

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2 March 2011

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

S/2300/10 – GREAT SHELFORD
Erection of dwelling and garage – 50 & 52, Cambridge Road,
for Mr N Rust

Recommendation: Approval

Date for Determination: 23 February 2011

This application has been reported to the Planning Committee for determination because the recommendation of officers differs from Great Shelford Parish Council and at the request of the local Member, Councillor C Nightingale.

Members will visit this site on 2 March 2011

Site and Proposal

1. The site forms part of the combined rear garden areas of a pair of semi-detached dwellings at Nos 50 and 52 Cambridge Road. The site has a sole frontage onto The Hectare, a recently developed residential estate which continues to the north and east of the site, beyond which is agricultural land in the Green Belt. The site is adjoined to the south west by the remaining garden areas of Nos 50/52 Cambridge Road, to the south east by the rear garden of No 48 Cambridge Road, and to the north east by the rear gardens of No 2 and 4 The Hectare. On the opposite side of The Hectare facing the application site is a 1.5-storey dwelling 'Rosa House', an infill dwelling constructed following the grant of planning permission in 2004.
2. The land falls from west to east away from Cambridge Road. The site has a frontage of 23.5m and a depth of 18.0m, providing an area of 0.04ha. The proposal represents a density of development of 25 dwellings per hectare.
3. The full application, dated 20 December 2010, proposes the erection of a single 4-bedroom detached house with lean-to single garage. The front elevation is shown with a gable projecting from a hipped main roof. The rear elevation is shown with two gables projecting from the main roof. The ridge height is 7.8m, and the eaves height is 4.8m. The layout includes a single car parking space in front of the garage. The rear garden area has a width of between 20 and 21 metres, with a depth of 6 metres, providing 120 sqm in addition to smaller garden areas to the front and sides of the plot.
4. The external materials show a combination of render and cedar cladding to the walls, with tiles to the roof, precise details to be agreed. Windows and doors are to be of aluminium.

5. Separate pedestrian and vehicular accesses are shown onto The Hectare. New hedgerow and tree planting is shown along the frontage. In the rear garden, an existing tree is to be retained and other trees to be planted.
6. The scheme shows all first floor rooms having windows in the rear or side elevations, including two bedrooms, to be either fixed (apart from any top opening vent) and obscure glazed, or high level rooflights, in order to avoid overlooking of neighbouring properties.
7. Drainage is to be via the foul sewer and soakaway for surface water disposal. A drain will be placed at the abutment of the proposed driveway and the pavement to catch water running off the driveway and direct into the soakaways.
8. The application is supported by a Design and Access Statement.

Planning History

9. A planning application was submitted by the current applicant for similar development in September 2010, but was withdrawn following concerns raised by the Parish Council, neighbours and planning officers- **S/1508/10**.
10. To the north, opposite the current site, the dwelling at Rosa House has been constructed following planning permission granted in 2004 – **S/0679/04/F**. This was granted at Planning Committee following a site visit.

Planning Policy

Planning Policy Statements:

11. **PPS 1- 'Delivering Sustainable Development'**
PPS 3- 'Housing' (revised June 2010): the definition of previously developed land now excludes private residential gardens.

South Cambridgeshire Local Development Framework (LDF) Core Strategy (2007)

ST/4 (Rural Centres) Development and redevelopment without any limit on individual scheme size will be 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.

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)

DP/7 (Development Frameworks)

HG/1 (Housing Density)

SF/10 (Outdoor Playspace, Informal Open Space, and New Developments)

NE/6 (Biodiversity)

NE/12 (Water Conservation)

TR/1 (Planning for More Sustainable Travel)

TR/2 (Car and Cycle Parking Standards)

Supplementary Planning Documents

Open Space in New Developments SPD (2009)

Trees & Development Sites SPD (2009)

District Design Guide SPD (2010)

LDF Document - Statement of Community Involvement (2010)

12. **Circular 11/95 - The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development of permitted, enforceable, precise and reasonable in all other respects.
13. **Circular 05/2005 – Planning Obligations:** States that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind to the proposed development, and reasonable in all other respects.

Consultations

14. **Great Shelford Parish Council** – Recommended refusal, for the same reasons as S/1508/10, which were:
 1. The proposed building and parking occupies nearly 70% of the site leaving only minimal open space (not the generous garden specified in the Design and Access Statement) and as such amounts to overdevelopment of the site and is out of character with the local area.
 2. The high side wall of the house will be oppressive to the occupiers of 2 and 4 The Hectare. First floor windows will cause significant overlooking of the rear gardens of 46 and 48 Cambridge Road and 4,6, and 8 The Hectare.
 3. The proposed materials have been used in properties in the centre of the village but not as stated in Cambridge Road and The Hectare.
 4. The proposed development is contrary to policy DP/2.
15. In addition, the Parish Council does not believe it is satisfactory to have obscured glass for the main windows of a bedroom. The Parish Council would prefer a smaller property which is designed to take account of the amenities of the occupiers and the surrounding residents.
16. **Trees and Landscape Officer** – No objection.
17. **Acting Environmental Health Manager**- no objection in principle. Recommended condition to control hours of power operated machinery during the construction period.
18. **Local Highway Authority**- No objection. The LHA has recommended that if planning permission is granted, conditions be attached to provide and retain pedestrian visibility splays, and to prevent surface water or gravel from coming onto the highway from the site.

Representations

19. Objections have been received from the occupiers of Rosa House, 1,2,3,6 and 11 The Hectare and 48 Cambridge Road, and one email giving no address. The grounds of concern are:

Principle of development

- a) Piecemeal and inappropriate development. It is the fourth example of backland development in five years that creates significant problems for local residents. It is one of several piecemeal developments by David Reed Homes Ltd in the vicinity, and is contrary to Policy DP/5.
- a) The development is not consistent with the principles of sustainable development in Policy DP/1, as it has not sought to minimise flood risk, to conserve biodiversity or to involve the community.
- b) This is garden grabbing, which is in contravention of recent planning policy in PPS3. The loss of garden area is harmful to the character of Great Shelford, a chalklands settlement, which is characterised by deep, narrow rear gardens, and so is contrary to the District Design Guide SPD.
- c) This developer is not being asked for financial contributions to fund school places, doctors' surgeries or local amenity areas.
- d) The frontage dwellings, nos 50 and 52 Cambridge Road, could be redeveloped next, or converted to multi-occupancy, which would exacerbate issues of parking, traffic and surface water.
- e) Uninhabited dwellings in the District should be redeveloped before any new dwelling is considered.

Size and appearance

- f) The style of the dwelling, with extensive wood cladding, is out of keeping with character of existing properties in the area, which is contrary to the District Design Guide SPD.
- g) The size of the development is out of keeping with existing dwellings. Rosa House (opposite) is single-storey with accommodation in the roof. A smaller, lower dwelling would be more appropriate on this site.

Residential amenity

- h) Adverse impact on residential amenity, sunlight, daylight and outlook to Nos 2,4,6 and Rosa House, The Hectare. Loss of outlook to 44 Cambridge Road.
- i) Overlooking of windows in the front elevation of Rosa House.
- j) Overlooking of nos 4,6,8 and 10 The Hectare and No. 44,46 and 48 Cambridge Road would occur if the obscure glazing of upper floor windows were to be changed in the future, and there is no guaranteed protection of privacy in perpetuity.

Landscaping and trees

- k) There are no landscaping details. The development has not sought to incorporate trees on the site within the development, contrary to the Trees and Development Sites SPD.

Highway safety

- l) The development will exacerbate an existing problem of parking on the street in The Hectare. There is a shortage of off-road parking here, and access is required to residential properties and adjacent farmland. Access to emergency vehicles will be impeded by more on-street parking.
- m) Dangers to children and environmental disturbance to residents during the construction period, contrary to Policy DP/3.

Drainage

- n) Proposals for foul and surface water drainage are implausible.

Application documentation and process

- o) Nos 6,8 and 10 The Hectare, which are directly affected by the development, were not notified of the application, and no site notice has been posted: this is contrary to the Statement of Community Involvement SPD.
- p) Lack of community consultation or involvement. The applicant has not carried out any pre-submission consultation or community engagement, as recommended by the Statement of Community Involvement SPD.
- q) The application form contains misleading information, for example about trees and existing use.
- r) The site address is misleading, as the development forms part of The Hectare.

Conditions

20. If approved, conditions should include:
- s) Preservation of privacy from overlooking in perpetuity
 - t) Trees to be retained on site
 - u) Conformity with Design Guide requirements for distance from neighbouring properties, privacy and private amenity space
 - v) Redesign of the size, appearance and external materials of the dwelling
 - w) Permeable surfaces and Sustainable Urban Drainage System
 - x) Construction hours 0900-1700h Monday to Friday, 0900 to 1500h Saturday, and delivery 0900-1500h Monday to Friday.
 - y) No more than 2 site-related vehicles to be parked on The Hectare at any time.
 - z) Weight limit and dimension limit on construction vehicles to prevent damage to the highway
 - aa) The Hectare to be kept clear for access at all times

bb) Street lighting to be retained at its present level

Response from the applicant

21. The applicant has responded to the concerns of the Parish Council and some neighbouring residents. He states that:
- a) Overlooking issues have been addressed.
 - a) The footprint of the building has been reduced to 39% of the site area. With the parking area included the total is 43% of the site area. The claim of the Parish Council that the building occupies nearly 70% of the site area is not accepted.
 - b) The proposed dwelling is a 4-bedroom family home, much the same size or smaller than others in The Hectare and surrounding area.
 - c) The proposal has adequate parking.
 - d) The applicant is willing to accept restrictions to construction hours and site traffic.
 - e) Construction labour and materials will be locally sourced.

Planning Comments

Principle of residential development

22. The site lies within the development framework of the village, which is a sustainable location, and outside the conservation area. The requirement in policy DP/1 to achieve a density of development of at least 40 dwellings per hectare would require the provision of two dwellings on the site. Taking into account the character of development of the area, which is of larger properties in plots of approximately the size currently proposed or larger, and the desirability of providing sufficient on-site parking as highlighted by local residents, it is considered that the development of the site for a single dwelling is acceptable in principle. Some objectors have referred to a recent revision to PPS3 which has removed gardens from the definition of brownfield land, but this new guidance does not in itself alter the presumption in favour of such development in sustainable locations where this would be in accordance with local policies.

Scale, design and appearance

23. The size of the building footprint is similar to Rosa House opposite, and provides a garden area which exceeds the minimum set out in the Design Guide SPD. The ridge height of the dwelling is lower than adjoining dwellings at No 50 Cambridge Road and No 2 The Hectare, not taking into account the change in levels between these dwellings. The character of development in the vicinity of the site, with the exception of Rosa House opposite, is of a similar scale or larger. It is considered that the scale of development is proportionate in the street scene and would not be likely to appear to be unduly massive.

24. The external materials proposed for development takes as a starting point the appearance of houses in The Hectare, with the extensive use of render, but is different in proposing cedar cladding rather than facing brick. It is not considered that variations of this kind, which still preserves the principle of a mixture of two materials, is unacceptable, or would be unduly incongruous in the street scene.

Residential amenity

25. The current proposal has addressed the issue of overlooking of neighbouring properties by the use of obscure glazing and rooflights to bedrooms at the rear of the house. Provided that this can be designed to meet the requirements under the Building Regulations for means of fire escape, it is considered that adequate amenity for future residents of the dwelling will be achieved. If approved, a condition to ensure the retention of this design element would be necessary. The occupiers of Rosa House have drawn attention to the proximity of windows in the front elevation of the dwelling, approximately 12 metres separation. These windows are already in the public domain, being on the front elevation of Rosa House, and this amount of separation is commonly found in modern residential layouts. It is not considered that the additional harm to the residential amenity of Rosa House by reason of overlooking from proposed first floor windows is sufficient to warrant a refusal of planning permission.
26. The distance between the external walls of the proposed dwelling to adjoining garden boundaries and facing windows in adjacent dwellings in The Hectare is considered sufficient to avoid undue overbearing impact or loss of outlook to the occupiers of these properties, and exceeds the minimum expectation set out in the Design Guide SPD. Loss of daylight and sunlight to rear garden areas of adjoining properties and Rosa House opposite is considered to be unlikely to represent a serious loss of residential amenity, given the distances to boundaries and the orientation of adjacent development.
27. If planning permission is granted, the withdrawal of permitted development rights for future extensions and additional windows is considered to be necessary as a condition.

Highway safety

28. The development is shown to have parking for two cars on site, which exceeds the maximum requirement in this sustainable location. The Local Highway Authority has not objected to the development. If approved, it is recommended that a condition be attached for details of construction traffic management to be submitted and approved.

Other matters

29. Concerns have been raised about the drainage of the development. The site does not lie in an area at risk of flooding, but, if approved, the applicant will be advised of the desirability of SUDS and the need to avoid water draining onto the highway.
30. Details of landscaping will be required to be submitted for approval, if the development is approved. The applicant has indicated that the existing tree at

the rear of the site is to be retained. The Trees and Landscape Officer does not object to the development.

31. The requirements for publicity and notification of the development have been complied with in the handling of the application, and a considerable number of responses have been received.
32. The development is required to be supported by payments for the provision and maintenance of community infrastructure, open space, refuse bins and legal monitoring. The agreement of the applicant will be sought for such payments prior to the issue of any planning permission, and would be a condition of such permission.
33. 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

34. Approval of the application dated 20 December 2010, subject to the following conditions:

Conditions

1. Time period for commencement – three years.
2. Confirmation of approved plans.
3. Details of external materials.
4. Details of landscaping.
5. Retention of landscaping.
6. Removal of permitted development rights for future extensions and additional windows or openings at first floor level.
7. Retention of windows to be fixed and obscure glazed.
8. Retention of parking provision on site, including within the garage.
9. Retention of pedestrian visibility splays.
10. Prevention of water from the site entering the public highway.
11. Prevention of driveway surfacing entering onto the highway.
12. Details of construction traffic management to be approved.
13. Limitation on the hours of use of powered machinery during the construction period.
14. Schemes for the provision for community infrastructure, open space, refuse bins and legal monitoring to be approved.

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

- PPS 1 and PPS3
- Circulars 05/2005 and 11/1995
- South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007
- South Cambridgeshire Development Control Policies Development Plan Document 2007
- SPD
- Planning File refs S/2300/10, S/1508/10, S/0678/04/F

Contact Officer: Ray McMurray – Principal Planning Officer
01954 713259