

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee
AUTHOR/S: Planning and New Communities Director

4 July 2012

**S/0968/12/FL – HIGHFIELDS CALDECOTE
Dwelling and carport - Land Known as Plot 7, The Willows
for Jane Jackson, AMA Developments Ltd**

Recommendation: Delegated Approval

Date for Determination: 29 June 2012

This Application has been reported to the Planning Committee for determination because the recommendation of the Parish Council differs to that of the case officer.

To be presented to the Committee by Paul Derry

Site and Proposal

1. The application site consists of an area of grassland within the cul-de-sac of The Willows. This forms part of a recent development of six dwellings, five of which are accessed from The Willows. The dwellings have been erected with a specific character and theme, that being monopitch roofs with areas of buff brickwork, vertical timber cladding and cream rendered sections. The vehicular access continues to serve the land to the west. A trellis fence has been erected along east boundary of the site, and a walnut tree stands towards the centre of the plot. To the south are the bungalows of 12 and 12a West Drive. To the west of the site, approximately 300m from the site are the former hangars of Bourn Airfield, which are now in industrial use.
2. The full application, validated on 4 May 2012, seeks the erection of a single property on the plot. This would be located to the north of the garage to 12a West Drive. The main garden area would be to the east, with a detached carport located close to the east boundary. The application is accompanied by a Design and Access Statement, an Acoustic Statement, a Site Waste Management Plan, a Supporting Planning Statement, draft Heads of Terms, a Tree Report and a RECAP Waste Management Design Toolkit.
3. Amended plans were received dated 1 June and incorporated changes to the site area and fenestration.

Site History

4. Application **S/1332/09/F** for a dwelling on the site was refused on grounds of the lack of noise assessment given the proximity of an existing noise source, and was subsequently dismissed at appeal. This followed application **S/1757/07/F** for a dwelling on the plot that was withdrawn.

5. Application **S/0459/02/F** granted planning permission for the erection of six dwellings on the former Grafton Pig Farm. This consent now forms the five properties of The Willows and 8 West Drive.
6. Application **S/1282/08/F** granted approval for a bungalow and garage that now forms 12a West Drive. This follows application **S/1150/05/O** which was refused but allowed at appeal, and subsequent reserved matters application **S/0830/07/RM**.
7. There have been various planning applications relating to the industrial buildings at Bourn Airfield.

Planning Policy

8. **Local Development Framework Core Strategy (LDF CS) 2007 – ST/6**
Group Villages
9. **Local Development Framework Development Control Policies (LDF DCP) 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, **SF/11** Open Space Standards, **NE/1** Energy Efficiency, **NE/6** Biodiversity, **NE/15** Noise Pollution & **TR/2** Car and Cycle Parking Standards.
10. **Open Space in New Developments SPD – Adopted January 2009, Trees and Development Sites SPD – Adopted January 2009 & District Design Guide SPD – Adopted March 2010.**
11. **National Planning Policy Framework:** Advises that planning obligations should only be sought where they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development. It adds planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other aspects.

Consultation by South Cambridgeshire District Council as Local Planning Authority

12. **Caldecote Parish Council** recommends refusal on grounds of overdevelopment of the site, the significant loss of open space, the restrictive access, the junction with West Drive, overlooking towards 12a and the close proximity to properties along The Willows, drainage issues, and concerns regarding the ownership of land. If the application is approved, consideration should be given to community payments, wildlife disturbance, and access safety. Conditions are also recommended regarding timing of works, removal of spoil, the upkeep of the public highway, location of building compounds, landscaping plans, water harvesting, and driveway parking restrictions.
13. The **Council's Trees Officer** notes that while the walnut tree is structurally compromised, it provides a green vista into the site. The car port should be screened by planting to compensate for the loss of the tree.

14. The **Local Highways Authority** notes The Willows is not a public maintainable highway and therefore no significant adverse effect upon the Public Highway should result from the proposal.
15. Comments from the **Council's Environmental Health Officer** have yet to be received, although he has implied verbally that the proposal is considered acceptable. This follows pre-application advice on this matter. Members will be updated on any formal comments received.

Representations by Members of the Public

16. Letters of objection have been received from the occupier of **5 The Willows**. These relate to ownership of land, where the eastern part of the site is considered to be within their ownership. There are also concerns regarding traffic and parking issues in The Willows, the loss of protected walnut tree, flooding concerns, and the need for the dwelling given the amount for sale in the vicinity.

Material Planning Considerations

17. The key considerations in the determination of this application are impact upon the street scene, impact upon the amenity of the occupiers of the neighbouring properties, impact from the nearby noise source, impact upon trees, and highway safety and parking. The principle for a single dwelling on this area of grassland was established through the previous application and appeal process, and this included the loss of the open space as highlighted by the Parish Council.

Impact upon the Street Scene

18. As noted above, the existing properties along The Willows are unique in design for the village, given their monopitch and flat roofs and the use of render, buff bricks and timber boarding for the exteriors. The proposed dwelling uses these local features to ensure it will be assimilated into the area. The location of the openings has been dictated by the noise source to the west and the location of the adjacent properties. When viewed directly from the north, there are only two large openings visible. However, the east elevation (visible from West Drive and the entrance into the estate) has a number of openings and would appear as the "front" of the property. The proposal is considered to be in scale and character with the existing dwellings at The Willows.

Impact upon the Amenity of the Occupiers of the Neighbouring Properties

19. There were concerns from the original plans given the potential for overlooking towards the rear garden of 12 West Drive to the southeast. The amended plans have added a window that extends out from bedroom 3. Whilst the occupiers of 12 West Drive may get the perception of overlooking from this window, in reality the layout would ensure no overlooking results. The eastern window to bedroom 2 is also screened by this feature, so again no serious overlooking would result. The location and orientation should ensure no harm results from any overbearing impact or serious loss of light. The location of the garage against the black side elevation of 12 West Drive ensures a neutral impact to this property.

20. The dwelling would have a similar “building line” to the garage serving the backland plot of 12a West Drive. This garage does provide a good screen from the front of this neighbouring bungalow. The en-suite and bathroom windows that would face 12a are both shown as being obscure glazed. A condition can ensure this is the case. A further condition can prevent further openings to the south and west elevations above first floor level. Again the orientation ensures no light would be lost, and the dwelling would not appear overbearing. No harm would therefore result to the occupiers of 12a West Drive.
21. The proposed unit has a close relationship with the existing properties along The Willows, and in particular with nos. 1, 3 and 4. The west elevation is free from windows serving habitable room and therefore there would be no harm to the occupiers of 1 The Willows from overlooking, the two-storey bulk is 15m from the side windows, which is greater than the minimum distance of 12m within District Design Guide. The dwelling will not appear overbearing when viewed from these windows.
22. The two-storey element is approximately 22m from the two-storey element to 3 The Willows and 21m from 4 The Willows to the north. There are windows at first floor level serving the master bedroom, landing and bedroom 2. Whilst the separation between windows is below the 25m recommended within the design guide, the location of the windows relative to their use should ensure no serious overlooking results. In this instance, the relationship is considered acceptable. A condition should ensure the sedum roof is not used as a balcony, which would reduce the gap and potentially cause overlooking.

Impact upon the Nearby Noise Source

23. The formal comments from the Environmental Health Officer have yet to be received. The site is approximately 300m to the east of the known noise source at the former TKA Tallent premises on Bourn Airfield. TKA Tallent has now left the site, and the premises are empty. The planning consent for the site does have unrestricted times of use, and as a result, there is still the potential for noise pollution resulting from the site. An Acoustic Statement has been submitted with the application. This document explains the layout of the dwelling, which attempts to locate the habitable rooms to the eastern part of the site. The master bedroom is in the western part of the dwelling, but its main opening is to the east above the flat roofed section. The main garden area has also been relocated to the eastern side of the property. Given the uncertainty at the Bourn Airfield site and the layout of the dwelling, the application is likely to be acceptable.

Highway Safety and Parking Provision

24. There is local concern regarding the junction between The Willows and West Drive. Having driven across this junction, there would appear adequate visibility. However, this can be obscured by parked cars. This application does not have the ability to prevent any parking in this area. The development will create more trips in and out of the cul-de-sac, but this increase is not considered significant enough to cause serious highway dangers. Members should note that in dismissing the appeal for application S/1332/09/F, the Inspector did not object to the access.

25. There is also local concern regarding manoeuvring space along The Willows, with vehicles having to use the land within the application site to access driveways. Given the land is not within their or highways ownership, this should not be taking place, and concerns should have been raised during the original application S/0459/02/F.
26. With regards to parking provision, the proposal includes a carport that would allow the parking of two off-street vehicles. The scheme also includes a more informal block paving area to the frontage. Given concerns regarding parking on The Willows (which may also be prevented through a restrictive covenant), the levels of off-street parking are considered acceptable.

Impact upon Trees

27. A walnut tree sits to the centre of the site. This tree does not benefit from protection from a Tree Protection Order, and therefore can be removed without consent. The applicant has shown two fruit trees to be planted to replace this, and these can be secured through a landscaping scheme. The comments from the Trees Officer are noted with regard to screening the carport. It is located only 0.4m from the boundary of the site, which would not provide adequate space for planting. The applicant has confirmed the carport will be relocated westwards to allow space for such a hedge, and Members will be updated on this matter.

Other Matters

28. The comments from the occupiers of 5 The Willows with regard to ownership is noted. These were passed to the applicant, who notes inaccuracies in the Land Registry details. There is an obvious conflict in beliefs from the parties involved. The red line of the application has been shifted westwards in the amended plans. There is no concrete evidence to state whether this is now incorrect. If it is proven to be incorrect, the applicant could submit a non-material amendment to shift the east boundary and the carport slightly further westwards.
29. The applicant has submitted a draft heads of terms with the application recognising the requirements for contributions towards open space, community infrastructure, provision of waste receptacles and Section 106 monitoring, and this has been forwarded to the Council's Legal Team. The recommendation is for delegated approval until this agreement is completed.
30. There is local concern regarding flooding in the vicinity. The site lies within flood zone 1 and therefore no flood risk assessment has been submitted with the application. The applicant has noted that surface water will be disposed off to a soakaway, which would need to meet Building Control standards. As a result, no serious increase in flooding should result from the proposal. The applicant also notes foul water will be connected to the mains sewer.
31. The Parish Council note a number of potential conditions should the application be approved, and these are listed above. A number of these are not considered to meet the tests of the National Planning Policy Framework given the nature of the application. Conditions regarding timing of use of power operated machinery during construction can be added. The Parish Council note the presence of a covenant stating no vehicles shall park along The Willows. It is not considered possible to add such a condition to this

application given the red line of the site. This matter was not within the S106 Agreement for application S/0459/02/F for the original dwellings at The Willows.

Recommendation

Delegated approval (as amended by drawings OS 01 A, P01 rev A, P02 rev B, and P03 rev A), subject to the completion of the Section 106 Agreement, relocation of the carport and comments from the Council's Environment Health Officer. If approved, conditions are recommended regarding: time implementation, approved plan numbers, materials, landscaping and implementation, boundary details, removal of permitted development rights for windows at first floor level in west, east and south elevations, obscure glazing to the en-suite window in the south elevation and bathroom window to the west elevation, prevention of the use of the sedum roof as a balcony or other uses incidental to the use of the dwellinghouse as such, parking and turning areas to be retained, and timings for power operated machinery.

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

- South Cambridgeshire Local Development Framework Core Strategy 2007.
- Local Development Framework Development Control Policies 2007.
- Open Space in New Developments SPD, Trees and Development Sites SPD & District Design Guide.
- National Planning Policy Framework
- Planning File refs: S/0968/12/FL, S/1332/09/F, S/1757/07/F, S/0459/02/F, S/1282/08/F, S/1150/05/O and S/0830/07/RM.

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