

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

6<sup>th</sup> December 2006

**AUTHOR/S:** Executive Director / Head of Planning Services

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### **S/1870/06/F - LINTON**

**Erection of Bungalow and Garage at Land r/o 20 Back Road for Highcliffe Properties Ltd**

**Recommendation: Approval**

**Date for Determination: 24<sup>th</sup> November 2006**

#### **Notes:**

**This Application has been reported to the Planning Committee for determination because the Officer recommendation does not accord with the recommendation of the Parish Council.**

#### **Site and Proposal**

1. This 0.15 hectare application site is a parcel of land situated to the north, and forming part of the garden area to, No.20 Back Road. To the east of the site is garden land lying to the rear of Nos. 12 – 18 Back Road, upon which planning permission has been granted for residential development. To the west is land used for equestrian purposes whilst, beyond a hedge forming the northern boundary of the site, lies open countryside.
2. The full application, submitted on 29<sup>th</sup> September 2006, proposes the erection of a bungalow and garage on the site. Access to the site would be on the east side of No.12 Back Road via the access proposed to serve the adjacent approved residential development of 7 dwellings (2 houses and 5 bungalows). The bungalow would be a 4 bedroom property comprising brick and timber boarded walls and a slate roof. The proposed density equates to 6.7 dph or 16.8 dph inclusive of the approved development.

#### **Planning History**

3. **S/1870/05/F** – Permission granted for erection of 2 houses and 4 bungalows following demolition of the bungalow at No.12 Back Road. The approved scheme was for 2 houses at the front of the site in place of the existing bungalow and 4 bungalows to the rear, on an L-shaped site wrapping around the rear/north side of Nos. 14 & 14a Back Road, all served off a single point of access.
4. **S/1212/06/F** – Permission granted for the erection of a bungalow and garage to the rear of Nos. 16 & 18 Back Road using the same point of access as approved under the aforementioned application. This application extended the number of dwellings served off the originally approved access from 6 to 7.

#### **Planning Policy**

5. **Policy P1/3** of the Cambridgeshire and Peterborough Structure Plan 2003 stresses the need for a high standard of design and a sense of place which corresponds to the local character of the built environment.

6. Linton is identified within **Policy SE2** of the South Cambridgeshire Local Plan 2004 as a Rural Growth Settlement where estates, groups of dwellings and infilling are acceptable subject to development being sympathetic to the character and amenities of the locality.
7. **Policy HG11** of the Local Plan states that development to the rear of existing properties will only be permitted where the development would not:
  - (a) Result in overbearing, overlooking or overshadowing of existing residential properties;
  - (b) Result in noise and disturbance to existing residential properties through the use of its access;
  - (c) Result in highway dangers through the use of its access;
  - (d) Be out of character with the pattern of development in the vicinity.
8. **Policy CS10** of the Local Plan requires education contributions for schemes of 4 or more dwellings.

### **Consultation**

9. **Linton Parish Council** objects to the application stating:
  - (a) The continuation of this development located at the periphery of the village would create a more dense form of development creating a visually hard edge that would have an adverse impact of the open nature of the surrounding countryside which is designated as an area of best landscape.
  - (b) Councillors are concerned that the original access road does not have capacity for additional development and therefore would like the matter referred to CCC Highways.
  - (c) Councillors wish to be assured that appropriate flood assessments had been undertaken. In previous periods of heavy rainfall run off from the hill has caused serious problems to properties lower down.
  - (d) Councillors request that should this application be approved the position of the property is changed to prevent extension of the access road.
  - (e) The site backs onto a well used equestrian centre. Linton Parish Council supports rural pursuits and therefore is very concerned regarding the lack of privacy and protection (deciduous hedge) of this facility. Councillors do not wish this development to go ahead until this adequate protection is provided.
  - (f) If permitted the proposal would create a precedent for similar development of open land at the rear of other properties in Back Road; such development would further harm the open and rural character of the area and the amenities enjoyed by occupiers of frontage houses on Back Road”.
10. **The Local Highways Authority** advises that planning permission reference S/1212/06/F resulted in the total number of dwellings served direct from the private drive to 5. It is normal practice to allow a maximum of 5 dwellings served via a private drive. It is strongly recommended and highly desirable that development of a greater number than this should be served by an adoptable road. The proposed access width and visibility splays at the junction of the private access road with Back Road are acceptable to serve a further dwelling, but the planning authority must assess the acceptability of the principle of a further dwelling being served by the existing private drive. Issues that

should be considered include future maintenance of the access way, drainage, lighting and refuse collection.

11. **The County Education Officer** has requested that, in addition to the education contribution required under the original consent for 6 dwellings, a further contribution of £2500 for secondary education should be made.
12. The comments of the **Environment Operations Manager** will be reported verbally at the committee meeting.
13. **The Chief Environmental Health Officer** raises no objections in principle although does express concern about noise disturbance to nearby residents during the construction period. As such, a condition restricting the hours of use of power operated machinery during the construction period needs to be attached to any planning consent.

### **Representations**

14. Letters of objection have been received from the occupiers of No.27 Chalklands and No.22 Back Road. The main points raised are:
  - a. No further development should be permitted to the rear of properties on Back Road as the land behind rises to Rivey Hill and such development would detract from the visual amenities of the area;
  - b. The shared access road to the properties already approved should not continue to be extended to serve additional development;
  - c. If approved, this proposal could lead to further applications to develop at the rear of properties on this side of Back Road;
  - d. The established tree on Plot 5 should not be removed and all existing field hedges should remain;
  - e. The development would result in more traffic exiting on a blind bend onto Back Road.

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

15. The key issues to consider in the determination of this application relate to:
  - a. Impact upon the character of the area;
  - b. Residential amenity;
  - c. Highway safety;
  - d. Impact on trees/hedges;
  - e. Flood risk/surface water drainage

### ***Character of area***

16. Consent has already been granted for a scheme of seven dwellings, under two separate planning permissions. The approved schemes include the erection of three bungalows to the rear of Nos. 12 – 18 Back Road and the current planning application represents a continuation of this approved line through the addition of a 4<sup>th</sup> bungalow on this parcel land. The characteristics of the proposed site are very similar to those of the adjacent approved development land to the east. Whilst the land rises steeply up Rivey Hill to the rear, there is a mature deciduous hedge along the north-eastern boundary of the proposed and approved sites which would be retained, thereby helping to screen the development when viewed from the rear. The proposed dwelling is sited

sufficiently far from the rear boundary of the site to ensure that the hedge would not be compromised, although its retention would need to be secured by way of a landscaping condition. The design of the proposed dwelling and materials used would reflect the character of the previously approved bungalows to the east.

17. The Parish Council and local residents have expressed concern that approving this application would set a precedent for further development to the west, and have therefore requested that the proposed dwelling be sited in a manner to prevent this occurring. Each application must be determined on its merits. Beyond the western boundary of the site, the landscape takes on a very different character to that of the application site and the land to the rear of Nos. 12 – 20 Back Road. The land starts to fall into a valley before rising again, meaning that the parcel of land to the rear of Nos. 22 – 34 Back Road is extremely exposed and visible when viewed from the north/rear. Due to the characteristics of this site, Officers do not consider it to be appropriate for residential development and therefore do not consider it to be necessary to resite the dwelling and access to prevent further development to the west. The location of the bungalow, garage and access are in a line and in keeping with the character of the previously approved development to the east and any resiting would compromise this character.

#### ***Residential amenity***

18. The proposed bungalow would be sited approximately 16 metres away from the southern boundary with No. 20 Back Road and around 50 metres away from the dwelling itself. The Parish Council has raised concerns (on behalf of the landowner) about overlooking of the land to the west which is used for business purposes as an equestrian centre. Given that the proposed dwelling is single storey, that there is a mature hedgerow along the western boundary of the site, and that there is no dwelling or private residential land immediately beyond the western boundary, I consider the proposal would not result in serious harm to the user of this land.

#### ***Highway safety***

19. The Local Highways Authority has raised no objections on highway safety grounds to the application, advising that the proposed access width and pedestrian and vehicle visibility splays are acceptable. The applicant's agent has confirmed that it is not intended to adopt the access road and, as advised by the Local Highways Authority, this Council therefore needs to consider the implications of allowing eight dwellings served off a private driveway. The issues that arise from a private rather than adopted access are ones of maintenance, drainage, lighting and refuse collection, rather than highway safety.
20. The applicant's agent has confirmed that the maintenance of the road will be the responsibility of the owners of all of the new dwellings and that this obligation will be contained within the contract of sale for each property. In addition, there would be no intention to install street lighting, as would be required on an adopted road, as it would be highly visible from and adversely impact upon the adjoining countryside and upon the properties in Back Road. With regards to the issue of refuse collection, each property has been designed with its own private bin storage area.
21. The Council's Environment Operations Manager has been consulted and will advise in respect of the suitability of the layout and private nature of the road for refuse collection vehicles. The issues of maintenance and lighting are not strictly material planning considerations and planning permission could not therefore reasonably be withheld on either basis. They would be the responsibility of future residents. The issue of drainage is discussed in the next section.

### ***Flood risk***

22. The Parish Council has requested that a Flood Risk Assessment be carried out. The site does not lie within a medium or high flood risk area and there is no formal requirement for an FRA to be carried out as part of the application. However, there is a need to consider the impact of surface water run-off upon properties lying downhill to the south within Back Road. The applicant's agent has confirmed that the proposed bungalow (as well as the other approved dwellings) would be drained by soakaways, a sustainable urban drainage solution, and that the new estate road would also be well drained. It is argued that the overall development will help to alleviate the surface water run-off from the field to the north compared to the present situation whereby the existing open land allows the surface water to run off uninterrupted.
23. I have discussed these points with the Council's Building Inspector who has advised that the use of soakaways, as indicated on the plans, would be acceptable in principle. A condition requiring full details of the surface water drainage should be attached to any consent. With regards to the drive and access way, the Building Inspector has advised that it may be appropriate to introduce a drain/gully at the end of the access where it meets Back Road. As such, the scope of the surface water drainage condition should be widened to require details of drainage of the access/driveway.

### ***Impact on trees/hedges***

24. Concern has been raised by a local resident about the impact of the access road upon a tree within previously approved plot 5. The Trees and Landscape Officer was consulted on the original application and raised no objections to the impact of the access upon this sycamore tree. The current application does not propose any revision to the position of the previously approved access road and the proposal is therefore considered to be acceptable in this regard.

### **Recommendation**

25. Approval:
1. Standard Condition A (Reason - A);
  2. Sc5a – Details of materials for external walls and roofs of the bungalow and garage (Rc5aii);
  3. Sc5f – Details of materials to be used for hard surfaced areas (Rc5f);
  4. Sc5 – Details of the colour of the weatherboarding (Rc5aii);
  5. Sc51 – Landscaping (Rc51);
  6. Sc52 – Implementation of landscaping (Rc52);
  7. Sc60 – Boundary treatment details (Rc60);
  8. Sc5b – Surface water drainage details, including details of drainage of the access road and driveway (Rc5b);
  9. Sc5c – Foul sewage details (Rc5c);
  10. Para B9 – Access road – 5.0 metres for a minimum distance of 15.0 metres (Rc10);

11. Para B10 – Access road (Rc10);
12. Para D5 (a) – Visibility 2.0 metres x 2.0 metres (Rc10);
13. Visibility splays shall be provided on either side of the junction of the proposed access road with the public highway, the dimensions to accord with those shown within drawing number 623-007/B prior to the bringing into use of the new access (Rc10);
14. The 1.8 metre wide footway along the frontage of No.12 Back Road shall be provided before the occupation of the dwelling, hereby permitted, and thereafter maintained (Rc10);
15. During the period of construction no power operated machinery shall be operated on the premises before 08.00 hours on weekdays and 08.00 hours on Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any time on Sundays or Bank Holidays) unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions (Rc26);
16. No development shall begin until a scheme and completed S.106 Agreement for the provision of an education contribution has been submitted to and approved in writing by the Local Planning Authority, the contribution shall be provided in accordance with the approved scheme. (Reason – To ensure the provision of a financial contribution towards education facilities as required by Policy CS10 of the South Cambridgeshire Local Plan 2004).

## **Informatives**

### **Reasons for Approval**

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
  - **Cambridgeshire and Peterborough Structure Plan 2003:**  
**P1/3** (Sustainable design in built development)
  - **South Cambridgeshire Local Plan 2004:**  
**SE2** (Development in Rural Growth Settlements),  
**HG11** (Backland Development)  
**CS10** (Education)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
  - Impact on character of area;
  - Highway safety;
  - Flood risk

### **General**

1. Should driven pile foundations be proposed, then before works commence, a statement of the method for construction of these foundations shall be submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.

2. During construction there shall be no bonfires or burning of waste on site except with the prior permission of the Environmental Health Officer in accordance with best practice and existing waste management legislation.

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning File Refs: S/1870/06/F, S/1212/06/F and S/1870/05/F

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