

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 2nd November 2005
AUTHOR/S: Director of Development Services

S/0733/05/F - Croydon
**Erection of Two Houses and Garages Following Demolition of Existing House
for Beaugrove Ltd**

Recommendation: Delegated Approval
Determination Date: 8th June 2005

Members will visit the site on Monday 31st October 2005.

Site and Proposal

1. The 0.38 hectare site is occupied by a single storey, flat roof, dwelling accessed from the High Street. A separate garage/workshop building associated with it lies to the rear accessed from a grass track that runs immediately to the front of the neighbouring property Bedlam Cottages to the east. A public footpath runs along this track and extends beyond to the rear of the site.
2. Within the site the ground level varies considerably, sloping up from the road, so that the existing dwelling is well above road level, and then back down towards the rear with a west to east fall of approximately 7.5m. Beyond the site to the north the land rises steeply.
3. Bedlam Cottages has main windows at both ground and first floor levels facing the track.
4. Pantiles is a period dwelling that sits right on the road frontage, immediately to the west of Crail, at a similar low level to Bedlam Cottages. It has a small secluded courtyard garden at this level to the east side and a larger garden to the rear at a significantly higher level so that the ground level here is more akin to the height of the roof of the dwelling.
5. There are mature trees that screen the site from the west and partially screen from the north. The eastern boundary is adjacent to the footpath that runs along the length of the garden to Bedlam Cottages and beyond. It has some hedge and tree planting but views into the site are possible along the footpath and from the garden to Bedlam Cottages.
6. The full planning application, received 13th April 2005, proposes the demolition of the existing flat roof dwelling and the erection of 2 two storey dwellings that would be dug into the site, one approximately in the position of the existing which would have a monopitch roof and be approximately 1m higher, at its highest point than the existing and the other, again with a monopitch roof, to the rear of this and approximately 0.7m lower than the first. The density is 5.2 dwellings per hectare.
7. The design approach is to erect two distinctive and modern properties set within a tree screen using modern materials.
8. The scheme has been amended following negotiations with officers and the neighbours at Bedlam Cottages.

9. The access is to be widened from single width to 4.5m, utilising its existing point of access from the High Street but then bending away from Bedlam Cottages to serve both properties within the site.
10. A new garage, to serve the northern dwelling, will replace the existing garage/workshop building and will be accessed from the west, away from the track that is currently used to access it so that vehicles will not pass immediately in front of Bedlam Cottages. A condition restricting openings in the east side of this garage would deter use of the existing access and limit the disturbance to the occupiers of Bedlam Cottages.
11. The existing track and footpath will be unaltered.

Planning History

12. Full planning permission (ref. S/2173/01/F) was granted in January 2002 (expiring January 2007) for a first floor to be added to the flat roof bungalow. This would increase the height of the bungalow by approximately 4m at its highest point to approximately 6.8m above ground level.
13. In July 2004 planning permission was refused (ref. S/1109/04/F) for two dwellings that were to be side by side and no higher than the approved extension due to the impact on neighbour amenity, impact on the countryside and loss of trees. (This scheme was not submitted by the current architects). An appeal Hearing was heard on 11th October 2005 and the decision is awaited.

Planning Policy

14. South Cambridgeshire Local Plan 2004 (Local Plan) Policy SE5 – List of Infill Villages identifies Croydon as an Infill Village and states (in part):
 1. “Residential developments within the village frameworks of these villages will be restricted to not more than two dwellings comprising;
 2. The redevelopment or sub-division of an existing residential curtilage;
 3. Provided the site in its present form does not form an essential part of village character, and development is sympathetic to the historic interests, character, and amenities of the locality”.
15. **Local Plan Policy HG10 – Housing Mix and Design states:**

“Residential developments will be required to contain a mix of units providing accommodation in a range of types, sizes (including 1 and 2 bedroom dwellings) and affordability, making the best use of the site and promoting a sense of community which reflects local needs.

The design and layout of schemes should be informed by the wider character and context of the local townscape and landscape. Schemes should also achieve high quality design and distinctiveness, avoiding inflexible standards and promoting energy efficiency. The District Council will support the preparation of Village Design Statements to secure these aims”.

16. **Local Plan Policy SE9 – Village Edges**

“Development on the edges of villages should be sympathetically designed and landscaped to minimise the impact of development on the countryside”.

Consultation

17. Croydon Parish Council

Recommends refusal.

“Croydon is a linear village – the proposal to place one house behind the other on the site constitutes backfill. There is no other site in the village with dwellings positioned in this way. The design of the properties and the use of unusual materials is totally out of keeping with other properties in the village.

Parking is insufficient for the projected number of cars for each property. Cars will have to park on the road.

The proposal was rejected unanimously”.

18. Trees and Landscape Officer

“The location of the 'north house' is acceptable in the context of BS5837, as is the garage on the site frontage. Appropriate foundation construction will be a necessary consideration for both structures. The driveway must be routed on the line of the existing and if resurfaced, in accordance with 'no-dig' APN1. Existing drive levels should not be changed”.

19. Chief Environmental Health Officer

No objections subject to conditions and informatives to control noise and disturbance during demolition and construction.

Representations

20. *In respect of the scheme as originally submitted.*

Three letters of objection were received from the occupiers of Pantiles, Bedlam Cottages and Hill Cottage, High Street, Croydon

Pantiles

21. Generally better scheme than originally submitted [ref. S/1109/04/F]
22. 'Balcony' to master bedroom of the south house should be a security rail and not a balcony.
23. Boundary between properties should be more substantial to protect privacy.
24. The kitchen and lounge, potentially the noisiest rooms, from both proposed houses will project sound towards the eastern boundary, further exacerbated by the elevation of the site.
25. Architectural style and materials out of keeping with neighbouring properties.
26. Back filling one property behind another could set a precedent for loss of the rural aspect.
27. Preferred choice would be the south house alone.

Bedlam Cottages

28. Objections to loss of amenity and character of the area subsequently revised following submission of amended scheme

Hill Cottage

29. “In many ways far preferable to the original application” [ref. S/1109/04/F]

30. Contrary to Policy HG11 and especially with regard to (3) and (4) of that policy and paragraph 4.29.
31. Six or more vehicles will be using this unsatisfactory access which will have an adverse effect on highway safety.
32. Out of keeping with the linear character of Croydon – no other examples of one house behind another in the High Street and would set a precedent.
33. Design rather urban and out of keeping with the rural nature of Croydon.
34. Concern about retaining the green lane to the side of Crail.
35. Site only really suitable for a single dwelling.
36. **During the course of negotiations**
Concerns expressed by the occupiers of Bedlam Cottages during the course of negotiations with regard to amenity and particularly in relation to the impact of the intensification of the use of the existing access to the side of Bedlam Cottages to serve the dwellings.
37. **In respect of the scheme as amended.**
One letter has been received from the occupiers of Bedlam Cottages: "...these significantly altered proposals do satisfactorily address the serious reservations we had about previous proposals In particular we are pleased to note the re-positioning of the South House to more overlay the current position of Crail; the re-positioning away from our property of the driveway to the North House; the changes made to reduce the bulk of the North House both from the Bedlam perspective and also as viewed from the public footpaths; and finally the agreed additional screening that would benefit both Bedlam, footpath users and our neighbours in Pantiles."
38. Care should be taken over the additional planting proposed for the east boundary so as not to block light.
39. "We are greatly relieved that as compared with previous proposals the adverse impact on us, our neighbours and the village in general has been very significantly reduced to the point now where we would favourably endorse these proposals".
40. **Further representations of the applicant**
Attached as appendix 1 is a copy of the applicant's planning statement submitted in support of the revised proposal.

Following the submission of this statement the applicant has stated:
41. "The proposed access driveway to up to the south house follows the line and levels of the existing drive. As noted within item 6.1 of our planning statement dated 20/09/05, the work associated with the resurfacing of the proposed access driveway would be undertaken in consultation with the tree officer and a detailed method statement produced. Beaugrove have also reiterated their commitment to protect the existing trees.

The radii of the proposed access driveway adjacent to No 32 High Street follows the line of the existing drive, the driveway has been widened at the intersection with High Street as previously requested by yourselves, however we agree with your comment regarding the edges running perpendicular and our client would accept the final arrangement being subject to a condition on the planning consent should this be granted".

Planning Comments – Key Issues

43. The key issues are the visual impact on the surrounding countryside, street scene and the character of the village, the impact on the amenities of occupiers of neighbouring properties and the impact on highway safety.
44. Material to the determination of this proposal is the extant planning permission for the addition of a first floor to the existing flat roof dwelling.
45. ***Impact on countryside and character of village.***
The site is peculiar in Cambridgeshire due to its significant changes in levels. It is my view that the applicants have carefully considered the design of this proposal to take account of the peculiarities of this site and to limit the visual impact to such a degree that I consider it to be an interesting scheme that will have *less* impact on the surrounding countryside than would the approved extension to the existing dwelling.
46. Although the site is within the village framework, the scheme does represent backland development and I note that the Parish Council is particularly concerned that it will appear out of character with the rest of the village and set a precedent for future development.
47. The scheme, as amended, will sit very low within the site. The south house (nearest to the road) would sit in a similar position to the existing dwelling with its highest point approximately level with the height of Bedlam Cottages, to the east, approximately 1m higher than the existing flat roofed dwelling and approximately 3m lower than the approved extension (at its highest point). It will have almost no more impact on the surrounding countryside than the existing dwelling and considerably less than the existing dwelling if it were to be extended as approved.
48. The northern house would be set behind but approximately 0.7m lower than the southern house and dug in within the site so that it will effectively appear single storey above existing ground levels. The tree screen is very effective and with additional planting I consider that this dwelling, together with the southern dwelling, would not be readily visible from the footpaths that run to the rear of the site and from the surrounding countryside generally. Glimpses may be possible, especially in the winter months, but due to this limited visual impact the dwellings will not readily give the appearance of a backland development and hence will not *appear* out of character with the linear character of the village.
49. For the same reasons given above I do not agree with the Parish Council's concern that this proposal will create a precedent. The site and the proposal are unique - no other development or site could be directly compared. I am confident that this scheme will not be readily visible as a backland development and could not therefore be used to justify another proposal.
50. There is one other example of a dwelling set back from frontage development – No. 23 High Street sits behind Nos. 21 and 22.
51. Members will see on the site visit a number of markers indicating the height of the northern dwelling at various points above ground level.

Trees

52. It is my opinion that it is the presence of the existing trees and planting that make this proposal acceptable. It is therefore essential they can be retained. Not all are of sufficient quality to justify a Tree Preservation Order but those that are will be protected in this way in due course. I therefore suggest that the applicants be required to enter into a Section 106 agreement to provide a landscape scheme, indicating which trees are to be retained together with new planting and that the screen should be protected in perpetuity.
53. Whilst existing planting already screens the site very well, however, new planting would be required on the northern boundary, the eastern boundary alongside the footpath and on the western boundary to Pantiles together with the reinforcing of existing areas to the front of the site and within it.
54. The developer has confirmed that the existing drive levels will not be changed.
55. **Impact on street scene**
There is a good tree screen to the front of the site, most of which is protected by Tree Preservation Orders. The existing dwelling is not readily visible and the proposed dwelling, being only 1m higher, will not be either. The approved extensions would make the existing dwelling visible in the street scene.
56. **Amenities of occupiers of Bedlam Cottages**
The proposed dwellings are sufficiently far from the boundary with Bedlam Cottages so as not to have any significant impact on the living conditions of the occupiers of this property. Much has been negotiated with the developers, with input from the occupiers of Bedlam Cottages, to ensure that issues such as overbearing impact, noise and disturbance and loss of privacy have all been addressed. To this end, the original access, which did utilise the existing shared access, has been relocated away from its position running in front of Bedlam Cottages to within the site on the far side of an existing bank; windows facing the boundary of Bedlam Cottages have been repositioned; the southern house has been moved away from the boundary with this property; the point of pedestrian access to the south dwelling and the path leading up to it have been repositioned; the scale of the northern dwelling has been reduced; and it has been agreed that there is sufficient scope for planting to be required by condition to help soften the impact of the new garage to the northern dwelling and the dwellings in general.
57. I note that the occupiers of Bedlam Cottages have stated that the present scheme has addressed the concerns expressed in their earlier representations.
58. **Amenities of occupiers of Pantiles**
The south house will not be any closer to the boundary with Pantiles than the existing dwelling and the two storey element is in a wing set approximately 9m away from the boundary. Due to the change in levels, windows in this two storey element are at single storey height above the height of the boundary and, at this distance, will not result in any loss of privacy. New boundary planting would be required as part of a landscape scheme.
59. In terms of bulk, this proposal will have significantly less impact on the enjoyment of the garden to Pantiles than will the approved scheme for a first floor above the existing dwelling.
60. There is no balcony that would cause any overlooking problems in the amended scheme.

61. **Highway safety**

The existing shared access currently serves the existing property and allows access to the rear of Bedlam Cottages. Whilst visibility is not ideal at the point of access for the intensification of its use, particularly to the west, I consider that the road is not well trafficked and vehicle speed is low. In addition the access has been widened as part of the proposal from single width to approximately 4.5m. This will help to alleviate potential conflicts between vehicles exiting and entering at the same time. The radii shown on plan CFL 200 rev. 01 are not necessary and I recommend a condition requiring a revised layout plan omitting these which would be visually unfortunate in the street scene.

62. Parking is provided for two cars for each property within the garages. A condition requiring the garages not to be used for any purpose other than the parking of vehicles and to ensure that the turning areas are maintained will ensure that the site has adequate off street parking provision and the vehicles will not be reversing onto the High Street.

63. **Design and Materials**

The design is modern and it is proposed to use modern materials that do not match those of surrounding properties. However, I do not consider that these dwellings should necessarily mirror those in the vicinity, which are of varying styles in any case. The important point is the quality of the design and how this works on this particular site. I consider that the modern approach, kept very low, set amongst trees will result in a very satisfactory solution to the development of this problematic site and I am confident that the dwellings will be constructed using high quality materials and will achieve high quality design and distinctiveness as required by Policy HG10 of the Local Plan.

64. **Density**

The proposal represents a density well below the development plan requirement, however, the character of this part of the village and the limitations of the infill policy is small villages such as Croydon, would not favour a more intensive development.

65. **Affordable housing**

The proposal represents a net gain of one dwelling. There is therefore no requirement for affordable housing in this instance.

Recommendation

Subject to the prior signing of a Section 106 agreement to ensure the submission and implementation of a landscape and boundary treatment scheme, which shall include the protection of trees during demolition and construction and the retention of trees and hedgerows identified within the scheme in perpetuity, delegated approval subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 5 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 would not have been acted upon.)

2. No development shall commence until details of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.
(Reason - To ensure that visually the development accords with neighbouring buildings and is not incongruous in accordance with the requirements of Policies SE5, SE9 or HG10 of the South Cambridgeshire Local Plan 2004).
3. No openings of any kind shall be inserted in the east elevation of the garage building, shown serving the northernmost dwelling on plan ref. CFL 200 Rev. 01, hereby permitted, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.
(Reason - To protect the amenities of occupiers of the adjoining property known as Bedlam Cottages from noise and disturbance through vehicular use of the access serving the rear of the garage in accordance with the requirements of Policies SE5, SE9 or HG10 of the South Cambridgeshire Local Plan 2004.)
4. The development shall not be occupied until space has been laid out within the site (in accordance with plan no. CFL 200 Rev 01 attached hereto) for 2 cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear, and that area shall not thereafter be used for any purpose other than parking and turning of vehicles.
(Reason - To ensure adequate space is provided and thereafter maintained on site for the parking and turning of vehicles.)
5. During the period of demolition and construction no power operated machinery shall be operated on the premises before 08.00 hours on weekdays and 08.00 hours on Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any time on Sundays or Bank Holidays) unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions.
(Reason - To protect the occupiers of adjacent properties from an unacceptable level of noise disturbance during the period of demolition and construction.)
6. No development shall commence until details of the foundations for the dwellings and garages have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.
(Reason - To minimise the threat to trees by reason of root damage caused by underground excavation in accordance with the requirements of Policies SE5, SE9 and HG10 of the South Cambridgeshire Local Plan 2004.)
7. Notwithstanding the approved plans, no development shall commence until a plan showing the detail at the point of access with High Street has been submitted to and approved in writing by the Local Planning Authority; the access edges shall run perpendicular to the High Street and the development shall be carried out in accordance with the approved details.
(Reason – To ensure that the development respects the visual quality of the street scene in accordance with the requirements of Policies SE5, SE9 and HG10 of the South Cambridgeshire Local Plan 2004.)
8. Notwithstanding the provisions of Regulations 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order), the following classes of development more particularly described in the Order are expressly prohibited in respect of the property and each unit thereon unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf:-

- i) PART 1, (Development within the curtilage of a dwellinghouse, classes A, B, C, D, E and F).
- ii) PART 2, (Minor operations), Classes A (erection of gates, walls or fences) and B (construction of access to a highway).

(Reason - To safeguard the character of the area and to ensure that additions or extensions which would not otherwise require planning permission do not overdevelop the site with consequent harm to the visual quality of the surroundings, and the amenity of occupiers of neighbouring properties in accordance with the requirements of Policies SE5, SE9 and HG10 of the South Cambridgeshire Local Plan 2004.)

9. No development shall commence until a method statement has been submitted to and approved in writing by the Local Planning Authority for the removal of the material forming the existing access and detailing the construction of the new access and turning areas shown on plan ref. CFL 200 Rev 01, hereby approved.
(Reason – To minimise the threat to trees by reason of root damage caused by the excavation of existing material and the construction of new access and turning areas.)

Informatives

Should driven pile foundations be proposed, then before works commence, a statement of the method for construction of these foundations shall be submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.

During demolition and construction there shall be no bonfires or burning of waste on site except with the prior permission of the Environmental Health Officer in accordance with best practise and existing waste management legislation.

Before the existing property is demolished, a Demolition Notice will be required from the Environmental Health Department establishing the way in which the property will be dismantled, including any asbestos present, the removal of waste, minimisation of dust, capping of drains and establishing hours of working operation. This should be brought to the attention of the applicant to ensure the protection of the residential environment of the area.

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
South Cambridgeshire Local Plan 2004: SE5, SE9 and HG10
2. The proposal is not considered to be significantly detrimental to the following material considerations, which have been raised during the consultation exercise:
 - Amenity of neighbours
 - Character of the village
 - Highway safety
 - Impact on countryside

Background Papers: the following background papers were used in the preparation of this report: Planning Files reference S/0733/05/F and S/2173/01/F, South Cambridgeshire Local Plan 2004, Cambridgeshire and Peterborough Structure Plan 2003.

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