

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation
Control Committee

AUTHOR/S: Director of Development Services

2nd June 2004

S/0759/04/F – Newton

Dwelling on land rear of 10-16 Town Street for Upware Marinas Ltd

Recommendation: Approval

Site and Proposal

1. The application site, which is a grassed area to the rear of Nos. 10-16 Town Street served by a grassed access between Nos. 6 and 10, extends to approximately 0.16 hectares (0.4 acres) excluding the access. It rises gently to the northwest. Surrounding development is a mix of 2-storey and 1½-storey dwellings save that No.16 Town Street is a bungalow. There is a 2 metre high hedge along the field boundary to the northwest, a 1 metre high chain link fence and gappy planting along the boundary to properties in Harston Road (the northeast boundary), a mix of post and rail, post and wire, feather edged boarding and hedging, all 1-1.5 metres high, along the boundary to properties in Town Street (the southeast boundary). The southwest boundary of the site is unmarked. There is a 1.5 metre high fence along the northeast/No.6 Town Street boundary and a post and wire fence along the southwest/No/10 Town Street boundary of the access. There is one first floor window in the rear of No.10 Town Street.
2. This full application, registered on the 8th April 2004 and amended by plan date stamped the 10th May 2004, proposes the erection of a 4-bedroom detached dwelling with an attached double garage/workshop. Two of the bedrooms would be provided in the roofspace. Three catslide roof dormers are proposed in the northwest roof slope. A rooflight is proposed in the southeast and southwest roof slopes. The dwelling would have eaves and ridged heights of 2.5m and 6.3m respectively. The amended plan replaced the originally proposed pitched roof dormers with catslide roof dormers.

Planning History

3. An application for a dwelling on the site was withdrawn earlier this year (**S/0328/04/F**).
4. Planning permission for a 4 bedroom bungalow with attached double garage on the site was refused in November 2002 under planning reference **S/1597/02/F** on the grounds that the use of the driveway would result in disturbance and loss of privacy to occupiers of the adjacent properties; and the development would be out of character with the linear pattern of development on the area and, by virtue of the required hard fencing along adjoining property boundaries, would have an adverse impact on the rural character of the area.

A subsequent appeal was allowed in June 2003 with the Inspector remarking that the development would not be out of keeping with the general form of development in Newton and there would be no unacceptable harm to the occupiers of surrounding dwellings resulting from the use of the bungalow or the access.

5. A full application for a house on the site was withdrawn prior to determination (**S/0821/02/F**).
6. Outline permission for 3 bungalows on the site was refused under reference **S/0439/90/O**. A subsequent appeal was dismissed.
7. An outline application for 3 dwellings on the site was refused under reference **S/2306/89/O**.

Planning Policy

8. The site is within the village framework of Newton, an infill village as defined in the Local Plan 2004.
9. Structure Plan 2003 **Policy P1/3** requires a high standard of design which responds to the local character of the built environment for all new development.
10. Local Plan 2004 **Policy SE5** states that residential developments within the village will be restricted to not more than two dwellings provided the site in its present form does not form an essential part of village character and development is sympathetic to the character and amenities of the locality.
11. Local Plan 2004 **Policy HG10** states that the design and layout of residential development should be informed by the wider character and context of the local townscape and landscape.
12. Local Plan 2004 **Policy HG11** relates to backland development and states that development to the rear of existing properties will only be permitted where the development would not:
 - Result in overbearing, overlooking or overshadowing of existing residential properties;
 - Result in noise and disturbance to existing residential properties through the use of its access;
 - Result in highway dangers through the use of its access; or
 - Be out of character with the pattern of development in the vicinity.

Consultation

13. **Newton Parish Council** recommends refusal and states "The plan still shows a substantial change to the original design with increased roof height together with increased massing of structure. The building has no sympathy for the surrounding area and is too big for the site. No attempt has been made to break down the building with architectural form or detailing. The Council recommends that the plan is rejected in its present form."

Representations

14. Objections have been received from the occupiers of 7, 9, 11 and 15 Harston Road and 2, 6 and 10 Town Street on the following grounds:

- The affect on the local environment and wildlife;
- The increase in height of the dwelling would have a significant impact on neighbours and would make the dwelling more visible and more imposing/intrusive;
- The affect on the character of the village;
- Loss of light to neighbouring properties;
- The plans are in direct contradiction to the conditions laid down by the Planning Inspector which states that there should be no windows in the northeast or southeast facing roof slopes;
- Overlooking and loss of privacy;
- Landscaping and boundary details need to be clarified before occupation of the development;
- The dwelling is too large for the site and out of character with surrounding properties;
- A legal definition is needed as to the liability for maintenance and upkeep of boundaries;
- There is still local opposition to the principle of erecting a dwelling on the site and the previous Inspector's arguments for allowing the appeal are debatable;
- Loss of views; and
- The proposal does not meet local need. Where are the starter homes Mr Prescott's department talks about? Where are the affordable homes land is being released for? Where are our children going to live?
- No guarantee that the Inspector would have granted the appeal if he had been faced with this much more dominating proposal.

Planning Comments – Key Issues

15. The key issues in relation to this application are:
 - The affect on neighbours; and
 - The affect on the character and appearance of the area.

16. The principle of erecting a dwelling on this site with access from Town Street has been established by the successful appeal (S/1597/02/F). The footprint of the dwelling now proposed is very similar to the footprint of the approved dwelling. The main difference between this scheme and the one allowed at appeal are: the ridge height of the dwelling is 1.1 metres higher in order to allow accommodation to be provided in the roof; dormer windows and rooflights are now proposed; and the proposed attached garage/workshop is wider than previously approved, resulting in an increase in height of this element from 4.2 metres to 5.4 metres.

17. I can understand local residents disquiet now that the previous approval for a bungalow is being followed by an application for a dwelling with accommodation in the roofspace. That said, this application must be considered on its merits.
18. There are a mix of dwelling types and sizes in the locality and, given the principle of erecting a dwelling on the site has already been established, I consider that the increase in height and the inclusion of the proposed dormer windows and rooflights would not cause serious harm in terms of the amenity of neighbours or the character and appearance of the area.
19. The condition attached to the permission for the bungalow relating to the insertion of openings in the northeast and southeast roof slopes referred to by the objectors requires planning permission for any openings in the northeast and southeast roof slopes. The condition enables the Local Planning Authority to retain control over the insertion of any openings in these roof slopes and thereby protect the amenity of neighbours. Whilst I would be concerned about any eye level window serving a habitable room in these roof slopes, the proposed rooflight in the southeast roof slope serves a landing and is high level. It would not therefore result in serious overlooking of neighbouring properties. The rooflight in the southwest roof slope and the proposed dormer windows in the northwest roof slope would also not result in serious overlooking of neighbouring properties. It would be important to apply a condition to any approval requiring a further permission for any further openings in the northeast or southeast roof slopes.

Recommendation

20. Approval as amended by drawing no. 002/1/re Rev.2 date stamped 10.5.04
 1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission – RCA;
 2. No development shall take place until samples of the materials to be used in the construction of external surfaces of the property hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details – RC To ensure the satisfactory appearance of the development.
 3. No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority – RC To ensure the satisfactory appearance of the development.
 4. All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority – RC To ensure the satisfactory appearance of the development.
 5. The building shall not be occupied until the area shown for parking and turning of vehicles on the submitted plan no. 002/1/re Rev.2 date stamped 10.5.04 has been drained and surfaced in accordance with details submitted to and approved in writing by the Local Planning Authority and that area shall not thereafter be used for any purpose other than the parking and turning of vehicles – RC In the interests of highway safety.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modifications), no windows, with the exception of the rooflight shown on drawing no. 002/1/re Rev.2 date stamped 10.5.04, shall be constructed in the north-east and south-east facing roof slopes of the development – RC To protect the amenity of the occupiers of neighbouring properties.

Reasons for Approval

1. The approved 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).

South Cambridgeshire Local Plan 2004: SE5 (Residential Development In Infill Villages), **HG10** (Housing Design) and **HG11** (Backland Development).

2. The proposal conditionally approved is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity, including loss of light and overlooking/loss of privacy;
 - Affect on the character and appearance of the area;
 - Affect on wildlife;
 - Need for clarification of landscaping and boundary treatments; and
 - Housing need.
3. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.

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

- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- Planning file Refs: S/0759/04/F, S/0328/04/F, S/1597/02/F, S/0821/02/F, S/0439/90/O and S/2306/89/O

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