

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

2 February 2011

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

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**S/2058/10/F – WESTON COLVILLE**  
**Dwelling – Land South of Springhill Lodge, Brinkley Road**  
**For Mr & Mrs Chennells**

**Recommendation: Approve conditionally**

**Date for Determination: 24 January 2011**

**Notes:**

**This Application has been reported to the Planning Committee for determination because the recommendation of the Parish Council conflicts with that of officers.**

**Members will visit this site on 2 February 2011**

**Site and Proposal**

1. The site lies near the northern edge of the village. It measures approximately 50m deep by 11-14m wide and comprises the side garden of Springhill Lodge, to the south-west of that property, which is the last house in Brinkley Road leading north-east out of the village. The site is set back behind a verge of grass and trees, over which access would be provided by removing part of the front boundary hedge. The site slopes downwards towards the rear, and the street slopes upwards to the north.
2. Springhill Lodge is a two storey dwelling of white painted brick with a plain tiled roof, with recent permission to be extended on its north side (opposite side to the site) by a similar footprint to provide garaging with accommodation above. To the south west is a chalet bungalow, Springwood, which is a modern detached 1½ storey dwelling of red brick under a concrete pantiles roof. It is set back on its plot and orientated such that the front elevation faces the front of the application site rather than its own plot.
3. The character of the area is one of informal development beyond the end of the built up part of the street, with 3 houses on each side of the road being mainly detached and semi-detached and set in varying sized plots and with varying degrees of set-back from the road.
4. The application proposal is for a two storey, 3 bedroom dwelling with shallow pitched roof facing gable on to the street. The height of the dwelling has been reduced from a typical two storey dwelling by incorporating an element of the first floor into the roofspace, such that the overall height would be 6.9m, and this would sit between the heights of the dwellings either side. The form of

the dwelling would be made up of a two storey central element, with subservient single storey extensions to the front and rear, including the garage. It would be finished in red brick, cedar boarding and a slate roof. Windows to habitable rooms would face front and rear. The design incorporates sustainability features including rainwater harvesting, and maximises solar gain.

5. The application is accompanied by a Design and Access Statement, a Daylight/Sunlight Assessment, and an Arboricultural Implications Assessment.

### **Planning History**

6. Extensions to Springhill Lodge approved in 1979 and 2010.

### **Planning Policy**

South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007:

#### **ST/7 – Infill villages**

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**

**DP/4 – Infrastructure and New Developments**

**HG/1 – Housing Density**

**SF/10 – Outdoor play space, informal open space and new developments**

**SF/11 – Open Space Standards**

**NE/1 – Energy Efficiency**

**NE/6 – Biodiversity**

**TR/2 – Car and Cycle Parking Standards**

7. Supplementary Planning Documents:

District Design Guide

Open Space in new developments

Trees and Development Sites

### **Consultation**

8. **Parish Council** – recommends refusal. “We consider the site very small for development having an adverse effect on the two adjoining properties. Also rather a poor entrance and limited parking. However, we are aware of precedence for similar development so this may not be sufficient reason for refusal.”
9. **Highway Authority** – requests conditions requiring visibility splays, bound material for the driveway, and no surface water to drain onto the highway.

10. The **Acting Environmental Health Manager** requests a condition restricting hours of use of construction machinery, and method statement if pile foundations are to be used.
11. The **Trees and Landscape Officer** has no objection, subject to tree protection measures being installed prior to development.

### **Representations**

12. **From the occupiers of Springwood, adjacent to the site** – Object. Overdevelopment of this area of the village. The land is currently garden, and its change of use would constitute creeping urbanisation. The plot is not considered large enough for the proposed or any reasonable housing development, which would be boundary to boundary and too close to the existing dwellings. It is not considered that the plot is the width of other similar properties on Brinkley Road, particularly that of detached properties which are on much larger plots and well spaced apart.
13. The Arboricultural Implication Assessment does not reflect that numerous trees have been removed from the grounds prior to the application. The area of the proposed dwelling was a wooded area a few months before the application, about 95% of which has now been removed including several mature oak, ash and field maple. There has since been a decline in bird and bat population.
14. There is insufficient space for the parking of construction vehicles. The design of the dwelling is out of keeping with the area.
15. **From the occupiers of Ashcroft, opposite the site** – object to the loss of garden land and consequent loss of natural flora and fauna of the area. Trees were felled earlier in the year. Any further additional building will increase the urbanisation of the village. There would be direct views into the windows of our 2 front bedrooms.
16. **From the occupier of Woodlands, opposite the site** – Concerned about number of trees removed, which should be replanted. The proposed development is too big for the plot and too close to the existing house, irreparably damaging the amenity of the area. I also object as the upstairs windows at the front will, due to the slope of the land, be directly in line and directly look into my kitchen, dining room, living room and one bedroom.
17. **The agent** has responded to the comments of the Parish Council and occupiers of Ashcroft: “The plot area is of an acceptable size to accommodate a dwelling. It is indeed larger than that for the similar sized dwelling approved in Chapel Road, Weston Colville (ref S/1684/09). The entrance from Brinkley Road has been designed so as to comply with the Highway Authority’s requirements and the parking spaces meet your standards. There will be no loss of amenity caused to the neighbouring properties, particularly those on the opposite side of the road. Whilst my client has removed some trees from within the garden of Springhill Lodge, this is part of an ongoing programme of tree and hedgerow replacement and has been carried out with the advice of an arboriculturalist.

## Planning Comments – Key Issues

18. The main issues to be considered are the principle of development, character and appearance of the area, effect on neighbouring amenity and highway safety, and landscaping.
19. Principle of Development. The site lies within the village framework where development is acceptable in principle. The site measures 0.05 hectare, which equates to a site density of 20 dwellings per hectare. Whilst policy HG/1 requires development to make the best use of the site by achieving 30 dwellings per hectare, the relatively narrow shape of the site would not facilitate the provision of more than 1 dwelling whilst retaining the linear character of development in the area. The provision of one dwelling is therefore appropriate and acceptable. In addition, Policy ST/7 supports infill development.
20. Character and appearance of the area. There is a clear distinction in character between the built up part of Brinkley Road and the 6 houses beyond the end of them, within which the site lies. The character of this part of the road is one of detached and semi-detached houses set back on their plots, with a rural, village-edge setting with verges, hedges and trees. The plots vary in width, such that this plot would not be out of character in terms of its size. The proposed dwelling would have its gable end facing the road, but has been designed with various elements at a variety of heights so as to add interest, and add to the variety of dwelling types in the street. Its height would be between those of the neighbours each side, and it would be set back in the same way as other dwellings. It would not therefore be dominant or out of character in the street scene.
21. Effect on neighbouring amenity. The proposed dwelling has been carefully positioned on the plot to account for the outlook of the neighbouring dwelling to the south, Springwood. That property sits on its plot at an angle to the road and therefore overlooks the front of the application site. It has no windows in its side elevation. The proposed dwelling would be set behind the straight-line view from the front of that dwelling, and would have a single storey element at the front so as not to appear too dominant in oblique views. Whilst it would be visible from the neighbouring property to the south it would not be overbearing. There would be no first floor windows in the side elevation of the dwelling, so no overlooking would occur. As the proposed dwelling would be to the north of Springwood, it would not cause overshadowing to that property.
22. The applicant's dwelling to the north of the site is on a very large plot, part of which would be overshadowed by the proposed dwelling. The Sunlight assessment shows that for most of the year there would be little or no overshadowing. The size of the plot and the length of that property means that more than sufficient space remains un-shaded for the occupiers' amenity not to be unduly affected. Only high level roof lights would be provided within the north elevation of the proposed dwelling, so that overlooking would not occur.
23. The occupiers of Ashcroft and Ash House on the opposite side of the road have objected on the grounds of overlooking from front elevation to front elevation. The nearest window to window distance (to Ashcroft) would be

35m and also at an oblique angle, with Ash House even further. There would therefore be no unduly detrimental overlooking across the road.

24. Effect on highway safety. The proposed entrance across the verge would serve a parking area which would accommodate at least one vehicle (in addition to the garage) and a turning space, therefore in accordance with the Council's standards. The highway authority has not objected subject to conditions. Neighbours have raised concerns about construction vehicles, and a condition can be added to require agreement of construction and delivery access and parking, as well as hours of construction.
25. Landscaping. The application has been submitted during the implementation of a programme of tree works (including felling) on the overall property, which has caused some consternation locally. However, none of the trees were the subject of a TPO or in a conservation area, and the applicant is therefore entitled to carry out any works he desires. However, in the interests of the rural character of the area, a landscaping condition should be added to any permission.
26. Other matters. The Parish Council and the agent have referred to precedent elsewhere. In particular the agent refers to a development in Chapel Road, which is indeed similar in terms of being an infill plot in a side garden, although it is in a slightly more built-up area of the village. However, each case must be considered on its own merits in accordance with policy.
27. The creation of a new dwelling requires financial contributions to be made towards public open space and community facilities in accordance with policies DP/4 and SF/10. In this instance, the developer contributions would amount to £3104.38 for open space and £523.93 for community facilities. Policy DP/4 also requires contributions for waste management, including waste receptacles at £69.50 per dwelling. Additionally, SCDC levies a \$106 monitoring fee of £50.00 and approximately £350.00 towards legal fees. The contributions are acknowledged within the Design and Access Statement and it is therefore considered reasonable and justified to secure these payments through a scheme to be required by planning condition.

### **Recommendation**

28. Approve, subject to the following conditions:

### **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. **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 side elevations of the dwelling at or 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.)

3. **The development hereby permitted shall be carried out in accordance with the following approved plans: 10:024-0A, 1A, 2A and 3A.**  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
4. **During the period of demolition and construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.**  
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
5. **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.)
6. **No development shall take place until a plan showing the finished floor levels of the proposed dwelling in relation to the existing and proposed ground levels of the surrounding land has been submitted to and agreed in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.**  
(Reason - In the interests of residential and visual amenity, in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
7. **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, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant 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.)
8. **No development shall begin until details of a scheme for the provision of open space and community facilities infrastructure, S106 monitoring and waste receptacle provision to meet the needs of the development in accordance with adopted Local Development Framework Policies**

**DP/4 and SF/10 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 the need for recreation/open space and community facilities in the village and suitable waste provision for the property in accordance with Policies DP/4 and SF/10 of the adopted Local Development Framework 2007.)

9. **In this condition 'retained tree' means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the first occupation of the dwelling hereby approved.**

**(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with the relevant British Standard.**

**(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.**

**(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.**

(Reason - To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)

10. **No development shall take place until details of the following have been submitted to and approved in writing by the Local Planning Authority:**

- i) Contractors' access arrangements for vehicles, plant and personnel;**
- ii) Contractors' site storage area(s) and compounds(s);**
- iii) Parking for contractors' vehicles and contractors' personnel vehicles;**

**Development shall not be carried out other than in accordance with the approved details.**

(Reason - In the interests of residential amenity in accordance with Policies DP/3 and DP/6 of the adopted Local Development Framework 2007.)

11. **No demolition, site clearance or building operations shall commence until tree protection comprising weldmesh secured to standard**

scaffold poles driven into the ground to a height not less than 2.3 metres shall have been erected around trees to be retained on site at a distance agreed with the Local Planning Authority following BS 5837. Such fencing shall be maintained to the satisfaction of the Local Planning Authority during the course of development operations. Any tree(s) removed without consent or dying or being severely damaged or becoming seriously diseased during the period of development operations shall be replaced in the next planting season with tree(s) of such size and species as shall have been previously agreed in writing with the Local Planning Authority.

(Reason - To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)

12. **The dwelling, hereby permitted, shall not be occupied until the parking and turning spaces shown on the approved plans has been laid out and made available for use.**

(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

13. **Visibility splays shall be provided on both sides of the access and shall be maintained free from any obstruction over a height of 600mm within an area of 2m x 2m measured from and along respectively the highway boundary.**

(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

14. **The new accessd driveway hereby permitted shall be constructed in bound material for at least the first 10m from the carriageway edge.**

(Reason - To prevent debris spreading onto the highway, in the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Plan 2004 (Delete as appropriate)
- Planning File Ref: S/2058/10/F

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