

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

12th January 2011

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

S/1642/10 – GREAT SHELFORD

Erection of house, brick wall and gated entrance following demolition of existing bungalow - 28, Hinton Way for Mr Paul, Cook

Recommendation: Approval

Date for Determination: 18th November 2010

Notes:

This Application has been reported to the Planning Committee for determination given that Officer recommendation for an approval is contrary to Parish Council's recommendation for a refusal.

Site and Proposal

1. Hinton Way is within the Great Shelford village framework and comprises commercial and residential properties. No. 28 Hinton Way is situated on the south side of Hinton Way amongst other residential properties. The site comprises a single storey building in red bricks under a hipped roof with an attached garage at the side adjacent to No. 1 Glebe Lane. The dwelling is set on a lower ground level than No.30 Hinton Way and the land level drops towards No. 1 Glebe Lane. Properties in this side of Hinton Way predominately have hipped roofs and frontages have low-level enclosures or soft landscaping. No. 1 Glebe Lane is set in line with the dwellings on Hinton Way. It is a single storey dwelling with two rooflights (serving landing and bathroom) facing No. 28. There are two obscured glass windows, a door and a small storeroom window on the ground floor side elevation of No. 1 facing the application site, it has a patio area beyond two bedroom windows in the rear elevation and there is a bedroom dormer window and a balcony facing the garden. No. 30, to the northeast of the site, is a two storey house with secondary dining and bedroom windows in the side elevation and an attached garage adjacent to the boundary with No. 28.
2. The full application proposes the erection of a three-bed house, brick wall and gated entrance to replace the existing bungalow, validated on 23rd September 2010. The proposed two and a half storey house would have a hipped roof facing the road and in the side elevations, set forward by 1.8m from No. 1 and 1.4m from No. 30. The eaves height of the house would be 5.2m high adjacent to No. 1 and 3.3m high adjacent to No. 30. The ridge height would be 9.5m high. The house includes an integral garage adjacent to No. 30. This application is a resubmission following a refusal of a previous application S/0680/10/F. The main changes of this scheme are: replacing the full front gable with a hipped roof, omitting the second floor front windows,

and an additional street elevation submitted showing the level difference at Hinton Way and the proposed dwelling in relation to adjacent properties.

3. The proposed development represents a density of 16.6 dwellings per hectare.

Planning History

4. **S/1552/10** – An application to replace an extant planning permission in order to extend the time limit for implementation of a previous consent S/1628/07/F, approved.

S/0680/10/F – Erection of house following demolition of existing bungalow, refused under officer delegated power for the following reason: “The proposed replacement dwelling, by virtue of its complicated design, height, width and scale, with a full gable end facing Hinton Way would result in a 9.5m high building which would result in a dominant feature and would be visually unattractive in the street scene. As such, the proposal would be contrary to Policy DP/2 of the South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document 2007 which requires a high standard of design which responds to the local character of the built environment for all new development; Policy DP/3 of the South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document 2007 that resists development that would have an adverse impact upon village character; and South Cambridgeshire District Council District Design Guide Supplementary Planning Documents – Adopted March 2010 which requires a high quality of design in new developments.” The applicant appealed against the refusal and the Planning Inspector’s decision is awaited.

S/1628/07/F – Extension of bungalow to form a house, approved. The approved house would be 4.8m high to the eaves and 7.2-8.3m high to the ridge under a hipped roof. It has not been implemented.

Planning Policy

5. **South Cambridgeshire Local Development Framework Core Strategy DPD 2007: Policy ST/4 – Rural Centres**
6. **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 Developments
 - **DP/7**- Development Frameworks
 - **HG/1** – Housing Density
 - **NE/1** – Energy Efficiency
 - **NE/6** – Biodiversity
 - **NE/15** – Noise Pollution
 - **TR/1** – Planning for More Sustainable Travel
 - **TR/2** – Car and Cycle Parking Standards

7. **South Cambridgeshire Local Development Framework Development Supplementary Planning Documents:**
 - **Biodiversity 2009**
 - **Landscape in New Developments 2009**
 - **Design Guide 2010**
8. **Great Shelford Village Design Statement 2004** – page 15, paragraph 8 under the section of Character Areas identifies the character of Hinton Way that there is a wider age range among the houses. The southern side is more open to the landscape whilst on the northern side there is estate development embodying local authority housing and a landscaped mobile home park.
9. **Circular 11/95** – The Use of Conditions in Planning Permissions: Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.
10. **Circular 05/2005** – Planning Obligations: Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.

Consultations

11. **Great Shelford Parish Council** objects to this application and states that 'This application is almost identical to S/0680/10 which was refused and therefore our comments still apply, even though the gable has been replaced by a hipped roof.'
12. **Great Shelford Parish Council's comments on planning reference S/0680/10 were:**

Recommends refusal and states that,
'This design is contrary to Policy DP/2 which states that development should be compatible with its location and appropriate in terms of scale, mass, siting, design, proportion, materials, texture and colour in relation to the surrounding area. We believe this building is of a scale, mass, form and proportion out of keeping with its location and the plot. The building is 1.2m higher than that previously approved. The floor area is 20m² greater, but all of the building is 3 storey whereas the previous had 40m² which was a single storey. The gable end on design is out of keeping with properties in this part of Hinton Way most of which have hipped roofs or with the ridge running parallel to the road and the proposed form is oppressive to the adjoining bungalow.
The long high and largely unbroken SW and NE elevations will dominate adjoining properties and the velux windows and bedroom windows on the SW elevation will overlook those of No. 1 Glebe Lane. The 2.3m high brick wall along the southwest boundary will cut out light to the ground floor windows of that property. This is contrary to Policy DP/3. Recommend Refusal.'
13. **Trees and Landscape Officer** has no objections.
14. **Landscape Design Officer** would like the yew hedge retained and returned around the rear of the visibility splay, instead of the proposed wall. This will retain the soft frontage of Hinton Way. A small tree in the front garden behind the hedge, approximately in the centre of the width would contribute to the

character of the street. The tree must fit beneath the telegraph wires at its ultimate height. She suggests Amelanchier Robin Hill or Prunus Okame or P. Pandora. The front garden should not be all gravel but should include some planting or grass where cars will not be manoeuvring. This will help the house to look settled in its surroundings and avoid the 'garage forecourt' look. She does not need each plant specified but areas of planting beds should be shown to ensure that they are given adequate soil depth (at least 400mm). The planting line for the hedge should take into account the depth of the hedge at maturity so that it does not overhang areas that should be clear e.g. 0.5m back from the finished line allows a 1m deep hedge. She would like landscape conditions applied and this guidance passed on to the applicant. The drawing should show a temporary fence at least 1.5m from the centre of the existing hedge line to give protection during the construction works.

15. **Acting Environmental Health Manager** raises no objection in principle although does express concerns about potential noise disturbance to residents during the demolition and construction period. As such, it is recommended that condition and informatives be attached to any permission.
16. **Local Highway Authority** request that the Local Planning Authority condition works are carried as per drawing number 380/7A and add informatives on highways requirement regarding work to the public highway, and notifying appropriate utility service on any impact on public utility apparatus.

Representations

17. The residents at No. 1 Glebe Lane have concerns about the proximity and the height of the proposal that would affect the light to their property.

Planning Comments – Key Issues

18. The key issues to consider in the determination of this application are:
 - Principle of residential development;
 - Housing density;
 - Residential amenity interests;
 - Design and streetscene;
 - Highway safety;
 - Landscape character and boundary treatment.

Principle of residential development

19. Great Shelford is one of the Rural Centres in the district. Since the Rural Centres comprise the most sustainable villages in South Cambridgeshire there is no strategic constraint on the amount of development or redevelopment of land for housing that can come forward within the village framework, provided that the proposals are in accordance with the policies in the South Cambridgeshire Local Development Framework. The proposal for a replacement dwelling is therefore acceptable in principle.

Housing Density

20. The site area for the proposed replacement dwelling measures approximately 0.06 of a hectare. The erection of one replacement dwelling equates to a

density of 16.6 dwellings per hectare. The proposal does not meet the density requirement of 30-40 dwellings per hectare in sustainable villages. It is acknowledged that the site has the potential to have more than one dwelling subject to detailed design with a shared access and on-site car parking. Comments from LHA in the previous application S/0680/10/F have been taken into account, and given the limitation of the site to provide vehicle to vehicle visibility splays, it is considered that on balance, highway safety would outweigh the requirements to achieve a minimum density in this site. In any case, the density would be in character with its surroundings.

Residential amenity interests

21. The eaves height of the proposed dwelling would be 3.3m high closer to No. 30 and 5.2m high closer to No. 1. The ridge height would be 9.5m. The proposal includes an integral garage adjacent to the garage at No. 30 and a single store rear element set slightly beyond the conservatory at No. 30. The non-habitable room rooflights in the northeast side elevation facing No. 30 would be high-level velux and would not cause undue overlooking to neighbours at No. 30. The roof design closer to No. 30 has low eaves and a sloping roof set off from the common boundary, it is therefore considered that the proposal would not be unduly overbearing and adversely affect the residential amenity interests to the occupiers at No. 30.
22. The proposed house would set approximately 1.3m beyond the rear elevation of No.1 and the southwest side elevation would set 1.6m from the common boundary. Given that the ground floor windows and rooflights at No. 1 serve non-habitable rooms, it is considered that the proposed house would not be overbearing to No. 1. The proposal includes a section of 2.3m high wall at a length of 16m along the shared boundary with No. 1. Impacts on daylight and sunlight to a ground floor bedroom window at No.1 have been assessed. Given that the site lies to the north of No. 1, and given the height of the wall and the length of the section that would be beyond the rear elevation of No. 1, and a 2m high wall that could be built within permitted development, it is considered that on balance, the proposed wall would not cause serious harm to the outlook, daylight and sunlight to No. 1.
23. The first floor and second floor windows and rooflights in the southwest side elevation are either secondary bedroom windows or non-habitable room windows, the overlooking concern could be addressed by planning conditions to control the fixed opening and obscured glazing.

Design and street scene

24. The major changes of this proposal and the refused scheme are replacing the full gable roof with a hipped roof in the front elevation, and omitting the second floor front windows. Assessment would therefore be focused on whether these changes are sufficient to address the reason for refusal of the previous scheme relating to: *'The proposed replacement dwelling, by virtue of its complicated design, height, width and scale, with a full gable and facing Hinton way would result in a 9.5m high building which would result in a dominant feature and would be visually unattractive in the street scene'*.
25. It is noted that there is ground level difference between the application site and the adjoining properties that the land at No. 28 is set approximately 0.45 below the ground level of No. 30. There is also ground level difference within

the site between the frontage and the ground level of the proposed dwelling, the level difference is between 0.7m and 0.99m. The ground level of the proposed dwelling would set below the ground level of No 30. The submitted street elevation explains the height and ground level relationship within the site and amongst neighbouring properties. The hipped roof design significantly reduces the scale and overall bulk of the replacement dwelling comparing to the previous scheme. The introduction of a hipped roof with an eaves height of 5.2m, together with the fact that No. 30 is set on a rising ground level, it would be viewed from the public realm that the eaves height of the proposed dwelling would set slightly lower than the eaves height of the house at No. 30.

26. Dwellings within the vicinity of the site are varied in character and appearance; however, there is a clear consistency of design and form of hipped roof design. The proposed hipped roof design would be in keeping with and reflective of the character of other properties in the locality.
27. The overall design of the front elevation has been revised and simplified that addresses the complicated design of the previous scheme. The proposed dwelling would have simple window arrangement in the front elevation without second floor front windows that would be related to the structural form of the front elevation.
28. It is acknowledged that the overall height of the dwelling has not been reduced and it remains as 9.5m to the ridge. However, given that the changes made in this proposal with a hipped roof and simple front elevation, together with the presentation of the resultant street elevation showing the level difference, it is considered that, on balance, this application is acceptable and addresses the issues of design, scale, and dominant feature.

Highway safety interests

29. The existing access remains unchanged. The proposed gate would be set back from the highway by 5m which is considered to be acceptable and would not cause adverse impact on highway safety. The on-site car parking and turning facilities are also acceptable in meeting development plan requirements.

Landscape character and boundary treatment

30. The proposal includes a new 1.8m high brick wall adjacent to the existing hedges along the frontage and extends into the front garden. Given that most part of the wall would be set back from the highway and only a small section would directly face the road, it is considered that the wall is acceptable and would not cause significant harm on visual amenity. Details of the landscape scheme and materials to be used for hard surfaced areas would be controlled by planning conditions in any consent to ensure the landscape character and the character of the area.

Recommendation

31. Approve subject to the following conditions:
32. Conditions

1. **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.)
2. **The development hereby permitted shall be carried out in accordance with the following approved plans: drawings number 380/7A (location plan and proposed site plan), 380/8B (proposed floor plans), 380/9B (proposed elevations), 380/10B (proposed elevations) and 380/11 (sections).** (Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
3. **No development shall take place until samples 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.)
4. **No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details 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. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.** (Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
5. **All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.** (Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
6. **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 for the dwelling shall be completed before the dwelling is occupied in accordance with the approved details and shall thereafter be retained.** (Reason –

To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the Local Development Framework 2007.)

7. **No development shall commence until details of the materials to be used for hard surfaced areas within the site includes driveways and car parking and turning areas 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.** (Reason – To ensure that the development enhances the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
8. **No power operated machinery shall be operated on the premises during the period of demolition and construction, before 0800 hours on weekdays and 0800 hours on Saturdays nor after 1800 hours on weekdays and 1300 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.** (Reason – To minimise noise disturbance to adjoining residents in accordance with Policy NE/15 of the Local Development Framework 2007.)
9. **The proposed first floor windows in the south-west/ side elevation of the dwelling, hereby permitted, shall be fixed shut, fitted and permanently glazed with obscure glass.** (Reason – To safeguard the privacy of adjoining occupiers at No. 1 Glebe Way in accordance with Policy DP/3 of Local Development Framework 2007.)
10. **The proposed rooflights in the side elevations of the dwelling at and above first floor level, hereby permitted, shall be installed at least 1.7m from the floor level.** (Reason – To safeguard the privacy of adjoining occupiers at No. 30 Hinton Way and No. 1 Glebe Way in accordance with Policy DP/3 of Local Development Framework 2007.)

Informatives

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 demolition and 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.
3. Before the existing property is demolished, a Demolition Notice will be required from the Environmental Health Department establishing the way in which the property will be dismantled, including any asbestos present, the removal of waste, minimisation of dust, capping of drains and establishing hours of working operation. This should be brought to the attention of the applicant to ensure the protection of the residential environment of the area.

4. The applicant's attention is drawn to the Council's Landscape Design Officer's comments (a copy is enclosed with the decision notice) regarding to the details expected to discharge planning conditions 4 (landscape scheme) and 6 (details of hard surfaced areas).
5. A separate permission must be sought from the Highway Authority to carry out any works within, or disturbance of, or interference with, the Public Highway.
6. Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.

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

South Cambridgeshire Local Development Framework Core Strategy DPD 2007
South Cambridgeshire Local Development Framework Development Control Policies DPD 2007

South Cambridgeshire Local Development Framework Development Supplementary Planning Documents:

- Biodiversity 2009
- Landscape in New Developments 2009
- Design Guide 2010

Circular 11/95 – The Use of Conditions in Planning Permissions

Circular 05/2005 – Planning Obligations

Planning application references: S/1642/10, S/1552/10, S/0680/10/F and S/1628/07/F.

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