

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

3 August 2011

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

S/1027/11 - HARSTON

Erection of dwelling, together with two-storey extension to rear of existing property. - 44, High Street, Harston, Cambridge, Cambridgeshire, CB22 7PZ for Mr T Jack

Recommendation: Delegated Approval

Date for Determination: 14 July 2011

Notes:

This application has been reported to the Planning Committee for determination as the Officer recommendation is contrary to the recommendation of the Parish Council.

Site and Proposal

1. The application site is located within the Harston village framework on the east side of the High Street and is occupied by an end-terraced brick and slate two-storey dwelling. The other properties within the terrace comprise a mix of brick and render finishes, all with slate roofs. The dwelling is accessed via a shared driveway on its south side that also provides vehicular access to a number of other dwellings. Beyond this driveway to the south is the village shop and post office. In front of the shop and the terrace of dwellings, Nos. 44-50 High Street, is a layby area providing a number of parking spaces clear of the main carriageway.
2. The full application, received on 19th May 2011, proposes to extend the existing dwelling on its south side in order to create a two-bedroom two-storey end terraced dwelling. It would be constructed from rendered walls under a slate roof. A centrally positioned two-storey wing would be added to the rear of the existing and proposed properties. Vehicular access to both properties would be via the existing shared driveway, with one parking space for each property provided to the rear of the new dwelling.

Planning History

3. None

Planning Policy

4. **South Cambridgeshire LDF Core Strategy DPD, 2007:**
ST/6: Group Villages
5. **South Cambridgeshire LDF Development Control Policies DPD 2007:**

DP/1: Sustainable Development
 DP/2: Design of New Development
 DP/3: Development Criteria
 DP/4: Infrastructure and New Developments
 HG/1: Housing Density
 NE/1: Energy Efficiency
 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

6. **South Cambridgeshire Local Development Framework Supplementary Planning Documents:**
 Open Space in New Developments – Adopted January 2009
 District Design Guide – Adopted March 2010
7. **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.
8. **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

9. **Harston Parish Council** - Recommends refusal, stating:
 "Plot is very small for this type of development.
 Will exacerbate existing parking problems."
10. **The Local Highways Authority** – No comments received to date. Any comments received will be reported to Members in an update prior to the meeting.
11. **The Environmental Health Officer** – Raises no in-principle objections, although expresses concern that problems could arise from noise and recommends that the hours of use of power-operated machinery be controlled during the construction period.

Representations

12. Letters of objection have been received from the occupiers of Nos. 28, 30, 34, 38, 46 and 48 High Street. The main points raised are:
 - Traffic safety – 9 cars currently require use of the narrow driveway between No.44 and the shop. Another 2 will impact upon this side road significantly. Safety concerns have previously been raised with the Highways Authority resulting in new keep clear markings being put down the road.

- **Parking** – The houses on the High Street rely fully on the layby spaces in front of their houses for parking. It can currently be difficult to find space, and use by more residents and their visitors cars would negatively impact the local post office and store, which require the laybys for deliveries and passing trade.
- **First floor windows in the rear elevation** would overlook No.46 High Street's rear garden. The two-storey extension would also result in overshadowing of No.46's rear bedroom and rear garden area.
- **The plans show access to No.44's waste bin location** from the rear pathway. This is unacceptable as the path is owned by No.46, whilst No.48 also has a right of access across the path.
- **Waste storage** – The path is only 1.2m wide and is not wide enough for the waste storage proposals.
- **No pre-application consultation** with nearby residents was undertaken by the applicant.
- **Foul sewage** – the application state the development will not be connecting to the existing drainage system, but it also states that foul sewage will be disposed through the mains sewer. This should be clarified.
- **Flood Risk** – The application refers to soakaways as the method of disposal of surface water. There has been a problem with the land next to No.44 flooding over the last year following a burst water main. This should be taken into account.
- **Hedges and Trees** – Contrary to the information in the application form, there is a well-established hedge running along the boundary of the site and the side road. Removal of this hedge would adversely affect local ecology.
- **Design and access statement** – Why is No.55 High Street, a house on the opposite side of the road, a reference point in terms of appearance? The proposed elevation refers to the house on the opposite end of the terrace in terms of matching its appearance. This should be clarified.
- **The back garden** appears larger on the drawing than it actually is. As the proposed development is so close to the boundary, this could seriously compromise access during construction.
- **The proposed development involves removal of the existing garage.** This is believed to be asbestos and correct measures should be followed.
- **Neither the front elevation or rear elevation** are in keeping with the rest of the terrace in terms of the quantity of ground floor fenestration at the front. The rooflines on the rear elevation also do not match other properties.
- **There was previously a property on the site** that had to be removed for structural reasons. The development may lead to similar subsidence issues and could affect the structural stability of existing properties.

Planning Comments

Principle of development – density and mix issues

13. The site measures 0.0163 hectares in area. The erection of one dwelling on this site would equate to a density of approximately 64 dwellings per hectare. This accords with the minimum requirement of 30 dwellings per hectare required by Policy HG/1 of the Local Development Framework.

Impact upon the character of the area

14. The proposed dwelling would continue the ridge and eaves lines of the existing terrace (Nos. 44-48 High Street) and would be of similar width and depth as the existing properties within the row. Nos. 44 and 46 are brick and slate dwellings whilst the property at the northern end of the terrace, No.48, is a render and slate house with a chimney on the flank wall. The proposed house comprises rendered walls under a slate roof, and includes a dummy chimney on the end elevation, thereby replicating the materials of No.48 and providing symmetry to the appearance of the terrace. On the front elevation is a centrally positioned window at first floor level and a bay window on the ground floor, and this mirrors the design of the adjacent property at No.44 High Street. The appearance of the front of the proposed dwelling is therefore considered to be in keeping with the character of the terrace of properties, thereby avoiding undue harm to the character and appearance of the wider area.
15. The scheme also includes the erection of a two-storey wing to the rear. This would be centrally positioned, extending both the existing and proposed properties, and would comprise a kitchen extension at ground floor level and bathrooms on the first floor. This rear element would be just 1.4 metres deep, with a ridge line 1 metre lower than that of the main dwellings and positioned 3.1 metres in from the end wall of the new dwelling. There are no other two-storey additions at the rear of the existing terrace but, as the proposed extension would clearly be subservient to the main property, it is not considered to be harmful to the character and appearance of the area.
16. The front garden areas of the existing terrace of dwellings are open in nature, with boundaries defined by either hedgerows or low fences. To maintain this character, the application shows the retention of hedges to the front and side boundaries, with a 1 metre high timber fence erected along the boundary between the existing and proposed properties. The boundary treatments proposed are considered to reflect the character of the area and a condition should be added to any consent requiring these boundaries to be maintained in accordance with the details shown.

Parking and highway safety issues

17. Strong concerns have been raised by the Parish Council and local residents regarding the lack of parking for the property and the highway safety implications of the proposal.
18. The scheme includes the provision of one off-street parking space per dwelling, with both spaces to be provided to the rear of the new property. The Council's parking standards require a maximum average of 1.5 spaces to be

provided per dwelling. Given that both the existing and proposed dwellings would be small two-bedroom dwellings, the provision of one space per dwelling is considered to be acceptable in this instance.

19. Whilst no response has been received to date from the Local Highways Authority (LHA), the application has been submitted following pre-application correspondence that included discussions with the LHA. The LHA raised no in-principle objections to the use of the existing shared driveway by an additional dwelling. However, the applicant initially sought to explore the possibility of providing a parking space within the front garden area of the new dwelling, with this space being accessed via the shared driveway. The LHA raised serious concerns about the highway safety implications of providing a parking space in this location. Due to the narrow width of the access and the position of the post office building directly opposite, the restricted width available for manoeuvring and proximity of the turning space to the main road, was considered to result in a situation whereby cars wishing to access the driveway from the High Street would be forced to wait in the main road, thereby obstructing the free flow of traffic on the highway. The LHA advised that, if both spaces could be provided to the rear, so that any manoeuvring takes place well away from the main road, this would provide sufficient space for other vehicles to pull completely clear of the highway whilst cars are manoeuvring on and off the site.
20. The proposed layout is therefore considered to be acceptable from a highway safety perspective. A condition should be added to any consent to prevent the front garden from being used for parking at a later date.

Residential amenity

21. The owner of No.46 High Street has objected to the application on the basis that the development would result in overlooking of No.46's garden. The proposed two-storey addition to the rear would include two first floor openings in the end elevation, both serving bathrooms. These openings would look towards No.46's garden at an oblique angle and are not therefore considered to have an unacceptable impact upon this directly adjoining property. However, these additional rear windows would look towards the rear garden of the property to the east, No.38 High Street, and, to avoid any adverse impact from overlooking, should be required by condition to be fixed shut (apart from any top hung vent) and obscure glazed. The scheme shows no first floor window openings in the side elevations of either the two-storey rear element or in the flank wall of the proposed dwelling. A condition should be added to any consent preventing the insertion of first floor windows in these elevations at a later date in order to protect the privacies of adjoining residents.
22. The owner of No.46 High Street has also expressed concern on the grounds that the two-storey rear addition would overshadow a bedroom window in the rear elevation and the rear garden area. This element of the proposal would be sited 3 metres away from the boundary with No.46 and, as previously referred to, would be just 1.4 metres in depth. Due to the size of the extension, together with its distance from the boundary, it would not encroach into a 45-degree angle drawn from the centre of No.46's bedroom window, nor would it result in an unacceptable degree of overshadowing of the rear garden area.

Access and waste storage

23. The owner of No.46 High Street has advised that the access path shown on the plans beyond the rear boundary of the site is under the ownership of No.46. This has implications for the development in that the plans indicate that the path would be used to access the bin storage areas. The applicant's agent has been advised of this problem and requested to amend the plans in order to ensure access to the bin storage areas for both properties can be achieved without use of the rear pathway.

Other issues

24. The applicant has clarified that the new dwelling would be connected to the main sewer via new drainage runs to be constructed as part of the development, whilst all soakaways would be constructed in accordance with Building Regulations, thereby ensuring flooding problems would not arise as a result of the development.
25. The applicant has also confirmed the existing asbestos garage will be disposed of safely. In addition, with regards to concerns raised relating to the structural stability of the dwelling, stresses that it would be constructed in accordance with Building Regulations and with the advice of qualified Structural Engineers.

Infrastructure requirements

26. 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. Based on the proposed two-bedroom dwelling, 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), and household waste receptacles (£69.50), together with additional costs relating to Section 106 monitoring (£50) and legal fees (minimum £350). The applicant has confirmed his agreement to such payments.

Recommendation

27. Subject to the receipt of amended plans showing satisfactory access to the waste storage areas for both properties, 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: H/TB/10/1B.
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

3. The materials to be used for the external walls and roofs of the development hereby permitted shall accord with the specification in the application form and approved plans, 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 Local Development Framework 2007.)
4. During the period of 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 or Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.
(Reason – To minimize noise disturbance to adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
5. 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 elevation of the new dwelling, and in the side and rear elevations of the two-storey rear extension, at and 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.)
6. Apart from any top hung vent, the proposed first floor bathroom windows in the rear elevation of the two-storey rear extension shall be fixed shut and fitted and permanently glazed with obscure glass.
(Reason – To prevent overlooking of the adjoining properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
7. The proposed parking spaces shall be provided in accordance with drawing number H/TB/10/1B before the dwelling hereby permitted 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.)
8. The front garden of the dwelling, hereby permitted, shall not be used for the parking of vehicles.
(Reason - In the interests of highway safety, and in order to preserve the character of the area, in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
9. The boundary treatments shown on drawing number H/TB/10/1B shall be completed before the new dwelling, hereby permitted, is occupied and shall be retained in accordance with these details thereafter.
(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.)

10. 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.)
11. 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 Policy DP/4 of the adopted Local Development Framework 2007.)
12. 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.
(Reason - To ensure that the development contributes towards the provision of household waste receptacles in accordance with Policy DP/4 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 (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, District Design Guide – Adopted March 2010.
- Circular 11/95 and 05/2005
- Planning File Reference: S/1027/11.

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3 August 2011

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

S/1027/11 - HARSTON

Erection of dwelling, together with two-storey extension to rear of existing property – 44 High Street, Harston, Cambridge, Cambridgeshire, CB22 7PZ for Mr T Jack

Recommendation: Delegated Approval

Date for Determination: 14 July 2011

A. Update to the report

Agenda report paragraph number 23

Revised plans have been submitted, showing the provision of bin storage areas to the front of both properties, instead of to the rear via the pathway owned by No.46 High Street.

A representation has been received from Councillor Mrs Lockwood, who expresses her apologies as she's unable to attend the meeting, and comments as follows:

"I do not have much to add to the concerns expressed by Harston Parish Council and neighbours about increased traffic in that very narrow track/shared driveway by the side of the property. The track/driveway exits to the A10 across the layby in front of the shop and is a cause of recurrent aggravation. I would be interested to hear the views of Highways which I think are essential to determine this application."

Planning Comments

This revision resolves the only outstanding issue, and the recommendation is therefore now one of approval subject to the wording of condition 2 being amended to reflect the revised drawing number H/TB/10/1C.

With regards to the concerns raised by Councillor Lockwood, as advised within paragraph 19 of the report, no formal response has been received from the Local Highways Authority (LHA). However, the LHA did advise during pre-application discussions that it had no objections to the existing narrow shared driveway being used by one additional dwelling.

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