

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2nd April 2008

AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S/0229/08/F - HISTON

Erection of a Terrace of 4 Dwellings Following the Demolition of Existing Bungalow and Garage at 1 Aingers Road for Crocus Homes Ltd

Recommendation: Delegated Approval

Date for Determination: 03/04/08

Notes:

This Application has been reported to the Planning Committee for determination because the proposal marks a departure to Policy SF/10 of the adopted Local Development Framework 2007 and as Histon Parish Council has recommended that the application be refused, contrary to the Officers' recommendation.

Departure Application

Site and Proposal

1. The site area comprises of a plot of land approximately 0.096 hectares, which lies within the village framework of Histon. The plot is situated at the northern edge of an existing residential area, which forms an oval development of private dwellings, which front Aingers Road, Shirley Road and Merton Road respectively. The plot at present consists of an unoccupied detached bungalow with a detached single garage. The vast majority of the site is overgrown with a variety of foliage from mature conifer trees to thick bramble hedges. There is also a mixture of empty animal and birdcages and disused building materials within the immediate garden area behind the existing dwelling. The site has an existing gated vehicular access off Aingers Road as well as a gated pedestrian access at its frontage.
2. The application site abuts various neighbouring residential curtilages of properties within Aingers Road, Shirley Road and Merton Road with a section of land to the rear of the application site owned by the applicant, which does not form part of this application. The surrounding area mostly comprises inter and post war semi-detached housing along with the odd detached bungalow and infill dwelling. There are also examples of significant extensions to several dwellings within Aingers Road, with all of the properties directly opposite the application site benefiting from off road parking. The surrounding roads within the vicinity of the site carry restricted speed limits of 30mph and the application site is within close proximity of the village centre with good links to public transport and village services.
3. This full planning application, as amended by letter and drawings received 14th March 2008, seeks the erection of a terrace of 4 dwellings following the demolition of the existing bungalow and garage on the site and the clearance of all vegetation. The terrace would front Aingers Road and comprise a mixture of one affordable unit, one two-bedroom unit, one three-bedroom unit and one four-bedroom unit. The terrace



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Scale 1/1250 Date 12/3/2008

Centre = 543619 E 263585 N

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would benefit from off road parking to its frontage with an average of 1.5 spaces per unit. This parking would take the form of private driveway spaces to the front of the terrace with minimal landscaping forming small front gardens. The private rear gardens of the terrace would be served via a side access with bin storage provision within easy access of the highway. Solar water heating systems in the form of solar panels to the rear south facing roof slopes are also proposed. The scheme equates to an approximate density of 39 dwellings per hectare.

Planning History

4. Planning application **S/0401/07/O** was withdrawn. This application was an outline proposal for the erection of 4 detached dwellings following the demolition of the existing bungalow and garage and sought the determination of layout and access only.

Planning Policy

South Cambridgeshire Local Development Framework (LDF) 2007:

5. **Policy ST/4 “Rural Centres”** of the South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007 acknowledges that larger villages such as Histon and Impington can accommodate development and re-development provided that adequate service, facilities and infrastructure are available or can be made available as a result of the development.
6. **Policy DP/1 “Sustainable Development”** only permits development where it is demonstrated that it is consistent with the principles of sustainable development. The policy lists the main considerations in assessing whether development meets this requirement.
7. **Policy DP/2 “Design of New Development”** requires all new development to be of a high quality design and indicates the specific elements to be achieved where appropriate. It also sets out the requirements for Design and Access Statements.
8. **Policy DP/3 “Development Criteria”** sets out what all new development should provide, as appropriate to its nature, scale and economic viability and clearly sets out circumstances where development will not be granted on grounds of an unacceptable adverse impact e.g. residential amenity and traffic generation.
9. **Policy DP/4 “Infrastructure and New Developments”** requires that development proposals should include suitable arrangements for the improvement or provision of infrastructure necessary to make the scheme acceptable in planning terms. It identifies circumstances where contributions may be required e.g. affordable housing and education.
10. **Policy DP/7 “Development Frameworks”** permits development within village frameworks provided that retention of the site in its present state does not form an essential part of the local character; it would be sensitive to the character of the location, local features of landscape, ecological or historic importance, and the amenities of neighbours; there is the necessary infrastructure capacity to support the development; and it would not result in the loss of local employment, or a local service or facility.

11. **Policy HG/1 “Housing Density”** is set at a minimum of 30dph unless there are exceptional local circumstances that require a different treatment in order to make best use of land. Higher densities of 40dph will be sought in the most sustainable locations.
12. **Policy HG/2 “Housing Mix”** sets a mix of at least 40% of homes with 1 or 2 bedrooms, approximately 25% 3 bedrooms and approximately 25% 4 or more bedrooms for housing developments of less than 10 dwellings.
13. **Policy HG/3 “Affordable Housing”** at a level of 40% of all new dwellings on developments on two or more units is required to meet housing need. The exact proportion, type and mix will be subject to the individual location and the subject of negotiation. Affordable housing should be distributed in small groups or clusters. Financial contributions will be accepted in exceptional circumstances.
14. **Policy SF/10 “Outdoor Play Space, Informal Open Space and New Development”** requires that all new residential development contribute towards outdoor space. The policy states the specific requirements, including that for small developments (less than ten units) it is expected that only informal open space be provided within the site. Contributions to off-site provision and maintenance of other types of open space will be expected in addition to this.
15. **Policy NE/6 “Biodiversity”** aims to maintain, enhance, restore or add to biodiversity. Opportunities should be taken to achieve positive gain through the form and design of development. Where appropriate, measures may include creating, enhancing and managing wildlife habitats and natural landscape. The built environment should be viewed as an opportunity to fully integrate biodiversity within new development through innovation.
16. **Policy NE/9 “Water and Drainage Infrastructure”** indicates that planning permission will not be granted where there are inadequate water supply, sewerage or land drainage systems to meet the demands of the development unless there is an agreed phasing agreement between the developer and the relevant service provider to ensure the provision of necessary infrastructure.
17. **Policy TR/1 “Planning for More Sustainable Travel”** states that planning permission will not be granted for developments likely to give rise to a material increase in travel demands unless the site has (or will attain) a sufficient standard of accessibility to offer an appropriate choice of travel by public transport or other non-car travel mode(s). Opportunities to increase integration of travel modes and accessibility to non-motorised modes by appropriate measures will be taken into consideration. The Local Transport Plan road user hierarchy will also be taken into account in the determination of planning applications to ensure adequate emphasis has been placed on the relevant modes, although no modes should be promoted to the exclusion of others.
18. **Policy “TR/2 Car and Cycle Parking Standards”** identifies maximum parking standards to reduce over-reliance of the car and to promote more sustainable forms of transport. Cycle parking should be provided in accordance with minimum standards.

The Cambridgeshire and Peterborough Structure Plan 2003:

19. **Policy P1/3 “Sustainable Design”** of the County Structure Plan requires a high standard of design and sustainability for all new development and which provides a sense of place, which responds to the local character of the built environment. This Policy is supported by Policy DP/2 of the Local Development Framework, Submission Draft 2006.

Consultations

20. **Histon Parish Council** – Recommends refusal on the grounds of over development of the site, massing, traffic and parking concerns and that the development would not be in keeping with the surrounding area. Furthermore, if the District Council is minded to recommend approval it requests that the pathway be gated and locked and that the residents’ request for the re-surfacing of the road be granted. Construction traffic should be restricted by condition for their hours of operation and their parking on the road.
21. **Landscape Design Officer** – No objection in principle, however, further detail will be required via condition for a detailed planting scheme and details of materials to the hard standing to the front parking areas and gardens. A replacement tree(s) should also be sought within the rear garden(s).
22. **Trees & Landscaping Officer** – There is a mature Willow tree in the rear garden of No.40 Shirley Road and the occupant is concerned about the impact that the development could have upon it in the future.
23. **Local Highway Authority** – “Please request that the applicant show vehicular visibility splays on the submitted drawings in addition to the pedestrian splays shown to demonstrate that the visibility splay, in accordance with the vehicular speeds measured can be provided. This plan should be sent to the Highway Authority for comment and if the following provision were provided then the Highway Authority would be satisfied that the proposal would have no significant adverse effect upon the public highway. Furthermore, two 2m x 2m visibility splays should be provided for each parking space and shown on the drawings. These splays are to be provided within the curtilage of the site, one is required on each side of each access, with a set back of 2m from the highway boundary. This area is to be kept clear of obstruction at a height above 600mm”.
24. **Housing Strategy Officer** – “We are keen to support the provision of any affordable housing contributions through S106, no matter how small and are happy with the suggestion of shared ownership tenure at this location”.
25. **Environmental Services Officer** – Comments to be expressed verbally at the Committee Meeting.
26. **Environmental Operations Officer** - Comments to be expressed verbally at the Committee Meeting.
27. **Building Control Officer** – The proposed bin storage does not meet the standard requirements.
28. **Anti-Social Behaviour Officer** - Comments to be expressed verbally at the Committee Meeting.

29. **Drainage Manager**– Proposal for disposal of surface water is through the use of soakaways. This may be successful but standard on-site testing should be undertaken and the results checked against the new impermeable areas proposed for the site. The standard surface water condition should be applied to the consent.
30. **Corporate Manager (Health and Environmental Services)** - Comments to be expressed verbally at the Committee Meeting.

Representations

31. 19 individual letters of objection from neighbouring residents have been received in total, the contents of which have been summarised below:
- a) Overdevelopment of the site;
 - b) Increased traffic pressures to surrounding roads;
 - c) Development would be out of keeping with surrounding area;
 - d) Concerns over what is to become of the enclosed land to the rear of the application site;
 - e) The OS map incorrectly shows the numbering of properties in Shirley Road;
 - f) The proposal would result in overlooking to the neighbouring properties;
 - g) Loss of security with access to the rear of the site;
 - h) Noise and disturbance through use of the side access;
 - i) Increased risk to highway users from the occupation of 4 additional dwellings;
 - j) Smell & vermin from proposed bin storage;
 - k) Traffic survey is inaccurate due to it being carried out at a non busy time;
 - l) Increased on road parking;
 - m) Loss of private amenity space for existing residents;
 - n) Dwellings would appear overbearing;
 - o) Fear of flood risk;
 - p) Additional street lighting and road re-surfacing is required;
 - q) Building work should be time restricted to minimise noise;
 - r) Lower density housing would be more acceptable;
 - s) Building envelopes would be close to neighbouring boundaries;
 - t) Loss of light to surrounding garden areas;
 - u) No visitor parking proposed;
 - v) More detail required to boundary treatments;
 - w) Means of access to neighbouring boundaries would be required during the construction process;
 - x) No consultation from the developers have taken place on this scheme;
 - y) The site contains an orchard with lots of plants, trees and wildlife, which should not be lost.

Planning Comments – Key Issues

32. This application is being brought before the Planning Committee on the grounds that the proposal marks a departure to Policy SF/10 (Public Open Space) of the Local Development Framework 2007. The applicant has undertaken pre-application advice with the area team following the previously withdrawn planning application (S/0401/07/O). Since that time Policy SF/10 has been adopted. Given that this current scheme has been designed without this policy in mind, in this case it would be unreasonable to require this. I do not consider that this represents a significant departure to warrant referring the application to the Secretary of State under The Town and Country Planning (Development Plans and Consultation) (Departures) Directions 1999.

Density

33. The proposed density of 39 dph would be in accordance with Policy HG/1 of the Local Development Framework 2007 (LDF), which seeks densities between 30 and 40 dwellings per hectare. Given that the application site is within a sustainable location with good links to public transport and that it is a short distance walk to the village centre, the density at the higher end of this policy is considered acceptable within this location. The site contains an unoccupied bungalow, which is in a state of disrepair with the remainder of the site comprising of an unmanageable overgrowth of trees and bushes. The proposal would regenerate this brown field location and given the site's narrow depth, to develop its frontage would make the best use of land.

Affordable Housing and Market Mix

34. The proposal as amended would provide 4 dwellings within a terrace. One of these dwellings would be allocated as an affordable unit, which at this stage is proposed for shared ownership tenure. This dwelling is of adequate size and the Housing Strategy Officer deems the provision of a two bedroom dwelling in this location to be very favourable in terms of housing need. This provision would adhere to Policy HG/3 for 40% of the development to be affordable, taking into consideration the net gain of three units. The remaining 3 units would provide a two, three and four bedroom unit. This mix would adhere with Policy HG/2 in that it would provide an adequate mix of housing sizes in line with the identifiable need for smaller bedroom properties within the District.

Layout and Design

35. The terrace has been designed to provide the best use of land within the narrow confines of the site whilst attempting to minimise the impact upon the surrounding neighbouring properties. The end units have lowered ridgelines (8.3m compared with 8.9m for central two units) to ensure that they appear less prominent when viewed from both the street scene and the common boundaries of the curtilages that they abut. The surrounding area mainly comprises of a mixture of inter and post war semi-detached housing. The properties on Aingers Road, which front the application site have gable ends and are rendered in part. Some of these properties have been extended at two-storey level and in part create a terracing effect to the street scene. The surrounding properties in Merton and Shirley Road comprise hipped roof semi-detached dwellings with the exception of No.45, which is a detached bungalow, much like that of the existing dwelling upon the application site. The development proposed is to be clad in timber boarded at first floor and rendered at ground floor. The south facing roof slopes would provide solar water heating systems for each unit in accordance with Policy DP/1.
36. It is my opinion that the terrace would be of a uniform coherent design with a modern contemporary finish that would not be out of character with the surrounding area. I see no reason why the development of this site should seek to mimic the surrounding properties in design given the age of the neighbouring properties. It is recognised that the terrace would create a two and half storey aspect to the street scene, which would be out of keeping. However, its form would not be considered to have a significant visual impact upon the street scene, especially considering the existing appearance of the site and that of the properties opposite. By virtue of the lower ridgelines of the end units and the positioning of the envelope of the terrace I am of the opinion that the development would not result in detrimental harm to the amenities that the surrounding properties currently enjoy. There would be no windows within the flank elevations other than those controlled by condition and the affordable

unit would be stepped forward to minimise overlooking to the rear garden No.45. The rear windows would look southwards down the site with acute angles across to the surrounding gardens. Notwithstanding this, the rear gardens to the surrounding properties are deep, with the majority of immediate amenity areas some 20m away from the application site. To the front of the site there are large garage structures within the rear gardens of No.45 Merton Road and No.42 Shirley Road both abutting the application site, further reducing the impact as a consequence.

Car and Cycle Parking

37. As stated above the application site is considered to be within a sustainable location and the provision of an average of 1.5 spaces per dwelling is acceptable, in accordance with the maximum parking standards required by Policy TR/1. It is however, recognised that there should be a provision for cycle storage of 4 cycles within the curtilage of this site. Given that there would be space to do so within the secured side access area it is felt that this provision can be achieved by condition along with the correct details for safe and secure bin storage.
38. There have been representations in relation to the side access to the site, with issues raised over security and health. The amended plans show that this area will be safe and secure and not open to public access. Details of this means of enclosure will be required by condition along with those for storage of bins and cycles.
39. Several representations have been made with regard to the need to improve the road conditions and lighting should the application be permitted. However, given the nature of this minor development and the comments of the Local Highway Authority, I do not consider it is proportionate or reasonably related to the scale of development.

Control of Development

40. Similarly, the control of the use of the public highway is unenforceable. Therefore any such condition restricting the means of construction of the development would be unreasonable. However, in light of the concerns from local residents conditions could be attached limiting the use of power driven machinery on the site as well as times when construction traffic can enter the site. This will allow control of the most sensitive hours of the day, such as early morning and late at night.

Drainage

41. The provision of soakaways for the drainage is deemed acceptable in principle. However, to ensure that this is the case a condition can be attached to ensure that testing is taken out and that the results are submitted to the Local Planning Authority for approval.

Landscaping

42. Conditions can also be imposed requesting replacement tree planting as part of a comprehensive landscaping scheme as well no dig construction to the western boundary to ensure that the root system to the neighbouring tree at No.40 Shirley Road is not compromised.

Highways

43. The plans provided show the provision for pedestrian visibility splays (2m x 2m) for the individual parking spaces for all 4 dwellings (6 spaces). This has been agreed by the Highway Authority and a condition can be attached to ensure that these splays are implemented and permanently maintained free from obstruction above the height of 600mm. The amended plans also show that the site can provide 2m x 23m vehicular visibility splays for the two centre plots, in accordance with the Manual for Streets and with the agreement of the Highway Authority. However, the two end plots cannot achieve the same distance and would only provide splays of approximately 2m x 9m. The applicant argues that due to the low speed levels recorded within the traffic survey and the very nature of this residential area that these splays would be acceptable under the guidance of the Manual for Streets, which seeks splays off 23m x 2.4m at junctions.
44. The parking bays to these units would be private driveway spaces and in my opinion would not constitute a junction, nevertheless I am told that the same standards apply, as the stopping distance for a car relates to the driver's reaction and road surface conditions, and the issue is the same; drivers need to see each other at an appropriate time in order to make a safe entry onto the road, or stop before hitting an emerging car. Notwithstanding the above, I am satisfied that the splays provided would be sufficient in terms of highway safety for this site. The comments received from the Highway Authority in relation to the amended plans showing the provision of vehicular visibility splays will be provided verbally at the Committee meeting.

Land to the rear

45. The area to the rear of the site whilst owned by the applicant does not form part of this application. There are comments within the application that this land will be offered to existing residents to extend their residential curtilages. If this development was to benefit from planning approval the rear land would not be able to be built upon due to it being land locked and could only realistically be used as private amenity space to either the existing residents or to that of the new development. This area could not be considered open space. Nevertheless the use of this piece of land is not for determination under this application and, as such, all comments with reference to this area are not material planning considerations. It would have a lawful use as residential garden land.

Recommendation

46. Approve, as amended by letter and plans date stamped 14th March 2008.

Conditions

1. SCA – RCA
2. No development shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details:
 - a) SC5(a) the materials to be used for the external walls and roofs (Rc5 (a)ii)
 - b) SC5(b) surface water drainage (RC5 (b))
 - c) SC5(d) refuse storage accommodation and cycle storage (RC5 (d))

- d) SC5(e) materials to be used for hard surfaced areas within the site including driveways and car parking areas (Rc5 (f))
3. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which 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 and specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.
(Reason - To enhance the quality of the development and to assimilate it within the area.)
 4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the dwellings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. (Reason - To enhance the quality of the development and to assimilate it within the area.)
 5. No further windows, doors or openings of any kind shall be inserted in the east and west elevations of the development, hereby permitted, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf. (Reason - To safeguard the privacy of occupiers of the adjoining properties.)
 6. The first floor windows in the east and west elevations of the building, hereby development, shall be fitted and permanently maintained with obscured glass with top vent opening only. (Reason - To safeguard the privacy of occupiers of the adjoining property(s).)
 7. During the period of construction no power operated machinery shall be operated on the premises before 08.00 am on weekdays and 09.00 am on Saturdays nor after 18.00 pm on weekdays and 13.00pm 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. (Reason - To minimise noise disturbance to adjoining residents.)
 8. No development shall take place until a scheme for the provision of bird and bat boxes has been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details. (Reason – To ensure ecological enhancement of the site.)
 9. The development shall not begin until a scheme for the provision of affordable housing in accordance with Policy HG/3 of the Local Development Framework Development Control Policies 2007 has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme. The scheme shall include:
a) the timing of the construction of the affordable housing; b) the arrangements to ensure that such provision is affordable for both initial and

subsequent occupiers of the affordable housing; and c) the occupancy criteria to be used for determining the identity of prospective and successive occupiers of the affordable housing, and the means by which such occupancy shall be enforced. (Reason: To ensure the development makes a gain for affordable housing facilities in accordance with Policy HG/3 of the South Cambridgeshire Local Development Framework 2007.)

10. The 2m x 2m pedestrian visibility splays shown on the amended plan no. 0112/07/10A shall be provided on site before any dwelling, hereby permitted, is occupied and thereafter shall be permanently maintained and kept free of obstruction to a height of 600mm. (Reason - In the interests of highway safety.)
11. Work carried out on site around the base of the Willow tree at No. 40 Shirley Road (upon the western boundary) shall consist of non-dig construction, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing on site. (Reason – To ensure that the root system of the tree is not compromised.)
12. Details of the treatment of all site boundaries including the secured access to the east side pedestrian access shall be submitted to and approved in writing by the Local Planning Authority and the work completed in accordance with the approved details before any dwelling, hereby permitted, is occupied or the development is completed, whichever is the sooner. (Reason - To ensure that the appearance of the site does not detract from the character of the area.)

Informatives

1. See attached Environment Agency advice regarding soakaways.
2. Planning permission does not constitute a permission or license to a developer to carry out any works within, or disturbance of, interference with, the public highway, and that a separate permission must be sought from the Highway Authority for such works.
3. The developer should contact the Highway Authority, or its agent, to arrange construction of any works within, or disturbance of, or interference with, the public highway.
4. The developer would not be permitted to drain roof water over the public highway, nor across it in a surface channel, but must make arrangements to install a piped drainage connection.
5. I would suggest that you contact the Council's Landscape Design Team on 01954 713415 prior to the submission of details for all hard and soft landscaping and boundary treatment for this site.
6. Should driven pile foundations be proposed, before development commences, a statement of the method for construction of these foundations should be submitted to and agreed by the District Council's Environmental Health Officer so that noise and vibration can be controlled.
7. During construction, there shall be no bonfires or burning of waste on site except with the prior permission of the District Council's Environmental Health

Officer in accordance with best practice and existing waste management legislation.

8. In relation to Condition 9 above, this scheme might be in the form of a Section 106 agreement.

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

- South Cambridgeshire Local Development Framework 2007
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning Applications ref: S/0401/07/F and S/0229/08/F
- Department of Transport Manual for Streets (DCLG)

Contact Officer: Mike Jones- Planning Assistant
Telephone: (01954) 713253