

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

---

**REPORT TO:** Planning Committee

7 July 2010

**AUTHOR/S:** Executive Director (Operational Services)/  
Corporate Manager (Planning and New Communities)

---

### **S/1709/09/RM - WILLINGHAM**

**Submission of Reserved Matters for the Approval of Access, Appearance, Landscaping, Scale and Layout of Outline Planning Consent S/0559/06/O for the Erection of 5 Dwellings and Garages Following Demolition of Existing Garage, Land to the South-East of 2 Short Lane, for Mr and Mrs R Laffling**

**Recommendation: Delegated Approval**

**Date for Determination: 16 February 2010**

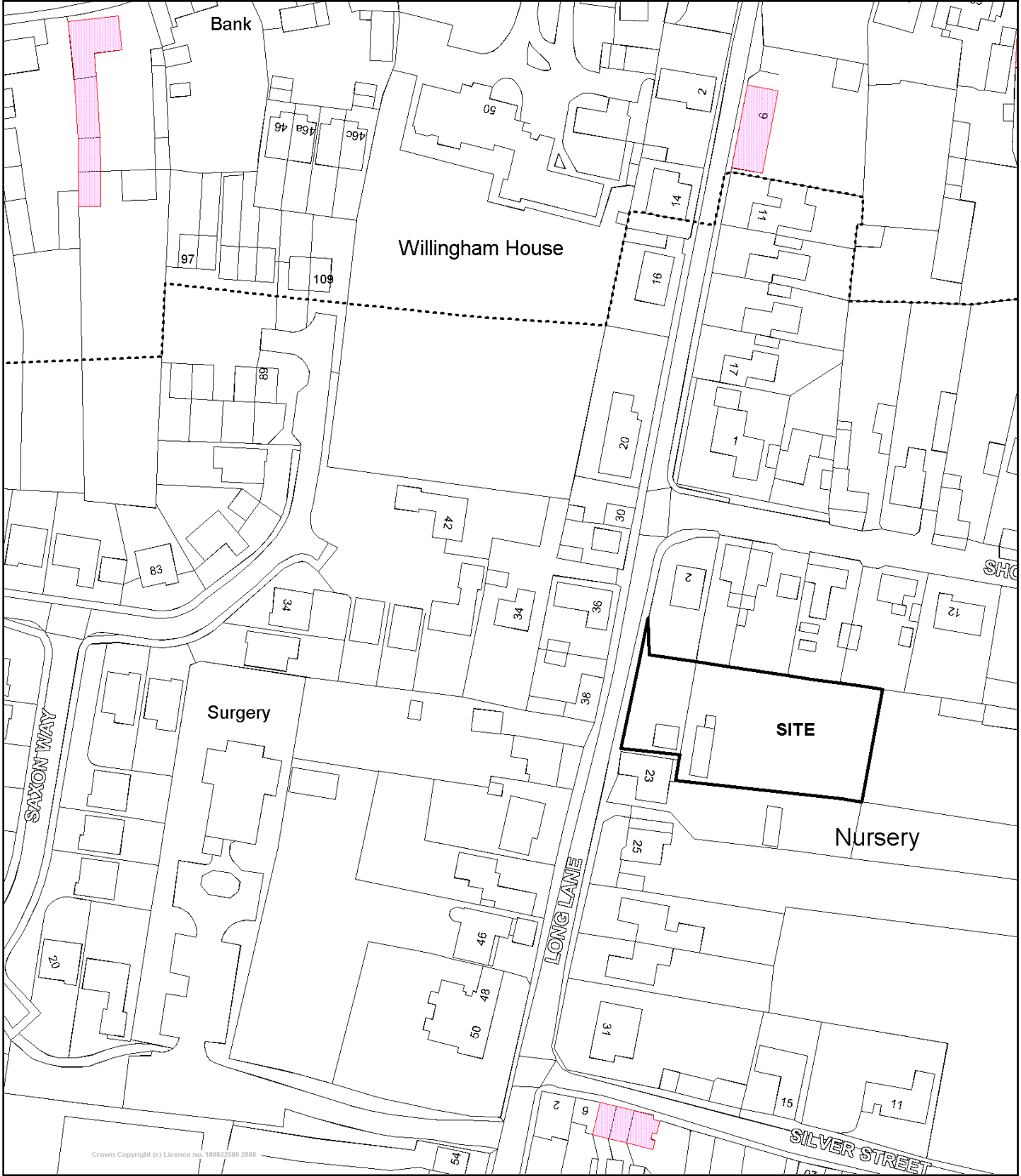
#### **Notes:**

**This Application has been reported to the Planning Committee for determination because the officers recommendation of delegated approval conflicts with the recommendation of refusal received from Willingham Parish Council.**

**Members will visit this site on Wednesday 7 July 2010**

#### **Site and Proposal**

1. This reserved matters application, as amended by drawings franked 16 June 2010, seeks approval of access, appearance, landscaping, scale and layout for the erection of 5 detached dwellings and garages following demolition of an existing garage, on land fronting Long Lane to the south east of 2 Short Lane following the granting of outline planning consent in January 2007.
2. The site, which extends to 0.15ha, currently belongs to No. 2 Short Lane, Willingham, a detached house on the corner of Short Lane and Long Lane. The site, which fronts Long Lane, is to the south of properties in Short Lane. To the south of the site is No. 23 Long Lane, a detached house, and its long rear garden. To the rear (west) the site adjoins the rear garden of No. 14 Green Street, a Grade II Listed Building.
3. Opposite the site, on the other side of Long Lane, are residential properties sited close to the road. The site is currently partially overgrown and was formerly in horticultural use. The existing flat roofed garage to be demolished is located adjacent the garden of No. 23 Long Lane.
4. Long Lane is one-way with traffic permitted to travel from north to south.
5. The application proposes the erection of 4 houses and a bungalow, with a 2 bedroom bungalow and linked 3 bedroom house fronting Long Lane, and a 3 bedroom detached house and two four bedroom detached houses sited in the rear section of the site. A new access will be formed from Long Lane, to the south of the boundary with No. 2 Short Lane, with a roadway leading into the site. All the new properties will be served from the new roadway with each property being provided with a single garage and parking space in front.



Reproduced from the 2008 Ordnance Survey mapping with the permission of the controller of Her Majesty's stationary office (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Scale 1/1250 Date 21/6/2010

Centre = 540594 E 270336 N

July 2010 Planning Committee

6. The application is accompanied by a Design and Access Statement.
7. The density is 33 dph.

#### **Planning History**

8. **S/0556/09/O** – Residential Development – Approved with all matters reserved.
9. **S/2007/05/O** – Residential Development - Refused.

#### **Planning Policy**

10. **South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007:**

**Policy ST/5** – Minor Rural Centres

11. **South Cambridgeshire Local Development Framework Development Control Policies adopted July 2007:**

**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

**HG/2** – Housing Mix

**HG/3** – Affordable Housing

**SF/10** – Outdoor Playspace, Informal Open Space, and New Developments

**SF/11** – Open Space Standards

**NE/1** – Energy Efficiency

**TR/2** – Car and Cycle Parking Standards

12. **Open Space in New Developments SPD** – adopted January 2009
13. **Biodiversity SPD** – adopted July 2009
14. **District Design Guide SPD** – adopted March 2010
15. **Affordable Housing SPD** – adopted March 2010

#### **Consultation**

16. **Willingham Parish Council** recommends refusal of the application as originally submitted. “It is considered that this is a gross over-development of the site located on a one-way street with attendant traffic flow problems. There is no apparent provision for social housing. The plans show three properties with four bedrooms whereas the accompanying documentation refers to three-bedroom properties only.

Comments on the amended scheme will be reported at the meeting.

17. The **Local Highway Authority** confirms that it would not wish to adopt the development in its present format. Visibility spays of 2.4m x 70m should be provided in a northerly direction, and these should be shown on the drawings. It comments in

respect of the original drawings that the vehicular access should be formed using dropped kerbs rather than the radii ones shown.

Conditions should include - no unbound material should be used in the surface finish of the driveway within 6 metres of the highway boundary of the site; adequate drainage measures to prevent surface water run-off onto the adjacent public highway; method statement for the process of construction; provision of parking and turning facilities clear of the public highway; and no structure overhanging or projecting upon the public highway.

Comments on the amended scheme will be reported at the meeting

18. The **Councils' Section 106 Officer** notes that Condition 7 of the outline approval required a Section 106 Agreement to be entered into requiring the payment of a financial contribution towards the provision of educational facilities in the local areas, although it appears no other obligations were identified and 'conditioned' in relation to the outline application.

### **Representations**

Comments have been received in respect of the original submission from:

19. The occupiers of **4 Short Lane** are concerned that the development may lead to a loss of daylight or sunlight if their home and/or garden are overshadowed by the development.
20. The occupiers of **23 Long Lane** object. The position of plots 1 and 2 would cause a significant reduction in natural light entering the kitchen of 23 Long Lane. This is the only downstairs window on the north side of the property and would significantly impact use of the room, would affect light entering the hall and dining room, and would increase the energy requirements needed to use this room.
21. It is suggested that plots 1 and 2 could be positioned so that the front of the buildings is level with the current line of the existing double garage, which is to be demolished as part of this proposal.
22. The access road for the entire plot could be positioned adjacent to 23 Long Lane which would alleviate the problem without causing significant issues to the houses on Short Lane, which are further back from the site.
23. Plots 1 and 2 could be rotated through 180 degrees such that the rear gardens of these plots are adjacent to Long Lane and hence the back house walls closest to Long Lane are further from the road, which would alleviate the problem.
24. In addition to the above the position of plot 3 and the windows which are shown in the rear aspect would significantly reduce the privacy of well used areas of the rear garden of No. 23. This could be alleviated by rotating plot 3 through 90 degrees such that the front of the house faced plots 4 and 5 and such that the back garden would become a side garden.
25. The position of plot 4 is close to the boundary of 23 Long Lane and any front or rear first floor windows would significantly reduce the privacy of well used areas of the garden of No. 23. This could be alleviated by moving the garage for plots 4 and 5 from the centre to the boundary of 23 Long Lane, for the garage of plot 4, and adjacent to the rear gardens of Short Lane for plot 5.

26. There is concern over surface water drainage.
27. The occupier of **38 Long Lane** states that there are no objections to the principle of development, however there are serious concerns that various necessary safeguards to privacy and road safety will not be put in place. No. 38 will be the house most affected by the development. According to plans a pair of semi-detached, two-storey houses will be sited directly opposite No. 38 and the frontages of these will be considerably further forward than the line of the existing garage to be demolished and the building line of other houses in Long Lane. If built as proposed there will be a loss of privacy and light to No. 38, with residents of the new properties being able to look directly into the living rooms and bedrooms at very close range and *visa versa*. As No. 38 is already *in situ* the only reasonable solution must be to ensure that the new houses are built no further forward than the line of the existing garage.
28. The proposed entry point to the new development will be directly opposite the driveway of No. 38, which will be inherently dangerous as the road is barely 5m wide at this point. Whilst it is not likely that the plans will be changed it is essential that there are clear road markings to show who has priority at this junction.
29. The proposed development will lead to an on-road parking problem in Long Lane. It can be expected that the five houses will, as a minimum, generate a parking requirement for eight cars, not including visitors. Whilst the drawings show provision for five single garages with hard-standing in front 2006 statistics show that while 53% of households had access to a garage, only 24% used them, therefore four or five cars from the development may be parked overnight outside the houses, with more cars parked around the development when the properties have visitors. It is therefore likely that there will be no room for cars to park on the access road and cars will therefore park in Long Lane outside existing properties, making it very difficult/impossible for existing occupiers to reverse into drives. The view of drivers when backing out of properties in Long Lane could easily be obscured, as could the view of these vehicles from oncoming drivers by parked cars. Cars parked outside No. 2 Short Lane would pose an even greater visibility hazard to drivers turning out of the new development. The only solution would be to ban parking on Long Lane in the vicinity of the access road to the new development and the Council is urged to order this, should the development go ahead.
30. The potential problem of parked cars becomes more of an issue as school children and mothers with infant children often walk in the road at this point, as the footpath is narrow and slopes steeply towards the road, often becoming slippery when it is wet or icy. Access may also be an issue for the Councils' refuse vehicles and those from the emergency services.
31. There are major concerns about the impact of construction traffic and although a condition may be placed on the planning consent it is inconceivable that constructors and visitors will not try and park their cars/other vehicles on Long Lane thereby exacerbating the problems already described. This emphasises the need for adequate parking restrictions to be put in place before development commences to ensure that access is not denied to existing properties and that at least 24 hours notice is given of any planned interruption to services.
32. The occupiers of **36 Long Lane** comment that they originally opposed the development on the grounds of the safety of children and mothers going to school, and patients attending the Doctors surgery, due to cars being unable to see traffic coming from the right. Due to the deplorable state of the pavements in Long lane people have

to walk in the middle of the road. It is therefore requested that it ensures that the development has either a rumble strip or sleeping policemen at least 3 metres back from the entrance, which might help safety.

33. It has been noted that when the drive of No. 2 Short lane, which exists onto Long Lane, is in use, the two metre visibility splay of the new development becomes inoperative. It is requested that more of the close boarded fence and hedge be removed to provide a 4 metre splay.
34. It is noted that the location plan indicates that an apple tree may be removed and this should be resolved before any work is allowed to start, as it is understood that the new law is supposed to protect fruit trees.
35. As stated at the outline stage, the sewer in Long Lane is constantly attended by Anglian Water because of blockages. Are there any plans to rectify this prior to connecting a further five houses?
36. As previously stated it is a very dangerous lane for Mothers and children between 08.15 and 08.40 and 15.15 and 15.45. Could there be a restriction on lorry movements between these times and can assurance be given that all delivery vehicles to the site will adhere to the one-way system?
37. The occupier of **29 Long Lane** objects in principle. Continual building is not sustainable. In the past there was a strict line of development; the front pair of semis is in front of this – why?
38. There needs to be a wide visibility splay as Short Lane and Long Lane traffic will converge a short way from the access to the new site. Some form of regulation should be added to the plans whereby parking in Long Lane by the new houses could be negated. Providing adequate parking at the rear of the houses would solve this problem. This part of Long Lane forms the route for about 50% of traffic to the primary school, plus pedestrians. The pavements are in an unsatisfactory condition, especially as many school going mothers have prams.
39. It would be desirable if some form of planting be provided to make it as environmentally positive as possible.
40. The sewage system in Long Lane from 50 to 38 is low in gradient and the occupiers at 29, 27, 25, 48 and 38 have had problems in the past – this is a concern.
41. The occupier of **8 Short Lane** objects over residential amenity, visual impact and the intrusion of the development, particular in relation to the proposed development of two dwellings to the rear of the development. No. 8 Short Lane directly overlooks property and the development would have a dramatic effect to the light and visual amenity, noise and overshadowing.
42. Any comments received in respect of the amended scheme will be reported at the meeting

### **Planning Comments – Key Issues**

43. The principle of the erection of five dwelling on this site has been accepted by the granting of outline planning consent in 2007. The key issues for Members to consider with this application is whether the reserved matters submission is acceptable in terms

of housing layout, scale and mix (including impact on residential amenity), appearance, details of access and landscaping.

***Housing layout, scale and mix (including impact on residential amenity).***

44. The outline application included a draft layout plan which showed two 3-bedroom dwellings and three 4-bedroom dwellings. Although this plan did not form part of the outline planning consent, and approval pre-dates the adoption of Policy DP/2, there was no comment on housing mix in the officers report to Planning Committee. The reserved matters scheme, as amended, proposes one 2-bedroom unit, two 3-bedroom units and two 4-bedroom units and although this does not comply with the mix requirements set out in Policy HG/2, given the scale of the scheme and the improved mix from that shown at the outline stage, I am of the view that the submission is acceptable.
45. The size and shape of the site means that the potential options for the layout of five dwelling are limited. The amended layout proposes a single storey dwelling and two-storey dwelling fronting Long Lane as a pair of properties. The original submission proposed 2 two storey dwellings in this location, however the dwelling on Plot 2 was reduced to single storey in order to address concerns about potential loss of light to No. 23 Long Lane, which has a kitchen in the north facing elevation, which is the only opening serving that room. The bungalow, which is 4.8m high to the ridge, has been designed with a roof which is hipped away from the boundary with No. 23 Long Lane. This has the effect of significantly reducing the impact of Plot 2 and I am of the view that the relationship to No. 23 Long Lane is now acceptable.
46. The house on Plot 1 is designed with a hipped roof to reduce its overall mass and is 7.5m high to the ridge. The occupier of No. 38 Long lane has expressed concern that due to the proximity to the road the proposed dwellings on Plots 1 and 2 will result in a loss of amenity due to loss of light and privacy due to overlooking. This comment was made in respect of the original scheme and in my view the introduction of a single storey dwelling on Plot 1 helps to reduce this impact. Although there will be some loss of early morning sunlight to the front of No. 38 Long Lane, as the proposed house on Plot 1 is due east, I am of the view that the loss will not be sufficient to warrant a refusal of the application. Although there will be some overlooking between the front windows of the proposed house on Plot 1 and those in No. 38 Long Lane, this will be across the road and I am of the view that the relationship is no different to that found in many central village locations.
47. The house on Plot 3 has a fully hipped roof and is 7.8m high to ridge. As amended this dwelling is 8.5m from the boundary with the rear garden of No. 23 Long Lane. There is one bedroom window in the rear elevation of Plot 3 however there is an existing hedge approximately 3.5m high on the south boundary of the site which will prevent any unreasonable overlooking of the rear garden of No. 23 Long Lane. The front elevation of Plot 3 is 11m from the boundary of the site with the rear gardens of properties in Short Lane, and contains two bedroom windows. I will discuss with the applicants agent whether it would be possible to relocate one of these windows to the east facing elevation, which in my view will help prevent any unreasonable overlooking of the gardens of properties in Short Lane. I am of the view that the house on Plot 3 will not result in an unreasonable loss of light or be overbearing to the properties in Short Lane.
48. As amended the proposed dwelling on Plot 4 is sited 3m from the boundary with the rear garden of 23 Long Lane. Again the roof of Plot 4 is fully hipped and the position

of first floor windows in the front and rear elevations, and the siting of the garage is such that there will be no unreasonable overlooking of the rear garden of No. 23.

49. The proposed house on Plot 5 has been relocated in the amended layout so that it is 5m from the rear boundary of properties in Short Lane. An existing hedge along that boundary is to be retained. There are no first floor windows in the north facing side elevation and the future insertion of any windows can be controlled by condition. The fully hipped roof design will mean that the house will not result in an unreasonable loss of light or be overbearing to the properties in Short Lane.

### ***Appearance***

50. The design of existing properties in Short Lane and Long Lane is mixed. The proposed dwellings incorporate fully hipped roofs, which is a feature of other properties in the village. The design of the proposed dwelling is uncomplicated. Materials proposed are brick and tile, details of which are to be agreed at a later date. I am of the view that the appearance of the proposed dwellings are acceptable.

### ***Access***

51. Although access is a reserved matter, the question of whether an acceptable access to the site to serve five dwellings was the subject of detailed assessment at the outline stage. At the request of Members the view of independent Highway Consultants was sought prior the granting of outline planning consent and the conclusion was that an access in the position shown on the reserved matters submission was acceptable in principle.
52. The Local Highway Authority has not raised an objection to the details of the access arrangement as submitted however I have raised with it the comment made by the occupier of 36 Long Lane that it would appear that the visibility splay to the north may be affected by cars parked on the driveway of No. 2 Short Lane. The further comments of the Local Highway Authority on this point will be reported at the meeting.
53. A condition can be attached to any consent restricting the hours of deliveries to the site as suggested. Any measures to control parking of vehicles on the existing public highway in Long Lane will be a matter for the Local Highway Authority, and no such requirement was included in the outline planning consent.

### ***Landscaping***

54. Full details of hard and soft landscaping are not included with the proposal and will not be approved at this stage.

### ***Other Matters***

55. There is no requirement to provide affordable housing as part of the outline consent. At the time outline planning consent was granted affordable housing was only sought in villages with a population above 3000 for developments of 10 or more dwellings. Although that threshold no longer exists it is not possible to introduce a requirement to provide affordable housing at the reserved matters stage.
56. The outline planning consent requires the submission of a scheme for surface water drainage to be submitted and approved prior to commencement of development. There is no requirement for the submission of a scheme for foul water drainage and again this is a something which fell to be dealt with at the outline stage. I will however



make the applicant aware of the comments received from local residents in this respect.

57. There is no provision in the outline planning consent for public space either on site or in the form of an off-site contribution. As with affordable housing this provision cannot be secured at the reserved matters stage. The scale of the scheme would have been such that provision was not required at the time outline consent was granted.
58. An education contribution is required by the outline consent.
59. I am of the view that, subject to confirmation of the ability to provide the required visibility splay that, and the relocation of the bedroom window on Plot 3 to the east elevation, that the scheme as amended is acceptable.

### **Recommendation**

60. That delegated power are given for the approval of reserved matters, excluding details of landscaping, subject to safeguarding conditions

**Background Papers:** the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- Supplementary Planning documents
- Planning File Refs: S/1709/09/RM and S/0559/06/O

**Case Officer:** Paul Sexton – Principal Planning Officer  
Telephone: (01954) 713255

**Presented to the Planning Committee by:** Paul Sexton