

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 2 November 2011
AUTHOR/S: Executive Director (Operational Services)/Corporate Manager (Planning and Sustainable Communities)

S/1516/11 – COTTENHAM
Erection of dwelling following demolition of outbuilding at 315, High Street, Cottenham, Cambridge, CB24 6TX for Mr James Armstrong

Recommendation: Delegated Approval

Date for Determination: 30th November 2011

Notes:

This application has been reported to the Planning Committee as the Officer recommendation is contrary to the response received from the Parish Council.

Site and Proposal

1. The site is located within the Cottenham village framework and inside the Conservation Area, and forms the rear part of the curtilage of No.315 High Street, a detached gault brick villa located on the south side of the High Street. To the south-west are further detached properties fronting the High Street whilst, beyond the north-eastern boundary is a footpath linking Leopold Walk with the High Street. On the opposite side of this footpath to the site are a row of modest terraced cottages whilst Leopold Walk to the south-east is an estate of 1990's brick houses. Within the rear garden of No.315 High Street are a large two-storey barn that has been converted to form part of the main dwelling and, beyond this, a single-storey timber outbuilding.
2. The application proposes to erect a detached two-storey dwelling within the rear/southern part of the garden following the demolition of the existing single-storey outbuilding. The dwelling would be an L-shaped four-bedroom property with an attached single carport. It would comprise buff brick walls under a slate or plain tiled roof. Vehicular access to the plot would be obtained via the end of Leopold Walk, and utilising part of the curtilage of No.17 Leopold Walk. To compensate for this, it is proposed to provide an additional parking space for No.17 on the north side of this neighbouring property. The application also proposes to remove a number of trees within the rear garden in order to facilitate the development.

Planning History

3. **S/0724/74/F** – Change of use of outbuilding to office and storage – approved.
4. **S/0161/82/F** – Use of outbuildings for tea room – approved.
5. **S/1485/97/F** – Extension and double garage – refused.
6. **S/1505/97/CAC** – Demolition of barns and outbuildings – refused.

7. **S/1518/11** – Application for Conservation Area Consent for demolition of outbuilding – approved.

Planning Policy

8. South Cambridgeshire LDF Core Strategy DPD, 2007:
ST/5: Minor Rural Centres
9. South Cambridgeshire Local Development Framework Development Control Policies DPD, adopted July 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
NE/1: Energy Efficiency
NE/6: Biodiversity
NE/15: Noise Pollution
CH/5: Conservation Areas
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
10. Supplementary Planning Documents:
Cottenham Village Design Statement – Adopted November 2007
Development Affecting Conservation Areas – Adopted January 2009
Open Space in New Developments – Adopted January 2009
Trees and Development Sites – Adopted July 2009
District Design Guide – Adopted March 2010
11. 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.
12. 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**
13. **Cottenham Parish Council** – Recommends refusal for the following reasons:
- Safety issues relating to the footpath in Leopold Walk, with the proposed access to the new dwelling being wholly over the footpath. This footpath is the main link to the High Street from the Brenda Gautrey Way Estate.
 - The proposed visibility splay to the north-west is not acceptable.
 - Privacy to properties in Leopold Walk, especially No.30.
14. **The Conservation Manager** – Recommends refusal. No objections are raised to the demolition of the outbuilding, as the building is of poor quality

and in poor condition. However, there are concerns about the proposed new dwelling and access for the following reasons:

- The size, mass and bulk of the proposed new dwelling, which would be disproportionate to the size of the plot.
- Overdevelopment.
- Loss of greenery to the footpath and consequent impact on the character of the area.
- The design would be suburban in character and result in harm to the character of the area.
- The dwelling would be out of character with the linear form of the buildings to be removed.
- The new structure should be subservient to the existing barn.
- The new access would increase the amount of tarmac and result in a loss of greenery.

It is considered that a lower scale of property (maximum one and a half storeys high) with a linear form that follows the line of the demolished buildings, perhaps in a courtyard form, may be acceptable. Any scheme should seek to retain as much greenery as possible, and should also seek to limit the amount of proposed hardstanding.

15. **The Trees Officer** raises no objections providing the recommendations in the submitted arboricultural report are adhered to.
16. **The Landscape Design Officer** raises no objections and advises that no landscape plan is required. However, the trees and hedge outside the site that are growing adjacent to the footpath should be protected during construction.
17. **The Environmental Health Officer** - Raises no objections subject to conditions being added to any consent to protect neighbours from noise disturbance during the construction period.
18. **The Cottenham Village Design Group** – States that the site sits out of direct view of the High Street, and has a number of outbuildings that are not of any merit. It is considered that the pedestrian footpath linking Leopold Walk with the High Street would be improved by an appropriately designed house. The proposed house style and materials are considered to be acceptable given the design of the adjacent properties in Leopold Walk.
19. **The Local Highways Authority** – Raised a holding objection to the original drawings, as the proposed access crosses land that is not in the applicant's control. In addition, 2m x 2m visibility splays have not been provided. It is considered this objection could be overcome by removing the existing fencing, relocating the existing barriers on the public footpath, and constructing the vehicle crossing over the footway instead of third party land.

The Local Highways Authority has since advised that the amended drawing showing the provision of a 2m x 2m splay across the front of No. 17 Leopold Walk overcomes its concerns.

Representations

20. Letters of objection have been received from No. 30 Leopold Walk, and from No. 319 High Street. The main points raised are:

- The proposed access would compromise highway safety, and the safety of pedestrians using the footpath.
 - The dwelling would overlook the garden of No.319 High Street and be sited much closer to the boundary than the existing single-storey outbuilding.
21. The owner of No.17 Leopold Walk supports the proposal as it would provide more parking space for No.17, enhance the character of the area, and improve the security of the footpath.

Planning Comments – Key Issues

Principle of the Use

22. The erection of a dwelling on the site would equate to a density of approximately 30 dwellings per hectare and the proposal would therefore comply with the requirements of Policy HG/1 of the Local Development Framework, which requires new residential developments to achieve a minimum density of 30 dwellings per hectare, unless material considerations indicate a different density of development would be more appropriate.

Impact on the character of area

23. Whilst not objecting to the principle of erecting a dwelling on the land, the Conservation Officer has raised strong objections to the scale and form of the proposed dwelling, advising that development of the site would only be acceptable if any dwelling was lower in scale and in a linear form to reflect the line of the existing outbuildings.
24. Despite the above objections, Officers do not consider, on balance, that the site needs to be developed in such a manner. There is a wide variety in building forms and styles in the immediate vicinity of the site. Fronting the High Street are traditional gault brick villas, whilst modern estate development lies to the north-east, on the opposite side of the footpath, and south-east. There are also examples of development in depth, to the rear of properties fronting the High Street, to the south-west of the site. The site is relatively well concealed in views from the High Street by the frontage dwellings and is most prominent in views from the footpath and from the modern estate development in Leopold Walk.
25. As the site would predominantly be viewed in the context of the modern two-storey dwellings on the adjacent estate, it is considered that a two-storey dwelling in the position shown would be appropriate in principal and would not result in harm to the character and appearance of the Conservation Area. However, the houses in the immediate vicinity of the site are very simple in form and modest in scale, with the dwellings fronting the footpath having an approximate ridge height of 7.7 metres. The proposed dwelling has a principal 7.7 metre high section running north-south and a higher 8.5 metre high wing extending to the front of the property towards the footpath. This is considered to result in a very awkward roof form as well as a ridge height and overall form that is alien to the simple form and modest scale of dwellings in the immediate area. As a result, it has been requested that the scheme be amended to reduce the height of the forward wing to 7.7 metres.

Highway Safety and Parking

26. The Local Highways Authority initially objected to the application. In response to this, the applicant's agent has clarified that the applicants have entered into a legal agreement with No.17 Leopold Walk conveying a right of way over the section of land belonging to No.17, in exchange for a parking space on land belonging to No.315. As such, the application does not include a means of access over the footway. The drawing has been amended and the site edged red enlarged in order to provide the required visibility splays, and the Local Highways Authority has confirmed that the additional information and revised plan resolves its concerns.

Residential Amenity

27. With regards to the impact of the development upon the amenities of occupiers of adjoining properties, the house has been designed with no habitable room windows facing the rear garden of No.319 High Street. The only first floor openings in the rear elevation of the proposed dwelling are high-level rooflights serving bathrooms. First floor openings are proposed in the north elevation of the dwelling, but this elevation is sited in excess of 27 metres away from the nearest part of No.319 High Street and looks towards this neighbouring property at an oblique angle. The proposal is not therefore considered to harm the amenities of occupiers of No.319 High Street by reason of overlooking. The north facing first floor windows would look directly towards the existing dwelling at No.315 High Street, but the height of the two-storey barn would prevent any direct views into No.315's private garden area. These windows would also have an oblique rather than direct view towards windows in the front elevations of Nos. 30-38 Leopold Walk. The first floor window serving bedroom four, in the south elevation of the forward projecting wing, would look towards the front garden of No.17 Leopold Walk, whilst the first floor window to bedroom one, in the east elevation, would overlook the communal parking area opposite the site. In order to protect the amenities of Nos. 30-38 Leopold Walk, no first floor openings have been proposed in the east end elevation of the forward projecting wing. Should consent be granted for the dwelling, it would be essential to control the future insertion of first floor windows in the rear elevation, south side gable, and east elevation of the forward wing, in order to prevent future overlooking of adjoining properties.
28. Given the distance of the proposed dwelling from adjoining properties, it is not considered to result in an adverse loss of light or outlook to neighbouring occupiers.

Trees

29. The application has been accompanied by an Arboricultural Report. A number of trees would need to be removed in order to accommodate the proposed dwelling. The Trees Officer has raised no objections to the loss of the existing trees identified, providing the recommendations of the submitted report are adhered to, whilst the Landscape Design Officer has also raised no objections to the development.

Ecology

30. The Ecology Officer advised, prior to validation of the application, that the demolition of the outbuilding would be unlikely to impact on protected species and therefore considered that a biodiversity assessment would not be required.

Infrastructure requirements

31. The proposal would result in the need for a financial contribution towards the provision and maintenance of open space, in accordance with the requirements of Policies DP/4 and SF/10 of the Local Development Framework. For the four-bedroom dwelling proposed, this amounts to £4,258.90, as calculated at the time of the application. It would also result in the need for a contribution towards the provision of indoor community facilities (£718.78), together with additional costs relating to the provision of household waste receptacles (£69.50), Section 106 monitoring (£50) and legal fees (minimum £350). The applicants' agent has been requested to confirm in writing his clients' agreement to these payments.

Recommendation

32. Subject to the receipt of amended plans to address Officer concerns regarding the design of the dwelling, delegated powers are sought to approve the application 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: 1B, 2A and 3. (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 for the external walls and roofs of the dwelling, 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 Policies DP/2 and CH/5 of the adopted Local Development Framework 2007.)
 4. No site clearance or building operations shall commence until tree protection has been erected on site in accordance with the details shown within the Arboricultural Report Reference 0630D/CJO/1407 dated 14th July 2011. Such fencing shall be maintained to the satisfaction of the Local Planning Authority during the course of development operations. Any tree(s) or hedges removed without consent or dying or being severely damaged or becoming seriously diseased during the period of development operations shall be replaced in the next planting season with tree(s) of such size and species as shall have been previously agreed in writing with the Local Planning Authority.
(Reason - To protect trees and hedges 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.)
 5. 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 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.)

6. 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 west/rear elevation, east elevation of the forward projecting gable, and in the south side elevation (excluding the south side of the forward projecting element) 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.)
7. 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 or Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.
(Reason – To minimise noise disturbance to adjoining residents in accordance with Policy NE/15 of the Local Development Framework 2007.)
8. No development shall begin until details of a scheme for the provision of recreational and community facilities infrastructure, and household waste receptacles, 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 and to the Supplementary Planning Document, Open Space in New Developments, adopted January 2009)
9. The dwelling, hereby permitted, shall not be occupied until the car parking space for No.17 Leopold Walk, shown on the approved 1:200 site plan, has been provided. This space shall thereafter be retained for the use of occupiers of No.17 Leopold Walk. (Reason – To ensure the provision of replacement car parking for No.17 Leopold Walk, in the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
10. The proposed vehicular access, parking and turning areas for the dwelling, hereby permitted, shall be provided in accordance with the approved drawing no.3 before the dwelling 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.)
11. Visibility splays shall be provided on both sides of the access 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 highway boundary.

(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 (LDF) Development Control Policies, adopted July 2007.
- South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007.
- Supplementary Planning Documents: Cottenham Village Design Statement; Development Affecting Conservation Areas; Open Space in New Developments; Trees and Development Sites; District Design Guide.
- Circular 11/95 and 05/2005.
- Planning File References: S/1518/11, S/1505/97/Cac, S/1485/97/F, S/0161/82/F and S/0724/74/F.

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