

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

2 March 2011

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

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### **S/2276/10 – IMPINGTON Erection of Dwelling for Mr Tonks**

**Recommendation: Approval**

**Date for Determination: 23<sup>rd</sup> February 2011**

#### **Notes:**

**This application has been reported to the Planning Committee for determination as the recommendation of Impington Parish Council differs to that of officers and at the request of the local member.**

**Members will visit the site on 2 March 2011.**

#### **Site and Proposal**

1. The site comprising 0.0136ha is located within the Impington village development framework, which is classified as a 'Rural Centre' due to it being a large sustainable village with a good range of services and facilities. Pepys Terrace is a narrow residential cul-de-sac characterised by a tight urban grain of predominantly late Victorian two-storey narrow fronted dwellings. Some but not all of the properties benefit from off road car parking, whilst there are also examples of extensions. Due to the number of properties without off road car parking the street scene is reliant on roadside parking.
2. The proposal comprises the erection of a two-storey two-bedroom detached dwelling to the west of no.2 Pepys Terrace. The dwelling would be located in an area currently providing off road car parking and amenity space serving no.2 Pepys Terrace. The proposal would be set back from the roadside and established building line within the street to provide two car parking spaces, one serving the proposed dwelling and the other serving no.2 Pepys Terrace. The dwelling would be constructed in buff facing brick and a slate roof to match that of properties within the street scene with elements of timber cladding and render.

#### **Planning History**

3. Planning Application S/1431/05/F for the erection of a dwelling was refused. This application was refused on the grounds that the proposed development would fail to provide sufficient car parking, hinder the free flow of traffic within the street and would be detrimental to the visual amenity of the area.

#### **Planning Policy**

4. Local Development Framework Core Strategy 2007:

## **ST/4 Rural Centre**

5. Local Development Framework Development Control Policies 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
  - TR/1** Planning for More Sustainable Travel
  - TR/2** Car and Cycle Parking Standards
  - SF/10** Outdoor Playspace, Informal Open Space, and New Developments
  - SF11** Open Space Standards
  
6. South Cambridgeshire LDF Supplementary Planning Documents (SPD):
  - Trees & Development Sites**, Adopted January 2009.
  - Biodiversity**, Adopted July 2009.
  - District Design Guide**, Adopted March 2010.
  - NE/2 Renewable Energy**

## **Consultations**

7. **Impington Parish Council** – Recommend Refusal on the grounds of inadequate access to street and very restricted parking. The application has not addressed the reasons for refusal stated in the 2005 application. There is no mitigation of that refusal in these plans and if officers are minded to recommend approval the Parish Council would like the application to be determined by the Planning Committee with a site visit.
  
8. **Local Highway Authority** – Raise no objections on highway safety grounds, subject to conditions requiring the provision of pedestrian visibility splays and the finish of the driveway to comprise of bound material and to county council specification.
  
9. **Acting Environmental Health Manager** – No comments have been received.
  
10. **Trees & Landscaping Officer** – The Ash tree within the adjacent property is significant, however, its canopy does not breach the boundary of no.2 Pepys Terrace. Nevertheless, its roots may be in breach of this boundary. As a consequence, an informative should be added requiring trial holes to be dug around this boundary to establish if roots are present in order to influence the foundation design to accommodate both the tree and the dwelling.
  
11. **Ecology Officer** – Raises no objections commenting that the provision of a swift box is welcomed.

## **Representations**

12. 16 letters of objection from local residents have been received in addition to a petition of 37 signatures, the content of which has been summarised below:

- (a) There is insufficient parking within Pepys Terrace and residents are forced to park upon Cambridge Road;
- (b) The development would result in the displacement of at least one vehicle being parked upon the road;
- (c) One parking space per dwelling is insufficient;
- (d) Parking within the area will worsen when the Cambridge Guided Bus opens;
- (e) Manoeuvring in and out of the spaces will be difficult resulting in on road car parking;
- (f) Pepys Terrace is a narrow street with no pavements, the proposal will increase traffic flow to the detriment of pedestrian and highway safety;
- (g) Significant damage has occurred within the street to cars and boundary walls due to passing vehicles;
- (h) There is no provision to store bins on refuse day without impeding the highway;
- (i) Construction vehicles will not be able to gain access to the site;
- (j) The proposal does not propose sustainable building methods or locally sourced or recycled materials;
- (k) The proposal is not of a high design quality nor would it preserve or enhance the character of the area or be compatible in terms of its scale, location mass or form;
- (l) The proposal would not adhere to the design or building line of Pepys Terrace as it would be set back from the road and would contain elements of modern design;
- (m) The proposal would result in increased traffic to the detriment of village amenity;
- (n) The parking area proposed could be returned to a front garden in the future resulting in a loss of further parking without the control of the council;
- (o) The site is not previously developed land in accordance with the recent amendment to PPS3 and is therefore not suitable for development;
- (p) The development does not accord with the recent government white paper nor does it accord with local planning policy;
- (q) It is likely that the occupants of both properties will own more than one car, thus increasing on road parking;
- (r) It is believed that the local bus service will decrease in peak hours when the guided bus way is opened;
- (s) The proposed dwelling would overlook existing dwellings due to the narrowness of the street;
- (t) The CGB is of little use to residents as it has limited stops;
- (u) The site provides much needed open space and visual amenity to the street;
- (v) The reasons for refusal upon the previously refused planning application remain valid;
- (w) There is an existing right of way through the site that will need to be maintained;
- (x) Parking in the street is already at saturation and there are two properties currently unoccupied;
- (y) The application should have had a wider consultation;
- (z) The proposal will adversely affect the outlook of opposite dwellings;
- (aa) The application is misleading as the street is always full of parked

- cars;
- (bb) The demographic of the street is mainly elderly people who have one vehicle, future generations of younger mobile families will further add to the amount of cars parked locally;
  - (cc) The development should provide added car parking provision to mitigate its impact and not decrease it;
  - (dd) Increased servicing as a result of the dwelling will add to problems within the street;
  - (ee) Parked cars hinder visibility, therefore the increase of development will further add to this safety issue;
  - (ff) Development ear marked within the local area will all further add to future parking pressure within the area;
  - (gg) The existing sewage system does not have capacity for further development as it has become blocked and flooded on numerous occasions;
  - (hh) The proposal would hinder the right to light of adjacent dwellings.

13. Local Member Cllr Mason has made representation requesting that this application be determined by the planning committee with a site visit. This is on the grounds that the site is accessed via a narrow terraced street where on street parking is an existing concern. This issue has led to damage of properties and vehicles and concerns over access to refuse and emergency vehicles. Since the previously refused planning application, on street parking has become worse.

#### **Planning Comments – Key Issues**

14. The key issues to consider in this instance are whether there have been any policy changes since the refused application, and the impact of proposals upon the public realm, car parking provision, highway safety, residential amenity and infrastructure provision.

#### **Principle of Development**

15. The village of Impington is defined as a Rural Centre under Policy **ST/4** of the Core Strategy. Development and redevelopment without any limit on individual scheme size is permitted within the village frameworks of Rural Centres, provided that adequate services, facilities and infrastructure are available or can be made available as a result of the development. Rural Centres including Impington provide a good range of services and facilities and are considered to be sustainable settlements that can accommodate medium to large-scale residential developments.

16. As the property is located within the village development framework within walking distance of services and facilities such as local shops, public houses, bus stops and the Cambridge Guided Bus the development is considered to be acceptable in principle in accordance with policies DP/7 and ST/4.

#### **Policy Changes**

17. Alterations to national planning policy statement PPS3 (Housing) have removed garden land from the classification of previously developed sites. As a consequence there is no longer a presumption in favour of the development of such sites, but neither does this new guidance alter the presumption in favour of such development in sustainable locations where this would be in

accordance with local policies. In addition this amendment has also removed the minimum requirement of 30dph for housing density. The key requirement for the determination of such applications remains with adopted planning policy and site specific considerations.

18. Housing density policy **HG/1** is applicable in this instance and this seeks a density of between 30-40 dwellings per hectare, depending upon sustainability. The developable area in this instance is approximately 0.0136ha and the proposed erection of a dwelling would result in a density of approximately 80dph. Whilst this would exceed the standard density requirements, the proposed dwelling, garden and car parking can be satisfactorily accommodated within the site, and would be in character with the density of the surrounding area. Furthermore, the site is located within close proximity to the centre of the village and is within walking distance of public transport links, services and facilities and is therefore a sustainable location.

### **Highway Safety and Car Parking**

19. The Local Highway Authority has confirmed that the proposed development would not result in an adverse impact upon highway safety subject to the provision of pre-development conditions. As a consequence the paragraphs below will address the issues of car parking provision and amenity.
20. Pepys Terrace is a narrow cul-de-sac with limited off-road car parking. As a consequence on street parking is prominent and in peak times hinders the free flow of traffic and pedestrians. The proposal would result in the loss of a generous car parking area serving no.2 and would fail to provide the recommended maximum standard of 1.5 car parking spaces per dwelling or provide any visitor car parking. The application states that this level of parking provision is justified due to the site's close proximity to public transport links. At the end of Pepys Terrace upon Cambridge Road are two bus stops serving the Citi 7 bus route. In addition further down Cambridge Road is the platform to the Cambridgeshire Guided Bus (CGB), which will serve as a through route to Cambridge City, nearby villages and St Ives. The CGB route also serves as a cycle route. The immediate area around Pepys Terrace is also serviced by a local shop and public house, with bus, pedestrian and cycle routes to the village centre, with other facilities on route. The proposals would accommodate cycle parking in accordance with Council standards.
21. Planning Application S/1431/05/F references two reasons for refusal on the grounds of inadequate car parking. Reason for refusal 1 stated that the proposal would result in a loss of car parking to no.2 Pepys Terrace and the surplus use of this space for other residents by means of personal arrangement. Furthermore, the loss of parking in conjunction with the intensification of an additional dwelling was deemed contrary to the parking requirements at that time.
22. Reason for refusal 2 of this decision related to the specific design of the proposal, which centred on the limited space and manoeuvrability of the proposed car parking spaces. As a consequence the development was considered to not provide adequate car parking and would engender further on road parking exacerbating the existing situation. This reason for refusal therefore is specific to the design of the proposed development and not relevant to the current proposal, which provides adequately sized parking spaces meeting the regulated standard dimensions free of obstruction.

23. The Local Development Framework and Development Control Policies Document Plan Document were adopted in 2007 and therefore postdate the policies that supported the previous refusal in 2005. As a consequence there has been a material change in planning policy since this decision and the current application should be considered in accordance with the Council's current parking standards that are maximum and not minimum standards. In addition the case made that the parking area in question once served wider residents by way of mutual agreement is not deemed to be a material planning consideration as such an eventuality is not controlled by condition or legal agreement and this arrangement is also not the case today.
24. In light of the above it is considered that the current proposal provides an adequate level of usable car parking in accordance with local policy and would not result in a detrimental impact upon highway safety. The consideration to residential amenity will be addressed separately under the paragraphs below.

### **Residential Amenity**

25. The nearest residential property to the application site is no.2 Pepys Terrace and this is the dwelling that the proposed development would have the most impact upon. The proposal has been designed to provide adequate space between habitable rooms of this property so as to not result in any loss of light. Furthermore, the development would not provide any windows that would overlook surrounding neighbouring properties and therefore, no material loss of privacy would occur. No.2 Pepys Terrace has a single storey rear building range that would abut the application site; therefore, the development would not result in an overbearing impact upon the amenity that the occupiers of this property currently enjoy.
26. The potential of increased car parking raises the issue of the impact this would have upon the amenity of the area. Whilst the development is considered to provide an adequate level of car parking within the site, it is acknowledged that the maximum standard would allow for the provision of an additional vehicle space. In consideration of this, this additional space cannot be accommodated within the site and therefore would result in an additional vehicle being parked within the street. In light of this it is necessary to consider the impact of such an eventuality. However, dropped kerbs providing off road car parking cannot be impeded by law, therefore it is reasonable to consider that an additional vehicle could be partly parked in front of one of the off road spaces with little impact to the amenity of the wider street scene.
27. Notwithstanding the above, the construction of the proposed development could be problematic and it is considered necessary to attach a condition requiring a construction methodology statement to be submitted, prior to development commencing on site. This statement will outline the methodology will define the proposed means of access, parking and storage of materials and equipment during construction.

### **Public Realm (Design)**

28. It is acknowledged that reason for refusal 3 of planning application S/1431/05/F made reference to the loss of open space within the street scene by virtue of the infilling of the site. This was referenced within a reason for

refusal stating that the proposed development for a dwelling would be detrimental to the visual amenity of the area. Notwithstanding this, it is considered that housing density policy has evolved since this decision in terms of the principle of making the best use of land, and that there is in any case sufficient open space provided by the neighbouring garden to the southeast to retain a degree of openness within the street scene. Furthermore, the development would be subservient to the adjacent dwelling, with a set back from the roadside but would otherwise maintain the established tight urban grain of the street, whilst providing a design that would be in keeping with the period features of the surrounding dwellings.

29. The proposal would not be visible from views to the west Pepys Terrace toward Cambridge Road due to its set back behind no.2. Furthermore, the dwelling would be seen in the context of the gable ends of the linear development from views to the east from Cambridge Road. As a consequence, the only views whereby the development would block open views out of Pepys Terrace would be directly in front of the application site looking south. Notwithstanding this, in lieu of the urban grain within the street scene the infilling of the site is not considered to represent overcrowding of the site to the detriment of visual amenity or the public realm.
30. The proposal is considered to be sympathetic to that of the late Victorian house types within the street scene whilst providing a degree of contemporary design. Conditions will be imposed to ensure that the development is implemented in accordance with the proposed external materials. It is considered necessary for a landscape condition to be attached to ensure that the finish to the driveway and front of the dwelling is appropriate.

### **Other Matters**

31. The proposal is not considered to result in a detrimental impact upon the surrounding trees including the mature Ash within a neighbouring garden. Furthermore, the property would provide a swift box, which is considered to provide adequate biodiversity enhancement to the site.
32. Representations have raised concerns over rights of way over the land within the application site. Whilst this is not a material planning consideration the development does allow for two side access points for pedestrian use. These are of a common size for such access points at a metre wide and would not impede a right of way.
33. The connection to the local sewer would be a matter between the developer and the relevant utility company and not a material consideration of the determination of this planning application.

### **Planning Obligations**

34. A contribution for £69.50 per dwelling is required in accordance with the RECAP waste management design guide.
35. The development would be required to contribute towards public open space infrastructure within the village in accordance with Policies **DP/4**, **SF/10** and

**SF/11.** Financial contributions are index linked and calculated on the number of additional bedrooms created and would be secured by a legal agreement known as a Section 106 Agreement (S106). The provision of a two-bedroom dwelling on the site would attract a financial contribution of approximately £2,224.90.

36. In order to meet the increased demand resulting from this development, the Council would also seek to secure a contribution towards community facilities space within the village. This would be secured by legal agreement (S106). The provision of a two-bedroom dwelling on the site would attract a financial contribution of approximately £378.88.
37. In addition to the above there would be a monitoring fee of £50 associated with any legal agreement.
38. The applicant has agreed to meet the above terms by way of condition.

### **Conclusion**

39. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should be granted in this instance.

### **Recommendation**

40. Approve, subject to the following 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 and documents: 0243-002, 101, 110c, 111a, 112a, 120b, 130a and 131a.**  
(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 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 for each dwelling. The boundary treatment shall be completed before each 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.)
  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, 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.)

6. **The building, hereby permitted, shall not be occupied until parking spaces have been laid out in accordance with the approved details, and shall thereafter be permanently maintained for the purpose of parking.**

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

7. **Pedestrian visibility splays of 2m x 2m shall be provided to the east and 1.5m x 1.5m to the west of the proposed car parking spaces. These splays are to be included within land under the control of the applicant and shall be kept free of obstruction to a height of 600mm.**

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

8. **No development shall commence until a methodology statement of the construction of the development, hereby permitted, 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 - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

9. **The development, hereby permitted, shall be carried out in accordance with the external materials referenced within the application forms and approved drawings, unless otherwise agreed in writing by the Local Planning Authority.**

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

10. **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.)

- 11. No development shall commence until a scheme for the provision of outdoor sports, play and informal open space infrastructure and community infrastructure to meet the needs of the development in accordance with Policies DP/4, SF/10 and SF/11 of the Local Development Framework Development Control Policies 2007 has been submitted to and approved in writing by the LPA.**

(Reason – To ensure the development provides a suitable level of public open space for occupants of the development, in accordance with Policies DP/4, SF/10 and SF/11 of the South Cambridgeshire Local Development Framework 2007.)

- 12. No development shall commence until a scheme for the provision of refuse and recycling receptacles has been submitted to and approved in writing by the Local Planning Authority.**

(Reason – To ensure the development provides for the storage and collection of refuse and recyclable materials, in accordance with Policy DP/3 of the South Cambridgeshire Local Development Framework 2007.)

- 13. The construction of the drive shall ensure that its falls and levels are such that no surface water from the site drains across the adopted public highway.**

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

### **Informatives**

Trial holes are to be dug along the footprint of the development to establish if roots are present. In the event of roots being present the foundation design of the development will need to accommodate any root system to ensure the longevity of the adjacent Ash Tree and the structural integrity of the dwelling.

The driveway serving the dwelling shall be constructed using a bound material to prevent debris spreading onto the adopted public highway.

The granting of planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the public adopted highway, and a separate permission must be sought from the highway authority for such works.

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