

**MAIN CASE**

Proposal: Demolition of existing bungalow and garage together with the erection of two detached 3 bed houses, garaging, access and associated works

Location: 12 Little Ditton Woodditton Newmarket Cambridgeshire CB8 9SA

Applicant: C J Murfitt Ltd

Agent: Andrew Fleet

Reference No: 11/00768/FUL

Case Officer: Sue Finlayson

Parish: Woodditton  
Ward: Dullingham Villages  
Ward Councillor/s: Councillor Chris Morris

Date Received: 21 September 2011      Expiry Date: 16 November 2011

**[L206]**

1.0 **EXECUTIVE SUMMARY**

1.1 The application has been called to Planning Committee by the Local Ward Member, due to concerns of over-development raised by the Parish Council and local residents. The application proposes the demolition of an existing bungalow and its replacement with 2 detached three bedroom properties, each with its own parking, turning and access to the highway. It is considered that the bungalow is of no particular architectural merit, and its replacement with 2 detached dwellings is considered to meet the requirements of Core Strategy policies as it would not adversely affect the street scene, the character of the area, wildlife or residential amenity. No objections have been raised by the County Highways Authority, or other consultees, and the applicant has agreed to contribute the required infrastructure contributions for an additional dwelling. The application is therefore recommended for APPROVAL.

**A site visit has been arranged for 10.00 prior to the meeting.**

2.0 **THE APPLICATION**

2.1 The application proposes the demolition of a bungalow and two garages and its replacement with 2 detached three bedroom houses. The plot has a frontage to the main road of 26.5m and a rear width of 28m. It is approximately 25m in depth. The proposed dwellings would have a footprint of 7.7m wide and 9.6m in depth (max)

with a maximum height of 7.4m. They have been designed to sit roughly over the footprint of the existing bungalow, having a front gable to the highway, with a centrally placed ground and first floor window, and a side projection with a front door and canopy over it, and a dormer window above. Each property would have its own access and turning area, with parking for 2 vehicles. Amended plans have been received to show a garage for plot 1 only, the retention of rear boundary trees and drainage details for the driveways.

### 3.0 **THE APPLICANT'S CASE**

3.1 The applicant's case as set out in the Planning, Design and Access Statement can be viewed on-line on the ECDC Public Access at the following link. <http://pa.eastcambs.gov.uk/online-applications/> Alternatively, it can be viewed on the application file. The application is accompanied by a desk top report on contamination on the site.

3.2 The main points raised in the case are:

- Access, with all relevant visibility splays and turning heads, allows access and egress in forward gear and the proposal provides appropriate parking;
- The proposal is in keeping with the surrounding area in scale and position of the frontage from the highway;
- The properties would be detached, as is the prevalent form in the area, and the proposed footprint has a site coverage of 25%, whereas the existing coverage is 23%;
- There would be no overlooking of adjacent properties;
- The proposal generally accords with policy and the design compliments the local vernacular.

### 4.0 **THE SITE AND ITS ENVIRONMENT**

The site, which contains a bungalow with flat roofed double garage, and a further single garage, lies within the parish of Woodditton, and is within the settlement boundary. It lies between Nos. 10 and 14 Little Ditton, to the north-western side of the small settlement of Little Ditton, and has an area of approximately 660sqm. It fronts the main road running through the settlement, and is raised from the road by approximately 0.7m. There is a bungalow to the south-west of the site, a 1½ storey property to the north-east and there are bungalows opposite. Properties in the area have a range of architectural styles, having been built over a considerable period and being constructed in various materials. They range from bungalows to 2 storey properties. They are situated either side of the main road in a linear fashion, either fronting, or sideways on to the road. To the north is an open field laid to a grass paddock, behind the substantial conifer hedge which forms the rear boundary of the site. There is a chain link fence with considerable foliage forming the boundary to the north-east, and a substantial tree and foliage to the south-western boundary. The existing bungalow is set back from the roadway and footpath behind picket fence and lawn and driveway.

### 5.0 **PLANNING HISTORY**

5.1

## 6.0 **REPLIES TO CONSULTATIONS**

6.1 Site notice displayed on front picket fence and residents of six neighbouring properties informed of the application by letter. Five letters have been received raising the following concerns:

- Adjacent properties are bungalows, houses not prevalent and would be out of place
- Removal of conifer hedge will reduce wildlife and expose rear of properties and could impact on water levels in ditch to rear
- Sewage problems will be exacerbated
- Additional traffic will have adverse impact, parking spaces not adequate, and no cycle parking proposed
- Overdevelopment of site and adversely affects street scene
- Unnecessary infringement on village, concerns that one company buying all properties in locality, adversely affects conservation, which should preserve vitality of community – schools, pubs church etc.
- No renewable energy proposals.

6.2 Parish Council: Object for the following reasons:

- the 2 dwellings proposed are out of character with the adjacent properties, which they will dominate and overlook
- proposal is contrary to policies CS2, EN1 and EN2
- concerns re surface water drainage and strain on sewage system
- change in social character of the village – properties will possibly be unoccupied for half the year which – accentuates difficulties of younger people buying homes

The Parish Council requested the application be heard at Planning Committee.

6.3 County Highways: No objection raised. Conditions required re gates, pedestrian visibility splays, drainage, and formation and retention of parking and turning.

6.4 Environmental Health: No issues raised. Contamination report acceptable, therefore only condition required is that for unexpected contamination.

6.5 Trees Officer: The removal of the mature tree in the front garden is not opposed as it is not considered worthy of a tree preservation order. The proposed replacement hedge to the rear boundary will take a long time to establish – suggest reduction in height and facing up of sides instead. (*Revised plan submitted with these details*). Vegetation in adjacent garden may impact on drive construction, therefore recommend conditions in respect of tree protection and variety of proposed replacement trees to frontage.

## 7.0 **THE PLANNING POLICY CONTEXT**

### 7.1 **East Cambridgeshire Core Strategy 2009**

CS2 Housing

CS7	Infrastructure
H2	Density
EN1	Landscape and settlement character
EN2	Design
EN6	Biodiversity and geology
S4	Developer contribution
S6	Transport impact
S7	Parking provision

## 7.2 **National Planning Policy**

PPS1 Delivering Sustainable Development  
PPS3 Housing

## 8.0 **PLANNING COMMENTS**

8.1 The originally submitted plans have been amended to retain the conifer trees to the rear boundary, remove the garage to Plot 2 and ensure no surface water drains onto the highway. The main issues to consider in determining this application are therefore the principle of the proposal in policy terms, the impact on the street scene and character of the area in general, on neighbouring amenity, and on highway safety.

### 8.2 **Principle of the proposal in policy terms**

Woodditton is designated as a 'smaller village' under Policy CS1. Policy CS2 states that development in smaller villages of up to 2 dwellings will be appropriate provided there is no adverse effect on the scale and character of the area and that all other material planning considerations are met. The site is fully within the settlement boundary and therefore the principle of the development complies with policies CS1 and CS2 of the Core Strategy 2009.

### 8.3 **The impact on the street scene and character of the area in general**

As previously stated, Little Ditton forms a small group of dwellings which has grown over the years. The character of the dwellings is diverse, being mostly individual dwellings, but of various styles and sizes, and with a variety of materials used. Most are bungalows or 1½ storey properties, although there are also a number of two storey dwellings. The existing bungalow considerably fills the width of the site and has a flat roofed double garage to the north eastern side. It is a functional building, which has a relatively neutral impact on the street scene as it has no particular architectural merit.

8.4 The scheme proposes two ostensibly 1½ storey dwellings designed with a cottage style appearance each with a dormer window to the frontage and rear, and an eaves height of 4.0 – 4.7m. The ridge height will be a maximum of 7.4m above ground level. As such it is considered that they are of an appropriate scale with their surroundings. The Parish Council and neighbours to the site have raised objections in respect of overdevelopment of the site. It is the case that a number of the dwellings immediately adjacent are not tall, and many sit on large plots. However it is also the case that some properties nearby are two storey and some sit on smaller plots. This variety contributes to the character of the area. It should also be noted that the area of the site as a whole is approximately 660sqm. Each property will

therefore be on a plot of 330sqm (approx.). The proposed Draft Design Guide SPD suggests that an appropriate plot size is 300sqm, and therefore the proposal would fit with that requirement. Whilst higher than the dwellings on either side, their scale is not considered to be incongruous or out of proportion with those adjacent properties, particularly as they are to be set back from the pavement, approximately in line with the existing bungalow and garages on the site.

8.5 The separate accesses will allow access to parking in front of the dwellings and to the side, and also allow vehicles to turn. The hard surfacing forming the driveways will be softened by new tree planting to the frontage. The materials have not yet been agreed, but samples will be required by planning condition to ensure the proposal is in sympathy with the properties adjacent. The Trees Officer does not consider that the tree to the frontage of the site is worthy of a tree preservation order, and has agreed to its replacement with two trees, to be secured by planning condition. In addition the rear boundary conifer hedge, which is visible in the street scene, is to remain, but be cut back. It is therefore considered that the proposal would comply with Policies EN1 and EN2 which seek to ensure no detriment to the character of the settlement or its edge, and that development should be in scale with its surroundings.

8.6 **The impact on neighbouring amenity**

Policy EN2 seeks to ensure that the amenity of neighbouring properties would not be significantly adversely affected by development proposals. The dwellings of the proposed scheme will be approximately 5m from each side boundary. The adjacent dwelling to the south-west is 6m from the boundary so the impact of the proposal on that dwelling is considered to be minimal, given the orientation of that dwelling and the gap of 11m. The property to the north-east is between 3m and 4m away from the boundary, giving a resulting distance from the proposed property of 8-9m. The rear of the proposed building will be in line with the rear of the adjacent dwelling, and has one ground floor window overlooking the application site. Due to the orientation of the proposed dwelling it was considered that there might be a loss of light to the rear garden and conservatory of the adjacent property. Whilst this would not have been significant enough to refuse the application, the applicant agreed to remove the garage proposed close to the boundary to minimise such an impact. Given the distance between the existing side window of the adjacent property and the proposed dwelling it is not thought that a significant loss of light will be caused to that window. The proposed dwellings have only landing and toilet windows overlooking adjacent properties, as such there would be no significant loss of privacy to those properties.

8.7 The distance between the frontage of the proposed dwellings and those opposite is approximately 24m. As there is an intervening highway, there is no minimum distance set with regard to distances between properties, as it is normal for properties to be close to the highway on either side of the road. However, the distance of 24m is more than the usual 'back to back' distance sought on new estates of 18m. As such it is considered to be acceptable. The windows to the rear of the proposed properties will overlook the conifer hedge and open field and will only have oblique views of neighbouring gardens, as such it is not considered that there would be such significant a loss of privacy that would warrant refusal of the application. It is therefore not considered that the proposal will cause any significant overshadowing or loss of privacy from the proposal, and that the scheme complies with policy EN2 in respect of residential amenity.

**8.8 The impact on highway safety**

Revised plans have been received at the request of the Highway Authority to show how the site access will be drained to ensure surface water run off is minimised. The proposal provides at least 2 parking spaces for each dwelling, and a turning area. These details have been accepted by the Highway Authority who have requested various planning conditions in respect of: no gates, provision of parking and turning before occupation, pedestrian visibility splays and to secure the appropriate drainage. The Council's Car Parking Standards require a maximum of 2 car parking spaces and 1 cycle space per dwelling. As cycle parking details have not been provided it is proposed to request these by planning condition. These conditions are proposed to be added. The proposal is therefore considered to comply with Policies S8 and S7 in respect of highway safety and parking.

**8.9 Other issues:**

Change in character of village: The Parish Council and local residents have raised concerns that the dwellings would not provide accommodation for families or local residents, and that properties in the area are being bought by one company for use for equine employees and not occupied for the whole year. Such occupation has a consequent affect of school roles, and local facilities such as pubs, and also church attendance and community life in general. However as the dwellings are proposed within the settlement boundary, no specific case has to be proposed to justify who will live in them. The applicant has recently advised that he proposes to build the properties and then sell them in the open market. The Local Planning Authority cannot prescribe to whom they are sold.

8.10 Sewage water drainage: The application proposes drainage via the mains sewer. Due to concerns raised by local residents Anglian Water Services has been consulted to ascertain if they have any specific concerns. Their reply is awaited and will be reported orally to Members.

8.11 Renewable energy provision: Core Strategy policy EN4 requires that developments of 10 dwellings or more must provide 10% renewable energy saving within their design. The policy does not directly relate to this scheme, therefore, but the proposals will have to comply with Building regulations requirements in that respect.

8.12 Conifer hedge and wildlife/potential flood risk: Due to concerns of a neighbour the conifer hedge is to be retained, but faced up and reduced in height. This will ensure that its roots continue to help drain the ditch to the rear and ensure that wildlife can still use it as habitat.

8.13 S106: Policies CS7 and S4 require that all new development proposals should contribute towards infrastructure provision in the district. The applicant has stated that he is prepared to pay appropriate contributions as set out in the Supplementary Planning Document dated February 2011, via a s106 legal agreement.

8.14 **Summary:** The existing property is of little architectural merit and does not add positively to the street scene. The revised scheme for 2 dwellings is considered to be of appropriate scale and design and proposes dwellings which will add to the street scene and will not have a significant adverse impact on neighbouring properties in respect of general amenity. The scheme is acceptable to the Highways Authority,

and the applicant has agreed to contribute the required sums in respect of impact on the infrastructure of the district. The scheme is therefore recommended for Approval.

**9.0 RECOMMENDATION Approve subject to the following conditions, but should the recommendations be supported, the decision should be delegated to the Head of Planning and Sustainable development services to ensure the satisfactory completion of the s106 legal agreement.**

1 The development hereby permitted shall be commenced within 3 years of the date of this permission.

1 REASON: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.

2 No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. All development shall be carried out in accordance with the approved details.

2 REASON: To safeguard the character and appearance of the area, in accordance with policy EN2 of the East Cambridgeshire Core Strategy 2009.

3 No development shall take place until a scheme for the replacement of trees has been submitted to and approved in writing by the Local Planning Authority. Planting shall take place in accordance with the approved details in the first planting season following completion of the development or in accordance with a programme of planting to be approved by the Local Planning Authority. If within a period of 5 years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of species, size and siting to be approved in writing by the Local Planning Authority prior to planting, shall be planted in the planting season following failure or in accordance with a programme approved by the Local Planning Authority.

3 REASON: To safeguard the character and appearance of the area, in accordance with policies EN1 and EN2 of the East Cambridgeshire Core Strategy 2009.

4 No development shall take place until a detailed Arboricultural Method Statement (AMS) has been submitted and approved in writing by the Local Planning Authority. The AMS shall include justification and mitigation for any tree removal proposed and details of how trees will be protected at all stages of the development. Recommendations for tree surgery works and details of any tree surgery works necessary to implement the permission will be required as will the method and location of tree protection measures, the phasing of protection methods where demolition or construction activities are essential within root protection areas and design solutions for all problems encountered that could adversely impact trees (e.g. hand digging or thrust-boring trenches, porous hard surfaces, use of geotextiles, location of site compounds, office, parking, site access, storage etc.). All works shall be carried out in accordance with the agreed AMS.

- 4 REASON: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies EN1 and EN2 of the East Cambridgeshire Core Strategy 2009.
- 5 The rear conifer hedge shall be retained and cut back as detailed on plan 11:087 - 2 Rev A received on 17th November 2011.
- 5 REASON: To safeguard the residential amenity of neighbouring occupiers, the character and appearance of the area, to assimilate the development into its surroundings and provide appropriate infrastructure for the public open space, in accordance with policies EN1, EN2 and S3 of the East Cambridgeshire Core Strategy 2009
- 6 No development shall take place until full details of hard landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include: finish of access drive, turning and parking areas. The works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed with the Local Planning Authority.
- 6 REASON: To safeguard the character and appearance of the area, in accordance with policy EN2 of the East Cambridgeshire Core Strategy 2009.
- 7 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing to the Local Planning Authority within 24 hours. An investigation and risk assessment must be undertaken and approved in writing by the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. The necessary remediation works shall be undertaken, and following completion of measures identified in the approved remediation scheme a verification report must be prepared, and approved in writing by the Local Planning Authority.
- 7 REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy EN8 of the East Cambridgeshire Core Strategy 2009.
- 8 Prior to first occupation of each dwelling:
1. visibility splays of 2.0m x 2.0m shall be provided each side of each vehicular access measured from and along the back of the footway, as shown on Plan 11:087 - A. The splays shall be thereafter maintained free from any obstruction exceeding 0.6m above the level of the highway carriageway; and
  2. the proposed on-site parking and turning within each plot shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and thereafter retained for that specific purpose; and
  3. details of cycle parking provision for 1 cycle per dwelling shall be submitted to, and approved in writing by the Local Planning Authority

- 8 REASON: In the interests of highway safety, in accordance with policies S6 and S7 of the East Cambridgeshire Core Strategy 2009.
- 9 The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway in accordance with the details shown on Plan No 11:087 - 2 A received on 17th November 2011.
- 9 REASON: In the interests of highway safety, in accordance with policies S6 and S7 of the East Cambridgeshire Core Strategy 2009.
- 10 Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking, amending or re-enacting that order) no gates shall be erected across the approved access, unless details have first been submitted to and approved in writing by the Local Planning Authority.
- 10 REASON: In the interests of highway safety, in accordance with policies S6 and S7 of the East Cambridgeshire Core Strategy 2009.
- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking or re-enacting that Order), the dwellings shall not be extended in any way, and no structures shall be erected within the curtilage of the dwelling, additionally there shall be no windows, dormer windows, rooflights or openings of any other kind, other than those expressly authorised by this permission shall be constructed at first floor level or above.
- 11 REASON: It is considered that any additional built form added to the buildings would be over-development of the site, and any additional doors and windows may adversely impact on the amenity of adjacent occupiers, in accordance with Policy EN2 of the East Cambridgeshire Core Strategy 2009.

## **APPENDICES**

<b><u>Background Documents</u></b>	<b><u>Location(s)</u></b>	<b><u>Contact Officer(s)</u></b>
Application file E/11/00768/FUL PPS1 PPS3	Sue Finlayson Room No. 011 The Grange Ely	Sue Finlayson Team Leader, Development Control 01353 665555 sue.finlayson@eastcamb.gov.uk