

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

9th May 2007

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

S/0355/07/F – COTTENHAM

**Erection of Two Chalet Bungalows at Land Rear of 31 Denmark Road
for H.J Investments**

Recommendation: Approval

Date for Determination: 20th April 2007

Notes:

This application has been reported to the Planning Committee because the Cottenham Parish Councils recommendation of refusal conflicts with that of the officer.

Members will visit this site on Tuesday 8th May 2007

Conservation Area

Site and Proposal

1. The site comprises an empty plot of land at the rear of 31 Denmark Road. The site is approximately 418 square metres in area and lies within the Cottenham Village Framework and Conservation Area. The site is accessed via a narrow lane off Denmark Road or via the Cooperative Supermarket car park, which allows access from the High Street through to Denmark Road. The site is currently enclosed by a 1.8m close board fence and is completely overgrown with a mixture of plants and shrubs of no visual merit. To the north east of the site is a bungalow (No.37 Denmark Road) with its rear garden backing onto the site. This bungalow has a conservatory upon the rear, south west, elevation. This dwelling is approximately 8m from the common boundary between the site the bungalow. North of the site is a Telephone Exchange with the site fronting onto the Cooperative Supermarket's car park.
2. The application, received on 23rd February 2007, proposes full planning permission for the erection of a pair of chalet style bungalows with attached garages linking the pair. The dwellings will be one-and-a-half storey, 2 bedroom properties facing onto the lane, with each having two off road parking spaces (including the garages). The dwellings would be built in facing brickwork with clay pantile roofs with conservation roof lights within the roof slopes. The rear first floor elevations would contain a single obscure glazed roof light window to serve en-suite bathrooms. The density of the development would be 47.8 dwellings per hectare. An amended plan was received on 11th April showing heights from ground to ridge of the buildings.

Planning History

3. Planning Application **S/2198/03/F** for the erection of a single two-storey dwelling and garage on the site was approved on 26th March 2004.



Crown Copyright (c) Licence no. 100022500 2007



Reproduced from the 2006 Ordnance Survey mapping with the permission of the controller of Her Majesty's stationary office (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Scale 1/1250 Date 27/4/2007

Centre = 545188 E 267433 N

May Planning Committee 2007

4. Planning Application **S/0452/03/F** for the erection of two, two-storey dwellings was refused on the 30th July 2003. The application was refused on the grounds that vehicle conflict would occur at the junction with Denmark Road due to the lane being narrow, only allowing single file traffic and that this issue would be exacerbated by the development of two dwellings. Furthermore, the site was deemed too cramped to accommodate two dwellings, with poor provision for amenity space and that the addition of the dwellings would result in overshadowing of the back garden to No.37 Denmark Road, the bungalow at the rear of the site.
5. This application was appealed and dismissed on the grounds that the Inspector found the development would have significant adverse effects upon the living conditions of the occupiers of No.37 Denmark Road in respect to their privacy, light and outlook, with the proposal conflicting with the requirements of Local Plan Policy HG11. However, in the light of the previous permission granted for one dwelling and the amount of traffic currently using the lane, the additional traffic movements caused by the development would not materially affect the safety and convenience of road users.

Planning Policy

Cambridgeshire and Peterborough Structure Plan 2003

6. **Policy P1/3** relates to sustainable design in built development and requires a high standard of design for all new development, which responds to the local character of the built environment.
7. **Policy P7/6** relates to the protection and enhancement of the quality and distinctiveness of the historic built environment.
8. **Policy P5/3** relates to density of development being at a minimum of 30 dwellings per hectare.
9. **Policy P5/5** relates to small scale housing being permitted where appropriate taking into account need for affordable housing, character of the village and level of jobs services.

South Cambridgeshire Local Plan 2004

10. **Policy EN30** relates to the proposals expecting to preserve or enhance the special character and appearance of the Conservation Area especially in terms of their scale, massing, and roof and wall materials with the use of traditional materials and details fitting into context.
11. **Policy HG11** relates to development to the rear of existing properties.

Core Strategy 2007

12. **Policy ST/2** refers to locations of housing in Rural Centres.
13. **Policy ST/5** identifies Cottenham as a minor Rural Centre within the settlement hierarchy. Residential developments up to an indicative maximum scheme size of 30 dwellings will be permitted.

Consultation

14. **Cottenham Parish Council** – Recommends refusal on the grounds that “there is no indication of the height of the ridge of the proposed development and this leads to

concerns on the possible impact on 37 Denmark Road with the possible loss of amenities to the occupiers of this property. In regard to the access and traffic, this is a single-track road in very poor condition, which is currently used by customers of the Cooperative Supermarket "Co-Op". There is very poor visibility onto Denmark Road and this is already unsatisfactory and potentially dangerous for current users, any additional traffic movements would simply compound this situation. In addition construction traffic would need to use this road, which again would cause potential problems with regard to access and other users."

15. **Conservation** – "Following my previous comments, I have discussed the application with the architect and during these discussions the architect noted that it was not possible to accommodate all of my previous suggested revisions. He has however attempted to take on my other comments in the revised design, which make the proposal more appropriate and simpler in design. In my opinion and taking into consideration the comments of the inspector at the previous appeal on this site, the revised proposal is now acceptable. In the event of planning permission being granted I would suggest that PD "Permitted Development" rights are removed and a condition is added requiring the agreement of all external materials".
16. **Local Highway Authority** – "Given the use of the existing access to serve a sixteen-space car park, the proposal is unlikely to have a significant adverse impact upon the Public Highway, should it gain the benefit of planning permission. In the event of planning permission being granted an informative should be added stating that planning permission does not constitute permission or license to a developer to carry out any works within or disturbance of, or interfere with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works."
17. **Trees & Landscaping** – No adverse comments

Representations

18. Two letters of objection have been received from the occupiers of Nos.37 & 39 Denmark Road. The following objections have been raised:
 - (a) This is a dangerous junction due to the access road to the site being overused, very narrow and badly maintained with poor visibility out onto Denmark Road and the close proximity of adjacent buildings. On occasions vehicles have to reverse out onto Denmark Road, which is a busy through-road to the A10. This type of event will become more likely with increased traffic density with the proposed development of this site.
 - (b) The environmental impact of the proposal must be considered with the development requiring the felling of at least one mature tree and several maturing trees.
 - (c) Construction traffic will also exacerbate this problem. If an alternative of using the front of the CO OP were to be used this would again cause problems but onto the High Street.
19. **The Cottenham Village Design Group** feels that this is a well-considered proposal, which is appropriate for this location and overcomes the limitations of an awkward site. It supports the specification of locally appropriate buff brick but strongly recommends that slate should be specified for roofing, as red concrete pantiles are not appropriate in Cottenham.

Planning Comments – Key Issues

Access & Parking

20. The site has planning permission for a single two-storey dwelling with garage. The Highway Authority is satisfied that the proposed development would not have a significant adverse impact upon the lane, as it currently serves a through road between the High Street and Denmark Road as well as the use of the Co-Op car park. This is supported by the appeals Inspector in reference to Planning Application S/0452/07/F, who concluded “that the proposed development of two dwellings would result in additional vehicle movements into and out of this entrance, however, having regard to the amount of traffic already using it and to the permission previously granted for one dwelling I am not convinced that the additional traffic which would result would materially affect the safety and convenience of road users”.
21. In light of the above comments, it is considered that the access road would suitably accommodate the addition of two new dwellings at this site. The site would comfortably accommodate two off road car park spaces for each dwelling with adequate visibility splays. Conditions would be necessary to ensure that the visibility splays are provided before the buildings are occupied and thereafter maintained as well as restricting the garages so that they cannot be converted into living space. This will ensure that the site can continue to accommodate off road car parking spaces in the future.

Landscaping & Visual Amenity

22. The site is currently overgrown with a mixture of foliage and trees varying in size and maturity. The majority of the low lying foliage is dead or dying with several smaller maturing tree specimens of little merit, which are not clearly visible from outside of the site at present. The site does not appear to be maintained and is only accessible via a damaged fence panel. There is one mature tree specimen within the southwest corner of the site, which is partially covered in ivy. Despite this tree's size it is of little visual merit and is not prominent from views outside of the lane.
23. Similarly the site as a whole offers little aesthetic value to the makeup of the Conservation Area. The site appears to have been left for future development with permission already being granted for one large detached dwelling. In dismissing the appeal to (planning application S/0452/07/F) the Inspector states “the site is an unused and overgrown plot in a back land situation and does not make a positive contribution to the character or appearance of the Conservation Area at present. The proposed development would improve the appearance of the site and the character of the 2 dwellings would be in harmony with that of the housing in the locality. Accordingly, I consider it would enhance the character and appearance of the Conservation Area.” Despite this statement being nearly 3 years old, this still remains the case and the current proposal's design would enhance the character and appearance of the Conservation Area.
24. Conditions would be necessary to require samples of all external materials including hard surfaces to ensure that they compliment the character and appearance of the Conservation Area. There should also be a condition removing certain Permitted Development Rights from the two units. This will limit any future development to the site without the permission of the Local Planning Authority. This is not only justified due to the visual impact such development could have on such a small sensitive site but also the potential loss of neighbour amenity and any reduction to the rear gardens of the proposed units. This condition shall restrict small household extensions and alterations,

insertion of fenestration, alterations to the roofs and outbuildings or enclosures as well as minor operations such as walls and fences.

Neighbouring Amenity

25. There are concerns from the Parish Council that the proposed development would result in the loss of amenities to the neighbouring property to the rear No. 37 Denmark Road. The amended plan scales correctly and the ridge height of the units would be 7.1m from ground level at the highest point, with the ridgeline of the garages roof at 5.6m. The Design and Access Statement of the proposal states that the dwellings have been designed to limit the impact upon the dwelling to the rear (No.37) by being moved forward to the front of the site, thus preventing overshadowing of the adjacent property. The only window at first floor level overlooking No.37 will serve the bathroom and shall be obscure glazed and above eye level to preserve the privacy of the neighbour.
26. The current proposal attempts to address the reasons for refusal as well as the comments within the previous appeal decision. The units have been moved further away from No.37 Denmark Road, to the front of the site and the dwellings have been reduced in height by half a storey to chalet bungalows. This in turn has allowed for more depth in the rear gardens of the dwellings with an approximate minimum distance of 6.3m to a maximum of 7m from the rear of the units to the boundary with No.37 to the north east of the site. The previously refused scheme for 2 two-storey dwellings was refused on the grounds that it provided little amenity space for the units at a depth of 4m for the back gardens. These dwellings were also proposed 13m from the rear of No.37. The current scheme would be approximately 14m from the bungalow at No.37 Denmark Road. The refused scheme was for a pair of semi-detached houses with an approximate ridge height of 8.6m.
27. In light of the current proposal increasing the distance between the development and No.37 Denmark road albeit by approximately a metre, the garden space to the units would be satisfactory in size subject to the removal of Permitted Development Rights ensuring that this could not be compromised. Furthermore, the units would be substantially lower in height than those previously refused by approximately 1.5m. The units would also be broken up with the garages between the units, thus being less prominent than the two-storey semi-detached proposal under planning application S/0452/03/F. Therefore I consider that the current proposal would not adversely affect the privacy that the occupiers of No.37 currently enjoy nor would it result in severe overshadowing. Due to the height, distance from the boundary and the break in the roof form of the pair of dwellings they would not appear over dominant to No.37 Denmark Road.

Recommendation

28. Approval as amended by plan " 06078/SK01C" received and stamped 11/04/2007.

Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
2. No development shall commence until the details below have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.
 - a) The materials to be used for the external walls and roofs.

- b) Materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas.
(Reason - To ensure that the development is not incongruous.)
3. Notwithstanding the provisions of Regulations 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order), the following classes of development more particularly described in the Order are expressly prohibited in respect of the property and each unit thereon unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf:-
- i) PART 1, (Development within the curtilage of a dwelling house, Class A, B, C and E.
 - ii) PART 2, (Minor operations), Class A (erection of gates, walls or fences)
(Reason - a) To safeguard the character of the Conservation Area and the amenities of neighbouring dwellings.)
4. No further windows, doors or openings of any kind shall be inserted in the northeast elevation of the development, hereby permitted, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf. (Reason - To safeguard the privacy of occupiers of the adjoining properties.)
5. The first floor roof light windows in the northeast roof slopes of the buildings, hereby permitted, shall be fitted and permanently maintained with obscured glass. (Reason - To safeguard the privacy of occupiers of the adjoining properties.)
6. The garages, hereby permitted, shall not be used as additional living accommodation (and no trade or business shall be carried on there from).
(Reason - To ensure the continued provision of off-street parking space in the interests of highway safety and to safeguard the amenities of adjoining occupiers.)
7. The visibility splays shown on the approved plan "06078/SK01C" shall be provided before the development is occupied and shall thereafter be maintained. The area between the visibility splay and the edge of the carriageway of the highway shall be kept free of obstruction exceeding 600mm in height above the adjacent carriageway level. (Reason – In the interests of highway safety.)
8. No development shall commence until details of the boundary treatment of the site have been submitted to and improved in writing by the Local Planning Authority. (Reason - To enable the Local Planning Authority to properly assess the impact of the development.)
9. All windows and doorframes on the development hereby approved shall be constructed in timber and the garage doors shall be vertically boarded, unless otherwise agreed in writing by the Local Planning Authority. (Reason - To safeguard the character of the Conservation Area.)

Informatives

1. Planning permission does not constitute permission or license to a developer to carry out any works within or disturbance of, or interfere with, the Public

Highway, and that a separate permission must be sought from the Highway Authority for such works.

2. Should driven pile foundations be proposed, before development commences, a statement of the method for construction of these foundations should be submitted to and agreed by the District Council's Environmental Health Officer so that noise and vibration can be controlled.
3. During construction, there shall be no bonfires or burning of waste on site except with the prior permission of the District Council's Environmental Health Officer in accordance with best practice and existing waste management legislation

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**, adopted January 2007
ST/2 (Locations of Housing in Rural Centres)
ST/5 (Minor Rural Centres)
 - **Cambridgeshire and Peterborough Structure Plan 2003:**
P1/3 (Sustainable design in built development)
P7/6 (Historic Built Environment)
Policy P5/3 (Meeting Locally Identified Housing Needs)
Policy P5/5 (Homes in Rural Areas)
 - **South Cambridgeshire Local Plan 2004:**
EN30 (Development in/adjacent to Conservation Areas)
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:
 - Highway safety
 - Impact on No 37 Denmark Road
 - Impact on trees

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning Files Ref: S/02198/03/F, S/0452/03/F and S/0355/07/F
- Documents referred to in the report including appendices on the website only and reports to previous meetings

Contact Officer: Mike Jones – Planning Assistant
Telephone: (01954) 713253