

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

7 November 2012

S/1814/12/FL - KINGSTON
Erection of two dwellings following demolition of existing dwelling
at Summerhill, Tinkers Lane
for Mr Paul Owers

Recommendation: Approval

Date for Determination: 31 October 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

Members will visit the site on 6 November 2012

Site and Proposal

1. The application site is located within the designated Kingston village framework, set to the southern side of Tinkers Lane and the eastern side of Crane's Lane on the junction by these roads. The site is located outside of the Kingston Conservation Area, the boundary of which runs along Tinkers Lane to the north. The property to the north, Old Farmhouse, is grade II listed building.
2. There is currently a single dwelling on the site set relatively centrally on the plot. To the east is the dwelling of Netscroft, which is currently screened from the existing dwelling by leylandii. Netscroft has a double garage that extends forward of the main two-storey element of the dwelling. To the south of the site is the bungalow of High Croft, set deep into its plot, the shared boundary of which is a leylandii hedge. There is a change of levels on the site, with the existing property set at a higher level than Tinkers Lane. Land also rises eastwards, resulting in Netscroft being set on higher ground.
3. The full application, validated on 5 September 2012, seeks the erection of two dwellings following the demolition of the existing. The scheme has been amended dated 9 October 2012 to remove the garage to the frontage of house B. House A has a detached double garage to its frontage. The application is accompanied by a Planning Statement, a Design, Access and Heritage Statement, and a Unilateral Undertaking.

Site History

4. Application **S/1074/12/FL** for two dwellings following the demolition of the existing was withdrawn. This followed the withdrawal of application **S/0174/12/FL** for a similar scheme.

Planning Policy

5. **South Cambridgeshire Local Development Framework Core Strategy (LDF CS), adopted January 2007: ST/7 Infill Villages**
6. **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, CH/4 Development Within the Curtilage or Setting of a Listed Building, CH/5 Conservation Areas, & TR/2 Car and Cycle Parking Standards.**
7. **Open Space in New Developments SPD** – adopted January 2009, **Development Affecting Conservation Areas** – adopted January 2009, **Biodiversity** – adopted July 2009, **Listed Buildings** – adopted July 2009, & **District Design Guide SPD** – adopted March 2010.
8. **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

9. **Kingston Parish Council** recommends refusal as it is considered overdevelopment of the site. The sizes of the houses and their proximity to each other and to the neighbouring properties results in over-crowding of the site and a high density appearance out of character in this rural village.
10. The **Council's Environmental Health Officer** recommends conditions regarding timing of use of power operated machinery during demolition and construction, and pile driven foundation details. Informatives regarding bonfires and burning of waste, and the requirement for a demolition notice prior to demolition are also recommended.
11. The **Council's Tree Officer** has no objection subject a robust landscaping scheme, which should include tree(s) to reach a mature height of 10-12m along the front of this prominent site.
12. The **Council's Landscape Officer** notes planting to be very important in the landscape of this section of the village. Various changes to location and types of species to be planted are proposed.
13. The **County Definitive Map Assistant** notes there are no public rights of way in close proximity to the site, and therefore no objections are raised.

Representations by Members of the Public

14. The occupiers of **Netscroft, Tinkers Lane** object on grounds of loss of amenity through overbearing impact and overshadowing from the dwelling and double garage especially to the first floor office, ground floor kitchen, and first floor bedroom windows, loss of privacy given the proximity of the proposal to the boundary and the removal of several trees, a loss in value to the property, an increase in noise, impact upon the character of the village, highway safety, unsustainable location of the site, and the precedent for further development in the village.
15. The occupiers of **Pincote, Cranes Lane** object on grounds of loss of wildlife space, proximity to a dangerous corner, and further development in the village. A second letter adds concerns regarding the precedent set, the good condition of the existing property, and the increase in density of development.

Planning Comments

16. The key issues in the determination of this application are the principle of development, impact upon the street scene and adjacent heritage assets, impact upon the amenity of the occupiers of adjacent dwellings, highway safety and parking provision, and infrastructure contributions.

The Principle of Development

17. The site is located within the designated Kingston village framework. Kingston is classified as an Infill Village within the LDF CS, where residential development and redevelopment within village frameworks will be restricted to not more than two dwellings comprising certain scenarios, including the redevelopment or sub-division of an existing residential curtilage, as is the case for this site. There is a principle in support of the redevelopment on the site.
18. Policy HG/1 of the LDF DCP seeks residential developments to make best use of a site by achieving average net densities of at least 30 dwellings per hectare unless there are local circumstances that require a different treatment. The site has an area of approximately 0.18 hectares, and the existing single dwelling on the plot represents development of 6 dwellings per hectare. A net gain of a single dwelling would increase that to 11 dwellings per hectare. Whilst this is below the requirements of the policy, the principle of a second dwelling was agreed at pre-application stage given the character of the area and the change in levels. There is no objection to the removal of the existing dwelling. At such a density, the development is not considered to represent an overdevelopment of the site.
19. There is local concern that the village is unsustainable given its lack of facilities. Policy ST/7 does state that development on any scale within Infill Villages would be unsustainable. This is why the policy has tight restrictions on the number of dwellings that could be constructed. There were also local concerns regarding setting a precedent for further development in the village. This would not necessarily be the case as all applications are judged on their own merits.

Impact upon the Street Scene and Adjacent Heritage Assets

20. The village of Kingston is mostly semi-rural in character given its small size, the lack of footpaths and layout of the dwellings. The application site does have a prominent view in the street scene, especially from views to the north of the Tinkers Lane, Cranes Lane junction. From this view, the existing access allows views across the whole site as vehicles travels southwards.
21. The proposal seeks the replacement of the existing two-storey property with two detached properties. By its very nature, the development will add more bulk to the site. There is no obvious linked character to the surrounding properties. The two proposed properties are considerably different, and as a result would add some interest to the street scene.
22. House A is the larger of the two. It brings development approximately 6.7m closer to the eastern boundary with Netscroft. The two-storey width of the proposal is greater than the dwelling it will replace. The design of this property has been changed over the previous applications. The garage is now detached and does not have any accommodation above. This has reduced the bulk of development. Whilst the gap between garage and dwelling would not show clear air from the main public vantage point, it would be viewed as detached and an ancillary feature. The height of the main dwelling has been slightly reduced, with the single storey side element removed to reduce bulk. The changes ensure a more appropriate design in this location, and are considered acceptable.
23. The amended plans do show a slight inconsistency in the west elevation plan, and an amended plan will be required to correct this. Members will be updated on this matter, which is not considered to affect the recommendation.
24. House B has been significantly redesigned. In the previous application (S/1074/12/FL), this property was a smaller version of House A. The cumulative impact of both was considered to be overdevelopment, with poor separation between units. The redesign shows a barn style dwelling, with a span of 8m across the frontage including the single storey entrance. This has been reduced from 10.8m of which all was two-storey. The redesign allows a separation of 3.8m between dwellings, with the two-storey elements set 5.5m apart. House B is designed with its gable facing the road, significantly reducing the frontage bulk given the forward facing gable. The changes are considered to be acceptable, subject to the finish in a more barn style material such as weatherboarding. The amended plan removes the garage to House B which was considered to be out of context with the redesign of the house.
25. There is a significant change of levels on the site. The applicant has provided cross-sections to show the relationship with the street scene. A condition regarding site levels will be required to ensure it is built in line with this detail, to prevent the development becoming more imposing on Tinkers Lane.
26. The comments from the Council Tree and Landscape Officers are noted. The front boundary has been recently planted up, and some changes are suggested. There are no objections to the trees and hedging to be removed, subject to appropriate replacements. Strengthening the front boundary will aid the screening of the site, which would reduce the impact of the increase in

bulk in development. The proposal is therefore considered acceptable subject to an appropriate scheme.

27. The site is located outside of the Conservation Area, the boundary of which runs along Tinkers Lane to the north, and to the south of a grade II listed building. The dwellings are set 18m into the plot, although the garage to House A would be closer. Given this distance, the proposal should not harm the setting of these heritage assets, especially given the proposed new frontage boundary treatment. Despite the increase in density, the development would not be detrimental to the existing village character.

Impact upon the Amenity of the Occupiers of Adjacent Dwellings

28. The dwelling to the east, Netscroft, is a two storey property with its side elevation located approximately 4.5m from the shared boundary with the application site. It has a ground floor glazed door and secondary kitchen window, and first floor office window in its side facing elevation. The occupiers of this property are concerned regarding loss of amenity to these windows.
29. At first floor level, the window is the only window to the room. Whilst currently used as an office, it is also suitable as a bedroom. There are views of the existing dwelling from this window. However, these are toward the top of the dwelling given the change in levels, and these are screened by the leylandii located directly opposite. The proposal would bring House A 6.7m closer than the existing, to a distance of 2.8m from the shared boundary. Given the change in levels, the proposed dwelling would be slightly higher than Netscroft. The office window would get views of the side gable element. Given the orientation separation between the two, some late evening light may be lost to this room. However, this is unlikely to be an increase on the light lost from the leylandii on site currently. The outlook from the window would change. The green view would be replaced by the gable end, set 7.5m away. Whilst the outlook would change to a more residential feel, long range views are again improved by the loss of the leylandii. Whilst there is some sympathy with the occupiers of this window given the change in outlook, it is not considered to warrant a reason for refusal of the application.
30. The proposed first floor side facing elevation of the proposal shows an ensuite window, which would allow views into the office window. Given its use, a condition can be added to ensure no overlooking between openings. A further condition can ensure no further windows are added to this elevation.
31. At ground floor level, the kitchen window would be located opposite the forward gable of the breakfast room element. The outlook from the window currently looks towards the 1.8m boundary fence with leylandii hedging behind. Given the secondary nature of this window and the existing outlook, the impact upon the window is considered neutral. There is again some sympathy with regard to this outlook, but again it is not considered significant to warrant a refusal.
32. House A would be visible from the rear garden area of Netscroft, given its location some 3m beyond the rear elevation of Netscroft. Again, some light will be lost in late evening, but this is again not considered enough to warrant refusal. The proposal will be visible but should not result in an overbearing feature to users of the neighbouring rear garden. The recommended condition regarding site levels should ensure the relationship is acceptable. It could be

possible to extend House A without planning permission to a degree that may harm the occupiers of Netscroft. Permitted development rights for Class A of Part 1 (extensions) can therefore be removed to prevent any such harm.

33. The occupier of Netscroft also has expressed concerns from the impact upon the front facing bedroom window that would allow clear views of the proposed double garage. However, the angle of view would be acute and not within a 45 degree area. Whilst the garage roof would be visible, no serious harm should result.
34. The comments from the Council's Environmental Health Officer are noted. A condition regarding use of power operated machinery can be added to ensure such works take place within daytime hours. Use of pile driven foundations can be added as an informative along with details regarding bonfires and the burning of waste, and the requirement for a demolition notice.
35. Devaluation of a property was raised during the consultation period, but this is not a material planning consideration.
36. The two proposed dwellings are considered to have an acceptable relationship between themselves. Given the potential to overlook the garden of House A, permitted development rights can be removed from the side facing elevation of House B.

Highway Safety and Parking Provision

37. There is local concern regarding the introduction of a new access close to the junction between Cranes Lane and Tinkers Lane. House B, situated close to the junction, would use the same access point as the existing property. The new access proposed is therefore situated further from this junction. The Local Highways Authority has not commented directly on this application. However, their comments regarding S/1074/12/FL remain valid given the lack of change to the plans. They request conditions regarding prevention of surface run-off to the public highway and details of the materials to be used. Informatives regarding works to the public highway can also be added. No highway dangers should result.
38. The development provides a double garage to House A and a large parking area to the front of House B. Both should not lead to the requirement of on street parking given the space available.

Infrastructure Contributions

39. The applicant has submitted a completed Unilateral Undertaking with the application for contributions towards public open space, community facilities, waste receptacles and the Section 106 monitoring fee. The Council's Legal team has been consulted on its suitability, and members will be updated on this matter.

Other Matters

40. Comments regarding loss of wildlife space is noted. The site would require some vegetation to be removed. However, the proposal would have two rear gardens, and therefore any loss of space is small. The landscape condition can ensure some replacement planting is achieved.

Recommendation

41. Approve (as amended by 109-PL-01 Rev D and 109-PL-02 Rev C date stamped 9 October 2012), subject to conditions regarding the commencement of development, approved plan numbers, materials for the external finish of the dwelling, landscaping (to include hard details of access) and its implementation, finished site levels, drainage of the new access, boundary treatments, timing of use of power operated machinery, removal of permitted development rights for openings to Houses A and B in certain elevations, obscure glazing to the en-suite window of House A, and removal of permitted development rights for extensions to House A.
42. Informatives regarding pile driven foundations, bonfires and burning of waste, the requirement of a demolition notice, works to the public highway, and public utility apparatus can also be added.

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, **Development Affecting Conservation Areas** – adopted January 2009, **Biodiversity** – adopted July 2009, **Listed Buildings** – adopted July 2009, & **District Design Guide SPD** – adopted March 2010.
- **National Planning Policy Framework**
- **Planning Ref Files: S/1814/12/FL, S/1074/12/FL and S/0174/12/FL**

Contact Officer: Paul Derry - Senior Planning Officer
01954 713159