

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

4 April 2012

**AUTHOR/S:** Corporate Manager (Planning and New Communities)

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### **S/0016/12/FL - LITLINGTON**

**Erection of Dwelling - Land Adj to, 1 The Mount, Litlington, Royston, Herts,  
SG8 0QG for Mrs Jenny Wootton**

**Recommendation: Approve**

**Date for Determination: 10 April 2012**

#### **Notes:**

**This Application has been reported to the Planning Committee due to  
contradictory recommendations between Officers and the Parish Council**

#### **Site and Proposal**

1. 1 The Mount is an end of terrace dwelling that appears to date back to the later half of the 20th century. The dwelling is of two storeys and is finished externally in buff brick with a brown pan tile roof.
2. The Mount is a prominent terrace of four units on Silver Street set on slightly raised land from the level of the highway with a spacious frontage to each of the dwellings. The site of the terrace is generally bounded by soft landscaped hedges and this is particularly so with regard to no.1 to which substantial hedges form the boundaries of the plot. No.1 is served by a shared parking and turning area to the rear of the site.
3. Surrounding development is predominantly residential of a mix of age and form. In the immediate vicinity of the application site there is a pleasing mix of 17<sup>th</sup>, 18<sup>th</sup> and 19<sup>th</sup> century dwellings that strongly inform the character of the area. Indeed the site falls within the Litlington Conservation Area and a number of buildings in the vicinity are afforded statutory protection.

#### **Planning History**

4. None of relevance.

#### **Planning Policy**

5. **South Cambridgeshire Local Development Framework Development  
Control Policies DPD 2007:**

DP/1 Sustainable Development  
DP/2 Design of New Development  
DP/3 Development Criteria  
DP/4 Infrastructure in New Developments  
DP/7 Development Frameworks  
HG/1 Housing Density

SF/10 Outdoor Playspace, Informal Open Space, and New Developments  
SF/11 Open Space Standards  
NE/1 Energy Efficiency  
NE/2 Renewable energy  
NE/6 Biodiversity  
CH/4 Development within the Curtilage or Setting of a Listed Building  
CH/5 Conservation Areas  
TR/1 Planning for more Sustainable Travel  
TR/2 Car and Cycle Parking Standards

6. **South Cambridgeshire Local Development Framework Development Supplementary Planning Documents:**

Listed Buildings SPD - Adopted July 2009  
Conservation Areas SPD - Adopted July 2009  
Design Guide SPD - Adopted March 2010  
Recreation Study - June 2005

**Consultations (no representations received)**

7. **Litlington Parish Council** – Recommends refusal.

“Overdevelopment of site – lack of car parking provision”

The Parish Council confirms that having regard to the justification for non-compliance with standard charges documentation submitted it would look for a section 106 Agreement.

8. **Environmental Health Officer** - No objections. Recommends standard conditional requirements pertaining to working hours during construction and a pile driven foundations informative.

9. **Local Highways Authority** – Advises that the applicant should confirm the right to access the existing parking area to the rear of the site.

10. **Conservation Officer** – “the site appears too small and awkward to form a workable building plot without causing visual detriment to the character of the Conservation Area. The site's prominent location could also have an impact on the setting of a cluster of listed buildings in the vicinity”

11. **Lands Officer** - "I confirm that as a vehicular right of way has been granted to 1 The Mount over the Council's access road, the new dwelling can benefit from this legal easement. An easement goes 'with the land' and is not personal to the owners of the property but the owners of the new dwelling would be liable to pay a fair proportion of the costs of repair and maintenance of the roadway. So from the point of view of the Council as landowner, we have no objections to the proposal"

**Planning Comments – Key Issues**

12. The key issues to consider in the determination of these applications are:

- The principle of development
- The impact upon residential amenity
- The impact upon the character and appearance of the Conservation Area and setting of listed buildings
- Highway Safety and parking
- Planning obligations

### **Principle of Development**

13. The site falls within the Litlington Development Framework Boundary. In such location residential development is acceptable in principle subject to detail. A single dwelling on the site equates roughly to 40dph, which is accordance with the Council's housing density policy HG/1.

### **Residential Amenity**

14. The proposed dwelling, due to its scale and close proximity to the common boundary, overbears upon the rear garden area of no.1 The Mount. The applicant presents the case that the front garden offers the existing occupier a level of amenity space that is more associated with a rear garden. Having regard to the fact that the front garden serving no.1 is raised from the natural ground level, has no vehicular access and does not suffer from any adverse overlooking this is considered a valid point.
15. The proposed dwelling is not considered to overbear, significantly overshadow, or afford a loss of privacy to the front garden area of no.1 The Mount and as such it is considered that residential amenity is not unduly affected by the proposals.

### **Character and Appearance**

16. Whilst the comments of the Conservation Officer are noted and respected they are, in this instance, not particularly assertive and do not form a sound base for refusal of the scheme.
17. It is considered that the proposed dwelling is designed to reflect a late 19<sup>th</sup> century Victorian dwelling. There are examples of this architectural idiom in the existing street scene along with older dwelling types from the 17<sup>th</sup> and 18<sup>th</sup> century. The character of the dwelling proposed is considered to sit comfortably in this context.
18. The location and orientation is considered complimentary to the existing pattern of development in the area. The Parish Council's views concerning overdevelopment are acknowledged but this is a relatively high-density part of the village and the proposals are in tune with this. In addition the location proposed will, to a certain degree, screen existing unflattering views of the western elevation of no.1 The Mount.
19. The block plan submitted shows that the frontage hedge would be removed and indicates that a fence would be erected in its place. Officers are not convinced that this would be the appropriate treatment for the boundary, a fence may be appropriate but only of suitable design and buttressed by a

substantial hedgerow. To this end a condition to control soft landscaping and boundary treatments is deemed reasonable and necessary.

20. The proposal is considered to enhance the character and appearance of the Conservation Area, but quality material choice will be important and as such a conditional requirement to agree these details is considered reasonable and necessary.

### **Highway Safety and Parking**

21. The comments of the Parish Council regarding lack of parking provision are acknowledged. The proposals provide one parking space to serve the two-bedroom dwelling. This is in accordance with the Council's maximum parking standards, which seek a maximum of 1.5 spaces per unit. Furthermore this level of provision is considered appropriate given the small size of the dwelling and the on-road parking available in the vicinity.
22. The LHA requests that the applicant confirm right of access to the proposed parking space. Access to the parking space proposed is proposed via an existing vehicular access owned by this authority. The Council's Lands Officer has confirmed that the proposed new dwelling would benefit from a right of access to the proposed parking space and the existing parking area to the rear.

### **Planning Obligations**

23. The application is accompanied by a document entitled 'justification for non-compliance with standard charges' – this can be summarised as stating that financial contributions in lieu of on site provision of public open space will not be deemed acceptable to the applicant unless justified by the Local Planning Authority. The Parish Council has advised that it would wish to see contributions in this instance.
24. Having regard to the Audit of Outdoor Sport and Play Space (June 2005) and The Community Facilities Assessment 2009, which both demonstrate a shortfall in utility provision in the village it is considered reasonable and justified to seek a contribution in lieu of on site provision of open space in this instance. To this end the application has entered into a S106 agreement and at the time of writing this is being progressed by the Council's Lawyers. An update concerning this matter will be provided.

### **Conclusion**

25. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should be granted in this instance.

### **Recommendation**

26. Approve subject to the following conditions

### **Conditions**

1. **The development hereby permitted shall be begun before the expiration of 3 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 have not been acted upon.)

2. **The development hereby permitted shall be carried out in accordance with the following approved plans: SC-01 (amended 17<sup>th</sup> Feb 2012), 3 & 4.**

(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

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

(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

4. **No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the dwelling is occupied in accordance with the approved details and shall thereafter be retained.**

(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

5. **No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.**

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

6. **All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.**

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

7. **During the period of demolition and construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.**  
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

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

- South Cambridgeshire Local Development Framework 2007

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