

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2nd February 2011

AUTHOR/S: Executive Director (Operational Services)/
Corporate Manager (Planning and New Communities)

S/2148/10 - COMBERTON

**Erection of Dwelling - 3, Long Road, Comberton, Cambridge, Cambridgeshire,
CB23 7DG for Murfet Group Ltd**

Recommendation: Approve Conditionally

Date for Determination: 28th January 2011

Notes:

**This Application has been reported to the Planning Committee as Officer
recommendation is contrary to that of the Parish Council.**

Site and Proposal

1. The application site comprises a large residential plot of approximately 0.105ha, which at present is occupied by a single dwelling – No.3 Long Road. The site falls within the Comberton Development Framework boundary. No.3 Long Road comprises a detached two-storey dwelling redolent of typical 1920s-1930s house design. Externally the dwelling is characterised by strong red brick, concrete roof tiles and a hipped roof profile. Vehicular access exists to the north of the dwelling and significant mature trees delineate the northern boundary of the site.
2. Long Road is a linear thoroughfare that runs south to north with single dwellings, cul-de-sac development and housing estates feeding off to the west and the defined countryside and Green Belt to the east. House design, age and scale vary considerably along the length of Long Road but the feeling is one of harmonious variety.
3. The full planning application, submitted on 1st December 2010, proposes the erection of a two-storey dwelling in the rear of the application site to be accessed via the lengthening and in places widening of the existing vehicular access that serves no.3 Long Road.
4. The proposals have been formally amended (see plan refs; 962/03 Rev B, 962/05 Rev B, 962/06 Rev B, 962/07 Rev B, 962/08 Rev B) to reduce the height and depth of the proposed dwelling and to alter to the roof form following officer concerns for the impact upon the residential amenity of the neighbouring dwelling to the north (no.5 Long Road).

Planning History

5. **S/2147/10** – For Extensions to Dwelling and Erection of Garage is currently pending determination with an officer recommendation of approval.

Planning Policy

6. **South Cambridgeshire Local Development Framework Core Strategy 2007**

ST/6 – Group Villages

7. **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

HG/1 - Housing Density

SF/10 - Outdoor Playspace, Informal Open Space, and New Developments

SF/11 - Open Space Standards

NE/1 - Energy Efficiency

NE/6 - Biodiversity

TR/1 - Planning for more Sustainable Travel

TR/2 - Car and Cycle Parking Standards

8. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**

Design Guide SPD – Adopted March 2010

Trees and Development Sites SPD – Adopted March 2010

Open Space in New Developments SPD – Adopted January 2009

Consultations

9. **Comberton Parish Council** – Recommends refusal stating

'Size and access problems i.e. shared driveway, drainage being less than 20m away from watercourse'
10. **Local Highways Authority** - Raises no objection to the proposals. Recommends standard conditions for pedestrian visibility splays and access drainage.
11. **Trees Officer** – raises no objections to the proposals, however advises that foundation design should be designed to accommodate the roots of the boundary planting.
12. **Landscape Design Officer** – No comments received.
13. **Environmental Health Officer** – Raises no objections to the proposals. Recommends that a standard condition limiting the use of power operated machinery on site be applied.

Representations

14. Representation received from the occupant of no.5 Long Road (adjacent dwelling to the north of the site) objecting to the proposals for reasons of noise and disturbance arising from the proposed vehicular access.
15. Representation received from the occupant of No.13 Long Road (approximately 30m to the north of the application proposal) objecting to the proposals for the following reasons:
 - Loss of privacy
 - Noise and disturbance
 - Overshadowing
 - Traffic impacts upon Long Road
 - 'Over-development' of plot

Planning Comments – Key Issues

16. The key issues to consider in the determination of this application are:
 - The impact of proposals upon the character and appearance of the area
 - The impact of proposals upon the residential amenity of neighbouring dwellings.
 - Tree impacts
 - Public open space and community facility provision

Character and Appearance

17. The site comprises garden land serving No.3 Long Road. As such, in accordance with the guidance set out in Planning Policy Statement 3; Housing (PPS3) it is important to make an initial assessment of the impact that residential development would have upon the character and appearance of the area. In this case surrounding development is predominantly residential and adjacent to the application site to the north and south the built form does extend back from Long Road. To this end it is considered that residential development of the site in question would not be detrimentally uncharacteristic to the character and appearance of the area in this instance.
18. Comberton is a group village as defined by policy ST/6 of the Core Strategy and the site in question, being garden land, is classed as a Greenfield site. As such a maximum indicative scheme size of 8 dwellings is permitted for development of any green field site in accordance with this policy. The scheme proposes a single dwelling and represents an approximate density of 20dph. This is below the minimum housing density target of 30dph as required by policy HG/1. However, more intensive development of the site is considered to potentially impact upon the residential amenity of neighbouring dwellings and as such a lower density of development is considered acceptable in this instance. Furthermore PPS 3 has been revised deleting the national indicative minimum density of 30 dwellings per hectare from paragraph 47.

19. Further to the above due to the fact that the proposed dwelling is sited to the rear of the existing street fronting dwelling the proposed structure would not be openly visible within the street scene. As such there is not considered to be a substantive impact upon the character and appearance of the area.

Residential amenity

20. The greatest potential for impact is identified as being upon no.5 Long Road which lies to the due north of the application site. No.5 Long Road fronts the highway and follows roughly the same building line as no.3 Long Road. Similar to no.3, no.5 also benefits from a substantial rear garden area. There are primary habitable room windows within the rear and side elevations of the dwelling and the defined amenity area, denoted by pavers, relates closely to the rear elevation of the dwelling.
21. The proposed scheme seeks to site a detached dwelling to the rear of no.3 the proposed location is approximately 30m to the south west of the rear elevation of no.5. The two sites are screened by a significant boundary of relatively mature trees.
22. The divorced relationship of the proposed dwelling with no.5 is considered sufficient to preclude a significant overbearing or overshadowing impact upon the rear patio area and rear elevation of no.5 arising from the proposed dwelling. In addition, the existing line of boundary trees will mitigate the visual impact of the dwelling on the enjoyment of the neighbours rear garden.
23. The proposed dwelling will overshadow parts of the rearmost half of the garden area serving no.5 to various extents at different points during the day. However, it is reasonable to assume that the existing tall boundary treatment would afford a significant degree of overshadowing at present. Further to this, as mentioned above, it is evident that the defined amenity areas and therefore the most sensitive amenity areas in the rear garden of no.5 are located close to the rear of this dwelling and are thus some distance from the proposed structure.
24. The occupant of no.5 has made representation raising concerns for noise and disturbance arising from the proposed vehicular access drive that runs adjacent to the common boundary with this dwelling. This is a material consideration, however having regard to the fact that the driveway is intended to serve only one dwelling and the parking and turning areas are spatially divorced from the sensitive rear elevation and amenity areas of no.5 there is not considered to be a significant noise impact arising from the proposed driveway layout sufficient to support refusal of the application.
25. The proposed dwelling is sited approximately 45m to the north of nos.113-119 Barton Road and approximately 30m to the south of no.13 Long Road. The adopted South Cambridgeshire Design Guide advises that as a 'rule of thumb' a distance of approximately 25m where elevations with habitable room windows face each other should separate dwellings. In this instance this distance is exceeded to both the north and the south and is therefore not considered to have a significant impact upon the residential amenity of the occupants of these dwellings.
26. Windows are proposed within the north elevation of the dwelling, all of which serve bathrooms. It is thus considered reasonable and justified to apply a

conditional requirement that these windows be obscure glazed and fixed (apart from any top hung vent) to ensure the privacy of no.5 is retained. It is also considered reasonable and necessary to remove permitted development rights for the insertion of first floor windows in either the north or south elevations of the proposed dwelling in order to retain privacy.

Trees

27. As stated above, the common boundary between the application site and no.5 Long Road to the north is largely defined by existing trees. If possible it would be considered beneficial to retain these features. The Tree Officer has raised no objections to the proposed location of the dwelling but requests that foundation design be controlled to ensure that it does not conflict with the trees. This can be achieved through the use of appropriate conditions and is considered reasonable and justified to do so.

Developer Contributions

28. The Audit for Outdoor Play Space 2005 reveals a shortage of sport and play space in the Comberton area. As such the development will be required to contribute towards open space provision in the area. As onsite provision is not achievable in this instance the applicants have agreed to a financial contribution of £4,258.90, this will be secured by a S106 agreement and triggered by conditional requirement of the consent.
29. In addition to the above the development would also be required to contribute to the upkeep of community facilities in the area. In this instance this equates to a financial contribution of £718.78 to which the applicants have informally agreed. As with the above this would be secured by a S106 agreement and triggered by conditional requirement of the consent.
30. The applicants have also informally agreed to contribute towards bin provision for the development.
31. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should be granted in this instance.

Recommendation

32. **Approve, as amended by plan refs; 962/04 Rev A (date stamped 10th January 2011) 962/03 Rev B, 962/05 Rev B, 962/06 Rev B, 962/07 Rev B, 962/08 Rev B (date stamped 18th January 2011)**

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 plans: 962/04 Rev A (date stamped 10th**

January 2011) 962/03 Rev B, 962/05 Rev B, 962/06 Rev B, 962/07 Rev B, 962/08 Rev B (date stamped 18th January 2011) & 962/01.

(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 take place until details of the materials to be used in the construction of the external surfaces of the building 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.)

- 4. 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.)

- 5. 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, or replacement planting, any tree or plant 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.)

- 6. 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, design, materials and type of boundary treatment to be erected upon the site. The boundary treatment 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.)

- 7. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority details of the foundation design for the dwelling, hereby approved. The foundations shall be constructed in accordance with the approved details.**

(Reason - To protect trees, which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance

with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)

8. **The dwelling, hereby permitted, shall not be occupied until details of a scheme for the provision of outdoor sports, play and informal open space, community facility and waste receptacle infrastructure to meet the needs of the development in accordance with Policies DP/4, SF/10 and SF/11 of the Local Development Framework Development Control Policies 2007 has been submitted to and approved in writing by the Local Planning Authority.**

(Reason - To ensure the development provides a suitable level of public open space, community facilities and waste receptacle infrastructure for occupants of the development, in accordance with Policies DP/4, SF/10 and SF/11 of the South Cambridgeshire Local Development Framework 2007.)

9. **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.**

(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

10. **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 north or south 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.)

11. **Apart from any top hung vent, the proposed first floor windows in the north elevation of the building, hereby permitted, shall 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.)

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

- South Cambridgeshire Local Development Framework 2007
- South Cambridgeshire Design Guide SPD – Adopted January 2009
- Open Space in New Development SPD – Adopted January 2009
- Trees and Development Sites SPD – Adopted March 2010

Contact Officer: Matt Hare – Senior Planning Officer
Telephone: (01954) 713180