

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6th December 2006

AUTHOR/S: Executive Director / Head of Planning Services

S/1889/06/F - OVER
Chalet Bungalow and Garage, Land Rear of 54 The Lanes
for Mr K Woodham and Ms M Peck

Recommendation: Approval

Date for Determination: 28th November 2006

Notes:

This Application has been reported to the Planning Committee for determination because of a Parish Council Objection, which does not accord with the officer recommendation.

Site and Proposal

1. Webster's Way is a cul-de-sac development of some 27 dwellings (including Asplin's Close), mostly two-storey terraced and semi-detached houses. The application site, a plot of 18m wide by 20.8m deep on its south side and 31.7m deep on its north side, is on the north east side of Webster's Way, and comprises approximately half of the rear garden of 54 The Lanes. To the south of the site the rear gardens of 56 and 58 also back on to Webster's Way. There is a footway along this side of the road, with a narrow grass strip and a few well-spaced trees between the footway and rear boundary fences. To the north is the rear garden of 52 The Lanes, which backs onto the pedestrian access to the rear of 1-6 Webster's Way. These properties in The Lanes are single storey.
2. This full application, received 3rd October 2006, proposes the development of the site for a single, 1 ½ storey four bedroom dwelling, with access from Webster's Way.
3. The density equates to 23 dwellings/hectare.

Planning History

4. **S/2099/03/O** – Planning permission granted for a dwelling. Conditions required the submission of a reserved matters application to address details of siting, design and external appearance and site landscaping; and that the dwelling be single storey only “to reduce its visual impact on surrounding properties and also to ensure there is no loss of privacy”
5. **S/0133/84/O** – Planning permission refused for a bungalow and garage for the following reasons:
 - “1. The erection of a bungalow on the site would result in a piecemeal form of development relating badly to the existing development in Webster's Way and setting an undesirable precedent for the adjoining land to the south-east.

2. The proposal, if approved, would adversely affect the amenities of 52 and 56 The Lanes through loss of privacy to the rear gardens of the properties.”

Planning Policy

6. **Policy P5/5** of the Cambridgeshire and Peterborough Structure Plan 2003 (“The County Structure Plan”) permits small-scale housing developments in villages only where appropriate, taking into account, inter alia, the character of the village and its setting.
7. **Policy SE3** of the South Cambridgeshire Local Plan 2004 (“The Local Plan”) identifies Over as a Limited Rural Growth Settlement where residential development up to a maximum scheme size of 30 dwellings will be permitted on unallocated land within village frameworks provided that: (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 policy EM8 (Loss of employment sites in villages). Development should provide an appropriate mix of dwellings in terms of size, type and affordability and should achieve a minimum density of 30 dph unless there are strong design grounds for not doing so.
8. **Policy HG11** of the Local Plan states that development to the rear of existing properties will only be permitted where the development would not: (1) result in overbearing, overlooking or overshadowing of existing residential properties; (2) result in noise and disturbance to existing residential properties through the use of its access; (3) result in highway dangers through the use of its access; or (4) be out of character with the pattern of development in the vicinity.

Consultation

9. **Over Parish Council** recommends refusal and comments “This has not addressed our concerns with the original application. We still feel this is an overdevelopment of the site with inappropriate access onto the property – this road already has specific access issues for both refuse and emergency vehicles.”
10. **Chief Environmental Health Officer** – raises concerns with regards to noise during construction and its impact on nearby residents. He has suggested conditions to be attached to any approval to control the use of power operated machinery and the method of construction for driven pile foundations. He has also suggested an informative regarding the use of bonfires and the burning of waste materials on site during construction.

Representations

11. The owners/occupiers of 56 and 58 The Lanes and 1 Asplins Close have objected to the application for the following reasons:
 - (a) Loss of privacy, dormer to bedroom 2 in south-west elevation would overlook rear garden of 1 Asplins Close;
 - (b) Several upstairs windows will overlook 56 The Lanes and other properties;
 - (c) Outline consent was for a bungalow – chalet bungalow is essentially a 2 storey house by another name, 20ft (6.4m) tall;
 - (d) Design out of character with the area;

- (e) Over development – site too small to accommodate a four bedroom house;
- (f) Impact on road safety – Webster's Way is relatively busy and on-street parking already occurs. Concern that over-time this site would lead to more on-street parking. Road is very narrow and a thoroughfare for Primary School children;
- (g) Intrudes into the gardens of the Bungalows in The Lanes;
- (h) Loss of garden habitat – valuable for birds.

Planning Comments – Key Issues

12. The principle of developing this site for a new residential unit has previously been established by the grant of outline planning permission for a single dwelling under application reference S/2099/03/O. It has, therefore, been previously accepted that the retention of the site in its present form is not essential to the character of the village, nor that single storey development of the site would be out of character with the pattern of development in the area nor that the development would relate poorly to the existing Webster's Way environment. The property would front Webster's Way, as do the houses 30m further along the road. The site, as existing, is garden land and therefore constitutes a brownfield site within the village framework.
13. The outline consent for a dwelling on this site was originally conditioned to require the dwelling to be single storey only, to ensure that the amenities of neighbouring dwellings were protected.
14. In terms of residential amenity, the property would have a back-to-back distance of 29m with the existing dwelling at 54 The Lanes, and would measure 6.4m to its ridge. By virtue of the height of the proposed dwelling, and its position and distance from the existing dwellings in The Lane, I am satisfied that it would not result in any undue overbearing impact or loss of light to the surrounding dwellings. Whilst it is marginally taller than the existing bungalows in The Lane, it appears as a relatively modest structure, with a predominantly low eaves height and with the bulk of the dwelling set approximately 2m off both side boundaries
15. Dormer windows at first floor have been positioned so that those serving bedrooms 2 and 3 face over the dwelling's own parking/turning area and the road in Webster's Way. The window in bedroom 2, which has been objected to by the occupier of 1 Asplin's Close, would be facing Webster's Way, at a distance of approximately 19m from the boundary serving that dwelling. As such, no significant loss of privacy would result from this opening. The only side facing openings at first floor are windows serving bedroom 4 and a bathroom, but these are positioned off both side boundaries and would only be afforded views of the bottom of the gardens of the dwellings located either side of the site. As such, I am satisfied that there would be no serious loss of privacy arising from these windows.
16. In terms of highway safety, on-site parking provision has been made for 2 cars within the garage, with a further standing area in front of this, which meets the Council's parking standards. Referring again to the earlier outline application, the principle of the traffic generation from an additional single dwelling has been accepted as not adversely impacting on the safety of highway users. Furthermore, Webster's Way, whilst a potential pedestrian route for school children, is not a vehicular traffic through route. As such, the reversing of vehicles into the highway is not uncommon in the vicinity and is not considered to be detrimental to highway safety.

Recommendation

17. Approve, with the following conditions:
 1. Standard Condition A – Time limited permission (Reason A);
 2. Sc5a – Details of materials for external walls and roofs (Rc5aii);
 3. Sc51 – Landscaping (Rc51);
 4. Sc52 – Implementation of landscaping (Rc52);
 5. Sc60 – Details of boundary treatment (Rc60);
 6. Sc5f – Details of materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas (Reason – To minimise disturbance to adjoining residents);
 7. During the period of construction no power operated machinery shall be operated on the premises before 08.00 hours on weekdays and 08.00 hours on Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any time on Sundays or Bank Holidays) unless otherwise agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions. (Reason - In order to minimise the effects of the development to nearby residents or occupiers);

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)
P5/5 (Homes in Rural Areas)
 - **South Cambridgeshire Local Plan 2004:**
SE3 (List of Limited Rural Growth Settlements)
HG11 (Backland Development)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity including noise disturbance and overlooking issues
 - Highway safety
 - Visual impact on the locality

General Informatives

1. Should driven pile foundations be proposed, then before works commence, a statement of the method for construction of these foundations shall be submitted to and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.

2. During construction there shall be no bonfires or burning of waste on site except with the prior permission of the Environmental Health Officer in accordance with best practice and existing waste management legislation.

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
- Planning Files Ref: S/1889/06/F, S/2099/03/O, S/0133/84/O

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