

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

5 March 2014

AUTHOR/S: Planning and New Communities Director

Application Number: S/2639/13/FL

Parish: Gamlingay

Proposal: Erection of single storey dwelling and construction of new vehicular access to 10 Cinqes Road

Site address: 10 Cinqes Road

Applicant: Mr and Mrs Smith

Recommendation: Delegated Approval

Key material considerations: Principle, residential amenity, character of area, highway safety and parking

Committee Site Visit: Yes

Departure Application: No

Presenting Officer: Paul Sexton

Application brought to Committee because: The officer recommendation of delegated approval is contrary to the recommendation of refusal from Gamlingay Parish Council

Date by which decision due: 18 February 2014

Planning History

1. S/0976/13/F – Single storey 3 bedroom detached dwelling - Withdrawn

Planning Policies

2. *National Planning Policy Framework*
3. *Local Development Framework*

ST/5 – Minor Rural Centres

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
SF/10 – Outdoor Playspace, Informal Open Space and New Developments
SF/11 – Open Space Standards
NE/1 – Energy Efficiency
TR/1 – Planning for More Sustainable Travel

4. *Draft Local Plan*

S/3 – Presumption in Favour of Sustainable Development
S/7 – Development Frameworks
S/9 – Minor Rural Centres
HQ/1 – Design Principles
H/7 – Housing Density
H/15 – Development of Residential Gardens
S/7 – Outdoor Playspace, Informal Open Space and New Developments
S/8 – Open Space Standards
TI/2 – Planning for Sustainable Travel

5. *Supplementary Planning Documents*

Open Space in New Developments SPD 2009
District Design Guide SPD 2010

Consultations

6. **Gamlingay Parish Council** expresses strong objections and recommends refusal.
7. “The Council has received eight letters of objection from all neighbours in the vicinity. Councillors considered planning policy and recognised that the site is potentially large enough for a property – however the proposal has an extremely large footprint in relation to the size of the site, and is still very close to two boundaries. Visual impact has a significant effect on neighbours’ amenity.
8. In addition there are privacy issues – the proposed dwelling would be overbearing in nature, within two metres of the site boundary in some cases. Noise issue was also considered – the new driveway would create disturbance along boundary of numerous dwellings.
9. Access and traffic – the site off Cinqes Road is opposite the post office and first school with significant vehicular and pedestrian pressures – already a congested spot with post office vans, deliveries, and school traffic. The introduction of additional access way makes the area opposite the post office even more congested, reducing the amount of space for informal parking, and making the route/path for pedestrians even more hazardous with three driveways within a ten metre stretch.
10. Crime/fear pf crime – neighbours have expressed concern that the proposal would make unpermitted access to the rear of their properties easier by the creation of the new driveway/access.
11. Ecology – the site is mainly grass, and not of great ecological value, however with over half the site developed it will mean less rainwater will permeate soil directly.

12. Concern was also expressed about the height of the property – it will be significantly higher than the existing fencing, so will be visible and intrusive structure viewed from neighbouring properties. It was noted that there is now a pitch to the roof. Cumulative impact is therefore quite significant on the neighbouring properties in particular. It was noted that a S.106 contribution would be made as part of the development.
13. The scale and size of the proposed property and nearness to boundaries was discussed. Concern was also expressed about the level of daylight being very low – particularly on the bedroom windows.
14. In conclusion, the Council was concerned that the plot is too small for the size of the dwelling proposed, and the siting of the proposed dwelling was inappropriate, due to its proximity to boundaries. Councillors requested that SCDC Planning Committee visit the site, should the application be determined by the Planning Committee and that member/s of the Parish Council be allowed to speak.’
15. The **Local Highway Authority** has no objection. Conditions should be imposed to ensure that the falls and levels of the proposed driveway are such that no private water from the site drains across or onto the public highway, and that it is constructed in a bound material.
16. The **Environmental Health Officer** has no objection. A condition restricting the hours of use of operation of power driven machinery during the construction process should be imposed.

Representations

17. Letters have been received from the occupiers of Nos.2 and 8 Cinqes Road, Nos 2, 6, 8, 10, 12, 15 and 17 Dolphins Way, and No.37 Waresley Road, objecting on the following grounds:
18. Loss of quiet, mature open rear garden space, which is fully enclosed by existing mature gardens, with loss of privacy and amenity to adjoining residents. Constitutes unacceptable garden grabbing.
19. Overshadowing of adjacent properties and gardens due to bulk of proposed building.
20. Overlooking of adjacent properties. Existing boundary fencing of varying heights and inadequate to prevent loss of privacy.
21. Unacceptable visual impact from adjoining properties being only 2m from the boundary.
22. Will add to existing parking problem on this stretch of Cinqes Road – visitors to school and users of Post Office opposite – parked cars will restrict visibility from driveways. New driveway will reduce available off-street parking, which will affect livelihood of Post Office.
23. Additional noise and smell from cars using extended driveway - driveway finish not specified – location of bin storage area.
24. Increase security to existing rear gardens.
25. No garage is provided and details of the proposed cycle shed are not provided.

26. Concern that structure will need to be made higher to support proposed roof construction.
27. Driveway to new dwelling is not wide enough for emergency vehicle access.
28. Precedent for other similar developments.
29. Amendments from previous scheme do not overcome objections/concerns.
30. New access driveway will present drainage problems if of impervious material due to additional surface water.
31. Ecology – site is green lung in the middle of village with nesting birds.
32. Damage to roots of trees on adjacent properties due to driveway construction.
33. Concern that gravity fed foul water system may not be adequate due to distance from road.
34. No improvement to the pedestrian pavement in Cinques Road is proposed.

Planning Comments

34. No.10 Cinques Road is a detached house set back from the road, with a single storey extension and garage/store on its north west side. It has a large mature garden to the rear.
35. To the north west of the site is a semi-detached bungalow on the corner of Cinques Road and Dolphins Way. To the south east is No.8 Cinques Road, a detached house, the garden of which runs alongside the south east boundary of the site. To the north are the rear gardens of houses in Dolphins Way, and to the north east is the rear garden of a property in Waresley Road.
36. Opposite the site is the village post office.
37. This full application proposes the demolition of the existing garage/store and the extension of the existing driveway alongside the north boundary of the site to serve a new detached, 3-bedroom, single storey dwelling on a 0.048ha section of the existing rear garden. Of No.10 Cinques Road. The existing dwelling will retain a 14m deep garden.
38. The proposed dwelling is low profile, with a green roof and cedar weatherboarding. It will have a ridge height of 3.3m and an eaves height of 2.7m. It will be located 2m from the boundary with the gardens of properties in Dolphins Way and Waresley Road, and 3m from the boundary with No.8 Cinques Road.
39. Sufficient parking space to meet adopted standards and a turning area are provided within the site, along with a cycle store. No details of this structure are supplied, but this can be covered by way of a condition should the application be approved..
40. The proposed driveway will be within 0.5m of the fenced boundaries of properties in Dolphins Way. The width of the driveway narrows to 2.8m at the rear of the existing house, but widens towards Cinques Road. The application also proposes a new vehicular access from Cinques Road to serve the existing dwelling, with the provision

of three off-street parking spaces for that property. The application form states that the access and hardstanding will be constructed in permeable paving.

41. The application is accompanied by a Design and Access Statement and Draft Heads of Terms.

Principle of development

42. The site is within the village framework and therefore the principle of development is acceptable, subject to compliance with other policies in the development plan.
43. Policy H/15 of the emerging Plan sets out the Council's proposed approach to dealing with applications for development of residential gardens. Although the emerging plan currently carries limited weight in the determination of applications, the criteria the Policy lists to be taken into account when considering this type of application, are essentially those which Members will have been considering when previously considering proposals for development in existing rear gardens. These include the character of the local area; any direct and on-going impacts on the residential amenity of nearby properties; the proposed siting, design, scale and materials of construction of the building; the existence of or ability to create a safe vehicular access; the provision of adequate existing on-site parking or the existence of adequate existing on-street parking; and the impacts on biodiversity and important trees. These matters are considered below.

Character of the area

44. The site comprises part of a mature residential garden, which is bounded on two sides by existing rear gardens, and on the third side by a side garden. Although the introduction of a new building on this location will alter the character of the area, the fact that it will have a low profile means that its wider impact will be limited. Its footprint is not large by modern standards and it does not dominate its plot or have an imposing effect on neighbouring properties. It will not set an automatic precedent for development of other gardens in the vicinity, with each having to be considered on its merits, having regard to the ability to provide adequate access etc.
45. The design of the property has been kept low to reduce impact on adjacent properties. Whilst the use of cedar boarding, green roof and overall design does not reflect adjacent buildings, officers are of the view that the low nature of the building will mean that it does not have an unreasonable impact on the character of the area.

Residential amenity

46. Although the proposed dwelling will be sited within 2m of the rear boundaries of properties in Dolphins Lane, the dwellings are set approximately 10m from the boundary. Officers do not consider that the proposed dwelling, with ridge height of 3.3m, will appear overbearing or result in significant loss of light to those houses, or overshadow their garden areas. The proposed dwelling will be a similar distance from the rear boundary with the bungalow in Waresley Road, however that dwelling is 25m from the boundary, and again officers are of the view that the impact of the building on that property is acceptable. Appropriate boundary fencing should be secured by condition where necessary to prevent overlooking.
47. There will be a minimum distance of 3m from the boundary of the garden of the adjacent property in Cinques Road, and although that boundary is more open, a condition requiring the provision of appropriate boundary fencing will prevent any

overlooking, and the property will not appear overbearing from the garden of that dwelling.

48. The proposed driveway will be within 0.5m of the rear gardens of properties in Dolphin Way, and will extend along the boundaries of three properties. Although there will be some increase in noise and disturbance due to the use of the driveway, officers are of the view that as its use is to serve a single dwelling only, provided an appropriate surfacing material is used, which can be secured by condition, the level of disturbance (including any associated smells) to existing properties will not be such as to justify refusal of the application. An area for bin storage is provided within the site, away from the boundary with adjacent properties.

Highway safety and access

49. The Local Highway Authority has not objected to the application. The existing access serves No.10 Cinques Road, whereas it will now serve the new dwelling. Visibility from that access to the north west is restricted and it is therefore not suitable to serve more than a single dwelling. The previous application, which was withdrawn showed both the proposed and existing dwelling served from the existing access.
50. Adequate off-street parking is provided for the new dwelling and there should be no need for vehicles to park on Cinques Road. The proposed new access to Cinques Road to serve the existing dwelling, along with the provision of three parking spaces in the existing front garden, will provide adequate off-street parking for that property. Although the proposed access is opposite the village post office, and its creation will result in the loss of some on-street parking on the east side of Cinques Road, in an area where parking can be difficult at certain times of the day, the effect will not be so significant as to justify a reason for refusal. The impact on pedestrians will also be negligible.
51. The proposed access will need to be constructed so as to avoid damage to the existing tree on the site frontage. This can be secured by condition.
52. Concern has been expressed that the width of the proposed driveway is not sufficient to allow access for emergency vehicles. This matter has been discussed with the Building Control section and provided that the width of the access is increased slightly at the front of the site, which can be achieved, it will allow an emergency vehicle to get within the required distance of the proposed property to satisfy the appropriate regulations.

Biodiversity and trees

53. There are no significant trees within the application site which will be affected by the development and although the existing garden provides an open green area, it is primarily laid to lawn. Boundary planting can be retained.

Other matters

54. Surface water drainage can be dealt with by way of condition. Foul water details will be dealt with by the Building Inspector. It is not uncommon for new private access drives to be constructed along the rear boundaries of existing properties and this fact alone is not considered sufficient to make any resulting fear of crime a reason to refuse the application.

55. The applicant has submitted a draft heads of terms which recognises the need for contributions under Policies DP/4 and SF/10 in respect of open space, community facilities and waste receptacles. Any decision to grant consent will need to be delegated to allow prior completion of a Section 1066 Agreement to secure these contributions.

Conclusion

56. Officers recognise that existing rear gardens are generally quiet and free from development. Nonetheless, it is considered that the proposal has been sensitively designed to reflect its location such that it will have no discernible impact on the character and appearance of the wider area or any material impact on the amenity of surrounding residential occupiers subject to the imposition of safeguarding conditions where necessary.

Recommendation

57. Delegated approval subject to:

Section 106 Agreement securing contributions to open space, community facilities and waste receptacles.

Conditions (to include)

- a) Time limit – 3 years
- b) Approved plans
- c) Hard and soft landscaping/boundary treatment
- d) Implementation of landscaping
- e) Surface water drainage
- f) Details of proposed cycle store
- g) Parking and turning to both proposed and existing dwelling
- h) Restrict hours of operation of power driven machinery during the construction process
- i) Temporary parking during the construction period

Background Papers

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Plan Proposed Submission July 2013
- South Cambridgeshire Supplementary Planning Documents
- National Planning Policy Framework 2012
- Planning File References: S/2639/13/FL and S/0976/13/FL

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