

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

3 August 2011

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

S/1016/11 – MILTON
Extensions and Conversion of Garage to Form Bungalow at 17 Pearson Close.

(for Mr and Mrs Witt)

Recommendation: Approve Conditionally

Date for Determination: 13th July 2011

Notes:

This Application has been reported to the Planning Committee for determination because the recommendation of the Parish Council conflicts with the recommendation of officers. District Councillor Hazel Smith has also requested the application be determined at Planning Committee.

Members will visit the site on 3rd August 2011.

Site and Proposal

1. The site comprises a modern detached dwelling and detached garage located towards the end of a residential cul-de-sac with adjoining neighbours to the north and south. The site does not fall within a Conservation Area but does fall within Milton village framework.
2. The proposal involves the conversion and extension of the existing garage to form a bungalow. The garage would be extended to the front and rear, and slightly to the side, as well as increasing in height. The height increase would however be marginal at 0.2m. Parking for both the existing and proposed dwellings would be at the front of the site and a 1.8m fence would be erected to the new side boundary to subdivide the plot.

Planning History

3. Planning permission was originally granted for 28 dwellings at Pearson Close in 1979 under planning reference **S/2124/78/F**.

Planning Policy

4. **South Cambridgeshire Core Strategy DPD – Adopted January 2007**
Policy ST/6 Rural Centres
5. **South Cambridgeshire LDF 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/7 Development Frameworks
HG/1 Housing Density
NE/9 Water and Drainage Infrastructure
SF/10 Outdoor Playspace, Informal Open Space and New Developments
SF/11 Open Space Standards
TR/1 Planning For More Sustainable Travel
TR/2 Car and Cycle Parking Standards

South Cambridgeshire LDF Supplementary Planning Documents (SPD):

6. District Design Guide SPD – adopted March 2010
Open Space in New Developments SPD – adopted January 2009

CONSULTATIONS

7. Milton Parish Council – Recommends refusal due to the following reasons: overdevelopment, inappropriate design, harm to the street scene, loss of privacy and harm to residential amenity, inadequate parking, increased traffic, inadequate garden area, setting a precedent and inadequate/inaccurate plans. If officers are minded to approve the application the Parish Council recommends that the application be referred to Planning Committee.
8. Local Highway Authority – The proposed plans do not show a sufficient area of 5m x 2.5m for a parked vehicle leading to overhanging and obstruction of the public footpath to the detriment of highway safety. Please request 2m x 2m visibility splays be provided and shown on the drawings and no unbound material to be used in the surface finish of the driveway within 6m of the highway boundary. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway.

Representations

9. District Councillor Hazel Smith – Objects to the proposal, which is out of keeping with the street scene and the character of the area, particularly given the close proximity of housing already present in the estate. Parking is an existing problem in the estate, as well access and turning for refuse lorries. Neighbour amenity will be damaged. If officers are minded to approve this application, a recommendation is made that it be referred to planning committee.
10. Objections from 15, 16, 19, 20, 21, 23, 24, 25 and 28 Pearson Close, raising the following issues:
 - (a) Harm to the street scene and character of the area
 - (b) Inadequate parking and highway safety
 - (c) Traffic generation and on-street parking
 - (d) Loss of light to neighbouring gardens
 - (e) Overbearing impact
 - (f) Overdevelopment
 - (g) Loss of privacy
 - (h) Night time light pollution from proposed roof lights
 - (i) Existing taxi business use at the site
 - (j) Inadequate foul water drainage to cope with the development

Planning Comments – Key Issues

11. Milton village is identified as a Group Village in the Core Strategy DPD 2007 and, as such, can accommodate residential development and redevelopment up to an indicative maximum scheme size of 8 dwellings within the village framework. The developable area in this instance is approximately 0.0445ha and the proposed subdivision of the plot into two units would equate to a density of approximately 45 dwellings per hectare (dph). The proposed development would therefore achieve a high density of development within a sustainable location and is therefore considered appropriate in principle with regard to Policies HG/1 and ST/6.
12. Subsequently, the application is principally assessed in relation to the following issues: the character of the area, parking and highway safety, residential amenity, foul drainage, and community open space and infrastructure.

Impact on the Character of the Area

13. Pearson Close is residential in character and dominated by modern, two-storey detached dwellings. The site is located towards the end of the cul-de-sac and concern has been raised that the proposed dwelling would be out of character with the area and harmful to the street scene.
14. It is agreed that the proposed single storey dwelling would be different to the existing size and style of housing in the local area; however, this difference alone is not assumed to result in unacceptable harm to the character of the area and further material planning considerations must first be taken into account.
15. A single storey domestic building is already established in this location and the proposal would not change this. Whilst the building would be slightly wider, its front elevation would remain simple in form and appearance. The proposal would also be set back from the front of the site by approximately 7m and set back behind the existing dwelling and the neighbour dwelling to the north. The proposed dwelling, as with the existing garage, therefore presents a subservient form of building within the street scene and is argued to result in little change to the overall appearance of the street scene. Parked cars are already present to the front of the garage and, whilst the site would be subdivided, the proposed design is on balance considered to preserve the character of the local area. Consequently, there is considered to be no strong planning reason why the development would be contrary to Policies DP/2 and DP/3.

Highway Safety, Parking and Access

16. The Local Highway Authority considers that the submitted plans do not show sufficient parking area to the front of the existing dwelling of 5m x 2.5m parking bays. The submitted block plan however shows that such area is available for two parked cars in front of the existing dwelling. A total of 4 parking spaces would be provided for both the existing and proposed dwelling and therefore the development would meet the parking standards of Policy TR/2, which requires a total of 3 car spaces.

17. Vehicles already reverse out onto the public highway from the existing site and this situation would not change and has not been raised as an issue by the Local Highway Authority. The proposed parking area is already hard surfaced with tarmac and gravel and the recommended conditions of the Local Highway Authority with regard to visibility splays and unbound material are added below in paragraph 29. Appropriate surface water drainage measures for the proposed driveways can be recommended to the applicant via informative.
18. The parking of commercial vehicles at the site has been raised as a concern by local residents due to the potential for on-street parking. As mentioned above, the submitted proposal meets the parking standards of Policy TR/2 and the parking of taxis at this site represents a separate issue to this planning application, which will be raised with the applicant and considered with regard to whether a change of use has occurred at the existing site.

Residential Amenity

19. The proposed building would be located adjacent to the southern boundaries of 15 and 16 Pearson Close. The north side of the proposal would therefore face both neighbouring rear gardens and a garage at No.15.
20. The proposal would be 2.3m to eaves level and therefore marginally above the height of an average 1.8m garden fence. The ridge of the roof would be 4.1m in height and would be sited away from the neighbours due to the sloped roof form. The proposal has been assessed with regard to the Building Research Establishment (BRE) guide 'Site Layout for Daylight and Sunlight: a good practice guide (March 1992) and, whilst the proposal would be located alongside the shared boundary, its overall mass and height would not result in a significant loss of light to the adjoining neighbouring properties. The form and limited height of the development is also considered to avoid any undue overbearing impact upon neighbours.
21. The proposed roof lights in the northern elevation would be high level to avoid any overlooking. The adjoining neighbour to the north has raised concern with light emittance from these openings and, whilst this is not considered to result in an unacceptable adverse impact on residential amenity, the applicant has submitted revised drawings showing a sun pipe in lieu of the kitchen roof light to reduce any perceived impact upon the neighbour.
22. Consequently, the proposal is considered to have an acceptable impact on residential amenity, subject to the recommended conditions in paragraph 29 below.

Amenity Area

23. The Council's District Design Guide SPD (paragraph 6.75) recommends a private garden space of 40m² for two bedroom dwellings and the submitted scheme shows an area of approximately 35m². The applicant has subsequently revised the drawings to show a 40m² private garden area and consequently the development would accord with the District Design Guide SPD.

Foul Drainage

24. Concern has been raised in relation to the efficiency and capability of the existing sewerage system to cope with the new development. The proposal represents the introduction of a small, two-bedroom bungalow and the increased demand on existing foul drainage would not be considered significant in such circumstances. Moreover, this issue would appear to be a wider issue affecting Pearson Close and not one that can reasonably be dealt with through an individual site. Consequently, there is considered to be no strong planning reason why the development should be refused on these grounds.

Open Space and Community Infrastructure

25. The new development would put extra demand on community infrastructure and community open space in Milton and the applicant has confirmed that a contribution towards these elements, and refuse bins, in accordance with Policies DP/4 and SF/10, can be secured via a Section 106 agreement.

Other Issues

26. Legal issues have been raised with regard to the deeds affecting the properties along Pearson Close and this is not a planning material consideration.
27. The issue of inadequate plans has been raised as an issue, alongside errors and discrepancies found on the site plan. The submitted site plan is considered to identify the site correctly, however the submitted block plan has been revised in drawing SF 10 101.2.B to show the correct position of the footpath adjoining the front of the site. The proposed roof overhang, across the rear garden of No.15, has also been addressed in these revised plans.

Conclusion

28. The development is considered to be sustainable in this location and is not considered to have an unacceptable adverse impact upon the character of the area, residential amenity, highway safety or foul water drainage.

Recommendation

29. Approve, as amended, subject to the following conditions:

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: SF 10 101.2.B (stamped 15th July 2011).

(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 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.)

4. During the period of 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.)

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 north wall of the bungalow 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. The proposed parking area for the existing dwelling, known as 17 Pearson Close, shall be provided before the development commences and thereafter retained as such. The proposed parking area for the new bungalow, hereby permitted, shall then be provided before the bungalow is occupied and thereafter retained as such.

(Reason – To ensure parking provision on both sites accords with the Council's parking standards in accordance with Policy TR/2 of the adopted Local Development Framework 2007.)

7. Visibility splays shall be provided on both sides of the proposed accesses and shall be maintained free from any obstruction over a height of 600mm within an area of 2m x 2m measured from and along respectively the:

- (a) highway boundary
- (b) back of the footway
- (c) edge of the carriageway

(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

8. No unbound material shall be used in the surface finish of the driveways within 6 metres of the highway boundary of the site.

(Reason – To avoid displacement of loose material onto the highway in the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

9. No development shall begin until details of a scheme for the provision of recreational 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 recreational infrastructure in accordance with the above-mentioned Policy SF/10 and Policy DP/4 of the adopted Local Development Framework 2007.)

10. No development shall begin until details of a scheme for the provision of community services infrastructure to meet the needs of the development in accordance with adopted Local Development Framework Policy DP/4 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 community services infrastructure in accordance with Policy DP/4 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 development within Class A or B of Part 1 of Schedule 2 of the Order shall take place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.

(Reason – To protect the amenities of adjoining neighbours 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 (adopted January 2007)
- South Cambridgeshire LDF Development Control Policies DPD, adopted July 2007
- South Cambridgeshire LDF Supplementary Planning Documents (SPD): District Design Guide SPD and Open Space in New Developments SPD – adopted January 2009

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