

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 September 2011

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

S/1080/11 - COMBERTON

New Dwelling Following Demolition of Existing Dwelling and Garage at 12 Swaynes Close, Comberton for Mr L Abraham

Recommendation: Approval

Date for Determination: 20 July 2011

Notes:

This Application has been reported to the Planning Committee for determination because the Parish Council recommendation differs from that of Officers.

Conservation Area

Site and Proposal

1. No. 12 Swaynes Lane is a linked detached two-storey dwelling. Nos. 10 and 12 Swaynes Lane are linked together by the flat roof garages in between the two properties. There is also a detached two-storey dwelling to the east of the application site, which is known as 16 Swaynes Lane. This dwelling is set slightly forward of the building line that nos. 10, 12 and 26 Swaynes Lane. The site is located within the Conservation Area, within the village framework and with a Protected Village Amenity Area (PVAA) located across the road. There are no dwellings located directly in front of the application dwelling. The rear boundary backs onto allotment gardens and the Green Belt.
2. The front garden measures 15m long from the front elevation of the dwelling to the edge of the public footway. The rear garden has a depth of 35m from the rear wall of the single storey element to the rear boundary. The frontage of the site is open with a sparse dwarf hedge running along the front boundary with two trees located either end of the hedge. There is a set of smaller trees within the front garden itself. Along the front boundary runs a drainage ditch. The driveway to the dwelling runs along side that of no. 10 Swaynes Lane with a narrow section of gravel and low-lying grass separating the driveways. There is space along the drive for at least 3 cars to park clear of highway.
3. There is a smaller ditch that runs between the shared boundary with no. 16 Swaynes Lane. Within the curtilage of no. 16 Swaynes Lane is a dense hedge of significant height that reaches just below the eaves of no. 12 Swaynes Lane; this hedge spans the depth of the east boundary of no. 12 Swaynes Lane. The shared boundary between no. 10 and no. 12 consists of the garages, a 1.8m high brick wall from the rear of garage to the front of the existing brick outbuilding. From the rear of the outbuilding there are some small trees and shrubs near the boundary but no solid definition of the boundary.

4. This full planning application, submitted 25 May 2011, proposes the erection of a two-storey dwelling following the demolition of the existing dwelling and garage. The proposal did include a detached garage forward of the proposed dwelling but this has now been omitted from the application. The new dwelling is to have a modest front gable with a forward projection of 1.65m and will have a ridge height that is lower than the main dwelling. It will have a central section where the gables project to the side and two rear gables with a depth of 2.65m and 4.8m deep. These rear gables will be subservient to the main dwelling. It is also proposed to have two rooms in the roof space to provide a study and guest bedroom. The materials are proposed to be concrete interlocking roof tiles, light buff facing brick and windows are to be constructed from timber.

Planning History

5. S/2185/10 – Extensions, approved
S/0581/11 – Front and Rear Extensions, recommend for approval

Planning Policy

6. **South Cambridgeshire Local Development Framework, Development Control Policies DPD, adopted July 2007**

DP/2 - Design of New Development
DP/3 - Development Criteria
CH/5 – Conservation Areas

7. **South Cambridgeshire Local Development Framework, Supplementary Planning Documents:**

Conservation Areas SPD – Adopted July 2009
District Design Guide SPD – Adopted March 2010

8. **National Planning Policy**

PPS5: Planning for the Historic Environment

Consultations

9. **Comberton Parish Council** – Recommends that the application be refused. The house as present is part of history of Swaynes Lane. The garage in its new position will be very prominent and a green and wooded part of the lane. The house as present was built as one of a pair, this is amending this.”
10. **Conservation Team** – No. 12 Swaynes Lane is a neutral building, its removal is acceptable providing street views respects the character of the existing dwelling. The Conservation Officer raised concerns about the prominent position of the proposed garage; it is contrary to the set back nature of the group of dwellings and long views towards the listed building on corner (no. 2 Swaynes Lane). Therefore either the garage is removed or it is positioned to be symmetrical with the existing at no. 10 Swaynes Lane. The depth of the new dwelling would be larger than any other in the group and the positioning of the roof lights on the prominent front elevation is a concern. Conservation team accepted the street view as supplied by the applicant to show how the dwelling would relate the dwellings located either side of the site.

11. **Local Highways Authority** – would like conditions to be added requesting a method statement stating the process of demolition and construction and any effects this might have on the adopted public highway reference should be made to control of debris, mud and dust, pedestrian and vehicle movements and the control contractors parking. Temporary facilities should be provided for parking, turning, loading and unloading of all vehicles visiting during the period of construction.

Representations

12. Owner/Occupier of no. 10 Swaynes Lane raised the following points:

- Concerned that when the garage at no. 12 Swaynes Lane is removed the remaining wall and roof of garage is made good and strengthened.
- Guttering and downpipe will be required on the side of the remaining garage that is next to no.12.
- Presume that the position of the new garage is acceptable in relation to the road.
- There have been drainage problems in the past in Swaynes Lane therefore the parking and turning areas should be absorbent.
- Would like the wall between the garage and study to remain to protect the privacy of those at no. 10 Swaynes Lane.
- A structural engineers report might be required for the to ensure that the wall of the garage is strong enough.

13. Owner/Occupier of 16 Swaynes Lane, Comberton raised the following points:

- Concerned about the ditch northeast of the application dwelling running between no. 12 and no. 16 Swaynes Lane. This ditch removes water from the fields behind these two properties therefore care should be taken that this is not blocked as no 16 Swaynes Lane has had experience of this in the past.
- Does not see how increasing the height of the original dwelling by 700mm makes a positive contribution to the Conservation Area.
- Concerned about the side window in the northeast elevation (serves bedroom), as this would overlook No. 16 Swaynes Lane.

Planning Comments – Key Issues

Residential Amenity

14. There are residential properties either side of the application site. The impact on no. 16 Swaynes Lane is considered to be minimal; this dwelling is located 8m from the shared boundary with a high hedge running along this boundary, which is located within the curtilage of no.16 Swaynes Lane. There is a further gap between the shared boundary and the location of the proposed new dwelling. Therefore it is not considered that the proposal would have an overbearing impact on this property. There are two windows proposed on the northeast elevation that would face no. 16 Swaynes Lane. One is to serve an en-suite bathroom and this is proposed to be obscure glazed. The other window on this elevation is to serve the bedroom; this is a secondary window to that bedroom and is to be conditioned to be obscure glazed to prevent overlooking in the event that that existing hedge is removed.
15. The central front gable is proposed to have two windows in the sides and would serve the landing, as this would look over the frontage of the site, which is parking area it is not considered that these two windows would be harmful either side. The shared

boundary with no. 10 Swaynes Lane is more open, there is a proposed window at first floor, which is to serve a bathroom on the southwest elevation. This is also proposed to be obscure glazed therefore overlooking would not be an issue. Permitted development rights are to be removed by condition to prevent any further windows in the side (northeast and southwest) elevations of the proposed dwelling. The proposed dwelling is to occupy the footprint of the existing dwelling with the exception of the rear projecting gables, which are not present on the existing dwelling. However, these gables are subservient to the main section of the dwelling and the gable closest to the shared boundary has a lesser depth than the other gable, which is closer to the shared boundary with no. 16 Swaynes Lane. The proposal is considered not to have an overbearing impact on the no. 10 Swaynes Lane. There are windows proposed at ground floor level, which would be screened by the existing brick wall, which are located on the shared boundary. The applicant has indicated that it is the intention to erect timber fencing in place of the existing outbuilding which is to be removed. The proposal is considered to comply with Policy DP/3 of the South Cambridgeshire Local Development Framework, Development Control Policies, adopted July 2007.

Impact upon the Conservation Area and Street Scene

16. On 22 February 2011 consent was granted under planning reference S/2185/10 for a two-storey and a single storey rear extension. The two-storey element was proposed to be 7m high with a depth of 6m. The proposed new dwelling would occupy a similar footprint as that granted under planning reference S/2185/10. However, the new dwelling is proposed to be 700mm higher than was granted consent and there is to be a small increase in the depth. The extended dwelling would have a depth of 14.6m and the proposed new dwelling would be 15.2m deep.
17. Although there were concerns over the depth of the proposed dwelling, which would be larger than any of the other dwellings located within the immediate vicinity. There is however only a slight difference in the proposed depth of the new dwelling compared with what was granted under planning consent S/2185/10.
18. There is a mixture of house types, scale, form and materials along this part of Swaynes Lanes. The proposed materials for the new dwelling are light buff bricks and interlocking tiles, samples of which will be required prior to the commencement of works. The increase in height by 700mm is not considered to be a significant increase to be harmful to the street scene or the Conservation Area. The proposal is considered to preserve the setting of the Conservation Area and the Street Scene.

Other Matters

19. One of the Parish Councils' objections to the proposal is that it would result in the loss of a pair of semi-detached dwellings. This is not in itself a material planning consideration but nonetheless the separation of these two dwellings would not be harmful to the street scene or the Conservation Area. The applicant also argues that the plot that these two houses occupy are of a sufficient size to accommodate two detached dwellings comfortably.
20. The Parish Council also states that the dwelling is part of the history of Swaynes Lane. The applicant has responded by arguing that a house of this style/design and age could not be considered to be part of the history of this attractive and ancient village. The new dwelling would allow for an attractive and simplistic property in the Conservation Area and would be an appropriate replacement of this structurally

unsound dwelling which requires extensive works in order to make it habitable due to the level of subsidence and cracks that has affected the property over the years.

21. The neighbour at no. 10 Swaynes Lane does not object to the proposal but does raise concerns that their garage might be structurally damaged by the removal of the garage at no. 12 Swaynes Lane, in terms of the strength of the wall, guttering and downpipes. These issues are party wall matters and are not dealt with under planning legislation. However, the applicant will be made aware of the neighbours concerns in the event that planning permission is granted.

Recommendation

22. Approval subject to the following 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: Ground Floor Plan Drawing no.218/11/12, Proposed Elevations Drawing no.218/11/10, and Proposed Floor Plans Drawing no.218/11/11 all date stamped 25 May 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. 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 side (southwest and northeast) 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.)
- 5. The proposed first floor window in the side (northeast) elevation of the dwelling, 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.)
- 6. 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 enhances biodiversity and maintains highway safety in accordance with Policies DP/2, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

- 7. 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.)

- 8. 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. 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.)

- 9. Prior to the commencement of any development, a method statement shall be provided detailing the process for demolition and construction and any effects this may have on the adopted public highway. Details shall include the control of mud, debris, dust, pedestrian and vehicle movements and the control of contractors parking and shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed and completed in accordance with the approved method statement prior to the occupation of any part of the development or in accordance with the implementation programme agreed with the Local Planning Authority.**

(Reason – In the interests of highway safety and residential amenity in accordance with Policies DP/1 and DP/3 of the adopted Local Development Framework 2007.)

- 10. 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 6:00 pm on weekdays and 1:00 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 Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework, Development Control Policies (adopted July 2007).
- Planning File Ref: S/2185/10, S/0581/11

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