

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

5 December 2012

AUTHOR/S: Planning and New Communities Director

S/2029/12/FL – ORWELL

Erection of Dwelling following demolition of existing at 36 Town Green Road for Mr Raymond Peacock.

Recommendation: Approval

Date for Determination: 4 December 2012

Notes:

This Application has been reported to the Planning Committee for determination because the Parish Council's recommendation of refusal is contrary to Officer recommendation of approval.

Members will visit the Site on 4 December 2012

To be presented to the Committee by Matthew Hare

Site and Proposal

1. The application site comprises the existing residential curtilage of no.36 including the existing dwelling itself. The existing property is a 20th century single storey dwelling of brick and concrete tile with a simple gabled form and L shaped layout. A substantial driveway serves the dwelling and is accessed directly off Town Green Road.
2. The site falls within the Orwell Development Framework Boundary and surrounding development is predominantly residential comprising planned 20th century housing estates with some older dwellings. Scale and form significantly varies along the street scene, dwellings in the immediate vicinity have garages sited forward of the principal elevation. The site also falls within Flood Zone 3.
3. The proposals seek the replacement of the existing single storey dwelling with a one and a half storey dwelling and detached garage. The proposals have been amended to raise ground floor levels and alter the external design of the building.

4. Planning Policy

South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007

ST/6 – Group Villages

South Cambridgeshire Local Development Framework (LDF) Development Control Policies DPD, adopted January 2007

DP/1 - Sustainable Development

DP/2 - Design of New Development

DP/3 - Development Criteria
DP/4 - Infrastructure in New Developments
DP/7 - Development Frameworks
HG/1 - Housing Density
SF/10 - Outdoor Playspace, Informal Open Space, and New Developments
SF/11 - Open Space Standards
NE/1 - Energy Efficiency
NE/2 - Renewable energy
NE/11 – Flood Risk
TR/1 - Planning for more Sustainable Travel
TR/2 - Car and Cycle Parking Standards

Consultation by South Cambridgeshire District Council as Local Planning Authority

5. **Orwell Parish Council** - Recommends refusal on the application as originally submitted, commenting:
- “It is felt that the proposed dwelling would have a significant effect on the street scene as the dwelling will be encroaching onto the front and be significantly further forward than the neighbouring properties.
- ‘Over development’ of the site.
- Light will be deprived on the neighbouring properties, 34 & 38
- No.34 will be overlooked.”
6. **Landscape Design Officer** – No comments received.
7. **Environmental Health Officer** – No objections. Recommends standard conditions regarding working hours and pile driven foundations.
8. **Local Highways Authority** – Raises no objections. Recommends standard conditions regarding surface water drainage and a construction method statement.
9. **Environment Agency (EA)** – Raises no objection, commenting:
- “No Flood risk Assessment (FRA) has been submitted, however as the proposal is for a replacement 2 storey dwelling offering betterment in terms of flood risk, the Agency has no objection in principle to the proposal. It would be prudent to raise ground floor levels a minimum of 300mm above existing ground levels”
10. **Drainage Manager** - Concurs with the recommendation of the EA in terms of flood risk and floor levels.

Public Consultations by South Cambridgeshire District Council as Local Planning Authority

11. 4 letters of representation received from the occupants of nos.38, 49 & 51 Town Green Road, objecting to the proposals for the following reasons:
- ‘Overdevelopment’ of the site
 - Loss of residential amenity to no.38 (overbearing and loss of light)
 - Harm to the character of the street scene

- Noise and disturbance (caused by wind gusting between the two units)
- The establishment of an urban outlook
- The need to ensure that any gas tank storage is safe
- Flood risk
- Harm to highway safety

Material Planning Considerations

12. The key issues to consider in this instance are the principle of development and the efficient use of land, the impact upon character and appearance of the street scene, residential amenity and flood risk.

Principle of Development

13. In accordance with the guidance set out in the NPPF 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 the existing built form extends either side in a relatively dense nature. The site forms part of this built up extent of the settlement and to this end it is considered that the principle of residential development of the site in question would not be detrimentally uncharacteristic to the character and appearance of the area in this instance.
14. The site measures approximately 0.037ha, thus a single dwelling on the site represents a development density of approximately 27dph. This is slightly below the Councils density targets but not to such an extent that the development would represent an inefficient use of land.

Residential Amenity

15. Having regard to the scale of the proposed dwelling, its spatial relationship with adjacent residential units and the location of windows in the proposed structure there is not considered to be significant adverse harm caused to the residential amenity of neighbouring properties in terms of overbearing or noise and disturbance.
16. Concerns for amenity impact are raised by the occupants of no.38 and the Parish Council. This property is a two storey dwelling sited to the south of the application site. Within the northern elevation there are 4 glazed openings at ground floor, planning histories for the site reveal that these serve a kitchen/utility room the occupant however suggests that the room is referred to as their breakfast room. A gap of greater than 3m between the northern elevation of this dwelling and the proposed house is proposed which is a common spatial relationship between dwellings of this nature – as such there is not considered to be any significant harm to the residential amenity of occupants of this dwelling.
17. The Parish Council raises concerns that no.34 Town Green Road would be overlooked by the proposals. Whilst it is correct that a first floor window would directly face this property this window is proposed to serve an en-suite and it is therefore reasonable to condition this window to be obscure glazed and non-opening.
18. Gas tank safety is raised as a concern in representations received from the occupants of no.38. this is not material to the planning process and such matters are covered under separate legislation.

Character and Appearance

19. The existing street scene comprises a mix of dwelling age, design, scale, layout and appearance. However the feeling is generally one of harmonious variety. The design and scale of the proposed dwelling is commensurate to the prevailing trends in the street scene and as such is not considered to be harmful in this regard.
20. The location of the garage forward of the principal elevation of the dwelling is not ideal in urban design terms as it screens the main views of the dwelling. However, having regard to the fact that this arrangement is adopted by dwellings adjacent to and within the immediate vicinity of the site Officers do not consider that the Council could sustain refusal of the scheme on these grounds.
21. Materials proposed are facing brick, render and a 'red roof tile'. Having regard to this lack of specification it is reasonable and necessary to condition external material for approval to ensure that the materials used are appropriate for the surroundings.
22. New hard surfacing is proposed to the front of the dwelling. The area covered is quite expansive and therefore it is considered reasonable to include hard surface materials in the above condition.

Flood Risk

23. The Environment Agency confirms that there would be no adverse impact upon flood risk in the area as a result of proposals. There would be a betterment in safety for occupants of the site as the scheme incorporates a first floor (and would thus provide elevated relief from flood waters).
24. Both the EA and the Council's Drainage Manager recommend that finished ground floor levels be elevated 300mm from ground level. The scheme has been amended to show finished levels to be 300mm.

Further Considerations

25. The proposals constitute the net gain of one bedroom (taking the site from a 3 bed dwelling to a four bed dwelling). As such there will be a potential increase on local infrastructure and community facilities.
26. Having regard to the Audit of Outdoor Sport and Play Space (June 2005) and The Community Facilities Assessment 2009, which both demonstrate a shortfall in utility provision in the village it is considered reasonable and justified to seek a contribution in lieu of onsite provision of open space in this instance. To this end the application has provided a draft heads of terms seeking to provide a financial contribution in lieu of onsite provision of such facilities, this is acceptable in this instance. It is hoped that a S106 can be engrossed prior to the determination date of the application, hence why a delegated approval is sought at this stage.
27. Representation received raises concern for the impact of the proposals upon highway safety by virtue of the location of the proposed garage. The Local Highways Authority raises no concern in this regard and thus this does not comprise a sustainable reason for the refusal of the scheme. The LHA recommends conditions regarding surface water drainage and a construction method statement. Whilst the drainage condition is considered to be reasonable the construction method statement does not accord with the requirements of circular 11/95 as it refers to matters that are covered by other legislation (i.e. Highways Act 1980).

28. No soft landscaping proposals accompany the scheme and the Council's Landscape Design Officer provides no comments in respect of the scheme. Regardless it is considered desirable to see some planting on the site boundary with the street in order to assimilate the scheme into the surroundings.
29. The Council's Environmental Health Officer recommends a condition regarding working hours and use of power operated machinery during construction. Having regard to the relatively tight urban grain at this point it's considered reasonable to apply such a condition.

Conclusion

30. 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

31. It is recommended that the Planning Committee grant Officer with delegated powers to approve the application subject to the following Conditions and the completion of a S106 agreement.

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 & Documents: CHQ.12.10093-04A, CHQ.12.10093-05A, CHQ.12.10093-06A, CHQ.12.10093-07A, CHQ.12.10093-09A & CHQ.12.10093 DAS Rev C.**
(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 and the driveway 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 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 the proposed driveway layout and 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. The ground floor level of the dwelling, hereby approved shall be 300mm above existing external ground levels, unless otherwise agreed in writing with the Local Planning Authority.**

(Reason - To prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)

- 7. The first floor window within the north eastern roofslope of the dwelling, hereby approved, shall be shall be obscure glazed and non-opening (unless the parts that can be opened are greater than 1.7m above internal finished floor level.**

(Reason – In the interests of residential amenity)

- 8. The proposed driveway shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway.**

(Reason – in the interests of highway safety.)

- 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.)

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 DPD (adopted January 2007)

Case Officer: Mathew Hare – Senior Planning Officer
Telephone: (01954) 713180