

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

6 October 2010

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

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**S/1081/10/F- HARSTON**  
**Erection of Two Dwellings on Land to the South of 37 Church Street,  
for Mr Rupert Dick**

**Recommendation: Refusal**

**Date for Determination: 8 September 2010**

**This Application has been reported to the Planning Committee for determination at the request of the local Member, Councillor Dr Janet Lockwood.**

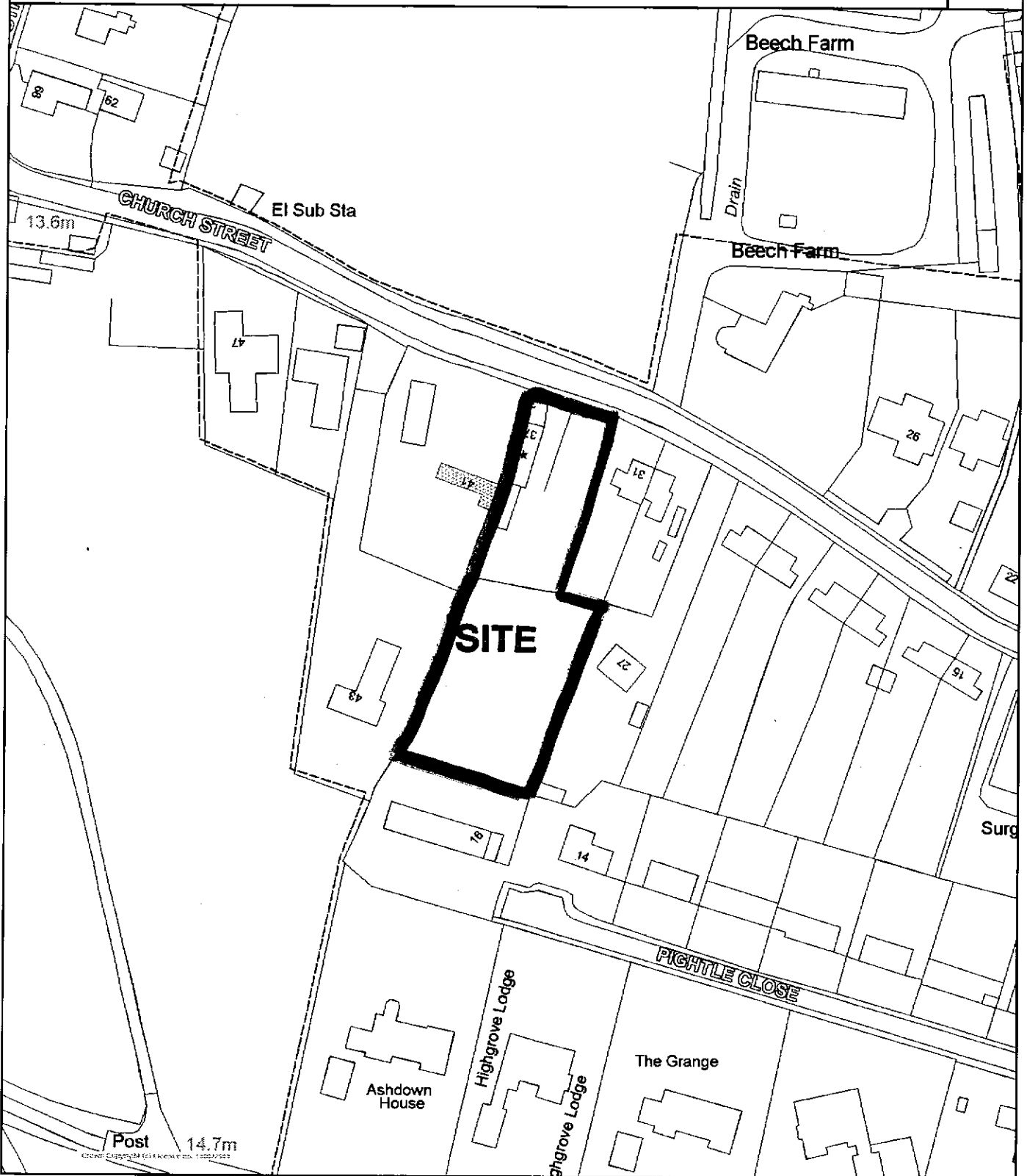
### **Site and Proposal**

1. The application forms part of the garden area of the applicant's dwelling, comprising 0.26 ha. The site contains numerous mature trees, and is surrounded on each side by existing residential development. The existing house is two storeys in height, and is located at the north western corner of the site fronting Church Street. There is an existing single access onto Church Street. The adjoining dwelling to the north west, 41 Church Street, is a grade 2 listed building.
2. The full planning application, dated 16 June 2010, proposes the erection of two identical detached houses with double carports and stores. The dwellings each have five bedrooms, and are two-storey in height, 7.3 m to ridge. Each is to be provided with a basement. They are designed to a high standard of energy performance. External materials are to be weatherboarding in silver grey stain, and terracotta clay pantiles for the roofing.
3. The application proposes the extension of the existing driveway to serve both new dwellings and the existing dwelling. This is to be surfaced in gravel. The application drawings show visibility splays of 2.4 x 70 m to the north west, and 2.4 x 43 m to the south east along Church Street, drawn to the centre of the road. The landscaping along the frontage of the site has been adjusted to accommodate the easterly visibility splay.
4. The application is supported by a design and access statement, planning statement, financial appraisal and a traffic statement.

### **Planning History**

- |    |                    |                         |           |                 |
|----|--------------------|-------------------------|-----------|-----------------|
| 5. | <b>S/1653/09/F</b> | Erection of 2 dwellings | Withdrawn | 9 February 2010 |
| 6. | <b>S/0998/08/F</b> | Erection of 2 dwellings | Withdrawn | August 2008     |
| 7. | <b>S/0850/99/F</b> | Extension               | Approved  | 1999            |

S/1081/10/F - Land to the South of 37 Church Street Harston



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Scale 1/1250 Date 24/9/2010

Centre = 541994 E 250898 N

8.	<b>S/0250/79/O</b>	Erection of 1 dwelling	Refused (cramped layout: inadequate foul drainage)	1979
9.	<b>C/0195/65</b>	Erection of 1 dwelling	Refused (density too high; piecemeal development)	1965
10.	<b>C/0195/65</b>	Erection of 1 dwelling	Refused (density too high; piecemeal development)	1965
11.	<b>C/0072/65</b>	Erection of 1 dwelling	Refused (back land development; loss of privacy)	1965

### **Planning Policy**

12. **South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007:**  
**ST/6** (Group Villages)
13. **South Cambridgeshire Development Control Policies Development Plan Document (2007)**  
**DP/1** (Sustainable Development)  
**DP/2** (Design of New Development)  
**DP/3** (Development Criteria)  
**DP/4** (Infrastructure and New Developments)  
**HG/1** (Housing Density)  
**HG/2** (Housing Mix)  
**HG/3** (Affordable Housing)  
**CH/4** (Development Within the Curtilage or Setting of a Listed Building)  
**NE/1** (Energy Efficiency)  
**NE/6** (Biodiversity)  
**TR/1** (Planning for More Sustainable Travel)  
**TR/2** (Car and Cycle Parking Standards)
14. **Trees and Development Sites SPD** (January 2009)  
**Open Space and New Developments SPD** (January 2009)  
**Listed Buildings SPD** (2009)  
**District Design Guide SPD** (2010)  
**Affordable Housing SPD** (2010)  
**Circular 11/95 -The Use of Conditions in Planning Permissions**

### **Consultations**

15. **Harston Parish Council** – Recommendation of approval. Comment that the concerns of the neighbour at 43 Church Street should be taken into account.
16. **Trees and Landscape Officer** - No objection.
17. **Landscape Design Officer** - No objection. Details of disposal of excavation spoil and proposed hedging/fencing are required. Tree protection is required during the construction period.

18. **Housing Development and Enabling Manager** – The HD&EM has been in negotiation with the applicant and is willing to accept a commuted sum in lieu of onsite provision of one dwelling, valued at £73,000.
19. **Local Highway Authority** - Recommendation of refusal due to unacceptable visibility splays. The LHA has considered the statement put forward by the highways consultant, but disagrees that the visibility splays may be drawn to the centreline of the carriageway. As a result, the 2.4 x 43m visibility splay in the easterly direction would cross neighbouring land outside the applicant's ownership or control. The proposed development would therefore be detrimental to highway safety.

### **Representations**

Comments have been received from the following occupiers:

20. **14 Pightle Close:** generally happy with the proposal but requests that the dwelling on Plot 1 be moved 1.5m closer to the road to avoid overlapping the building line at the rear of that house.
21. **43 Church Street:** Objection on the grounds of a loss of view at the rear from the garden and French windows. The size of the dwellings is over the top for the size of plot available, and would be more suitable for one more sympathetically positioned property.
22. Comment from the Local Member

**Councillor Dr Lockwood** has provided the following comment:

"I would like this to go to Planning Committee on the basis that by providing a commuted sum for affordable housing, the application would in effect be contributing to another dwelling elsewhere that could be one or two bedroomed.

Also, is there any basis in Rupert Dick's contention that Highways are treating the driveway as a road junction, and this is not correct, so that the Manual for Streets should apply? (Presumably this would allow the visibility splay as it stands.) This might also be grounds for Planning Committee referral."

### **Planning Comments**

#### ***Density***

23. The application site, including the existing dwelling, has an area of 0.24ha, representing a density after development of 12.5 dwellings per hectare. The area to be given over to the development excluding the existing dwelling amounts to 0.18ha, which would represent a density of 11.1 dwellings per hectare. This density is below the normally expected requirement under policy HG/1 of 30 dph. It is considered that there are circumstances which would render a greater number of dwellings unacceptable, including the proximity of a listed building, the low density of development in the vicinity of the site, and the need to preserve the quiet amenity of occupiers of dwellings adjoining on each side of the site, including the applicant's own dwelling.

#### ***Housing mix***

24. The proposal shows two market houses each having 4/5 bedrooms. The requirements of policy HG/2 indicate that one of the houses should be a smaller unit with 1/2 bedrooms. The design and access statement and financial appraisal sets

out the case that such a mix of housing would result in viability issues given the high specification for the dwellings proposed. A two-bed unit would increase the net build cost of the scheme by about £100,000. The applicant plans to occupy one of the new houses and sell the other to fund the development. Unless he can do this, the development would simply not be brought forward. The substantial commuted sum for off-site affordable provision should also be considered as contributing to a mix of new houses funded by this project.

25. In addition, this would not be making best use of this potential site. A smaller scale dwelling would be out of keeping with the character of this part of the village, in the opinion of the agent.
26. The agent has not set out any information indicating that the District no longer requires a greater proportion of smaller dwelling units, except for the assertion that there must be demand for larger houses for developers to want to provide this size of house.
27. The provision of a smaller unit on this site would not be out of keeping with the general character of the area, which contains houses of a variety of sizes. Policy HG/2 does not provide for exemptions on the grounds of viability on schemes of less than ten dwellings. The proposal does not comply with policy HG/2.

#### ***Affordable Housing***

28. Taking into account the advice of the Housing Development and Enabling Manager, the requirements of policy HG/3 would be met in this case by the securing of a suitable commuted sum.

#### ***Scale and design***

29. The dwellings are shown adjacent to a bungalow at 27 Church Street to the east, but adjacent to two-storey houses at 43 Church Street and 16 Pightle Close. This scale of dwellings is not considered to be out of keeping with the character of the village. The design and external materials of the dwellings reflect the high-energy performance expected of the buildings. It is considered that the combination of two dwellings of an acceptable and similar design, together with their siting far back from the road, will result in a development that is not harmful to the street scene.

#### ***Setting of the listed building***

30. Provided the existing hedgerow at the rear of the listed building at No.41 Church Road is retained the development is considered to be harmful to the setting of the listed building.

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

31. The driveway serving the existing dwelling and proposed dwellings is shown to be located between 2m and 5m from the side boundary with the adjoining dwelling at No.31 Church Street. The vehicle turning area is shown to be located to the rear of this garden, where there is scope to erect screen walling. It is not considered that undue noise disturbance would arise from the use of the extended driveway by three dwellings.
32. The proposed dwelling on Plot 2 is shown to have first floor windows in the east elevation facing towards No.27 Church Street. These are to a shower room and as a

secondary window to a bedroom, which could be required to be fixed shut and obscure glazed to prevent overlooking. Similarly, first floor windows in the western side elevation of the proposed dwelling on Plot 1 could be so conditioned, for a similar reason. The rear facing windows closest to the side boundaries would have an oblique view over adjacent gardens, but not to an extent that serious harm would result. Windows in the front elevation of the proposed dwelling on Plot 1 would be located at a distance of 14m approximately from the rear boundary with No.31 Church Street. This is considered to be a reasonable separation.

33. The dwellings at 14 and 16 Pightle Close, to the south, are located at a window-to-window distance exceeding 30m, and a window-to-boundary distance of 25m approximately. These are considered to be reasonable separation distances.
34. The proposed dwelling on Plot 2 is shown to have its east elevation positioned approximately 2.5m from the boundary with the rear garden of No.27 Church Street, and the current occupier has previously expressed concern at the potential harm to which this would give rise. The dwelling is shown to have a gable end 7.3m to ridge and 4.9m to eaves, but this is some 8m from rear facing windows and would not directly affect the outlook from these windows. The dwelling is shown to be positioned adjacent to the main sitting out area of No.25, but the distance from the boundary is considered to be sufficient to mitigate any overbearing impact from the development on the rear garden of this property. Except in the late summer evenings, no overshadowing of this garden from the development would occur.
35. Subject to appropriate planning conditions, it is not considered that any of the impacts on the residential amenity of adjoining occupiers arising from the development would be so serious as to warrant a refusal of planning permission.

### ***Access and Parking***

36. The proposal has attracted a recommendation of refusal from the local highway authority on the grounds that insufficient visibility splays have been provided. The site is located on the inside of a bend in Church Street, where visibility to the east is limited. Furthermore, the necessary visibility splay crosses third party land. The proposal does not comply with policy HG/3.

### ***Other matters***

37. If approved, the proposal would give rise to additional demands on local open space provision. Policy DP/4 and the relevant SPD indicate that a payment of around £8,183.60 would be required in order to account for this demand. The applicant has indicated a willingness to make such a payment, which would be secured by means of a Section 106 agreement.
38. The development has been brought forward with high build standards of sustainability. Members may wish to consider whether this is sufficient mitigation to set aside other concerns, but in officers' opinion this is not an overriding factor.

### **Recommendation**

39. Refusal
  1. The proposed development does not provide adequate vehicle-to-vehicle visibility at the junction with Church Street to serve the needs of the development and to achieve adequate highway safety. The proposal does not

comply with policy DP/3, of the South Cambridgeshire Development Control Policies Development Plan Document (2007) which seeks to ensure that all new development is provided with safe means of access.

2. The proposed development fails to provide a mix of dwelling size to meet local needs. The proposal does not comply with policy HG/2 of the South Cambridgeshire Development Control Policies Development Plan Document (2007) which seeks to ensure that a greater proportion of smaller homes is provided in new residential schemes.

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

- South Cambridgeshire Local Development Framework (LDF) Core Strategy (2007)
- South Cambridgeshire Development Control Policies Development Plan Document (2007)
- Planning file refs: S/1081/10/F; S/1653/09/F and S/0998/08/F.

**Contact Officer:** Ray McMurray – Principal Planning Officer  
Telephone: (01954) 713259