

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

7<sup>th</sup> March 2007

**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

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### **S/2450/06/F - SAWSTON**

#### **Erection of 2 Bungalows & Garages Following Demolition of Existing House at 11 Babraham Road for C Bromwich**

**Recommendation: Approval**

**Date for Determination: 15<sup>th</sup> February 2007**

#### **Notes:**

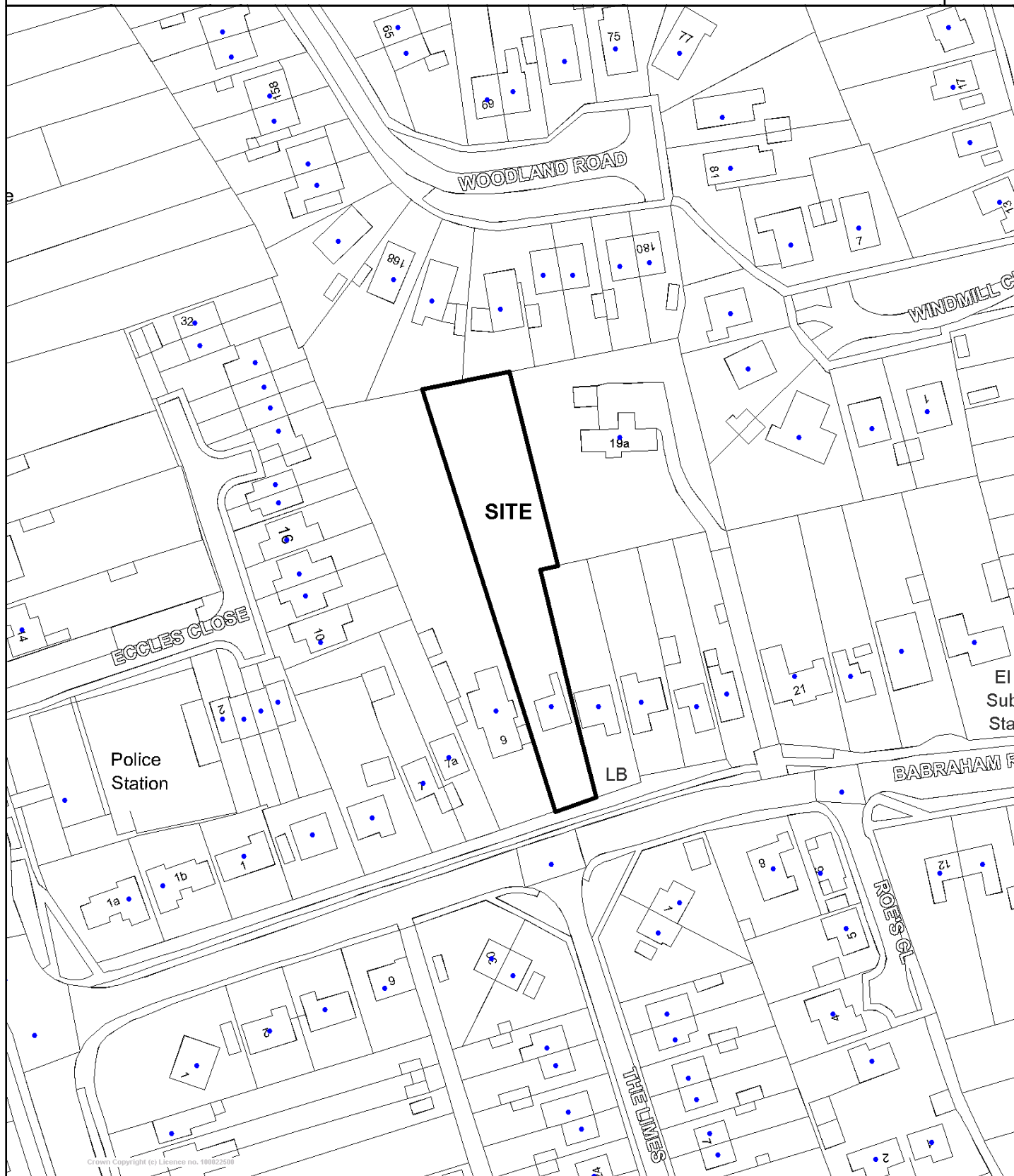
**This Application has been reported to the Planning Committee for determination because the Officer recommendation is contrary to the recommendation of the Parish Council.**

#### **Site and Proposal**

1. This 0.17 hectare application site is occupied by a detached two storey red brick house located on the north side of Babraham Road. To the east is a two storey dwelling whilst to the west is a detached bungalow. Bungalows lie beyond the rear/northern boundary of the site and beyond the eastern boundary of the rear section of the site is a two storey backland dwelling. There is a protected oak tree along the frontage of the site.
2. The full application, submitted on 21<sup>st</sup> December 2006, seeks consent for the erection of two bungalows and garages on the site (1 x 4-bed and 1 x 3-bed) following the demolition of the existing house. The proposed bungalows would be constructed in a tandem form of development, with the forward most element of the frontage plot sited in approximately the same position as the front of the existing dwelling, and the backland dwelling sited around 12 metres from the northern/rear boundary. The existing point of access would be widened to 5 metres and the driveway serving the rear plot, as well as the garages for both dwellings, sited alongside the eastern boundary of the site.

#### **Planning History**

3. **S/1195/05/F** – Application for erection of two houses following demolition of existing dwelling was refused for the following reasons:
  - (a) The proposed means of access serving the garage/parking area for Plot 1 and also serving Plot 2 would be just 2 metres away from the eastern side elevation of No.9 Babraham Road within which there are a number of openings including a window that is the sole opening to a bedroom. The occupiers of No.9 Babraham Road would therefore suffer undue noise and disturbance from vehicles passing in close proximity to this window. Consequently, the proposal would be contrary to Policy SE2 of the South Cambridgeshire Local Plan 2004 which requires new residential development to be sympathetic to the amenities



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of the locality and to Policy HG11 (2) of the South Cambridgeshire Local Plan 2004 which states that development to the rear of existing properties will only be permitted if it would not result in undue noise and disturbance to existing residential properties through the use of its access.

- (b) In the absence of driveway entrance construction detail and hand dig investigation in the area adjacent to the oak tree at the frontage of the site, which is protected by a Tree Preservation Order, it is unclear whether the proposed access and hardstanding areas would result in damage to this tree. Furthermore, the driveway and dwelling on Plot 2 would compromise a substantial amount of vegetation and trees that presently exist along the boundary with No.9 Babraham Road and within Plot 2. Consequently, the proposal would contravene Policy EN5 of the South Cambridgeshire Local Plan 2004 which requires trees and hedges to be retained wherever possible in proposals for new development.
4. **S/1974/06/F** – Application for erection of two dwellings and garages (a part 1½ storey and part single storey dwelling to the front and a bungalow to the rear) following demolition of existing dwelling was refused for the following reasons:
- (a) The proposed dwelling on Plot 1, by virtue of the siting, height and length of the 1½ storey element, would seriously harm the outlook from the sole window to the master bedroom sited within the eastern side elevation of No.9 Babraham Road. Consequently, the proposal would be contrary to Policy SE2 of the South Cambridgeshire Local Plan 2004 which requires new residential development to be sympathetic to the amenities of the locality.
  - (b) The proposed dwelling on Plot 1 has a contrived and awkward design consisting of a dominant 1½ storey element set well behind the front elevations of adjoining dwellings to the east and west, and a forward projecting single storey element. This dwelling would therefore have a harmful visual impact upon the street scene to the detriment of the character of the area. Consequently, the proposal would be contrary to Cambridgeshire and Peterborough Structure Plan 2003 Policies P1/3, which requires a high standard of design that responds to the local character of the built environment, and to Policy SE2 of the South Cambridgeshire Local Plan 2004 which requires new residential development to be sympathetic to the character of the locality.

### **Planning Policy**

- 5. Sawston is identified within **Policy ST/4** of the South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007, as a Rural Centre. This policy states that development and redevelopment will be permitted providing adequate services, facilities and infrastructure are available or can be made available as a result of the development.
- 6. **Policy P1/3** of the County Structure Plan 2003 stresses the need for a high standard of design and a sense of place which corresponds to the local character of the built environment.
- 7. **Policy HG11** of the South Cambridgeshire Local Plan 2004 states that development to the rear of existing properties will only be permitted where the development would not:

- a) Result in overbearing, overlooking or overshadowing of existing residential properties;
- b) Result in noise and disturbance to existing residential properties through the use of its access;
- c) Result in highway dangers through the use of its access;
- d) Be out of character with the pattern of development in the vicinity.

### **Consultations**

8. **Sawston Parish Council** objects to the application for the following reasons:

- a) "Gross overdevelopment of site
- b) Would set a precedent
- c) Loss of privacy for neighbours
- d) Fencing, hedging already removed and needs replacing
- e) Contrary to Cambs-Peterborough Structure Plan 2003 P1/3 and Policy SE2 of SCDC Local Plan 2004 (not sympathetic to the character of the locality)".

9. The **Chief Environmental Health Officer** raises no objections subject to a condition restricting during construction the hours of use of power operated machinery being attached to any consent in order to minimise noise disturbance to neighbours. With regards to the concerns raised by the occupiers of No.9 Babraham Road relating to the proximity of the backland bungalow to their pigeon lofts (used for keeping approximately 100 racing pigeons), the Environmental Health Officer has raised no objections.

10. **The County Archaeologist** states that the site is located in an area of high archaeological potential and that recent archaeological investigations to the immediate west of the site have identified the remains of a Roman road and possible military activity. A condition should therefore be added to any consent requiring a programme of archaeological investigation to be carried out.

11. **The Trees and Landscape Officer** has not been specifically consulted about this application but was consulted in respect of the previous application reference S/1974/06/F. The Trees Officer had visited the site to inspect pits dug in the root zone of the protected oak and these were found to be clear of any roots. As such, no objections were raised in respect of the proposed driveway widening. In addition, it was considered that there was no vegetation of significance within the remainder of the site.

12. The comments of the **Building Inspector** in respect of access for emergency vehicles will be reported verbally at the Committee meeting.

### **Representations**

13. Letters of objection have been received from 5 adjoining residential properties, Nos. 9, 13 and 19a Babraham Road, and Nos. 170 and 172 Woodland Road. The main points raised are:

- (a) Is the erection of two 5 bedroom properties in place of one much smaller dwelling necessary or justifiable?
- (b) The proposal would result in overdevelopment of the site;
- (c) Trees and boundary hedgerows and some fences have been cleared/removed from the site;

- (d) Erection of wooden, rather than chain-link, fence on east boundary of site would result in loss of light to No.19a Babraham Road;
- (e) Traffic noise associated with cars driving to the rear plot would result in undue noise and disturbance to the occupiers of No.19a Babraham Road, whose bedroom is on this side of the property;
- (f) The large bungalow on the rear plot would be out of keeping with the character of the area;
- (g) Overlooking of No.9 Babraham Road from the door and windows in the west side elevation of the frontage dwelling;
- (h) There would be unacceptable noise and disturbance to No.9's bedroom window;
- (i) Loss of light to No.9 Babraham Road's bedroom window;
- (j) No plans for replacement boundary fencing to No.9 Babraham Road;
- (k) Driveway alongside No.13 should be paved or tarmac (rather than gravel) to avoid excessive noise;
- (l) There is insufficient room for the landscaping indicated adjacent to the frontage plot, there being just enough room between this dwelling and the eastern boundary for a 3.7 metre wide driveway. The eaves of the bungalow would overhang the driveway. Is there enough room for fire engines to access the rear bungalow?
- (m) There could be complaints from future occupiers of the proposed backland bungalow to racing pigeons kept by No.9 Babraham Road in pigeon lofts in the rear garden.

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

14. The key issues to consider in the determination of this application are:

- a) Impact upon the character of the area;
- b) Affect upon the amenities of adjoining residents;
- c) Impact upon trees.

### ***Impact upon character of area***

15. There is a backland dwelling located to the rear of Nos. 13 – 19 Babraham Road immediately to the east of the site whilst, beyond the garden area of No.9 Babraham Road to the west, are houses constructed on the old police station site. Immediately adjoining the site are a mixture of bungalows (to the north and west) and 2 storey dwellings to the east. Taking into account the characteristics of the immediate area, I do not consider the creation of a backland plot and the erection of two bungalows on the site to be out of keeping with the character of the area.
16. The frontage dwelling proposed within the previous application on this site (ref: S/1974/06/F) incorporated a 1½ storey element set well behind the front elevations of adjoining dwellings and a forward projecting single storey element. The design was considered to be contrived and awkward and, hence, harmful to the character of the area. In this latest application, the design of the frontage plot has been revised to reduce the height of the rear element to single storey, with the eaves height being the same as that of the forward projecting element. I am satisfied that the design of this

dwelling has been simplified to an extent that the scheme would no longer be harmful to the character of the area.

### ***Residential amenity***

17. No.9 Babraham Road to the west of the site has a bedroom window in its east elevation, this being the sole window serving the master bedroom. No.13 to the east has no windows in its west side elevation. The first application on this site (ref: S/1195/05/F) sought to erect 2 two storey dwellings on the site with the access running alongside the west boundary. The impact upon the amenities of the occupiers of No.9 Babraham Road, arising from the proximity of the access to their master bedroom window, was considered to be unacceptable. In the subsequent application (ref: S/1974/06/F), the access was switched to the east side of the plot and this resulted in the frontage dwelling being sited much closer to the boundary with No.9 than the existing house. The 1½ storey element of that dwelling was approximately 6.6 metres high to the ridge and 3.6 metres high to eaves and was considered to be unduly intrusive in the outlook from No.9's bedroom window. In this latest application, the ridge and eaves heights have been reduced to 5.8 metres and 2.6 metres respectively and I am satisfied that these revisions are sufficient to overcome the serious harm to the outlook from No.9's bedroom window. The development would not result in an undue loss of light to this window as the element that projects beyond the rear elevation of the existing dwelling on the site is located on the north-east side of this window. Indeed, the development would increase the light to this window as the existing two storey house located directly to the east of this window would be replaced with a single storey structure.
18. Openings are shown at ground floor level within the west side elevation of the frontage bungalow. At present, the boundary between the site and No.9 at this point is relatively open. It would therefore be essential that any permission be conditional upon the provision of boundary fences/treatment to avoid overlooking of adjoining properties.
19. Although the height of the frontage dwelling has been reduced, there still appears to be sufficient height within its rear element for the addition of some first floor accommodation. Whilst any internal works would not require planning permission, I consider it to be essential to remove permitted development rights for the insertion of rooflights and dormers so that the impact of such potential additions upon the amenities of adjoining residents can be considered as part of any application.
20. The plans show a space of approximately 4.5 metres directly adjacent to No.9's bedroom window. Whilst not indicated as such on the plans, this could potentially be used for parking, thereby resulting in undue noise and disturbance to the occupiers of No.9. Any approval should therefore be conditional upon this area not being used as parking/turning space.
21. Nos. 13 and 19a have expressed concern about noise and disturbance arising from the use of the access to the rear plot. As No.13 has no windows in its west side elevation and there is an existing fence along the boundary with this property, I am satisfied, subject to the agreement of satisfactory materials, that the access would not result in undue noise and disturbance to the occupiers of this property. With regards to the impact on No.19a, which has a bedroom window facing the site, this dwelling is sited in excess of 10 metres away from the boundary and more than 20 metres away from the end of the driveway and the parking/turning area serving the rear plot. Given the distance between the access and the bedroom window, I consider the proposal would not result in undue harm to the amenities of occupiers of No.19a.

## **Trees**

22. Following the refusal of the first application on this site, the applicant has demonstrated to the Trees Officer's satisfaction that the existing driveway can be widened to 5 metres without compromising the protected oak tree. Much of the vegetation referred to within the refusal of the first application, has since been cleared from the site. Whilst regrettable, none of this vegetation had any statutory protection and consent was therefore not required for its clearance.

## **Recommendation**

23. Providing no objections are raised by this Authority's Building Inspector in respect of access for emergency vehicles, approval.

## **Conditions**

1. Standard Condition A (Reason A);
2. Sc5a – Details of materials for external walls and roofs of the bungalows and garages (Rc5aii);
3. Sc5 – Details of materials to be used for the access and driveway (Reason – To minimise noise disturbance to neighbouring properties);
4. The access road shall be of a minimum width of 5 metres for a distance of 10 metres from the edge of the existing carriageway (Reason – In the interests of highway safety);
5. Before the occupation of the dwellings, hereby permitted, the access from the existing highway shall be laid out and constructed to the satisfaction of the Local Planning Authority after consultation with the Local Highway Authority (Reason – In the interests of highway safety);
6. Sc60 – Boundary treatment details (Rc60 and to prevent overlooking of adjoining dwellings);
7. Sc 21 - Withdrawal of Permitted Developments - No rooflights, dormer windows or openings of any kind shall be inserted in the roofspace of the frontage dwelling (referred to as plot 1 on drawing number WC.131.1.B) unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf (Rc22);
8. The space between the forward projecting element of the frontage dwelling and the western boundary of the site shall not be used for the parking or manoeuvring of vehicles (Rc26);
9. Sc51 – Landscaping (Rc51);
10. Sc52 – Implementation of landscaping (Rc52);
11. Sc66 – Archaeological investigation (Rc66);
12. During the period of demolition and 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 previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions (Rc26).

## **Informatives**

### **Reasons for Approval**

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
  - **South Cambridgeshire Local Development Framework (LDF) Core Strategy:**  
**ST/4** (Rural Centres)
  - **Cambridgeshire and Peterborough Structure Plan 2003:**  
**P1/3** (Sustainable design in built development)
  - **South Cambridgeshire Local Plan 2004:**  
**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;
  - Impact on character of area.

### **General**

1. Should driven pile foundations be proposed, then before works commence, a statement of the method for construction of these foundations shall be submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.
2. During demolition and 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.
3. Before the existing property is demolished, a Demolition Notice will be required from the Environmental Health Department establishing the way in which the properties will be dismantled, including any asbestos present, the removal of waste, minimisation of dust, capping of drains and establishing hours of working operation.

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

- South Cambridgeshire Local Development Framework (LDF) Core Strategy 2007.
- Cambridgeshire and Peterborough Structure Plan 2003;
- South Cambridgeshire Local Plan 2004;
- Planning application references: S/2450/06/F, S/1974/06/F, S/1195/05/F

**Contact Officer:** Lorraine Casey – Senior Planning Assistant  
Telephone: (01954) 713251