

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

1 September 2010

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

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### **S/0998/10/F – COTTENHAM**

**Dwelling at Land to the South-east of 88 Rampton Road and New Access to Existing  
Dwelling for Mr and Mrs Bainbridge  
Recommendation: Approval**

**Date for Determination: 1 September 2010**

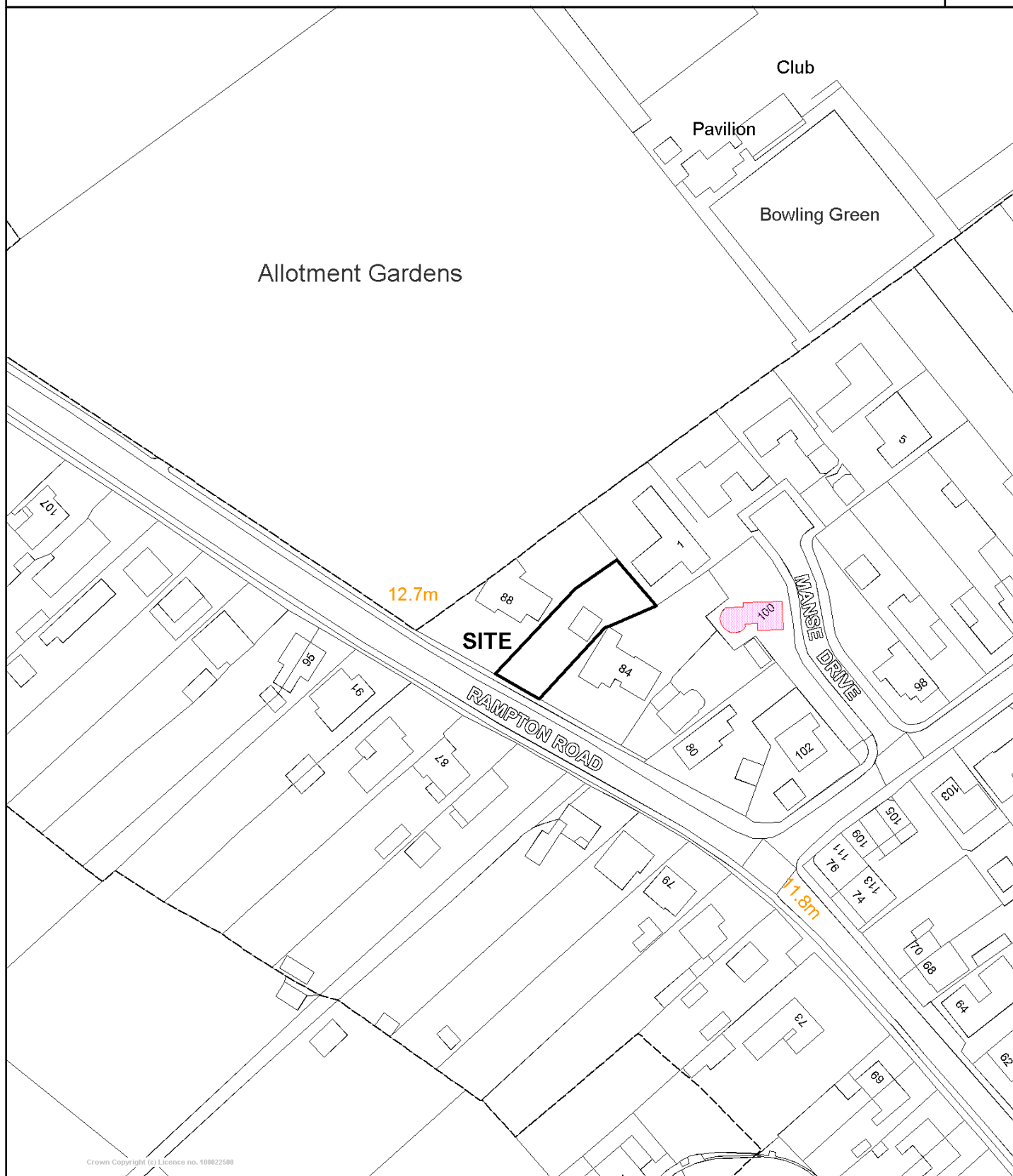
#### **Notes:**

**This Application has been reported to the Planning Committee for determination with a site visit following a request made by Councillors Edwards and Wotherspoon in the event of officers recommending approval.**

**Members will visit this site on 1 September 2010.**

#### **Site and Proposal**

1. The area for the proposed new dwelling is the existing garage and part of the garden area at No. 88 Rampton Road. The site for the new dwelling measures approximately 0.037 of a hectare in area. The application site currently comprises a two-storey detached house with a detached double garage to the east set back from the house. The site is set on a slightly lower ground than that of the road. The front boundary has mature trees and hedges. The rear boundary has 1.8m high close-boarded fencing and the south-east boundary with No. 84 Rampton Road has fencing and hedges. The existing house has patio area and kitchen windows facing the proposed dwelling. To the south-east is No. 84 Rampton Road, a two-storey detached house with a first floor landing window and three ground floor windows (two kitchen windows and one toilet window) in the side elevation facing No. 88. The open-plan kitchen at No. 84 links to a single storey rear extension containing a dining area with windows facing its garden. To the north-east is No. 1 Manse Drive, a single-storey dwelling in an 'L' shape. The rear elevation of No. 1 has patio doors and living/ dining room windows facing No. 88.
2. The full application, as amended to include the existing dwellinghouse and a proposed new access in the application site boundary, and validated on 7<sup>th</sup> July 2010, proposes the erection of a dwelling to replace the existing double garage. The proposed dwelling would be a chalet-type bungalow measuring 9.8m x 9.4m, 2.3-5m high to the eaves and 7m high to the ridge. The proposed dwelling would be served by the existing access from Rampton Road and the proposal includes a new access with a new dropped kerb from the front boundary to serve the existing house at No.88. Car parking spaces are to be provided on the forecourts of the existing and proposed dwellings.
3. The proposed development represents a density of 27 dwellings per hectare.



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Scale 1/1250 Date 16/8/2010

Centre = 544364 E 267389 N

September 2010 Planning Committee

## **Planning History**

4. **S/2367/01/O** – Outline planning application for a dwelling was approved with conditions.  
**S/1132/92/F** – Planning application for extension was approved with conditions.  
**S/0091/90/F** – Planning application for a dwelling was approved with conditions.  
**S/0356/88/O** – Outline planning application for a dwelling was approved with conditions.  
**S/0343/79/O** – Outline planning application for a dwelling was refused.

## **Planning Policy**

5. **South Cambridgeshire Local Development Framework Core Strategy DPD 2007: Policy ST/5 – Minor Rural Centres**
6. **South Cambridgeshire Local Development Framework Development Control Policies DPD 2007:**
  - **DP/1** - Sustainable Development;
  - **DP/2** - Design of New Development;
  - **DP/3** – Development Criteria
  - **DP/4** – Infrastructure and New Developments
  - **DP/6** – Construction Methods
  - **DP/7**- Development Frameworks
  - **HG/1** – Housing Density
  - **SF/10** – Open Space
  - **SF/11** – Open Space Standards
  - **NE/6** – Biodiversity
  - **NE/15** – Noise Pollution
  - **CH/4** – Development Within the Curtilage or Setting of a Listed Building
  - **TR/1** – Planning for More Sustainable Travel
  - **TR/2** – Car and Cycle Parking Standards
7. **South Cambridgeshire Local Development Framework Development Supplementary Planning Documents:**
  - **Cottenham Village Design Statement 2007**
  - **Trees and Development Sites 2009**
  - **Biodiversity 2009**
  - **Open Space in New Developments 2009**
  - **Landscape in New Developments 2009**
  - **Design Guide 2010**
8. **South Cambridgeshire Recreation Study 2005**
9. **Circular 11/95** – The Use of Conditions in Planning Permissions: Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.
10. **Circular 05/2005** – Planning Obligations: Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.

## Consultations

### 11. **Cottenham Parish Council** objects to this application and states,

'Cottenham Parish Council (CPC) notes the reference in the Design and Access Statement to previous permissions granted over this land but would point out that in neither case are there details available as to the type or scale of the dwellings for which permission was granted: in any event the approvals have (as stated) lapsed and this application is subject to a new and totally different planning regime;

CPC also notes that the Design and Access Statement makes little or no attempt to identify, or mitigate against, amenity issues associated with neighbouring properties. In fact it is abundantly clear from the positioning of the proposed dwelling that every effort has been made to conserve the amenity value of No. 88 Rampton Road at the expense of other properties;

These aspects of the Design and Access Statement read in conjunction with SCDC's LDF Development Control Policies 2007 leaves CPC with no alternative but to strongly recommend refusal for the following reasons:

#### The proposed site

- It is proposed that the site of a large double garage be enlarged to accommodate a 4 bedroom detached house within a metre (or so) of neighbouring 84 Rampton Road, and 3 metres (or so) of the existing property (88 Rampton Rd).
- The current street scene shows two Edwardian properties (some 15 metres apart) between which is set an unobtrusive double garage and several mature trees/hedgerow.
- The proposed in-fill is obtrusive, inappropriate in scale and form and a direct contravention of: Development Principles Objectives DP/d policy; DP/1 Sustainable Development 1p; DP/2 1a; and especially DP/2 1f in that it is not 'compatible with its location nor appropriate in terms of scale, mass, form or siting in relation to the surrounding area.

#### Development criteria

Policy DP/3 is plain enough. Clause 2 states that planning permission will not be granted where the proposed development would have an adverse impact:

#### *On residential amenity –*

- It is CPC's understanding that the only 'light' that is not material to planning law is 'northern light'. Any obstruction to south-western and/or western light most certainly is a material consideration and the proposed dwelling obstructs such light to both 84 Rampton Rd (which loses all light to its kitchen) and, more specifically, to 1 Manse Drive which benefits only from west/south west light being, as it is, in the shadow of the Cottenham Water Tower. Such obstruction is totally unacceptable. [ N.B. it is worth noting that reference to early morning light benefiting the proposed new dwelling (*Appearance* para 2) is perceived by CPC as unsound as the Water Tower obstructs such light to 84 Rampton Rd. The Design & Access statement states that windows are located in such a way as to restrict overlooking of other properties. This is not CPC's interpretation as the rear elevation affords visual access into 1 Manse

Drive with the main rear window being but 8 metres (or so) from walls of that bungalow.

- Furthermore the proposed plot is elevated above 84 Rampton Rd and further 'ramping', to facilitate disability requirements, makes the probability of 'easy-viewing' into 84 from the area of the proposed front-door most likely. Privacy is a material consideration in planning law and this proposal flouts the rights of others.

*From traffic generated –*

- An additional 4 car parking spaces are identified. This seems to CPC to be directly contrary to expectations of DP/1 1b (minimise the dependency on travel by car) but it further highlights that this dwelling will only add to the congestion on this distributor route. It is also CPC's belief that the turning circle/space afforded to these vehicles, at the new dwelling, is insufficient and will/may result in vehicles reversing onto a very busy thoroughfare. The intended alternative access for the existing property (88) is considered, in view of the proximity of the allotments and the intended retention (it seems) of shrubs/trees at the access, unnecessarily hazardous.

*On village and landscape character –*

- It is the opinion of CPC that whilst not in the conservation area there is here a village scene that deserves to be conserved. CPC has quoted SCDC's own DP policies (and if such is ignored it has to question the validity of the LDF process) but in any event, and without wishing to obstruct the rights of residents to make financial gain or indeed impede progress, this Council has the right to a view on what development will/will not enhance its village 'street scene', and this will not! The proposal is for a dwelling which is too big, is overbearing, is unsuited to the area, and poses far too great a risk to the amenity of near neighbours.

CPC reiterates its recommendation for refusal, a refusal on the face of it which is supported by Government intentions, quote 'The Coalition: our programme for Government 4. Communities & Local Govt: "... including giving councils new powers to stop 'garden grabbing'.. ".

Should officers be minded to accept this application then, as previously agreed between SCDC and CPC, this Council requests the right of audience to discuss such before it is presented to the full planning committee for consideration.'

12. **Conservation Manager** considers that the only designated historic environment near the site is Tower Mill, a grade II listed converted windmill. It is a tall dominant structure, more independent of its setting than usual for a historic building, and the proposal would have little impact on it. The effect on the Edwardian villas south of and including No. 88 would be regrettable, but insufficient to justify a refusal. Accordingly there are no grounds for objection in conservation terms. It is therefore recommended that the application is determined on planning criteria.
13. **Trees and Landscape Officer** considers it regrettable to fragment and create a new access in the existing front hedgeline. The submitted tree protection details for the Beech trees are acceptable. The proposed access needs to be in situ before any development work starts on site to ensure that a temporary surface is not used and defeats the object of the no dig If a temporary surface is required then details will need to be submitted.
14. **Landscape Design Officer** has the following comments:

- The scheme looks very constricted and could alter the frontage character at a prominent position on Brampton Road. Details are needed of the proposed tree work and removal of vegetation required to form the new entrance. It would appear that the adjacent Beech tree would require extensive work or even removal;
  - Details are needed for the proposed protection of retained trees and hedges during construction. The new driveway and entrance will need a no-dig construction within the rooting zone of retained trees;
  - Because of the difficulties of working around the trees, it may be better to have a shared driveway using the existing entrance; and
  - Details are needed of the proposed boundary planting. There does not seem to be enough room to retain or augment the south-eastern hedge as shown.
15. **Ecology Officer** has made an inspection of the inside and outside of the existing garage. He does not believe bats to be present. No further information is required to support the application in relation to bats.
16. **The Chief Environmental Health Officer** - no comments received.
17. **Local Highway Authority (LHA)** has no objection but recommends conditions to be attached for parking and turning areas, no gates erected across the accesses, visibility splays, and informatives on highways requirement on surface finish, vehicular access construction specification, and drainage measures. It is noted that the new dwelling does not have sufficient space to turn within the curtilage, however, there is no strong reason to refuse the application on highways ground given that traffic volume of Rampton Road that is less than 10,000 vehicles a day. Manual for Streets states roads carrying up to 10,000 vehicles a day with vehicles reversing out do not necessarily represent a significant hazard. Suggested improvement for the proposal would be alteration to the site boundary to reduce area of the landscaped front garden at No. 88 in order to leave more space for on-site turning area.
18. **Cottenham Village Design Group** considers the proposal to be acceptable. The design of this dwelling, and the materials proposed, are far from typical of Cottenham in general, however, they do echo the design of the buildings in the immediate vicinity. CVDG supports the proposed retention of the majority of the hedge and tree boundary to the road.

## Representations

19. Residents at No. 84 Rampton Road and No. 1 Manse Drive object to the proposal on the following grounds:

### Residential amenity interests

- The main entrance to the proposed dwelling would be about 1m from a large kitchen/ reception room at No. 84 given the slight level difference and the ramped access would provide a clear view to No. 84 that would result in loss of privacy. A 1.8m high boundary fence would lead to a significant loss of light to No. 84;
- A first floor en-suite velux window on the southeast elevation would face directly into a first floor landing window at No. 84 which bedrooms lead off that would cause loss of privacy even if the window is not shut and contains obscured glass; this window should be at least 190mm above first floor level;
- The back land position of the proposed dwelling would cause loss of privacy to the main outdoor eating area/ patio at No. 84;

- The submitted plans do not accurately show the siting of the ground floor windows at No. 84;
- Loss of light to kitchen/ reception room/ second reception room/ landing area later in the day where light loss will increase energy costs and affect lifestyle; the proposal does not meet the 45 degree rule as outlined in the District Design Guide about impact on light to windows;
- Loss of privacy and sunlight to the main living and dining areas and garden of No.1 Manse Drive, particularly in winter; and
- Morning sunlight will not get into the rear elevation of the proposed dwelling because of the location of the water tower, this does not meet the District Design Guide.

#### Design and character of the area

- The close proximity of the proposed dwelling to the side boundary would adversely affect the setting and style of the Edwardian house at No. 84 that would be contrary to the principles of the Cottenham Village Design Statement;
- The proposal is a backland development which should not be encouraged as indicated by the Secretary of State for local government;
- The new government's message on changing the status of gardens from brownfield to greenfield restricts garden development;
- The plot is too small and irregular for the proposed development and out of character with the surrounding area;
- The introduction of a new vehicle entrance onto Rampton Road and the need to enter the road in reverse from the proposed development are not in line with the Cottenham Village Design Statement H4;
- The size and scale of the proposed dwelling do not comply with Policy DP/1 that a large property will dominate the bungalow at No. 1 Manse Drive;
- Impact on the street scene as the proposal would affect the character of the Edwardian house at No. 84 and the Victorian house at No. 88; and the resultant dense terrace scene would not be in keeping with the lower density character in this part of the village. Nos. 84 and 88 provide a unique picture of development at the turn of the 20<sup>th</sup> century, the proposal would affect the feature of early 20<sup>th</sup> century village landscape.
- The proposed layout would increase the risk of crime to No. 84; a 20cm ramp would affect the height of the 1.8m fencing to protect privacy;
- The proposal represents a piecemeal and unsatisfactory form of development and does not make the best use of land;
- The proposed private garden area would not meet the 80m<sup>2</sup> requirement in the District Design Guide;
- Placing parking spaces that obscure the house is not in line with the Cottenham Village Design Statement B6.

#### Impacts on the nearby listed tower

- The proposal will affect the winter view from Rampton Road of the listed tower which is contrary to the Cottenham Village Design Statement S3.

#### Trees, landscape and biodiversity

- The proposed dwelling to build up to the boundary with No. 84 would adversely affect a large section of the hedge;
- Impacts on the trees;
- Impact on ecological and wildlife interests; bats have been seen and the proposed development may affect a likely roosting place, therefore an assessment should be done; and

- There are 4 trees just within the boundary of No. 84 adjoining the site that have not been included in the submitted plans. The canopy reaches over onto the site and at least one tree would have to be reduced in size.

#### Highway safety interests

- Insufficient space for car turning and poor visibility; and
- Rampton Road is a busy road, new access and dropped kerbs onto this road would harm highway safety interests; therefore, traffic survey data should be reviewed.

#### Other issues and suggestions

- Excavation and close proximity of the proposed dwelling could result in severe structural problems to No. 84;
- Foundations of the proposed dwelling could encroach onto the land of No. 84;
- Maintenance could encroach to the land of No. 84;
- The previous planning approvals on the site for a bungalow should not be considered as precedents given planning law and planning consideration have changed;
- The house numbering should not be taken into account to consider that there is a potential development between No. 84 and 88;
- The application should be considered by the Planning Committee with a site visit;
- The accurate position of windows at No. 84 should be clearly marked on the submitted plans;
- The proposal does not have adverse impacts on the existing property at No. 88 but would affect the amenities to occupiers at No. 84 and No. 1;
- Should the application be approved, a smaller single-storey dwelling sited away from the boundary with No. 84 might be more acceptable given the impacts to No. 84 including its foundations; and conditions to retain existing trees and hedges; and
- Should the application be approved, the proposed dwelling to be sited further away from No. 1 and closer to Rampton Road, the rear gable end to be removed and frosted first floor windows are used in the rear elevation.

#### Local Members

20. Given the objections from the Parish Council and neighbours, Councillors Edwards and Wotherspoon request this application be discussed at Planning Committee with a site visit based on the following material planning considerations: loss of light, loss of amenity, overbearing development, character and street scene, siting and height.

#### Applicants' agent

21. The applicants' agent submitted revised drawings, date-stamped 12 August 2010, to change the site boundary to include the new access to the existing house, to show a section plan on the height of the rooflight in the southeast side elevation and additional section of close boarded fencing along the southeast side boundary. The agent also confirmed that the applicants are prepared to pay the infrastructure contributions on open space, community facilities and waste receptacles and they understand that this would be secured through schemes by way of planning conditions. An arboricultural implication assessment has been submitted.

#### Planning Comments

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



- Principle of residential development;
- Housing density;
- Siting, scale and design;
- Impact on the nearby listed building;
- Residential amenity interests;
- Highway safety interests;
- Ecology
- Trees, landscape character and boundary treatment;
- Infrastructure contributions; and
- Other issues.

### ***Principle of residential development***

23. The application falls within Linton village framework and Linton is a Minor Rural Centre with a good range of services and such settlements allow residential development and redevelopment up to an indicative maximum scheme size of 30 dwellings as defined in Policy ST/5 (Minor Rural Centres). Therefore, the proposed subdivision of the plot at No. 88 for a dwelling is acceptable in principle.

### ***Housing Density***

24. The site area for the proposed dwelling measures approximately 0.037 of a hectare. The proposal for one dwelling represents a density of 27 dwellings per hectare. It is noted that this is below the density requirement from local plan policy of 30 to 40 dwellings per hectare. Given the development pattern in the locality in relation to the size of dwellinghouses and garden areas, residential amenity interests, and highway safety interests, a scheme to accommodate more than one dwelling would not be acceptable. It is considered that there are exceptional circumstances in this case that would allow the erection of one dwelling on the site without achieving the housing density requirement.

### ***Siting, scale and design***

25. The proposed dwelling would be set back from the front elevation of the side extension at No. 88 by approximately 3m with car parking and turning areas to the front of the dwelling. Properties at Rampton Road have different development pattern and siting that there is no strict linear pattern but there are examples of properties set forward closer to the road while some are in set-back position. Therefore, the siting of the proposed dwelling does not cause harm to the character of the area.
26. The dwellinghouses at Nos. 84 and 88 are two-storey. The proposed chalet-style house with a hipped roof front projection feature, low eaves, sloping roofs to the front and rear, and a full gable end in the rear elevation, would be 7m high to the ridge. The eaves heights would be 5m high in the front projection, 3.1m in the rear sloping roof and part of the front sloping roof, and 2.3m adjacent to the south-east side boundary. It is noted that properties in the locality have different designs and characters and Nos. 84 and 88 have the characteristics of Edwardian villas. Although the proposed chalet style house would have effect on the setting of the Edwardian villas of Nos. 84 and 88, having considered the simple design, height and modest scale of the proposed dwelling, officers consider that, on balance, the proposal would not result in such serious harm to the character of the surrounding area to warrant a refusal of planning permission.

27. The use of red bricks, pantiles and plain tiles is considered appropriate given that the surrounding area does not have a specific palette of local material and the brickwork would match the adjoining properties.

***Impact on the nearby listed building***

28. The Old Water Tower, No. 100 Lambs Road, is a Grade II listed building to the east of the application site, set approximately 15m from the rear boundary. The Conservation Team has advised that the proposal would have little impact on the setting of this listed building.

***Residential amenity interests***

**Impacts on No. 84 Rampton Road**

29. The proposed dwelling would be set back from the two-storey rear projection at No.84 by approximately 2m. The sitting out area at No. 84 is set away from the common boundary with No. 88. As the proposed dwelling would be oriented to the northwest of the dwellinghouse and garden of No. 84, it is not considered to be unduly overbearing in mass or result in significant loss of sun light and day light to the garden area of that property.
30. The side elevation of No. 84 has two ground floor kitchen windows and a toilet window, and a first floor landing window facing the application site. The kitchen links to a dining area and that the dining area is under a single storey rear element with glazing facing the garden. The proposed dwelling would have a 7m high gable end and a sloping roof facing the kitchen windows at No. 84, and a sloping roof facing the first floor landing window and the ground floor toilet window at No. 84 at an oblique angle. Having considered that the windows facing the proposed dwelling are non-habitable room windows and that the dining area at No. 84 has glazing facing the garden, the proposal would not result in an unduly overbearing mass or lead to a significant loss of light or outlook to the main habitable rooms of No. 84.
31. A section plan has been submitted to demonstrate that a first floor rooflight in the southeast side elevation serving an en-suite would set 1.7m from the first floor level. It is considered that the height of the rooflight is acceptable to avoid overlooking to No.84.
32. A 1.8m high boundary fence is shown to face the ground floor windows at No. 84. This is considered to be acceptable given that this could be done within permitted development rights. The loss of light arising from the boundary fence is not considered to warrant a refusal of planning permission.
33. The close proximity of the entrance door and the future use of the proposed ramp of the proposed dwelling to the common boundary with No. 84 are not considered to cause serious adverse impacts upon the amenity of the occupiers at No. 84 in relation to overlooking and loss of privacy.

**Impacts on No. 1 Manse Drive**

34. The proposed first floor bathroom and landing windows would face the garden area and living/ dining room windows at No. 1. The bathroom window can be conditioned to be fixed and obscure glazed, The rear facing bedroom window will directly face a blank gable end of the rear projection at No. 1 and would have an oblique angle of view to the rear of No. 1 with a window-to-window distance of approximately 23m..

Given this relationship between the dwellings, it is considered that the proposal would not result in serious loss of privacy to No. 1.

35. The proposed dwelling would be sited to the southwest of the dwelling and garden of No.1 Manse Drive, and the proposed dwelling would be orientated at an oblique angle to the patio area and living/dining room windows of No. 1. Given the height, position and distance of the proposed dwelling, it is not considered that the proposal would result in an unduly overbearing mass or lead to a significant loss of sunlight or cause overshadowing to the garden area of No. 1.

#### Impacts on No. 88 Rampton Road

36. There is no first floor window in the northwest side elevation of the proposed dwelling facing No. 88 and therefore no overlooking issue. The privacy of the existing property could be secured by conditions. No. 88 has a sitting-out area set approximately 9-10m from the gable end in the side elevation of proposed dwelling. Given the distance and location of the sitting area, it is considered that, on balance, the proposal would not cause serious harm to the residential amenity interests to the occupiers at No. 88 by being unduly overbearing and affecting sun light and day light to its garden area.

#### Size of the garden and residential amenity of future residents

37. The size of the garden for the new dwelling is approximately 144m<sup>2</sup>. It meets the requirement from the District Design Guide that the size of a garden for a four-bedroom house should be at least 80 m<sup>2</sup>. The shape and size of the proposed garden area are considered to be acceptable that would not adversely harm the residential amenity interests of future residents of the proposed dwelling.

#### ***Highway safety interests***

38. Rampton Road is a classified road. The existing access would serve the proposed dwelling and there will be 2 car parking spaces provided to the front of the dwelling. The width of the parking/ turning area to the front of the dwelling would be approximately 9.6m. It is noted that the front garden would not provide sufficient space for on-site car turning area that would result in vehicles reverse to Rampton Road. The Local Highway Authority does not have objection to the proposal considering the traffic volume of Rampton Road and that vehicles reversing out will not represent a significant hazard. There are other examples of limited on-site car turning areas at residential properties along Rampton Road where vehicles have to reverse out. It is considered that the proposed car parking and turning provision as shown on the submitted plan is acceptable and would not cause harm to highway safety interests.
39. A new access to serve the existing dwelling is included in the proposal. The access would be 3m wide with a 6m-wide front entrance and pedestrian visibility splays. The forecourt of the house at No. 88 would provide 2 car parking spaces with sufficient car turning area. The arrangement for on-site car parking and turning area to the existing house is considered to be acceptable.

#### ***Ecology, landscape character and boundary treatment***

40. According to the comments from the Council's Ecology Officer, there is no evidence of the presence of bats. The proposal would not have significant impacts on ecology and wildlife.

41. The new access would involve removal of a section of existing hedgerow along the front boundary. The loss of the hedge is not considered to cause significant harm to the landscape character. Tree protection details are submitted and they are acceptable, providing planning conditions to ensure a no-dig construction within the rooting zone of retained trees and to protect the hedges during construction are attached.
42. The proposed landscaping and boundary treatment are not considered sufficient to assure that the development is satisfactorily assimilated into the character and appearance of the area and would enhance biodiversity. A condition would be attached to any consent for a landscape scheme to be submitted and agreed.
43. The trees at No. 84 adjacent to the common boundary of the application site would be set away from the new dwelling. It is not considered that the proposal would affect trees at No. 84.

#### ***Infrastructure contributions***

44. The applicants are prepared to pay the infrastructure contributions in relation to open space, community facilities and waste receptacles and they understand that these would be secured through schemes by way of conditions.

#### ***Other issues***

45. Excavation and potential impacts on the foundation of No. 84 are not material planning considerations and these would be covered by Building Regulations.
46. It is noted that the submitted plans do not include the exact locations of windows and trees at No. 84, officers consider that the submitted information is sufficient to validate the application for officers' assessment.
47. The expired planning approvals for outline applications for a dwelling on the site are acknowledged. Each planning application is considered in its own merits based on the adopted development plan policies and relevant planning considerations.
48. Maintenance and access to adjacent property are the matters between the applicants and neighbours; these are not material planning considerations. House numbering does not have any implication when considering a planning application.
49. Suggestions and comments made by the neighbours, Landscape Design Officer and Local Highways Authority regarding size, design, siting and position, shared access and location of the boundary for sub-division of the plot are acknowledged. Having considered the relevant material planning considerations, it is officers' view that the application as submitted is acceptable, therefore negotiations for an amended scheme is not necessary in this instance.
50. In order to minimise noise and disturbance for neighbours, it is considered that any consent could be subject to a condition that limits the times of operation of power-operated machinery.

#### **Recommendation**

51. Approve as amended by drawings number 369/3B and 369/4 date-stamped 12 July 2010, and the additional information for tree constraints and protection plan date stamped 12 August 2010.

52. 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 development hereby permitted shall be carried out in accordance with the following approved plan: drawings number 369/3B and 369/4 date-stamped 12 July 2010. (Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
3. No development shall begin until details of a scheme for the provision of open space infrastructure to meet the needs of the development in accordance with adopted Local Development Framework Policies DP/4 and 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 open space in accordance with Policy SF/10 and Policy DP/4 of the adopted Local Development Framework 2007.)
4. No development shall begin until details of a scheme for the provision of community facilities and waste receptacles to meet the needs of the development in accordance with adopted Local Development Framework Policy DP/4 has 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 play space and informal open space in accordance with Policy DP/4 of the adopted Local Development Framework 2007.)
5. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the buildings 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. (Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
6. Before development commences, a plan specifying the area and siting of land to be provided clear of the public highway and the proposed access for the parking, turning, loading and unloading of all vehicles visiting the site during the period of demolition and construction, and the storage of building materials, shall be submitted to and approved in writing by the Local Planning Authority; such space shall be maintained for that purpose during the period of demolition and construction. Development shall be carried out in accordance with the approved details. (Reason - In the interests of highway safety and residential amenity in accordance with Policies DP/3 and DP/6 and to ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
7. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and

hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock. (Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

8. All hard and soft landscape 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 a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting of any tree or plant, that tree or plant, or any tree or plant planted in replacement for it, is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation. (Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
9. The existing hedge on the front boundary of the site shall be retained except at the point of access; and any trees or shrubs within it which, within a period of five years from the completion of the development or the occupation of the buildings, whichever is the sooner, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. (Reason - To protect the hedge which is of sufficient quality to warrant its retention and to safeguard biodiversity interests and the character of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)
10. The proposed access shall be constructed using a 'no dig' method in accordance with advice contained in Arboricultural Practice Note 1 'Driveways Close to Trees' of the Arboricultural Advisory and Information Service. (Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
11. 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 side and rear elevations 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.)
12. The proposed first floor bathroom and landing windows in the rear elevation of the dwelling, hereby permitted, shall be fixed shut, 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.)
13. The proposed first floor rooflight in the south-east side elevation of the dwelling, hereby permitted, shall be installed at a minimum height of 1.7m from the first

floor level and thereafter retained as such. (Reason - To prevent overlooking of the adjoining properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

14. During the period of demolition and construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions. (Reason – To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
15. Parking and turning areas for the existing and new dwellings as shown on drawing number 369/3B shall be provided before the new dwelling hereby permitted is occupied and thereafter retained as such. (Reason – In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
16. No gates shall be erected across the new vehicular access and existing access. (Reason – In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
17. Notwithstanding the details shown upon drawing number 369/3B, pedestrian visibility splays shall be provided on both sides of the new access and the existing access and shall be maintained free from any obstruction over a height of 600mm within an area of 2m x 2m within the domestic boundaries in accordance with details that shall have previously been submitted to and approved in writing by the Local Planning Authority before the dwelling, hereby approved, is first occupied. (Reason - In the interest of highway safety in accordance with Policy DP/3 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 Core Strategy DPD 2007  
South Cambridgeshire Local Development Framework Development Control Policies DPD 2007

South Cambridgeshire Local Development Framework Development Supplementary Planning Documents:

- Cottenham Village Design Statement 2007
- Trees and Development Sites 2009
- Biodiversity 2009
- Open Space in New Developments 2009
- Landscape in New Developments 2009
- Design Guide 2010

Circular 11/95 – The Use of Conditions in Planning Permissions

Circular 05/2005 – Planning Obligations

Planning application references: S/0343/79/O, S/0356/88/O, S/0091/90/F, S/1132/92/F, S/2367/01/O and S/0998/10/F.

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