

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 September 2011

AUTHOR/S: Executive Director (Operational Services)/
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S/1339/11 - Histon

Erection of a dwelling at land rear of No.14 Cottenham Road, for Mrs Lucas

Recommendation: Approve Conditionally

Date for Determination: 29th August 2011

This application has been referred to the Planning Committee for determination because the recommendation of the Histon Parish Council does not accord with the officer recommendation.

Site and Proposal

1. The application site comprises a plot of land 0.0188ha and is located at the rear-most part of the rear garden serving 14 Cottenham Road. The site opens up onto Winders Lane due to the removal of a previously existing fence and landscaped boundary. Winders Lane is a narrow lane that links Cottenham Road with Clay Street. There are 12 properties fronting Winders Lane, all but two of which are detached. There is no clear architectural style within the street scene with properties varying in design greatly. The site lies within the village development framework and outside of the village Conservation Area.
2. The proposal comprises the subdivision of the existing residential garden and the erection of a detached two-storey three-bedroom dwelling with integral garage. The proposal would front onto and be accessed via Winders Lane.
3. The proposal has benefited from pre-application advice and is supported by a Design and Access Statement.

Planning History

4. Planning Application S/0415/11 for the erection of a dwelling was refused on the grounds that it failed to provide adequate pedestrian visibility splays and by virtue of the extent of hard standing to its frontage and its massing and proximity to the narrow semi-rural lane would result in a cramped and urban appearance contrary to the spacious, landscaped character of surrounding residential development. As a consequence the proposal would result in a marked contrast to the character of the street scene and would be incongruous within its setting.

Policies

5. South Cambridgeshire Local Development Framework Core Strategy 2007
ST/4 Rural Centres

- 6 South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
 - DP/1** Sustainable Development
 - DP/2** Design of New Development
 - DP/3** Development Criteria
 - DP/4** Development Infrastructure
 - DP/7** Development Frameworks
 - HG/1** Housing Density
 - NE/1** Energy Efficiency
 - TR/1** Planning for More Sustainable Travel
 - TR/2** Car and Cycle Parking Standards
 - SF/10** Outdoor Playspace, Informal Open Space, and New Developments

- 7 South Cambridgeshire Supplementary Planning Documents
 - District Design Guide**, Adopted March 2010.
 - Open Space in New Developments**, Adopted January 2009.

Consultations

- 8 **Histon Parish Council** – Recommend refusal on the grounds that the size of the parking space shown is inadequate for a car to manoeuvre in and out in a forward gear. Concerns also relate to the proposed access, as the proposed visibility splay does not appear to be sufficient for the nature of the road. Notwithstanding this, the Parish Council acknowledges that a real attempt has been made to address issues from the previously refused planning application.

- 9 **Local Highway Authority** – No comments have been received. However, the Highways Authority commented upon the previous planning application that the minimum requirements to provide a safe and appropriate access to the site to facilitate a single dwelling would be the provision of 2m x 2m pedestrian visibility splays.

Representations

- 10 2 Letters have been received from the occupiers of nos.6 Winders Lane and 12 Cottenham Road raising the following objections:
 - The proposed visibility splays are for pedestrians only and will not ensure the safety of motorists within Winders Lane;
 - Winders Lane is used as a through road between Clay Street and Church Street and the proposal would result in vehicles reversing into this lane, with limited visibility to avoid oncoming vehicles;
 - The proposal would contain first floor windows looking directly into No.12 Cottenham Road and the proposal should be single storey to avoid overlooking. If approved the first floor rear windows should be obscure glazed;

One additional letter from an unknown address comments on the lack of provision for a vehicle to turn within the site and enter and exit the site within a forward gear.

Planning Comments

- 11 The key material planning considerations in the determination of this planning application are the impact that the proposed revisions would have upon the public realm, the planned layout of the area, infrastructure provision, residential amenity, car parking and highway safety.

Housing

- 12 The proposal would result in a density of approximately 54dph and the infill development of a plot of garden land. Histon is designated as a Rural Centre and is one of the larger and more sustainable villages within the District with a wide range of services and facilities. Whilst this density would exceed the 40dph threshold outlined within Policy HG/1, it is evident that the site is sufficiently served by public transport links and within reasonable distance from local services and facilities. The development proposal would also suitably provide adequate private amenity space and car parking to serve a three-bedroom dwelling. The planned layout of the area is one of linear form of mainly detached properties fronting Winders Lane. Nevertheless, the surrounding building plots are notably larger and wider than that of the application site. In light of the above, the principle of infill housing development within the application site is considered to be acceptable.

Public Realm

13. Winders Lane is characterised by predominately detached dwellings commensurate to their plots with the provision of landscaped frontages that convey a semi-rural nature. In addition the Lane includes mature trees and hedgerows to the merit of the street scene. The current proposal seeks to address the reasons for refusal upon the previous application by providing a tandem parking arrangement with increased soft landscaping to its frontage.
14. The proposal follows a similar pattern of development to that of the adjacent dwelling Argyll House, which was developed through the subdivision of the rear gardens serving 16-18 Cottenham Road. The application site however, provides a narrow plot of an approximate width of 9m compared to neighbouring plots of widths more common of 18m in width. As a consequence the scale of the dwelling has been reduced and set back from the roadside to that of the previously refused application in order to provide additional space to the front of the property for vehicle parking and associated landscaping. As a consequence, the proposal would provide a more sympathetic frontage that would be in character to the surrounding street scene within Winders Lane subject to the provision of a landscape scheme to be agreed prior to development commencing on site by way of condition.
15. In addition to the above, the proportions of the current proposal have been reduced from that previously refused in order to address the cramped and truncated appearance when viewed from the street scene. This has now been addressed due to the provision of a landscaped area to the frontage and the reduction in the size of the building from a 4-bedroom property previously refused to a 3-bedroom dwelling. The proposed dwelling would represent a simple two-storey gable fronted dwelling finished in facing brick work and is considered to be acceptable in terms of its scale, design and character to that of other properties, which vary greatly in type within Winders Lane.

Nevertheless, the final selection of facing brickwork and roof tiles will be agreed by way of condition.

16. The proposal would provide approximately 65sqm of rear garden space, which is above the minimum level of 40sqm advised by the Council's District Design Guide SPD for urban environments.

Residential Amenity

17. The proposal would be sited approximately 29m from the rear building lines of properties within Cottenham Road. The District Design Guide SPD recommends a minimum distance for back-to-back residential relationships of 25m. Due to the open nature and length of the rear garden serving Nos.12 and 14 Cottenham Road to the southwest the provision of first floor bedroom windows orientated to the northwest is not considered to result in a material loss of privacy upon residential amenity serving properties within Cottenham Road. Therefore it is not considered that these windows would require obscure glazing in order to safeguard the privacy of neighbouring properties.
18. The proposal would be sited within 1m of the common boundary with Argyll House with 2m separating the flank elevations of each property. Argyll House has only a single window within the elevation facing the site, which is an obscure glazed narrow first floor window. Given the size and treatment of this window, it is considered that this window serves a bathroom and not a habitable room. The proposal would be sited 2m back from the front building line and 2m beyond the rear building line of Argyll House. This layout would still allow for a horizontal angle of 45-degrees at a vertical angle of 25-degrees to be uninterrupted, assessed from the rear windows of Argyll House. For this reason, the proposal is not considered to result in any significant loss of sunlight or daylight upon the amenity currently enjoyed by the occupiers of Argyll House. A condition reinforcing the criteria of the General Permitted Development Order will be applied informing that any windows or opening created at first floor within the flank elevations of the proposed dwelling would need to be fixed shut and obscure glazed with top vent opening only to ensure the safeguard of privacy to adjacent dwellings.

Highway Safety & Car Parking

19. The proposal for a three-bedroom dwelling would require the provision of 1.5 car parking spaces in accordance with the Council's maximum car parking standards. To the previously refused application the Local Highway Authority has recommended that 2m x 2m splays be provided from the back edge of the carriageway and this formed one of the reasons for refusal as in order to provide these splays the site would be unable to provide two parallel car parking spaces at the required size of 5m deep by 2.5m wide. The current proposal provides 2 tandem spaces at the required dimensions (with one space being within an integral garage) and the required 2m x 2m pedestrian visibility splays and has addressed the previous reason for refusal with regard to this issue. Conditions should be applied to ensure that the garage remains as a parking space and is not converted into habitable space and that the visibility splays are permanently maintained and kept free of obstruction below a height of 600mm.
20. The site is adjacent to a pinch point in the Lane, whereby it would be difficult for two vehicles to pass one another and would not provide the ability to turn

a vehicle clear of the highway to enable access and egress within a forward gear. However, this is not uncommon within Winders Lane and, given the narrow width and back lane character of the road, it is considered that the Lane is lightly trafficked road where the provision of vehicle-to-vehicle visibility splays are not required. The views of residents about speeding through traffic has been acknowledged, however this is a police matter and not considered to be a material planning consideration. The proposal in its current form would therefore provide a satisfactory and appropriate means of access to the adopted highway and is therefore not considered harmful upon highway safety.

Infrastructure Provision

21. The proposal would provide the capacity for a two-bedroom property. In order to meet the requirements of this development in respect to the increase in the capacity of occupants to the village the proposal would require the provision of an off-site contribution towards public open space within the village and community infrastructure. This has been calculated at £3,104.38 (index linked) with respect to public open space infrastructure and £523.93 with respect to community infrastructure.
22. In addition to the above the proposal would require a sum of £69.50 to provide refuse bins and £50 S106 Monitoring fee. The applicant has agreed to meet the above obligations by way of condition.

Conclusion

23. The revisions to Planning Policy Statement 3 “Housing” (PPS3) seek to protect garden land from unacceptable forms of development with each development proposal being considered upon its own merits. Based on the current proposal officers are of the opinion that the reasons for refusal stated in the previous decision have been overcome, subject to suitable conditions and therefore the overall balance is to favour the development of the garden land in question to facilitate sustainable housing development.
24. 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 approved in this instance.

Decision

25. Approve

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 plan: SL 101.3.**
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

- 3. 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 development within Classes A, B, D and E of Part 1 of Schedule 2 of the Order shall take place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.**
(Reason - In the interests of safeguarding the character of the area and the amenities of the occupiers of neighbouring properties in accordance with Policies DP/2 and DP/3 of the adopted 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 and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.**
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
- 5. No development shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
- 6. 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.)
- 7. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.**
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

- 8. No development shall commence until a scheme for the provision of off-site public open space infrastructure, community infrastructure, S106 monitoring and refuse bin provision to meet the needs of the development 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 the necessary infrastructure provision in accordance with the Policies SF/10 and Policy DP/4 of the adopted Local Development Framework 2007.)

- 9. The proposed 2m by 2m pedestrian visibility splays shown upon drawing no. SL 101.3 are to be permanently maintained and kept clear of obstruction above a height of 600mm.**

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

- 10. 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 inserted in the side elevations of the dwelling 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.)

- 11. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the vehicular access shall be ungated unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.**

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

- 12. 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.)

- 13. The garage, hereby permitted, shall not be used as additional living accommodation.**

(Reason - To ensure the continued provision of off-street parking space in the interests of highway safety and to safeguard the amenities of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

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

- South Cambridgeshire Development Control Policies Development Plan Document (2007)
- South Cambridgeshire Local Development Framework Supplementary Planning Documents
- LDF Adopted Core Strategy Development Plan Document (2007)

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