

MAIN CASE

Proposal: Demolition of buildings and erection of 2no. four bed houses and 3no. three bed houses (Reserved matters application following outline approval of E/09/00401/OUT)

Location: Dullingham Motors The Garage Brinkley Road Dullingham
Newmarket Suffolk

Applicant: Brinkley Developments Ltd

Agent: Primefolio Ltd.

Reference No: 11/00403/RMA

Case Officer: Sue Finlayson

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

Date Received: 1 June 2011 Expiry Date: 27 July 2011

[L70]

1.0 EXECUTIVE SUMMARY

- 1.1 This application has been brought before Members at the request of the Local Ward member Cllr C Morris, and due to the issues raised when the outline planning application was being considered.
- 1.2 The reserved matters application is considering appearance and landscaping of the development, which deals with the form, architecture and detailing of the 5 residential units. The main issues for consideration are:-
- Conformity with the original outline approval
 - Impact of the appearance and landscape on the Conservation Area
 - Character of the area in general
 - Impact on residential amenity
- 1.3 It is considered that the proposals, although now comprising individual dwellings as opposed to a terrace of three and a pair of linked dwellings, replicate the original footprint of the layout and the scale of the original proposals. The design of the dwellings is sympathetic to the general character of Dullingham and the Conservation Area, and with appropriately agreed materials, will enhance the area. The dwellings have also been designed to ensure minimal impact on neighbouring properties in respect of overshadowing or loss of privacy. Consequently the application is recommended for APPROVAL.

1.4 **A site visit has been arranged for 10.15 prior to the meeting.**

2.0 **THE APPLICATION**

2.1 This is a reserved matters application which provides full details of the proposed development of 5 dwellings on the site, following approval of the outline planning application E/09/00401/OUT at Planning Committee in August 2009. That application considered the access, layout and scale of the proposals. This application therefore seeks approval of the appearance of the dwellings and the landscaping proposals.

2.2 Further revised plans have been received, which show three individual cottages to the front of the site (plots 1, 2 & 3), facing Brinkley Road, with two larger dwellings (plots 4 & 5) to the rear. Access is to the southern side of the site with a covered parking area adjacent, between the access and the adjacent residential dwelling. This covered parking area provides two spaces each for plots 2 and 3, parking for plot 1 (2 spaces) is to the rear of that plot and parking for plots 4 and 5 comprises of two spaces and a double garage each, to the centre of the site behind the frontage dwellings.

2.3 The design of the dwellings has been altered slightly from that shown on the originally received plans for this application. The front facades of plots 1-3 are now more simple, with a single dormer serving a front bedroom, with a window beneath. Plots 1-3 are 3 bedroom properties, one having en-suite facilities. They have two dormer windows to the rear and double patio doors opening on to the rear gardens. The height of these dwellings is 8.2m to the ridge and 3.75m to the eaves. The dwellings approved at outline stage had a ridge height of 8.3m and an eaves height of 4.0m.

2.4 Plots 4 and 5 have four bedrooms. Their design is similar to plots 1-3, but the front bay and dormer combine to make a feature projecting 0.2m from the front face of the building. These plots are mirror images of each other, being 9.3m in height, and divided by adjacent double garages at the centre. The garages have a height of 6.5m to the ridge, and have a dormer window centrally placed serving a bedroom. These dormers replicate those on plots 1-3.

2.5 The main difference in the footprint of the proposed buildings from those approved are that they are detached, not a terrace of three and a pair of linked houses as approved at outline. However the footprint of the proposed and originally approved layout is essentially the same, being 27.7m wide x 8m deep for plots 4 and 5 and 20.5m x 8m deep for plots 1-3. The main façade of the front dwellings sit back between 3.0 and 3.5m from the highway verge, and between 5.4 and 6.0m from the footpath, as shown on the original approved plans. The materials are to be agreed but propose a mix of render and brick under pan-tiled roofs.

3.0 **THE APPLICANT'S CASE**

3.1 The applicant's case as set out in the 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.

4.0 **THE SITE AND ITS ENVIRONMENT**

- 4.1 The application site comprises an area of 0.18ha on the west side of Brinkley Road, which is a classified 'B' road, opposite the village green in the centre of Dullingham. It is situated between The Boot public house and No 10 Brinkley Road. The site is currently occupied by a number of large redundant buildings associated with the former use of the site as a petrol filling station and mechanical workshop. The petrol filling station canopy covers the front of the site with the buildings themselves set back approximately 9m from the highway.
- 4.2 The site is within the development envelope of the village and the new Dullingham Conservation Area. The western boundary is adjacent to the boundary of Dullingham House registered Grade II Historic Park and Garden, and the extreme northern edges of the site also fall within flood zone 2 of the Environment Agency Flood Zone Maps.

5.0 **PLANNING HISTORY**

- 5.1
- | | | | |
|--------------|--|----------|------------|
| 09/00401/OUT | Demolition of buildings and erection of two 4 bed houses and three 3 bed terraced houses. | Approved | 10.08.2009 |
| 06/00286/OUT | Demolition of buildings and erection of 2No. 1 bedroom flats, 1No. 2 bedroom flat, 2No. 2 bedroom houses, 3No. 3 bedroom houses together with retail unit (outline permission) | Refused | 19.05.2006 |
| 07/00223/OUT | Demolition of buildings and erection of 1no.four bed house, 3no. three bed houses, 2no. two bed houses together with B1 office unit (outline permission). | Refused | 29.08.2007 |
| 08/00437/OUT | Demolition of buildings and erection of 4 no. 3-bedroom houses, 1 no. 4 bed house, 1 B1 office unit and 10 parking spaces | | 18.06.2008 |
| 11/00377/CAC | Demolition of existing garage and ancillary buildings | Approved | 16.06.2011 |

6.0 **REPLIES TO CONSULTATIONS**

- 6.1 Site notice posted on front of site and 13 addresses informed.
- 6.2 One reply received raising issues of potential overlooking from additional windows to side elevations of plots 3 and 5. Also the proposed refuse area is open sided which could lead to vermin problems and smell from stored bin bags if not managed well.

Each dwelling should store its own refuse and the space could provide an additional car parking space.

6.3 Parish Council – (summary of in response to the original plans) object for following reasons:

- Proposal does not keep to original footprint approved as the dormer project too far forward making the buildings appear too dominant in the street scene
- Style does not accord with local vernacular and materials details not given and look uncomfortably tall.

Summary of response to first amended plans:-

The Parish Council objects to this application and revision as follows:

- The PC have been advised that the application falls outside the scope of a Reserved Matters application because it goes beyond matters listed as reserved in the outline approval. This is because the buildings extend outside the approved building line on the frontage, 3 houses as substitution for a terrace of three dwellings is a material change, and window overlooking the neighbouring property is not a matter of detail or appearance but of material importance differing from the outline application. These constitute a significant change.
- The proposed detached houses are not traditional in form or appearance, as local buildings are generally of low aspect. Small narrow detached buildings are not found in the locality, terraces do occur and many local buildings are of similar shape to the terrace shown on the outline approval.
- The proposed square bay windows are of a form that does not occur in the village. They are not an appropriate feature and are out of keeping with the local vernacular. These bays take the frontage beyond the approved building line.
- There is no information regarding the finish and windows, so no comment can be made. This is a legitimate matter of local concern.
- There are no details in respect of the maintenance of the unused area of land to the north of the site. How will it avoid becoming a parking space?
- The position of the trees shown on the elevational drawings do not match the position on the plans. Clarification is required.

6.4 Conservation Officer – (summary of in response to the original plans) Site currently in poor condition and having detrimental impact on character and appearance of Conservation Area. Originally approved scheme was a terrace of 3 on frontage – proposal for individual properties are more in keeping with character of village as terraces are not the predominant building form in Dullingham.

6.5 Concerns about full height bay projection as its too wide in relation to overall width and appears too heavy, not in keeping with style of properties. Need to separate ground floor from dormer to give more balanced façade. Bays should be same scale as those proposed on rear. Porch should stand alone and be centred above front door. The separation of plots 4 and 5 makes better the previously approved proposal as improves proportions. Should not try to create pastiche to mimic existing building but have high quality design. Provided changes made, the proposal will not have detrimental effect on the Conservation Area and is an improvement on that already approved at outline.

6.6 In response to the revised plans: The revised plans have taken into account the comments made previously regarding the separation of the ground and first floor detailing and removal of the bay projection. These changes are acceptable from a conservation viewpoint. Please add conditions in respect of materials and window details of 1:20.

7.0 **THE PLANNING POLICY CONTEXT**

7.1 **East Cambridgeshire Core Strategy 2009**

CS1	Spatial Strategy
CS2	Housing
CS7	Infrastructure
EN1	Landscape and settlement character
EN2	Design
EN5	Historic conservation
EN7	Flood risk
S4	Developer contribution
S6	Transport impact
S7	Parking provision

7.2 **Regional Spatial Strategy – East of England Plan**

SS1	Achieving Sustainable Development
ENV7	Quality in the Built Environment

7.3 **National Planning Policy**

PPS1	Delivering Sustainable Development
PPS3	Housing
PPS5	Planning for the Historic Environment

8.0 **PLANNING COMMENTS**

8.1 The principle of the proposed development on this site was approved under planning application E/09/00401/OUT at Planning Committee on 5th August 2009. That application approved the access, layout and scale of the proposals, and considered the impact on the Conservation area, historic park and garden, residential amenity, highway safety, trees and hedges, the loss of the petrol; filling station and retail unit, land contamination issues and drainage and flooding. This application therefore seeks approval of the appearance of the dwellings and the landscaping proposals. In determining the 'appearance' of the proposal the issues for consideration are the visual impression of the buildings, the extent of the built form, architecture, materials, decoration, lighting, colour and texture (Statutory Instruments 2010 No 2184 Town and Country Planning England, The Town and Country Planning (Development Management Procedure) (England) Order 2010).

8.2 The main issues to consider for this reserved matters application are therefore:

- Conformity with the original outline approval
- Impact of the appearance and landscape on the Conservation Area and character of the area in general

- Impact on residential amenity

- 8.3 Conformity with the original outline approval: As stated in section 2 above, the plans approved at outline stage showed a terrace of three dwellings to the front of the site and a pair of dwellings to the rear linked by double garages. The overall height of the dwellings was 9.2m for those at the rear and 8.3 for the frontage dwellings. The footprint of the rear dwellings was 27.7m wide x 8m deep, and 20.5m wide x 8m deep for those on the frontage. Whilst the newly submitted plans show all the dwellings to be detached, the overall footprint is essentially the same, the only difference being that end walls of Plots 1 and 3 are now 19.5m apart, approximately 1m less than the original footprint. The bay windows proposed on the first set of amended plans have now been removed from the proposals to address the Parish Council concerns. The main front façade is between 3.0 and 3.5m back from the highway verge, and between 5.4 and 6.0m from the footpath, as shown on the original approved plans. It is therefore considered that the plans conform with the general scale of those approved at outline planning stage.
- 8.4 Impact of the appearance and landscape on the Conservation Area and character of the area in general: Policies EN1, EN2 and EN5 of the Core Strategy seek in general to ensure that development on the edge of settlements is of an appropriate scale and does not adversely affect the wider setting of the settlement, that the design relates sympathetically to the surrounding area, and that development in the Conservation Area is of a high standard which will preserve or enhance the area. In this case the revised plans show three cottage style dwellings to the front, with more substantial properties to the rear. The dormer windows are now considered to be in better proportion and are similar to others found in the area. The projected bay and first floor windows on the rear properties are considered acceptable as they are in proportion with the larger scale of the buildings. All properties have chimneys which in addition to providing a flue outlet, also add interest to the roof form. Whilst the materials are yet to be agreed, the applicant proposes to use pan tiles for the roofs and a mix of render and brick for the walls. These materials replicate those prevalent in the village.
- 8.5 It can be seen from the comments of the Parish Council that they have concerns regarding the appearance of the dwellings, particularly those on the frontage, which they consider to appear too tall and not of a traditional shape. They would prefer to see the terrace as originally proposed, which in their view gives a more horizontal emphasis. However the gaps between the dwellings are small, and terraces are not a common feature in the village. The Conservation Officer supports the application and in her comments makes the point that new properties within conservation areas should take the opportunity to create high quality designs that respect the character of the conservation area, not simply mimic existing buildings and create a poorly designed pastiche development.
- 8.6 In respect of landscaping, the submitted plans show three rowan trees to the frontage of plots 1-3, together with shrub planting against a 0.6m high picket fence, which also divides the gardens. Three further silver birch trees and shrub planting are proposed to the side and rear of the car-port building. It is considered that this planting will provide colour and variety to the street scene and soften the front of the development. The hedge to the southern boundary is to be retained. At the rear of the site, but still in public view from the access road, an area of planting is proposed to the rear of the carport building. This includes a turning area for larger vehicles, and proposes three

white beam trees with shrub planting. Further in to the site an additional area of planting behind plot 1 includes two white beam trees and shrubs, and a silver birch on the boundary with the public house, together with a boundary hedge, and a boundary hedge and chestnut post and rail fence is proposed to the rear boundary of the site with the historic park and garden. It is considered that this planting and fencing will create an appropriate boundary, providing an acceptable transition from the countryside to the west, and enhance the ambiance of the site and the street scene in general.

- 8.7 It is therefore considered that the landscaping and appearance of the proposal is in keeping with the character of the area, and will enhance the Conservation Area. The proposals are therefore considered to comply with policies EN1, EN2 and EN5 of the Core Strategy.
- 8.8 Impact on residential amenity: Policy EN2 of the Core strategy aims to ensure that development does not adversely affect the residential amenity of adjoining occupiers or future residents of a proposal. Amenity issues generally include the potential for overlooking and consequent loss of privacy, overshadowing and possible loss of light, or increased noise and disturbance. This aspect was considered at the outline planning stage, when the original layout was approved. It was concluded that there was sufficient amenity space for prospective residents, made up of private rear gardens and small areas of shared space, which will be managed by the residents themselves via a management scheme. Due to the separation of the front and rear buildings (almost 20m) there would be sufficient separation to ensure a reasonable level of privacy, and no feeling of overbearing between the two lines of buildings.
- 8.9 The site has a public house entrance and car park to the southern boundary and a single dwelling to the north. Given that the previous use of the site was as a petrol filling station and mechanical workshop, from which there would have been noise and disturbance from frequent traffic movements and machinery, it is considered that the dwellings would not have an adverse impact on the public house or the existing dwelling in respect of noise and disturbance. Concerns have been raised in respect of the gable end elevations of Plots 3 and 5 and the potential for overlooking of private garden areas. However the first floor windows of these plots serve a bathroom in respect of Plot 5 and a WC and stairwell in respect of Plot 3. It is therefore considered that there should be no loss of privacy to the adjacent dwelling. Additional concerns have been raised about the bin store and potential smells and vermin. However the sides of the bin store and the car port are enclosed, it is only the front elevation, facing in to the site which is open. There should not, therefore be a significant adverse impact on the amenity of the existing dwelling.
- 8.10 The proposal is considered to be sensitive to the amenities of adjacent occupiers and future residents of the site, and judged to be in accordance with Policy EN2 in this respect.
- 8.11 Other matters: In 2009 when outline planning permission was approved, no s106 developer contributions were required as the development did not fall within the thresholds for such contributions under the East Cambridgeshire District Local Plan 2000 policies in force at that time. As this application is a reserved matters application following on from the outline consent there is no scope to add the requirements of

Policies CS7 and S4 of the Core Strategy, in respect of developer contributions, to this application.

8.12 Conclusion: It is considered that the proposals, although now comprising individual dwellings as opposed to a terrace of three and a pair of linked dwellings, replicate the original footprint of the layout and the scale of the original proposals. The design of the dwellings is sympathetic to the general character of Dullingham and the Conservation Area, and with appropriately agreed materials, will enhance the area. The dwellings have also been designed to ensure minimal impact on neighbouring properties in respect of overshadowing or loss of privacy. Consequently the application is recommended for APPROVAL

9 RECOMMENDATION APPROVE – subject to conditions

1 The development hereby permitted shall be commenced within 2 years of the date of the approval of the last of the reserved matters.

1 REASON: To comply with Section 92 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 Conservation Area, in accordance with policies EN2 and EN5 of the East Cambridgeshire Core Strategy 2009.

3 No development shall take place until detailed drawings at a scale of 1:20 of the proposed windows have been submitted to and approved in writing by the Local Planning Authority. The window details shall show sections, opening arrangements and glazing bar patterns. Details of the proposed materials and colour finishes shall be included. All works shall be carried out in accordance with the approved details.

3 REASON: To ensure the use of detailing appropriate to the building's location in a Conservation Area, in accordance with policy EN5 of the East Cambridgeshire Core Strategy 2009.

4 The landscape and boundary details shown on approved plan 11-05-01rev F shall be implemented in the first planting season prior to occupation of the dwellings, unless otherwise agreed in writing with the local planning authority.

4 REASON: To safeguard the character and appearance of the Conservation Area, in accordance with policies EN2 and EN5 of the East Cambridgeshire Core Strategy 2009.

5 No development shall take place until a scheme for the maintenance of the soft landscape scheme for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the methods for the proposed maintenance regime, a detailed schedule, and details of who will be responsible for its continuing implementation. The soft landscaping shall be maintained in accordance with the agreed scheme.

5 REASON: To ensure the longevity of the landscaping scheme, in accordance with policy EN1 of the East Cambridgeshire Core Strategy 2009.

6 Prior to occupation of the dwellings hereby approved, details of the management company to be responsible for the future maintenance of the communal areas of soft landscape, shall be submitted to and agreed in writing with the local planning authority.

6 REASON: To ensure the longevity of the landscaping scheme, in accordance with policy EN1 of the East Cambridgeshire Core Strategy 2009.

7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking or re-enacting that Order), 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 on the northern elevations of Plots 3 and 5. Additionally the windows hereby approved on the northern elevations of Plots 3 and 5, which serve bathrooms/WC shall be opaque glazed.

7 REASON: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy EN2 of the East Cambridgeshire Core Strategy 2009.

APPENDICES

None.

<u>Background Documents</u>	<u>Location(s)</u>	<u>Contact Officer(s)</u>
Application E/09/00401/OUT PPS1 Delivering Sustainable Development PPS3 Housing PPS5 Planning for the Historic Environment	Sue Finlayson Room No. 011 The Grange Ely	Sue Finlayson Team Leader, Development Control 01353 665555 sue.finlayson@eastcamb.gov.uk