

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7th April 2010

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

S/0267/10/O - Caldecote

Proposed Outline Permission, With All Matters Reserved, for the Erection of One Dwelling at 97-99 West Drive for Mr Phil Wright

Recommendation: Approval

Date for Determination: 19/04/2010

Notes:

This application has been reported to the Planning Committee as the recommendation conflicts with the views of the Parish Council.

Site and Proposal

1. The site measures approximately 0.051 hectares and is within the village framework. It is located north of the playing fields of Caldecote Primary School. To the west is 101 West Drive, the northern boundary is defined by the 97-99 and 95 West Drive and the eastern boundary is shared with 29 Highfields Road.
2. The application, validated on the 22nd February 2010, is for outline permission for one dwelling with all matters reserved. The plans submitted are considered to be indicative only.
3. The indicative plans suggest that Unit 1 (4 bedrooms) will measure 15 metres x 9 metres, with a maximum height of 6.3 metres (eaves height 2.8 metres).

Planning History

Relevant Site History

4. **S/0911/76/F** – The proposed erection of a bungalow and garage (No.97-99) was approved.
5. **S/1790/01/O** – The proposed erection of a bungalow on site was refused on the grounds that it would result in a cramped form of development sandwiched between the rear gardens of 29 Highfields and 101 West Drive. It would also result in overbearing structure and would lead to a loss of light to 97 and 101 West Drive.
6. **S/2283/01/O** – The proposed erection of a bungalow was refused on the site for the following grounds. It would result in a cramped form of development sandwiched between the rear gardens of 29 Highfields and 101 West Drive. The

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surrounding area is characterised by single storey dwellings set within spacious plots. The subdivision of 101 West Drive would result in overdevelopment of the site and be out of keeping with the character of the area. The application was appealed and dismissed by the inspectorate.

7. **S/1028/09/O** – The proposed erection of two chalet style dwelling and conversion of double garage to dwelling was withdrawn.
8. **S/1583/09/F** – The proposed erection of one dwelling and conversion of existing garage to form dwelling was approved at planning committee on the 13th January 2010.

Relevant Nearby Site History

9. **S/0460/02/F** – The erection of 33 dwellings on the Grafton Pig Farm was approved. The dwellings approved under this application at the end of West Drive and opposite 101 West Drive were large two storey dwellings.
10. **S/0586/09/F** – The proposed erection of a dwelling following the demolition of the existing dwelling. The proposed development was for a two storey dwelling with two bedrooms to be placed on half of the plot. This application has yet to be implemented.
11. **S/0608/09/O** – The proposed development for outline permission (all matters reserved) for the erection of one dwelling following demolition of existing bungalow. The proposed outline permission for a four-bedroom dwelling with a height of 8.5 metres was approved. The reserved matters for this application have yet to be submitted.

Planning Policy

12. **South Cambridgeshire Local Development Framework (LDF) Core Strategy Development Plan Document, adopted January 2007**
ST/6 – Group Villages
13. **South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007.**
DP/1 – Sustainable Development
DP/2 – Design of New Development
DP/3 – Development Criteria
HG/1 – Housing Density
HG/2 – Housing Mix
SF/10 - Outdoor Playspace, Informal Open Space and New Developments
SF/11 – Open Space Standards
TR/2 – Car and Cycle Parking Standards

Consultation

14. **Caldecote Parish Council** – The Parish Council recommends refusal for the following grounds:

- a. Overlooking may be a problem to neighbouring properties and there is concern that the front has a direct view into the school with possible child protection issues.
 - b. The driveway emerging on Grafton Drive (an un-adopted road) has very poor visibility splays emerging from the proposed driveway directly on to the footpath, currently with a 2m high gate and fencing belonging to the adjoining property and therefore not under the applicants control. The Parish would like noted that there is no intention to adopt this road by the County Council as Grafton Drive has not been built to adoptable standards.
15. The Parish Council would also like the permissions (S/0608/09/O and S/0586/09/F) granted recently to be taken into consideration.
16. The Parish Council would also like the following conditions added if the application is approved:
- a. Control on the hours of work and construction parking to avoid disturbance to local residents and in particular for Grafton Drive adjacent to the school there is extensively used for school parking.
 - b. The site has a subsoil clay infrastructure; suitable run off/drainage is required to avoid flooding.
 - c. Community infrastructure provision in accordance with policies DP/4, SF/10 and SF/11.
 - d. No loose materials to be used for the driveway surface to avoid deposits on the highway footpath.
 - e. Water harvesting should be specified.
17. **Local Highway Authority** - The Local Highways Authority requests that the following conditions and informatives are added to any approval:
- a. Condition removing permitted development rights relating to gates.
 - b. Condition controlling the details of vehicular access construction specification.
 - c. A condition stating that no part of any structure shall overhang or encroach upon the public highway.
 - d. A condition requiring that the access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway.
 - e. A condition stating that unbound material shall be used in the surface finish of the driveway within 6m of the highway boundary of the site.
 - f. A condition requiring that the car parking space dimensions are shown on a plan.
 - g. Requests informatives are added to explain to the developer the relevant highway acts and that they are responsible in replacing any public utility apparatus.
18. The Highway Authority would like to highlight that the proposed development has four parking spaces and that the Grafton Drive is not a publicly maintainable highway but is in the process of being adopted and therefore the developer would need to be a party to the Section 38 Agreement.
19. **Caldecote Primary School** - The Head Teacher states that the dwelling would be across a road and set at the back of the plot so there will be no physical access to the school site. There is also already one dwelling, built recently, that overlooks and is closer to the school field. The Head Teacher finally states that

there is a good possibility that the school will replace fencing that borders Grafton drive with higher, opaque, fencing in the future.

Representations

20. **95 West Drive** – The resident made the following two comments on this application:
- a. The vehicular entrance to the site from Grafton Drive is immediately adjacent to the neighbouring property 101 West Drive, which currently has a 6ft high fence surrounding it extending right up to the path (there is no grass verge). This would severely restrict visibility for vehicles leaving the proposed property. They state that they do not see how appropriate visibility splays could be enforced over a neighbouring property. Many children from West Drive and Grafton Drive on foot, bicycles and scooter use the path down Grafton Drive as they go to and from school. Vehicles, particularly if reversing across this path, could pose a hazard. The resident states that in recent years have experienced, as pedestrian, two collisions with cyclists. The first collision at the blind corner at 101 West Drive and the other when a cyclist came straight onto the footpath from their driveway surrounded by a high hedge in Highfields Road.
 - b. The application states that surface water will be disposed of via a soakaway. No. 95 West Drive also uses a soakaway, but in winter the ground gets saturated, in particular the bottom of their garden. This may be as a result of their soakaway being 30 years old but neighbouring gardens also suffer from poor drainage and water logging.
21. **29 Highfields Road** – States that the development plot is on a slight incline of the boundary of his property and the east elevation would be directly facing the back of his single storey dwelling. This would mean the 2 proposed windows on the first floor master bedroom would be directly overlooking his property. While he states there are no other objections to the proposed development he does object strongly to any first floor windows on the eastern elevation, as they would impinge on his privacy.

Planning Comments

22. The main planning considerations for this development are the principle of the development, impact upon highway safety, the impact on the visual appearance of the area, impact upon residential amenity and surface water drainage.
23. **The principle of the development** – Previous applications for dwellings on this site were refused in 2001 and upheld by an Inspector. However, the character of the area has significantly changed in the previous 8 years. The local area in 2001 was significantly more rural in appearance. The road that is now Grafton Drive had the appearance of a country lane leading to the pig farm is now more urban in appearance leading to the new housing estate of 33 dwellings. It is considered that the change in character of the area and the policy requirement for higher densities, in principle, overcomes the previous reasons for refusal.
24. The site resides within the village framework and is located within a village defined in the Core Strategy as a Group Village. This allows for residential schemes of up

to 8 dwellings. The development is therefore considered to comply with Policy ST/6 in the Core Strategy.

25. The proposed density of the development is 20 dwellings per hectare. While this density is below the standard 30 dwellings per hectare a second dwelling could be erected within the site without causing residential amenity or design concerns. The proposed density in this particular case is considered acceptable.
26. The creation of a new dwelling is considered to put significant pressure on local play space and informal open space. The applicant has agreed to provide a scheme for outdoor play space and informal open space. This scheme would likely take the form of a financial contribution of approximately £4,250 for the erection of a four bedroom dwelling. The proposed development is considered to comply with Policies SF/10 and SF/11.
27. The creation of a new dwelling would also provide additional pressure on the Parish Council facilities, such as the village hall. These facilities while described as being in good order, there is a lack of space of approximately 64 metres square. The applicant has agreed to provide a scheme to improve these local facilities; this may take the form of a financial contribution of approximately £720. The proposal is considered to comply with Policies DP/4.
28. The applicant has still got to confirm if they agree to provide bins before the proposed dwelling is occupied. This can be added as an informative and controlled during the Reserved Matters application.
29. **Impact upon highway safety** – The issue of highway safety has been raised by both the Parish Council and occupier of 95 West Drive. It should be noted that while access would form part of the Reserved Matters application, a strong indication has been shown on the submitted plans.
30. The Local Highways Authority has stated that Grafton Drive is in the process of being adopted as public highway. While the road is currently private it is still considered reasonable to consider it in the same view as a public highway and appropriate conditions in regards to highway safety can still be added.
31. The Local Highway Authority has accepted that the new driveway will not cause any significant impact upon highway safety if appropriate conditions are added. Some of the conditions requested are not deemed to be appropriate at this stage but will be added as informatives. It is considered that the proposed development will have no significant impact upon highway safety, though it should be noted that the developer might move the access in the Reserved Matters application and this would be appropriately assessed during this application.
32. The development is showing space for 4 cars to park, while this is above the parking standard it is not deemed to be harmful. The plans show two parking spaces in front of the double garage, but in most cases cars can be parked in front of a garage and not identified as a parking space. An informative will be added to explain to the developer that the Local Planning Authority is only looking for two car parking spaces and that cycle storage should also be considered.

33. **Impact upon visual appearance** – The proposed design is indicative only. The finished design will need to be agreed as part of the reserved matters application. Conditions will need to be added to control the finished appearance of the development this to include both the finished design and the proposed materials.
34. **Impact upon residential amenity** - The proposed one and a half storey dwelling measures 6.3 metres in height is shown as approximately 2 metres from the new proposed boundary and 8 metres from the dwelling of 97-99 West Drive. The proposed development with the roof sloping away from No.97-99 means that the development is not considered to be overbearing.
35. The potential loss of light to No.97-99 is not considered to be significant at this stage, due to the indicative height of the proposed dwelling and the distance between the development and No.97-99. An informative will be added onto the application in order to make the applicant aware that they will need to prove there is no significant light loss.
36. There is some concern over loss of privacy from the proposed development as shown on the currently submitted plans. While no windows are shown the west elevation of the proposed dwelling, future first floor windows could significantly reduce the amount of privacy 101 West Drive currently benefits from. This can be appropriately conditioned in order to prevent potential harm.
37. The windows as shown on the rear elevation of proposed dwelling could cause significant loss of privacy to No.97-99. A condition controlling boundary conditions would prevent any window-to-window relationship on the ground floor and an informative can be added to state that any proposed 1st floor windows will need to be obscurely glazed or 1.8 metres above finished floor level. It is also considered reasonable to remove permitted development (window) rights on the rear elevation to prevent future possible overlooking.
38. The proposed 1st floor windows in the east elevation are located approximately 17 metres away from the boundary of 29 Highfields Road Caldecote. The proposed windows while indicative only will not significantly over look the neighbouring property of No.29. However, the applicant may wish to consider as part of a landscaping scheme to further minimise the small loss privacy of No.29.
39. The concern raised by the Parish Council regarding the control over the hours of work was not raised in the previous application that was for two dwellings. It is not considered reasonable to place a condition to control the hours of work for this smaller development, as it is not deemed to be necessary.
40. **Surface Water Drainage** – In connection with the concerns raised by 95 West Drive, it should be noted that the proposal is not within a floodplain. It is, therefore, considered that the proposed development will not cause any significant increase in flooding. However, surface water drainage is still considered to be important. An informative will be added to state that the developer will have to demonstrate that there is an adequate soakaway and that if possible a grey water scheme should be employed. This concern will need to be overcome during the Reserved Matters application.

Recommendation

Approve

1. Approval of the details of the layout of the site, the scale and appearance of buildings, the means of access and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
(Reason - The application is in outline only.)
2. Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
(Reason - The application is in outline only.)
3. The development hereby permitted shall begin not later than the expiration of two years from the date of approval of the last of the reserved matters to be approved.
(Reason - The application is in outline only.)
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 that/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 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.)
6. No development shall begin until details of a scheme for the provision of Outdoor Playspace and Informal Open Space to meet the needs of the development in accordance with adopted Local Development Framework Policy SF/10 and SF/11 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.
(Reason - To ensure that the development contributes towards Outdoor playspace and informal open space in accordance with the above-mentioned Policies SF/10, SF/11 and DP/4 of the adopted Local Development Framework 2007.)
7. No development shall begin until details of a scheme for the provision of Community Space Provision to meet the needs of the development in accordance with adopted Local Development Framework DP/4 have been

submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.
(Reason - To ensure that the development contributes towards Community Space Provision in accordance with the above-mentioned Policies DP/4 of the adopted Local Development Framework 2007.)

8. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking, amending or re-enacting that order) no gates shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.
(Reason – In the interests of Highway Safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
9. No part of any structure shall overhang or encroach under or upon the public highway and no gate/door shall open outwards over the public highway.
(Reason – In the interests of Highway Safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
10. Any proposed access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent highway, which is in the process of being adopted by Cambridgeshire County Council, in accordance with a scheme submitted to and in writing by the Local Planning Authority.
(Reason – To prevent surface water discharging to the highway in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
11. No unbound material shall be used in the surface finish of a driveway within 6 metres of the highway boundary of the site.
(Reason – To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
13. 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 west side and rear elevations of the dwelling at and above first floor level 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.)

Informatives

- a. The reserved matters application will need to show two 2.0 x 2.0 metres visibility splays be provided and shown on the drawings. The splays are to be included within the curtilage of each new car parking space that is to exist directly onto the proposed adopted public highway. One visibility splay is required on each side of any proposed access, measured to either side of the access, with a set-back of two metres from the highway boundary along each side of the access. This area

shall need to be kept clear of all planting, fencing, wall and the like exceeding 0.6m high.

- b. The developer should show the proposed car parking dimensions of 2.5m x 5m with a 6m reversing space in the Reserved Matters application.
- c. The developer should note that the Local Planning Authority is only looking for 2 car parking spaces for the proposed development and space should be provided on site for cycle storage.
- d. This development could involve works to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works with the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicants responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.
- e. The developer would need to be a party to the Section 38 Agreement, as part of the adoption as Grafton Drive as a public highway.
- f. Public Utility apparatus may be affected by this proposal. It will be necessary to contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.
- g. The reserved matters application should include a daylight/sunlight assessment to demonstrate the potential loss of light to neighbouring properties, including 97-99 West Drive.
- h. The rear 1st floor windows in Unit 1 should be either obscurely glazed or above 1.8m above finished floor level in order to prevent loss of privacy to 97-99 West Drive.
- i. Any proposed vehicular access before it is first used where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.
- j. It is the developer's responsibility to provide suitable household bins on site before the proposed dwelling is occupied.
- k. The Reserved Matters application should include details of water drainage, this might include a soakaway and a grey water scheme.

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

- South Cambridgeshire Local Development Framework Core Strategy and Development Control Policies 2007

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