

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

2<sup>nd</sup> July 2008

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

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**S/0551/08/F – BAR HILL  
House at 17 Otter Close for Mr R Assvadian**

**Recommendation: Delegated Approval**

**Date for Determination: 18<sup>th</sup> June 2008**

**Notes:**

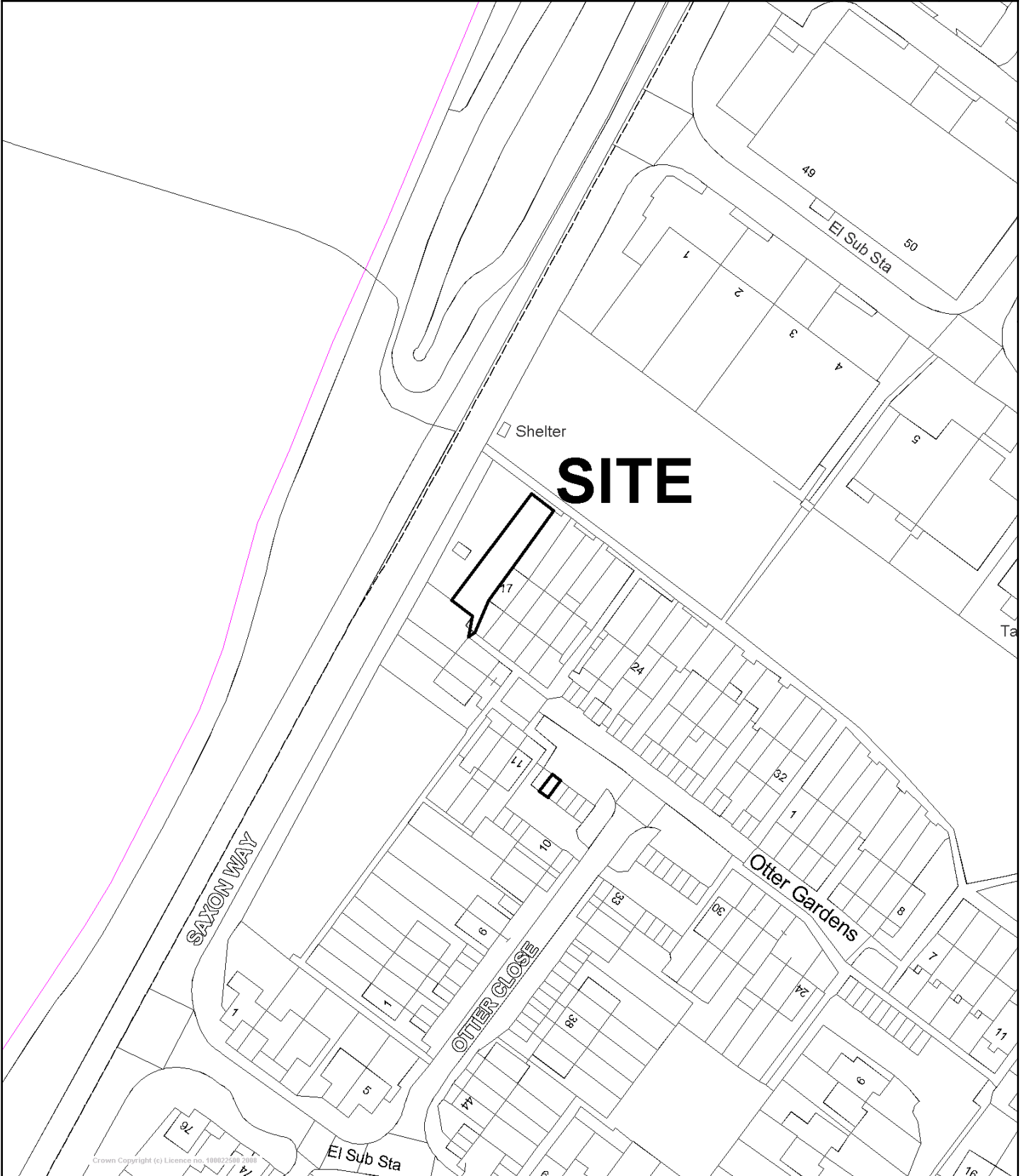
**This Application has been reported to the Planning Committee for determination by request of the Local Member and referral from Chairman's Delegation Meeting on 2<sup>nd</sup> June 2008.**

**Site and Proposal**

1. The application site lies within the Bar Hill village framework, and relates to the side garden area of no. 17 Otter Close. This is the end dwelling in a terrace of five two-storey properties. It is located at the end of the cul-de-sac, and is only directly accessible via foot, given the layout of the road and turning head. The land slopes down northwards across the site, and there is a large change of levels to the estate, with the site set at the bottom of the hill. The land to the north is designated as a Protected Village Amenity Area.
2. The site area is approximately 0.022 hectares. An amended location plan date stamped 24<sup>th</sup> April 2008 includes a garage within a nearby block within the red line of the application. Another garage is shown in the blue line that would remain in use for the occupiers of no. 17. There is some undesignated parking to the back of the garage block, and the garages themselves are accessed from the south through the courtyard.
3. The terraced dwellings are built into the sloping land. The roof of the houses measures 6m in height from the front elevation, and 6.7m from the rear elevation. The application, received 20<sup>th</sup> March 2008, proposes the erection of a two bedroom terrace house abutting No. 17. The proposal would continue along the existing terrace line, with the same height and design of roof, and would be the same width and length as no. 17 Otter Close at 4.9m and 9.8m respectively. The density equates to 45 dph.

**Planning History**

4. **S/0710/89/F** – House on land adjacent 17 Otter Close, Bar Hill. This application was refused on 15/6/89 on grounds of traffic congestion and parking pressures in the area, along with loss of privacy to the occupiers of no. 16 Otter Close.
5. **S/1658/76/F** – Extension to lounge of 17 Otter Close, Bar Hill. Approved 27/1/77.



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Scale 1/1250 Date 17/6/2008

Centre = 537603 E 263643 N

July 2008 Planning Committee

## Planning Policy

*South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007:*

6. **Policy ST/5 Minor Rural Centres** – Allows residential development up to an indicative maximum scheme of 30 dwellings within village frameworks.

*South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007:*

7. **Policy DP/1 Sustainable Development** – 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. In particular, it should minimise the need to travel and reduce car dependency.
8. **Policy DP/2 Design of New Development** – All new development must be of high quality design and, as appropriate to the scale and nature of the development, should preserve or enhance the character of the local area.
9. **Policy DP/3 Development Criteria** – Lists the requisites of new development to be provided as appropriate to the nature, scale and economic viability. These include car parking, with provision kept to a minimum, and outdoor play space. Permission would also not be granted for schemes which would have unacceptable adverse impact on residential amenity or from traffic generated.
10. **Policy DP/4 Infrastructure and New Developments** – Planning permission will only be granted for proposals that have made suitable arrangements for the improvement or provision of infrastructure necessary to make the scheme acceptable in planning terms.
11. **Policy DP/7 Development Frameworks** – Development of unallocated land and buildings within development frameworks will be permitted provided that retention of the site in its present state does not form an essential part of the local character, and development would be sensitive to the amenities of neighbours.
12. **Policy SF/10 Outdoor Play Space, Informal Open Space and New Developments**  
All residential developments will be required to contribute towards Outdoor Playing Space and Informal Open Space to meet the need generated by the development.
13. **Policy TR/1 Planning for More Sustainable Travel** – Planning permission will not be granted for developments likely to give rise to a material increase in travel demands unless the site has (or will attain) a sufficient standard of accessibility to offer an appropriate choice of travel by public transport or other non-car travel modes.
14. **Policy TR/2 Car and Cycle Parking Standards** – Car parking should be provided in accordance with the Council's maximum standards to reduce over-reliance on the car and to promote more sustainable forms of transport. In some locations, such as those with good accessibility to facilities and services, and served by High Quality Public Transport, the Council will seek to reduce the amount of car parking provided.
15. **Policy CH/6 Protected Village Amenity Areas** - Development will not be permitted within or adjacent to PVAA if it would have an adverse impact on the character, amenity, tranquillity or function of the village.

## Consultation

16. **Bar Hill Parish Council** – Objection on the grounds of supporting neighbour objections to the new dwelling, and refer to a previous refusal on the same grounds. With regard to the amended location plan, state the objection still stands due to the fact that if a garage has been purchased from another resident, then they will cause parking problems because they will no longer have a garage.
17. **Environmental Health Officer** – No objections in principle to the proposal. Appreciate concerns regarding the adjacent gas station. Unsure if a condition can be added for the applicant to contact the user prior to construction.
18. **Building Control Surveyor** – Nothing in the Building Regulations about the positioning of gas stations in relation to dwellings.
19. **Local Highways Authority** - In principle the Highway Authority has no objection to the proposed development. There is an existing parking problem in the area and the proposal could make this slightly worse, but this would not be grounds for a refusal. The only issue of concern raised by the Area Traffic Engineer is the possibility that, due to the parking problems, the residents might be tempted to park on Saxon Way and use the proposed rear gate. Would there be any practical way to condition any approval to prevent rear access to the garden?

## Representations

20. **38 Otter Close** – State the land is already crowded with vans and cars and parking is a problem. Also, concerns voiced regarding delivery lorries and the price of homes in the area likely to reduce as a result.
21. **1 Otter Gardens & 79 West Street, Comberton** – The same letter sent, object on grounds of parking and access for emergency vehicles, safety of the dwelling next to the sub-station, suitability of the ground, lack of space for commercial deliveries, statement in the lease not allowing further building works, and state that it was agreed years ago no more houses were to be built within the ring road.
22. **16 Otter Close** – Object on grounds of proximity to the gas sub-station and potential for an explosion, parking in the area and loss of privacy to the rear of the house and garden. In reply to the amended location plan, do not see a change in the garage space, so views on the parking issue remain the same.

## Planning Comments – Key Issues

23. The principle of development is acceptable in terms of the adopted Core Strategy settlement policies. The proposal would continue the terrace of dwellings. The proposal would match the existing lines of the terrace, and would therefore blend into the existing terrace. The application states matching materials would be used. It would have no unacceptable harm to the street scene of Otter Close or Saxon Way to the west. The key issues relating to the scheme are the impact upon parking in the area, impact upon the amenity of the occupiers of neighbouring properties, and the proximity to the gas sub-station.

### *Impact upon parking in the area*

24. The common issue raised by both the Parish Council and neighbouring properties is the level of parking in the area. The proposal shows that a garage would be available

for both dwellings giving one parking space for no. 17 and the proposed dwelling. Otter Close does have a number of cars parked along the road, and parking is made slightly trickier due to the slope on the road, and the surface in some of the garage courts. There is a communal parking area closer to the dwelling, already heavily used and considerable local concern has been raised with regard to increasing congestion levels that would be caused by the development. As for all residential cul-de-sacs of this type, the off-street parking means the demand for spaces is high.

25. I revisited the site following concerns of the local residents. Only taking into account the dwellings along Otter Close and nos. 1-8 and 24-30 Otter Gardens, the road supports 59 dwellings. I have counted a total of 104 off-road parking spaces, including all the communal parking areas, garages and driveways. This represents 1.7 spaces per dwelling. Information regarding ownership of the garage blocks in particular is unknown, so the figure quoted may not show an equal distribution of these spaces to every dwelling. The Council's parking standards are maximum standards, and the above figures do accord with the policy. I note the Local Highways Authority has no objections to the scheme. A condition can be added to ensure the garages are retained for the two dwellings.
26. If the proposed and existing dwelling has one allocated car parking space each, Members must consider the extent of harm that may be caused by the proposal. Bar Hill is classified as a Minor Rural Centre. A good bus service runs to the village from Huntingdon and Cambridge, and the village itself has good facilities and services such as the superstore and mall. The site is also close to the industrial sector of the village, and there are pedestrian routes around the site linking it to other parts of the village. For a dwelling of this size in this location, it is likely that a maximum of just one off street parking space is adequate. Given the number of dwellings served by the cul-de-sac, the increase in numbers of trips generated by the dwelling would not be significant.
27. The previous application on the site (S/0710/89/F) was refused on grounds of lack of parking and traffic congestion caused by the new development. This scheme was for a four-bedroom dwelling. The bulk of the dwelling has been reduced, and although the parking standards do not take into account house size, the proposed two-bedroom scheme would create less demand. I also note comments from the Local Highways Authority regarding any potential condition to prevent rear access to the garden. I do not believe this is reasonable, given existing rear accesses to neighbouring properties. It would also prevent easy access to the village footpath routes.

***Impact upon the amenity on the occupiers of neighbouring properties***

28. The previous application on the site was also refusal on grounds of impact upon the amenity of the occupiers of no. 16 Otter Close, relating specifically to loss of privacy. This dwelling is set at 90° to the application site, to the south. The proposed dwelling would run parallel with the rear garden of no. 16. It would therefore be clearly visible from the rear garden area, and would measure 5m from this boundary. However, no. 17 is already clearly visible and the proposal is not thought to be overbearing to this property, especially due to the fall in the land. Given the orientation, no loss of light would occur. Initial concerns regarding overlooking to this rear garden from the proposed facing first floor windows have been overcome. These now serve a bathroom and landing. A condition can ensure both are permanently obscure glazed, and no further windows are added. As a result, it is not considered the proposed dwelling would cause any serious harm to the occupiers of no. 16 Otter Close.

29. The rear facing windows from the proposed windows would serve a bedroom. It would allow some acute views into the garden of no. 17 Otter Close. However, this is no different to the relationship no. 17 has with no. 18, and is a relationship commonplace on estate developments. There would be no serious harm to the amenity of the occupiers of no. 17 Otter Close.

***Proximity of the gas sub-station***

30. I note the concerns from the occupiers of neighbouring properties in relation to the proximity of the gas sub-station located to the west of the proposed site. The Environmental Health Officer has been researching the matter, and information regarding the sub-station is not immediately forthcoming. There is no objection per se from the Environmental Health Officer, subject to clarification from the user. The Building Control Surveyor states there are no relevant building regulations. I have consulted the Health and Safety Executive, and any comments will be relayed verbally at the Committee meeting.

***Other issues***

31. The site, excluding the garage is approximately 0.022 hectares. A single dwelling represents a density of 45 dwellings per hectare. There is no provision for affordable housing as the application relates to a single dwelling. The land to the north is classified as Protected Village Amenity Area. Given the number of existing dwellings that back on to this land, no harm would be caused to this area.
32. A condition will require provision for outdoor playing space and informal open space in line with Policy SF/10 of the Local Development Framework Development Control Policies 2007.

**Recommendation**

33. Delegated Approval (as amended by revised location plan 1213/LP1 date stamped 24<sup>th</sup> April 2008) with conditions, subject to comments from the Health and Safety Executive.

**Conditions**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development which have not been acted upon.)
2. The garages shown on the approved amended location plan shall not be used other than for car parking and thereafter maintained as such.  
(Reason – To ensure the continued provision of off-street parking spaces to both dwellings in the interests of highway safety and to safeguard the amenities of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
3. Apart from any top hung vent, the proposed first floor windows in the front (southwest) elevation of the dwelling, hereby permitted, shall both be fitted and permanently glazed with obscure glass.  
(Reason - To prevent overlooking of the adjoining properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

4. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions and type of boundary treatment to be erected. The boundary treatment for the dwelling shall be completed before the dwelling is occupied in accordance with the approved details and shall thereafter be retained.  
(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, doors or openings of any kind, other than those expressly authorised by this permission, shall be constructed in the front (southwest) elevation of the dwelling at and above first floor level unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.  
(Reason - To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
6. No development shall begin until details of a scheme for the provision of outdoor sports and playing space and informal open space infrastructure to meet the needs of the development in accordance with adopted Local Development Framework Policy SF/10 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.  
(Reason - To ensure that the development contributes towards outdoor sports and playing space and informal open space in accordance with the above-mentioned Policy SF/10 and Policy DP/4 of the adopted Local Development Framework 2007.)
7. During construction, no power operated machinery (or other specified machinery) shall be operated on the premises before 08.00 am on weekdays and 08.00 am on Saturdays nor after 18.00 pm on weekdays and 13.00 pm on Saturdays (nor at any time on Sundays or Bank Holidays), unless otherwise previously agreed in writing by the Local Planning Authority in accordance with any agreed noise restrictions.  
(Reason - To minimise noise disturbance to adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

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

- South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007
- South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007
- Planning file references – S/0551/08/F and S/0710/89/F

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