

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

5 September 2012

**AUTHOR/S:** Planning and New Communities Director

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**S/1255/12/FL - HASLINGFIELD**  
**Dwelling (amended design) - Land adjacent to 18 & 18a Fountain Lane**  
**for Mr Tom Jack**

**Recommendation: Approval**

**Date for Determination: 24 August 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 is located within the designated Haslingfield village framework. 18 and 18a Fountain Lane form ground and first floor flats, similar to the arrangement at the neighbouring property of 16 Fountain Lane. To the east are the rear gardens of the bungalow of 22 Fountain Lane and the two-storey property of 11 New Road. The flats have garden space to the side and rear of the building. 15 New Road on the opposite side of the road is grade II listed.
2. The full application, validated on 29 June 2012, seeks the erection of a dwelling, with an amended design to the extant consent (see below). The proposal would be attached to the east elevation of the existing flats, and would continue the roof line along. It also includes a forward projecting porch element, and a flat roof single storey element. The amended design now includes living accommodation in the roof space to create a four-bed unit, and a lean-to utility room to the side. The application is accompanied by a Design and Access Statement and a draft Heads of Terms.

### **Site History**

3. Application **S/0268/12/FL** granted planning permission for a two-storey attached dwelling on the site. This application was determined by Members at Planning Committee dated 9 May 2012, following a site visit on 8 May 2012.
  1. Application **S/0267/12/FL** granted planning permission for a single storey extension to the ground floor flat of 18/18a Fountain Lane.
  2. Application **S/0060/07/F** granted consent for a dwelling at 12 Fountain Lane.

## **Planning Policy**

4. **South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007: ST/6** Group Villages
5. **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 Development, **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.
6. **Open Space in New Developments SPD** – adopted January 2009, & **District Design Guide SPD** – adopted March 2010.
7. **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**

8. **Haslingfield Parish Council** recommends refusal of the application as they still consider the scale of the extension is too large, compounded now by the loft conversion. There is no possibility for turning on site so vehicles will have to manoeuvre on Fountain Lane, which is busy and narrow.
9. The **Local Highways Authority** recommends conditions regarding pedestrian visibility splays, drainage off the public highway, and a traffic management plan. An informative regarding works to the public highway is also suggested.

## **Representations by Members of the Public**

10. None were received.

## **Planning Comments**

11. The key considerations in the determination of this application are impact upon the street scene, impact upon the amenity of the occupiers of the adjacent properties, highway safety and parking provision, and infrastructure contributions. The principle of development is agreed through the extant permission S/0268/12/FL, as was the replacement of the frontage tree.

### *Impact upon the Street Scene*

12. The proposal is different to that already approved through application S/0268/12/FL in that it includes accommodation in the roof space and a small side extension. The physical changes to the exterior are therefore the utility room that measures 2.1m by 3.8m with a lean-to roof above, and a rooflight to

both the front and rear elevations. The applicant has also requested the exterior of the dwelling be rendered rather than using a matching brick.

13. The changes to the physical appearance of the dwelling are not considered to cause any harm to the Fountain Lane street scene. The utility room extension will appear subservient and does not add significant bulk to the dwelling. There are no obvious rooflights in the immediate vicinity. However, a single rooflight in the front elevation would not be obtrusive. 12a Fountain Lane to the west that forms the end dwelling on the next terrace has a rendered exterior and therefore rendering the proposed dwelling would add some symmetry to the street scene.

*Impact upon the Amenity of the Occupiers of the Adjacent Property*

14. The utility room element extends the dwelling a further 2.1m closer to the shared boundary with 22 Fountain Lane. Members should be aware the occupiers of this property objected to the original plan although no correspondence has been received this time. The utility room element is single storey and located behind the garage of 22 Fountain Lane. As a result, no further harm would result to the occupiers of this property.
15. The rear facing rooflight serves the bedroom in the roof space. The section shows a cill height of 0.9m, and therefore there is the potential for some overlooking from this window. Application S/0268/12/FL included first floor rear windows serving a bedroom and landing area, with the bathroom window to be obscure glazed. The proposed rooflight is set above the bedroom window that was considered acceptable and set further into the site given its location in the roof. No serious overlooking should therefore result, although a condition restricting further windows in the rear elevation above first floor level would be required. The landing window now serves a bathroom, which can again be obscure glazing given the potential overlooking from this window.
16. The rooflight to the front elevation is set significantly back into the site so as not to cause any overlooking.

*Highway Safety and Parking Provision*

17. The comments from the Local Highways Authority are noted. The required pedestrian visibility splays are shown on the site plan and can be achieved, although a condition can ensure their retention. A condition can again ensure the spaces are retained and used for parking only. The extant consent does not include conditions regarding drainage or a traffic management plan. It is considered unreasonable to add these to the consent at this point, although the former can be added as an informative. The Parish council's concerns regarding turning on site are not sufficient to warrant refusal and are not supported by the Local Highways Authority.

*Infrastructure Contributions*

18. A Section 106 Agreement was completed for the extant consent S/0268/12/FL, and the applicant has provided draft Heads of Terms for a new agreement given the additional bedroom that is created in the roof space. Instructions have been sent to the Council's Legal Team with regard to the new agreement, and therefore a condition and relevant informative can be added to the consent.

## Recommendation

19. Approve, subject to the following 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 plans: FLI/CB/11/02 rev B date stamped 29 June 2012.  
(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 in the construction of the external surfaces of the dwelling hereby permitted shall either be a cream rendered exterior with roof tiles to match 18 Fountain Lane or shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Where materials are approved by the Local Planning Authority, the 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.)
  4. The development shall commence in line with the previously agreed landscape details submitted pursuant to planning permission S/0268/12/F, as stated within the letter dated 15 August 2012, unless agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
(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. 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.)
  6. 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 (east) or rear (south)

elevations of the dwelling at and above first floor level and including the roof space 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.)

7. Apart from any top hung vent, the proposed first floor windows serving the bathroom in the rear (south) elevation and the landing window in the side (east) elevation of the dwelling, hereby permitted, shall be 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.)

8. 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.)

9. Visibility splays shall be provided on both sides of parking spaces as shown on approved plan FL/CB/11/02 Rev B date stamped 29 June 2012 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 dwelling hereby permitted shall not be occupied until the four parking spaces to the front of the site and the neighbouring property at 18 Fountain Lane are laid out as per approved plan FL/CB/11/02 Rev B date stamped 29 June 2012. The four spaces shall thereafter be retained for vehicle parking only.

(Reason - To ensure adequate off-street parking in accordance with Policy TR/2 of the adopted Local Development Framework).

11. No development shall begin until details of a scheme for the provision of open space and community facility infrastructure, and provision of waste receptacles and the Section 106 monitoring fee 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 open space, community facility infrastructure, waste receptacles and Section 106 monitoring fee in accordance with the above-mentioned Policy SF/10 and Policy DP/4 of the adopted Local Development Framework 2007.)

## **Informatives**

The development results in a number of infrastructure requirements 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. Should financial contributions be proposed, this would total contributions of £4,258.90 towards the off-site provision and maintenance of open space, £703.84 towards the provision of community infrastructure, and £69.50 towards the provision of household waste receptacles. These figures are as calculated on the date of the decision and are index linked so may be subject to change when any payment is made. These contributions would be secured through a scheme (Section 106 Agreement). There would also be additional charges of £50 towards a S106 monitoring fee. The applicant has confirmed in writing acceptance to these requirements.

This development involves work to the public highway that will require the approval of Cambridgeshire County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. It is the applicants responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

The applicant should ensure the parking spaces are developed to ensure no private water from the site drains across or onto the adopted public highway.

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

- **South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007**
- **Local Development Framework Development Control Policies 2007**
- **Open Space in New Developments SPD – adopted January 2009, & District Design Guide SPD – adopted March 2010.**
- **National Planning Policy Framework**
- **Planning Ref Files: S/1255/12/FL, S/0268/12/FL, S/0267/12/FL, and S/0060/07/F.**

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