

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

11 May 2011

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

S/0588/11 – GREAT SHELFORD

**Construction of detached 2 bedroom bungalow. - Land to the north-west of
No.3 Leeway Avenue, Great Shelford, Cambridgeshire, CB22 5AU for Mr & Mrs
Woods**

Recommendation: Delegated Approval

Date for Determination: 18 May 2011

Notes:

Members of Committee will visit the site on Wednesday 11th May 2011.

This application has been reported to the Planning Committee as the Officer recommendation is contrary to the response received from the Parish Council.

Site and Proposal

1. The site is a grassed, landscaped strip of land that lies on the north-east side of Leeway Avenue, adjacent to the junction of Leeway Avenue and Hinton Way. This land was originally designed as an open amenity space at the entrance to Leeway Avenue, but was subsequently altered to private garden use in connection with No.3 Leeway Avenue. To the south-east are two-storey dwellings fronting Leeway Avenue whilst, opposite the site to the south/south-west are single-storey detached properties. Beyond the northern boundary is a two-storey semi-detached house fronting Hinton Way whilst, on the opposite side of Hinton Way to the north-west is the Zara Indian Restaurant. The site is bounded by a low post and rail fence and, along the boundary with No.2 Hinton Way, by a close-boarded fence.
2. The application proposes the erection of a single-storey detached two-bedroom bungalow on the site. The property would front Leeway Avenue and be sited approximately 15 metres from Hinton Way and 7 metres from the boundary with No.3 Leeway Avenue. The dwelling would comprise brick walls under a concrete pantile roof. The proposed means of access would be sited in the southern corner of the site, adjacent to the boundary with No.3.

Planning History

3. **C/0361/54** – Application for use of Leeway Avenue as a housing site approved.
4. **C/0102/57** – Application for use of land adjoining 3 Leeway Avenue as a private garden approved. This was subject to a number of conditions, including a condition stating that no buildings should be erected on the site in

order to safeguard the amenities of the approaches to the housing estate. Prior to this, the same application had been refused on the basis that the proposal was not in accordance with the layout plan approved for the development of the estate as a whole, in which the site was shown as an open space forming an amenity feature at the entrance of the estate.

Planning Policy

5. South Cambridgeshire LDF Core Strategy DPD, 2007:
ST/4: Rural Centres
6. South Cambridgeshire Local Development Framework Development Control Policies DPD, 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
NE/6 – Biodiversity
NE/15 – Noise Pollution
SF/10 - Outdoor Playspace, Informal Open Space and New Developments
SF/11 - Open Space Standards
TR/1 – Planning for More Sustainable Travel
TR/2 – Car and Cycle Parking Standards
7. Supplementary Planning Documents:

Open Space in New Developments – Adopted January 2009
Trees and Development Sites – Adopted January 2009
Biodiversity – Adopted July 2009
District Design Guide – Adopted March 2010
Landscape in New Developments – Adopted March 2010
8. **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.
9. **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

10. **Great Shelford Parish Council** – Recommends refusal, stating:

“This is an attractive open but restricted site bordered by a significant hedge in a very prominent location. A design of very high quality is necessary for the principle of a dwelling on this site to be acceptable. The proposed bungalow is utilitarian in design and does not reflect the building line of other properties. We would like to see an amended design which is more sensitive to its location. The fence will be very intrusive in the street scene and the garden should preferably be enclosed by a ranch style fence and hedge.”

11. ***The Trees Officer*** – Comments that this is a small open green space providing a buffer within the built area. However, the shrubs and trees are not worthy of a TPO. The hedge adjacent to the site on the rear boundary and in the garden of No.2 Hinton Way will need to be considered as it overhangs the site and will potentially be compromised by the development. There is a TPO lime on the adjacent property and shading of the proposed dwelling could be a significant issue.
12. ***The Landscape Design Officer*** – No comments received.
13. ***The Local Highways Authority*** – Raises no objections subject to the provision of 2m x 2m visibility splays; construction of driveway to ensure no water drains onto the highway; and construction of the proposed driveway with a bound material.
14. ***The Environmental Health Officer*** - Raises no objections subject to conditions being added to any consent to protect neighbours from noise disturbance during the construction period.

Representations

15. The owner of No.2 Leeway Avenue initially objected for the following reasons:
 - The proposed development would result in a building out of line with existing properties.
 - The land is not large enough for a new dwelling.
 - It would result in the loss of open space and wildlife habitat.
 - It would result in additional parking and traffic movements in a road already heavily used by patrons of the Indian restaurant and rail commuters for car parking.This objection was later withdrawn, with the only reservation relating to the visual impact of the solar heating panels if implemented.
16. The owner of No.30 Leeway Avenue objects for the following reasons:
 - The plot is at the junction of Leeway Avenue/Hinton Way and close to a busy level crossing. Building work/private vehicles could add to the problems of gaining access to and from Leeway Avenue during construction work.
 - The area is also used for parking by customers of the Indian restaurant at night.
 - Unless no extra parking on the road by the builders and new owners is ensured, the development would result in highway safety problems.
17. The owner of No.2 Hinton Way raises no objection in principle, but seeks assurance that the works would not adversely affect trees on the boundary of their property. It is also noted that the design of the development would be improved if clay tiles were used instead of concrete pantiles and if a mixed hedge, rather than close-boarded fence, were used to bound the site.

Planning Comments – Key Issues

Principle of the Use

18. The site was originally designed as an open amenity space at the entrance to Leeway Avenue but was subsequently altered to private garden use in connection with No.3 Leeway Avenue. Whilst the original intention was to keep this land as an open amenity space at the entrance to Leeway Avenue, any application to develop the site needs to be considered against current planning policies and, in particular, the need to make the best use of land available inside village frameworks. There are no Conservation Area or Protected Village Amenity Area designations affecting the site and no Listed Buildings in the vicinity of the plot. There is therefore no defining character affecting the site or surrounding area warranting special protection. The space on this side of Leeway Avenue is at odds with the character of the other side of the road, where there are two bungalows that are sited closer to Hinton Way than the dwelling at No.3 Leeway Avenue. There is a wide variety in the building styles, forms and spacing in the immediate vicinity of the site, comprising two-storey dwellings on the east side of Leeway Avenue, bungalows directly opposite and two-storey hipped roof dwellings to the north-east, fronting Hinton Way. The site is not considered to be one requiring protection for its own sake, and the principle of erecting a dwelling on the site is therefore considered to be acceptable.

Impact on the character of area

19. The proposed single-storey dwelling would be sited approximately 15 metres away from the Hinton Way boundary of the site. It would be positioned so that its side wall would be approximately 6 metres further away from Hinton Way than the front elevation of No.2 Hinton Way to the north and the side elevation of No.2 Leeway Avenue to the south. As a result, the proposed dwelling itself is not considered to be unduly intrusive when viewed from Hinton Way itself. With regards to the visual impact when viewed from Leeway Avenue, the proposed property would be sited 2 metres back from the road frontage, in a position some 3 metres closer to the road than the two-storey dwellings to the south-east and the single-storey properties opposite. However, the road starts to taper towards the south-east, and the result is that there is no strong, established building line at this point. In view of this, together with the low height and modest scale of the proposed dwelling, it is not considered to result in harm to the character and appearance of the area.
20. The Parish Council has objected to the application on the basis that the proposed dwelling is too utilitarian in design, and has stressed that it must be of the highest design quality. However, the properties in Leeway Avenue are brick and tile dwellings, of simple design, and the proposed development is particularly in keeping with the style and character of the bungalows on the opposite side of the road. Officers do have concerns, however, regarding the detailing of the proposal. The proposed use of concrete pantiles for the roof of the dwelling would, as pointed out by the owners of No.2 Hinton Way, be alien to the roofing materials used for adjoining properties, and a plain tile should be used instead. Given that the site is not located within a Conservation Area, it would be unreasonable to insist upon the use of clay tiles, and concrete tiles would suffice in this instance. In addition, the proposal seeks to erect a 2.1m high close-boarded fence around the Hinton Way and Leeway Avenue boundary of the site. The front boundary of No.2 Hinton Way

is defined by a hedgerow as is the Hinton Way boundary of No.2 Leeway Avenue opposite. The proposed close-boarded fence is therefore considered to be out of keeping with the generally soft character of the frontages of properties in the vicinity of the site and, to ensure the development would not be unduly dominant in the street scene, it would be essential that this fence be replaced with a hedgerow. Amended plans to address this issue have been requested.

21. The Trees Officer has advised that the trees and shrubs on the site are not worthy of a Tree Preservation Order. However, further to the comments made by the Trees Officer and the owners of No.2 Hinton Way, the agent has been asked to provide further information relating to the impact of the development upon the hedge along the boundary with No.2 Hinton Way.
22. Finally, the Design and Access Statement refers to the installation of solar panels on the roof slope of the proposed dwelling.
23. Amended drawings to change the roofing material from pantile to plain tile, to revise the boundary treatments, and to clearly show any proposed solar panels have been requested from the applicant's agent.

Highway Safety and Parking

24. Concerns have been raised regarding the highway safety implications of the development given the proximity of the site to the Leeway Avenue/Hinton Way frontage and the nearby railway crossing. The Local Highways Authority has been consulted on the proposal and has raised no objections subject to the provision of 2m x 2m visibility splays within the site (these are shown on the drawings). The scheme also includes adequate room for vehicles to turn and park within the curtilage of the property, thereby avoiding the need for cars to reverse out into the roadway. It falls outside the scope of planning control to prevent vehicles parking on the roadway itself but ensuring there is adequate room for parking and turning on the site itself would minimise the risk of this occurring.

Density

25. The site measures approximately 0.0279 hectares in area. The erection of one dwelling on the site equates to a density of approximately 36 dwellings per hectare. This does not strictly comply with the minimum 40 dwellings per hectare density required within sustainable locations by Policy HG/1. However, given the prominent location and restricted size of the site, it is considered that, in this instance, it would not be possible to erect more than one dwelling on the site without resulting in harm to the character and appearance of the area.

Residential Amenity

26. The proposed dwelling would be a single-storey property with a ridge height of 4.7 metres and eaves height of 2.3 metres. It would be sited with its ridge line running parallel to the boundary with No.2 Hinton Way to the north. Given the distance of the proposed property from the south side wall of No.2 Hinton Way, together with its modest scale and orientation relative to No.2, it is not considered to harm the amenities of occupiers of this adjacent property by reason of a loss of light or outlook.

27. With regards to the impact on No.3 Leeway Avenue, the nearest part of this dwelling to the site consists of a double garage, and windows in the front elevation of No.3 are sited approximately 10 metres away from the common boundary. As a result, neither the dwelling itself nor the proposal to site the parking and turning area adjacent to the boundary with No.3 Leeway Avenue are considered to result in an unacceptable loss of amenity to the occupants of this neighbouring dwelling.

Infrastructure requirements

28. The proposal would result in the need for a financial contribution towards the provision and maintenance of open space, in accordance with the requirements of Policies DP/4 and SF/10 of the Local Development Framework. For the 3-bedroom dwelling proposed, this amounts to £2,244.90, as calculated at the time of the application. It would also result in the need for a contribution towards the provision of indoor community facilities (£378.88), together with additional costs relating to the provision of household waste receptacles (£69.50), Section 106 monitoring (£50) and legal fees (minimum £350). The applicants' agent has confirmed, in the design and access statement, his clients agreement to these payments, albeit no reference has been made to the community facilities element. The agent has advised that this is an oversight and the relevant statement in the Design and Access statement will be revised accordingly.

Recommendation

29. Subject to the receipt of amended plans to show a hedge boundary and details of the solar panels, and amendment to the Design and Access Statement, delegated powers are sought to approve the application.
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: EP427/10/03B, 04, 01A and 02B.
(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 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.)

4. 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.)

5. 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 shall be completed before the 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.)

6. No development shall take place until details of the following have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details:

- a) Materials to be used for the external walls and roof of the dwelling.
- b) Materials to be used for hard surfaced areas within the site.

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

7. 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.)

8. The proposed vehicular access, and parking and turning areas for the dwelling, hereby permitted, shall be provided in accordance with drawing number EP427/10/03A before the dwelling is occupied and thereafter retained as such.

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

9. 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.)
10. The access and driveway for the proposed dwelling shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway.
(Reason – In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
11. No development shall begin until details of a scheme for the provision of recreational infrastructure to meet the needs of the development in accordance with adopted Local Development Framework Policy 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 recreational infrastructure in accordance with the above-mentioned Policy SF/10 and Policy DP/4 of the adopted Local Development Framework 2007 and to the Supplementary Planning Document, Open Space in New Developments, adopted January 2009.)
12. No development shall begin until details of a scheme for the provision of community facilities infrastructure to meet the needs of the development in accordance with adopted Local Development Framework Policy DP/4 has 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 community facilities infrastructure in accordance with the Policy DP/4 of the adopted Local Development Framework 2007.)
13. No development shall begin until details of a scheme for the provision of household waste receptacles to meet the needs of the development in accordance with adopted Local Development Framework Policy DP/4 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the approved details.
(Reason - To ensure that the development contributes towards household waste receptacles in accordance with the Policy DP/4 of the adopted Local Development Framework 2007.)

Informatics

1. The Local Highways Authority has advised that the proposed drive must be constructed using a bound material to prevent debris spreading onto the adopted public highway.
2. Condition 11 requires the provision of recreational infrastructure to meet

the needs of the development in accordance with Policies DP/4 and SF/10 of the adopted South Cambridgeshire Local Development Framework 2007. This amounts to a financial contribution of £2,244.90, as calculated on the date of the decision, to be secured through a scheme (Section 106 Agreement). This figure is index linked so may be subject to change when any payment is made.

3. Condition 12 requires the provision of community facilities infrastructure to meet the needs of the development in accordance with Policy DP/4 of the adopted South Cambridgeshire Local Development Framework 2007. This amounts to a financial contribution of £378.88, as calculated on the date of the decision, to be secured through a scheme (Section 106 Agreement). This figure is index linked so may be subject to change when any payment is made.
4. Condition 13 requires a payment of £69.50 towards the provision of household waste receptacles.
5. 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 highway, and a separate permission must be sought from the Highway Authority for such works.
6. 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.
7. During 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.

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

- South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007
- South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007
- Supplementary Planning Documents: Open Space in New Developments - Adopted January 2009; Trees and Development Sites – Adopted January 2009; Biodiversity – Adopted July 2009; District Design Guide – Adopted March 2010; Landscape in New Developments – Adopted March 2010
- Circular 11/95 and 05/2005
- Planning File References: S/0588/11, C/0361/54, C/0102/57

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