Any additional comments received in response to the latest set of amended plans will be verbally reported at Planning Committee.

24. **Chief Environmental Health Officer** – No objection, subject to the use of conditions to minimise noise during construction.
25. **Trees and Landscape Officer** – No objection. “The proposed footprint will compromise existing tree/shrub cover on the boundary. The quality of the vegetation is mediocre either in species or quality – predominantly Leylandii, Cypress and regenerated Sycamore. I therefore have no objection to the loss of this vegetation. The boundary is however important in relation to the aspect of edge of village boundary. The re-establishment of a hedge on this boundary is therefore desirable. A minimum clearance from boundary to footprint of 3m is required. This however may require specific consideration of foundation type to accommodate such planting”.
26. **Cambridgeshire Local Access Forum** – No response received.

27. **Cambridgeshire County Council, Definitive Map Officer** – No objection, but recommends the use of informatives on any consent issued.
28. **Ramblers Association (Cambridge Group)** – Raises concerns that the proposal may result in damage to public footpath, or lack of public access to public footpath.

### **Representations**

29. None received.

### **Planning Comments – Key Issues**

30. The key issues for consideration in the assessment of this planning application are as follows:
- a) Impact of dwelling on streetscene and character and appearance of adjacent land within Countryside;
  - b) Impact on Residential Amenity of adjacent bungalow;
  - c) Impact on highway safety; and
  - d) Whether the proposal represents an efficient use of land in terms of density.

### ***Impact on Streetscene and Character and Appearance of Adjacent Land within Countryside***

31. The principle of the erection of a bungalow on this site has previously been established by approved outline planning application S/2539/04/O. I am of the view that the proposed bungalow with detached garage will have an acceptable visual impact upon the streetscene of Lowburyholme Road. Whilst the proposed bungalow will have a higher ridge height than the adjacent bungalow, No. 6, the height of the dwelling on the north-west and south-east elevations have been kept low.
32. It is noted that Lowburyholme Road is characterised by a mixture of dwellings, and the proposed dwelling whilst being of different appearance to existing dwellings, will not be out of character or overly prominent in the streetscene. The proposed dwelling will have a similar setback to the road as adjacent dwellings.
33. The proposal is considered to have an acceptable visual impact on the amenities of adjacent land within the Countryside. Whilst the proposed dwelling may compromise some trees along the village edge, remaining trees and existing rural buildings, will provide sufficient screening for the property, taking into account its low eaves height and bungalow appearance.
34. It is acknowledged that the proposed siting of the dwelling will not allow for tree screening or hedge planting along the north-west property boundary.

### ***Impact on Amenities of Adjacent Dwelling***

35. I am of the view that the proposal will not seriously harm the amenities of occupants of the adjacent bungalow, No. 6 Lowburyholme Road. The proposal will not result in an undue loss of light, given its orientation to the west of the adjacent bungalow and roof design. Nor will the proposal result in an undue loss of privacy or appear unduly overbearing.

### ***Impact on Highway Safety***

36. It is noted the means of access from Lowburyholme Road was approved under the earlier outline planning application. The proposed means of access to the new dwelling is similar to that previously approved.
37. The current application involves the creation of two separate vehicular accesses for both dwellings, with a detached garage serving the proposed dwelling, and replacement car parking for the existing dwelling. I am satisfied that safe vehicular access can be provided to both properties from the metalled and formally adopted section of Lowburyholme Road. I am also satisfied that sufficient room is available on both the proposed and existing properties for the parking of two average sized vehicles, in accordance with the Council's maximum car parking standards.
38. However, I am not convinced that the proposed car parking arrangement for either property provides satisfactory on-site turning when two vehicles are parked on-site and may lead to vehicles reversing onto the road. Nevertheless, I am of the view that on-site turning is not essential in this position, given expected low traffic volumes along this road, a slow traffic speed of 30mph and absence of on-site turning for the existing dwelling.
39. A condition is recommended requiring details of the parking arrangements for vehicles during the period of construction, to discourage car parking on Lowburyholme Road.
40. Subject to a condition, requiring car parking to be provided and maintained for both dwellings/properties, I am of the view that the proposal will not result in a significant loss of highway safety.
41. I am also of the view that the proposal would not reduce the accessibility of the public footpath along Lowburyholme Road.

### ***Efficient Use of Land and Housing Density***

42. The proposal equates to a housing density of 21.7 dwellings per hectare, as opposed to the 30 dwellings per hectare promoted by Policy SE3 of the South Cambridgeshire Local Plan 2004 and Policy HG1 of Local Development Framework, Submission Draft 2006. Nevertheless, in this case there are material considerations which justify a lower housing density, including the previous outline consent, its position on the edge of the village framework and low height of the adjacent dwelling.

### **Recommendation**

43. Approve as amended by letter dated 16<sup>th</sup> February 2006 with attached forms and revised location plan and site plan franked 17<sup>th</sup> March 2006 and Certificate B dated 17<sup>th</sup> March 2006.

### **Recommended Conditions of Consent**

1. ScA – 3 years.
2. Sc5a – Details of materials for external walls and roofs (Rc5ai and aii);  
(e) Finished floor levels (Rc5e); (f) Materials to be used for hard surface areas within the site, including driveways and car parking areas. (Rc5f).

3. Before development commences, a plan specifying the area of the site to be reserved for the parking and turning of vehicles clear of the public highway during the period of construction shall be submitted to and agreed in writing by the Local Planning Authority; such space shall be maintained for that purpose during the period of construction. (Reason - In the interests of highway safety.)
4. The permanent space to be reserved on the site for the parking for both the proposed and existing dwelling at No. 6 Lowburyholme Road shall be provided prior to the occupation of the proposed dwelling and thereafter maintained. (Reason - In the interests of highway safety.)
5. Pedestrian visibility splays within an area of 2.0m by 2.0m measured from and along the back of the footway respectively, for both the proposed and existing dwelling at 6 Lowburyholme Road, shall be provided before the occupation of the new dwelling. (Reason - In the interests of highway safety.)
6. Visibility splays required by Condition 5 of this Decision Notice shall be provided on both sides of the vehicular access for both the proposed and existing dwelling at 6 Lowburyholme Road, and shall be maintained free from any obstruction over a height of 600mm. (Reason - In the interests of highway safety.)
7. Sc21 – Withdrawal of Permitted Development Rights – a) Part 1 (Development within the curtilage of a Dwellinghouse – All Classes and Part 2 (Minor Operations) Class A and B.  
(Reason - To ensure that alterations or extensions to the dwelling which would not otherwise require planning permission do not overdevelop the site with consequent harm to the visual amenities of the streetscene or the residential amenities of adjacent properties.)
8. No windows or openings of any kind shall be inserted at first floor level in the south-east elevation of the proposed dwelling, hereby permitted.  
(Rc22 and to safeguard the privacy of occupiers of the adjoining property, 6 Lowburyholme Road.)
9. Sc26: - Restriction on the Use of Power Operated Equipment during Period of Construction - 0800 hours to 1800 hours weekdays and 0800 hours to 1300 hours on Saturdays. (Rc26)
10. Sc60: Details of boundary treatment.  
(Reason - To ensure that the appearance of the site is appropriate to its position adjacent the village edge and that boundary treatment does not harm the residential amenities of adjacent dwellings.)
11. Sc51 Landscaping (Rc51).
12. Sc52: Landscaping (Rc52).

## Informatives

### Reasons for Approval

1. The 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), **P5/3** (Density) and **P5/5** (Homes in Rural Areas);
  - **South Cambridgeshire Local Plan 2004:** **SE3** (Residential development in Limited Rural Growth Settlement), **HG10** (Housing Mix and Design), **EN5** (The Landscaping of New Development) and **SE9** (Village Edges)
2. The proposal is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
  - Visual impact on the locality
  - Design and Appearance
  - Highway safety
  - Accessibility of public footpath

### Environment Agency Informatives

Informatives regarding surface water and drainage

### Cambridgeshire County Council, Countryside Access Team Informatives

Public Footpath No. 17 Over runs along the south-west boundary of the site.

- The development must not encroach onto the footpath, any encroachment would constitute an obstruction. It is an offence under s.137 of the Highways Act 1980; if the developer requires advice on where the boundaries of the right of way they contact the Definitive Map Officer at Cambridgeshire County Council for assistance;
- The footpath must remain open and unobstructed at all times. Building materials must not be stored on it, and contractors' vehicles must not be parked on it;
- The footpath must not be used for vehicular access to the site unless the applicant is sure that they have the lawful authority to do so (it is an offence under s.34 of the Road Act to drive on a public footpath);
- No alteration to the surface of the public footpath is permitted without the consent of Cambridgeshire County Council (it is an offence to damage the surface of a public right of way under s.1 of the Criminal Damage Act 1971; and
- The County Council as Highway Authority is only responsible for maintenance of the surface up to footpath standard, for the purpose of legitimate use by members of the public in relation to that status; damage to the surface caused by non-public footpath use is repairable by those private users.

## **Other**

For the purposes of clarification, under Condition 4 above, the permanent space to be reserved for car parking on No. 6 Lowburyholme Road refers to the car parking/turning area to the front of the dwelling only.

For the purposes of clarification, under Condition 7 above, planning permission would be required for any extension to the dwelling or erection of outbuilding, including a covered link between the proposed dwelling and garage or dormer windows.

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Local Development Framework, Development Control Policies, Development Plan Document, Submission Draft 2006
- Local Development Framework, Core Strategy, Development Plan Document, Submission Draft 2006
- Planning File Refs: S/0068/06/F, S/2539/04/O, S/2188/04/O, S/0663/81/F and S/0874/80/O

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