

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

1 April 2015

AUTHOR/S: Planning and New Communities Director

Application Number:	S/2423/14/FL
Parish(es):	Steeple Morden
Proposal:	Erection of dwelling and creation of new vehicular access
Site address:	1 Westbrooke Close
Applicant(s):	R Thomasson
Recommendation:	Approval
Key material considerations:	Principle Design, siting and appearance Neighbour amenity Highway safety
Committee Site Visit:	No
Departure Application:	No
Presenting Officer:	John Koch
Application brought to Committee because:	The recommendation of Steeple Morden Parish Council conflicts with the Officers recommendation of approval.
Date by which decision due:	4 December 2014

Planning History

1. None

Planning Policies

2. **National Planning Policy Framework**

National Planning Policy Framework (NPPF)

3. **Local Development Framework Core Strategy 2007**

ST/6 Group Village

4. **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 and New Development
DP/7 Development Frameworks
HG/1 Housing Density
NE/15 Noise Pollution
SF/10 Outdoor Play space, Informal Open Space and New Developments
NE/1 Energy Efficiency
TR/1 Planning for more sustainable Travel
TR/2 Car and Cycle Parking Standards

5. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**

District Design Guide SPD – adopted March 2010

6. **Proposed Submission Local Plan July 2013**

S/1 Vision
S/2 Objectives of the Local Plan
S/7 Development Frameworks
S/10 Group Villages
HQ/1 Design Principles
H/7 Housing Density
H/15 Development of Residential Gardens
TI/3 Parking Provision

Consultations

7. **Steeple Morden Parish Council** – Recommends refusal. The proposed house would be anti-social towards the neighbouring property. It could be located closer to the applicant's property to be less overbearing. A complete review of the proposal is needed.
8. **Local Highway Authority** – No objection subject to conditions controlling pedestrian visibility splays and the drainage and surfacing of the vehicular access.

Representations

9. The occupiers of 2 Westbrooke Close object raising the following concerns:-
- (i) Not in keeping with the character of Westbrook Close
 - (ii) The proposed dwelling would be overlooked by existing dwellings.
 - (iii) Density not in accordance with policy, dwelling too large for the site, cramped, overbearing impact due to rising land levels.
 - (iv) Inadequate parking, no pedestrian footpath, partly outside the 30 mph speed limit.

Planning Comments

10. The proposal seeks full planning permission for the erection of a two storey 4-bed dwelling and creation of a new vehicular access. The proposed dwelling would be rendered with a brick plinth, brick chimney and plain tile roof.

11. The site forms part of the rear garden to 1 Westbrook Close, Steeple Morden. The existing dwelling is located at the junction of Westbrook Close and Station Road. Access to the site would be from a new access off Station Road. Westbrook Close is a small cul de sac development of 4 detached houses on the edge of the village. To the south and east is open countryside. Immediately to the north west is a neighbouring house.
12. The site is within the development framework for Steeple Morden, but is otherwise unconstrained.

Principle of Development

13. The NPPF advises that every effort should be made to identify and then meet the housing needs of an area, and respond positively to wider opportunities for growth. Additionally the Development Plan (Core Strategy Development Plan Document adopted January 2007 and Development Control Policies Development Plan adopted January 2007) identifies Steeple Morden as a 'group village' where the construction of new residential dwellings within the framework is supported.
14. The proposed development would have been acceptable in principle having regard to adopted LDF and emerging Local Plan policies, had policies ST/6 and DP/7 not become out of date as a consequence of the Council not currently being able to demonstrate a five-year supply of deliverable housing sites.
15. Development Plan policies state that planning permission will only be granted for proposals that have made suitable arrangements towards the provision of infrastructure necessary to make the scheme acceptable in planning terms. Contributions towards open space, sport and recreation facilities, indoor community facilities and waste receptacles have been identified. Such provision cannot be made on site and can therefore only be provided by way of financial contributions.
16. National Planning Practice Guidance seeks to remove the disproportionate burden of developer contributions on small scale developers. It advises that tariff style contributions should not be sought for sites of 10 units or less, and which have a maximum combined gross floor space of 1000 square metres. The development falls within this threshold.
17. The Guidance is a material consideration and the overall benefits of the development are considered to outweigh the need to make suitable arrangements for the provision of infrastructure. No request for such provision is therefore sought

Design, siting and external appearance

18. Dwelling types along this part of Station Road are predominantly two storeys. A two storey dwelling would, therefore, not be out of keeping with the character and appearance of the area. The dwelling would be rendered with a plain tile roof which would be in keeping with the adjoining properties site which are also rendered. A condition is recommended to require external materials to be agreed.
19. In terms of scale and size, the proposal would be a modest 4 bedroom property with a similar ridge and eaves height as the neighbouring properties. The siting of the proposed dwelling and the layout of the site has been designed to relate to the pattern of development along Station Road rather than Westbrook Close. The

dwelling has been positioned to the south of the site to maintain a good degree of separation with existing properties to avoid overlooking and overbearing impact on neighbours. To re-site the dwelling closer to the applicant's property, as suggested by the Parish Council, would increase the impact of the development on the neighbouring property to an unacceptable degree rather than reduce it, as it would result on increased overshadowing and overbearing impact.

20. In terms of density, Policy HG/1 seeks a minimum density of between 30 - 40 dwellings per hectare. The density for this site is 22.2dph which is lower than the adopted policy requirements. However given the low density of the surrounding development and the edge of settlement rural location, it is considered that the erection of one dwelling in the location shown is appropriate. The erection of more than one dwelling would result in a cramped form of development not in character with the existing context, street scene or neighbouring properties.
21. In terms of private amenity space, the District Design Guide indicates that houses with 3 bedrooms or more should have a private garden space of more than 80m² in a rural setting. The proposed dwelling would have an area of lawn in excess of 158 m² and the existing dwelling would retain a rear garden in excess of 208 m².
22. There is an existing willow tree in the north east corner of the site. The tree is not considered of sufficient merit to justify a Tree Preservation Order and does not represent a constraint to the development of the site. The submitted plans indicate that the tree would be retained. A condition is proposed to secure the retention of trees and hedges.

Neighbour amenity

23. In terms of privacy, the dwelling has been designed so as not to result in overlooking from the first floor windows. The first floor windows in the rear elevation serve a bathroom and landing and therefore could be glazed using obscure glazing. This could be secured by an appropriately worded condition. There are no windows in the north gable facing the existing dwellings. A condition is proposed to remove permitted development rights for additional windows in the north and west elevations to ensure no further windows are inserted.
24. It is considered that the proposal would not overlook private amenity space or result in direct overlooking of the neighbouring properties. There would be a satisfactory degree of separation between the proposed dwelling and the existing dwellings to provide an adequate amount of privacy.
25. Whilst the proposed dwelling would be similar in height to the neighbouring properties the land does rise slightly towards the southern part of the site. The submitted block plan provides ground levels and indicated that the final ridge height of the dwelling would be 419mm above the neighbouring property. Given the relationship and distance between the properties it is considered that the proposal would not have an overbearing impact on the neighbouring property.
26. On balance it is considered that whilst the proposal would have some impact on neighbour amenity in terms of outlook, this would not result in a significant adverse impact such that a refusal of planning permission would be justified. The proposal would not obstruct the main outlook of the neighbouring property which is down their garden towards the south rather than obliquely across towards the development site.

27. Given the concerns raised regarding the scale of the development and the proximity of the neighbouring properties it is considered that permitted development rights for further extensions should be removed to safeguard the amenity of neighbours.
28. Conditions are also recommended to ensure the neighbour's amenities are also safeguarded during the construction phase.

Highway safety

29. The Highway Authority has raised no objection subject to conditions requiring a pedestrian visibility splay, and the provision of an access with a bound surface adequately levelled and drained to as not discharge surface water on to highway. The proposal would provide a satisfactory level of on-site parking and turning space.

Conclusions

30. Any adverse impacts of the development are not considered to significantly and demonstrably outweigh the benefits when assessed against the material considerations set out in this report, and the proposed development remains acceptable. As such it is recommended that permission be granted.

Recommendations

31. Approval subject to:

Conditions

- (a) 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.)
- (b) The development hereby permitted shall be carried out in accordance with the following approved plans:
Drawing nos 14-063-1 Rev B, 2 Rev B, 3 Rev B, 4 Rev B, E12 Rev B, 101 & CHQ.14.10985-TOPO received 09.10.2014.
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
- (c) 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.)
- (d) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development within Classes A, B, C, and D of Part 1 of Schedule 2 of the Order shall take place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.

(Reason - To safeguard the amenities of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

- (e) No trees or hedges shall be cut down, uprooted, destroyed, lopped or topped, other than in accordance with the approved plans and particulars, without the previous written approval of the Local Planning Authority. Any trees or hedges removed without consent shall be replaced during the next planting season November/March with trees of such size and species as agree in writing with the Local Planning Authority.
(Reason – To ensure that the trees and hedges are retained in the interests of the biodiversity and visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)
- (f) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, doors or openings of any kind, other than those expressly authorised by this permission, shall be constructed in the north or west elevations of the dwelling unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.
(Reason - To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- (g) The vehicular access drive shall be constructed so that its fall and levels are such that no private water from the site drains across or onto the adopted public highway and using a bound material to prevent debris spreading onto the adopted public highway.
(Reason - In the interests of satisfactory development and highway safety in accordance with policy DP/3 of the adopted Local Development Framework 2007).
- (h) Prior to the first occupation of the dwelling hereby permitted two 2.0 x 2.0 metres pedestrian visibility splays shall be provided. The splays shall be kept clear of all planting, fencing, walls and any other structure exceeding 600mm in height.
(Reason - In the interest of highway safety in accordance with policy DP/3 of the adopted Local Development Framework 2007).
- (i) 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.)

Informatives

- (a) The grant of planning permission does not constitute a permission or license to a developer to carry out any works within or disturbance of, or interference with, the public highway, and that a separate permission must be sought from

the Highway Authority for such works.

Background Papers

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council's website; and
- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Development Framework Core Strategy DPD 2007
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents
- Draft Local Plan 2013
- National Planning Policy Framework 2012
- Planning File Reference: S/2423/14/FL

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