

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

9 January 2013

AUTHOR/S: Planning and New Communities Director

S/1329/12/FL – GREAT SHELFORD
Detached two-storey dwelling – Land off Chaston Road for Mr & Mrs Cullum

Recommendation: Delegated Approval

Date for Determination: 9 January 2013

Notes:

This application has been reported to the Planning Committee for determination as part of the site is owned by the District Council

To be presented to the Committee by Kate Wood

Site and Proposal

1. The application site is located on the south side of Chaston Road and comprises part of a District Council owned car park at its northern end and the rear section of the garden of No.19 Hinton Way at its southern end. The land slopes downwards and the site also narrows in width from east to west. Beyond the eastern boundary is the remainder of the Council car park, beyond which are two-storey brick dwellings, Nos. 21 and 23 Hinton Way. To the south, the site adjoins the garden of No.17 Hinton Way, whilst to the south-west are two-storey detached brick houses, the nearest of which (No.1 Chaston Road) is set approximately 22 metres back from the frontage. On the opposite side of the road to the north are two-storey maisonettes. Along the front boundary, the site is defined by a trimmed hedge and there are a number of mature trees on the site, particularly towards its western end. There is an existing vehicular access at the western end of the site.
2. The application proposes to erect a detached two-storey three-bedroom dwelling on the site. The property would comprise brick walls under a tiled roof, and would be 7 metres high to the ridge and 5 metres high to the eaves. Two parking spaces would be provided on the western side of the dwelling and these would be accessed via the existing vehicular access point.

Planning History

3. C/0136/67/D – 3 houses and garages – refused
4. S/0622/93/O – 2 dwellings (r/o 15-19 Hinton Way) - refused
5. S/1929/93/O – Dwelling (r/o 15-19 Hinton Way) - approved

Planning Policy

6. South Cambridgeshire Local Development Framework Development Control Core Strategy 2007:
ST/4: Rural Centres
7. 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: Infrastructure and New Developments
HG/1: Housing Density
NE/1: Energy Efficiency
NE/6: Biodiversity
NE/15: Noise Pollution
SF/10: Outdoor Playspace, Informal Open Space and New Developments
SF/11: Open Space Standards
TR/2: Car and Cycle Parking Standards
8. South Cambridgeshire LDF Supplementary Planning Documents (SPD):
Open Space in New Developments – Adopted January 2009
Trees and Development Sites – Adopted January 2009
Biodiversity – Adopted July 2009
Landscape in New Developments – Adopted March 2010
District Design Guide – Adopted March 2010
9. 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.

Consultation by South Cambridgeshire District Council as Local Planning Authority

10. **Great Shelford Parish Council** – No response received to date. Any comments received will be reported to Members in an update prior to the Committee meeting.
11. **The Trees and Landscape Officer** – Raises no objections, stating that there would not be a significant impact on protected trees adjacent to the site, and the front boundary will be improved with management. Should planning permission be granted, a condition would need to be added requiring the submission of tree protection details.
12. **The Landscape Design Officer** – No response received to date. Any comments received will be reported to Members in an update prior to the Committee meeting.
13. **The Ecology Officer** – No response received to date. Any comments received will be reported to Members in an update prior to the Committee meeting.
14. **The S106 Officer** - No response received to date. Any comments received will be reported to Members in an update prior to the Committee meeting.

15. **The Lands Officer** – Supports the application. The site is partly in Council ownership and partly in the applicant's ownership. The Council has agreed to sell part of its parking area to the applicant, subject to planning permission for one dwelling on the site and on condition that a sufficient portion of the parking area remains in order to retain parking provision for local residents. The existing shape of the parking area with its narrow end makes it difficult for cars to park and exit the area without obstruction. If consent is granted, the Council proposes to mark out 9 parking bays in the remaining parking area. This is subject to at least 17.5 metres being left between the south-east boundary and rear boundary wall of 21 and 23 Hinton Way (to enable the provision of 2 new rows of bays each 5m deep with 6m turning aisle between and kerbing). The applicant was granted vehicular right of access over Council land in 2007 and this forms the proposed access to the new dwelling.
16. **The Environmental Health Officer** – Raises no objections providing a condition is added to any permission to control the hours of use of power-operated machinery during the construction period.
17. **The Local Highways Authority** – States that the existing access would need to be remodelled to provide a minimum width of 5 metres so that two cars can park wholly off the adopted highway. Any permission should be subject to conditions requiring the provision of 2m x 2m pedestrian visibility splays, driveway construction to prevent surface water draining onto the highway, and the use of a bound surface for the driveway construction.

Representations by members of the public

18. Letters of objection have been received from the owner/occupiers of No.1 Chaston Road and Nos.9a, 21 and 23 Hinton Way. The main points raised are:
 - The development would harm the view from No.1 Chaston Road, with the current outlook consisting of trees and shrubs.
 - The development would result in overlooking of Nos. 9a and 21 Hinton Way from the first floor windows.
 - It is understood there should be a distance of 25 metres between the boundary fence of the new house and the boundary wall of Nos. 21 and 23 Hinton Way. The distance is only 13 metres.
 - A two-storey dwelling would harm the landscape and be too high for such a small site.
 - The development would adversely affect the natural environment. Owls, bats and other wildlife regularly use the area.
 - The proposal would have an adverse impact on a number of mature trees situated near to and on the site.
 - Would the development restrict access to the car park for those residents who are entitled to two parking spaces?
 - Several people from the surrounding area use the car park. The reduction in size would make it impossible to prevent long-established parking by others and would affect local residents that need the spaces.

Material Planning Considerations

Principle of the development and housing density

19. LDF Policy ST/4 identifies Great Shelford and Stapleford as a Rural Centre and, in such locations, residential development without any limit on scheme size is

acceptable in principle providing development would be in accordance with other policies of the Development Plan.

20. The erection of 1 dwelling on the site equates to a density of 40 dwellings per hectare, and the development therefore accords with LDF Policy HG/1, which requires residential schemes to achieve an average net density of at least 40 dwellings per hectare in the most sustainable locations.

Design and visual impact

21. The site occupies a parcel of land that slopes downwards from east to west and comprises part of a Council owned car park and part of the rear garden of No.19 Hinton Way. The land is bounded by mature trees and a hedgerow along the frontage, and concerns have been raised by the owner of the adjacent dwelling to the south-west (No.1 Chaston Road) that the development would result in the loss of trees and also harm the character of the area.
22. The street scene in the vicinity of the site is characterised by two-storey brick and tile dwellings, and the proposed dwelling would be a simple two-storey structure that would be very much in keeping with the character of houses in the immediate area. The site is part of a larger area of land (including the remainder of the Council car park and rear gardens of Nos. 15-19 Hinton Way) that is presently undeveloped, and the proposal would result in the loss of some of the existing trees along the site frontage and along the current boundary between the car park and garden of No.19 Hinton Way. However, the site is located within a suburban area within which there is a high density of residential development, particularly on the opposite side of the road where the dwellings are sited in close proximity to the pavement edge. The proposed development is not therefore considered to have an unacceptable adverse impact upon the character of the area.

Residential amenity

23. Concerns have been raised by the owner of No.1 Chaston Road to the south-west on the basis that the dwelling would result in the loss of the existing attractive lookout from this neighbouring property. Whilst it is accepted that the development would alter the outlook from this property, the loss of a private view is not a material planning consideration.
24. The proposed dwelling would be sited 22 metres from the front elevation of No.1 Chaston Road, 21 metres from 9a Hinton Way (a backland property to the rear of Nos. 11-13 Hinton Way) and 29 metres from the rear of Nos. 21-23 Hinton Way. There would therefore be sufficient separation between the dwelling and surrounding properties to ensure it would not be an overbearing presence, or result in a loss of light to, or overshadowing of, any of the neighbouring properties.
25. The rear boundary of the site would be just 2 metres away from the rear elevation of the dwelling. To prevent overlooking of the adjacent garden areas, the only first floor windows in the rear elevation of the property serve a landing and en-suite bathroom. These windows can be required by condition to be fixed shut and obscure glazed (up to a minimum height of 1.7 metres above the internal finished first floor level). A first floor bedroom window is proposed in the east side elevation of the dwelling in a position just 5.5 metres away from the boundary with the remaining garden of No.19 Hinton Way. This relationship is considered to be unacceptable and Officers have therefore requested amended plans to ensure that any first floor habitable room windows are only positioned in the front and west side elevation of the dwelling (with

the latter elevation overlooking the entrance and parking areas serving Nos. 1 and 3 Chaston Road).

Highway safety and parking

26. The development would involve the loss of part of an existing Council owned car park. The Council's Lands Officer has raised no objections to this, pointing out that the proposal relates to the narrower section of the parking area which is difficult to use for the intended purpose. A large part of the existing parking area would be retained and laid out with 9 spaces to serve the needs of existing residents. The Lands Officer has advised that, to achieve this, a width of 17.5 metres needs to be retained, and this is a condition of the sale of part of the site to the applicant. Based on dimensions within Ordnance Survey plans, it appears that sufficient space may not have been set aside to meet these requirements. The applicant's agent has been requested to provide a dimensioned plan to show the remaining space in the Council car park and, if applicable, to reduce the width of the site accordingly to ensure the proposal meets the conditions of the sale of the land. The responses received from local residents indicate that there may be some abuse of the existing parking area. This is not a matter that can be controlled through this application, but should instead be addressed through improved signage and enforcement of restrictions by the Council as owner of the land.
27. The Local Highways Authority has raised no in-principle objections to the proposal subject to the access being increased in width to 5 metres to enable access to the two proposed parking spaces. Officers have requested an amended plan to address this issue.

Ecology issues

28. The concerns raised by local residents regarding the wildlife value of the site have been forwarded to the Council's Ecology Officer, and his response will be reported to Members in an update prior to the meeting.

Developer contributions

29. 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 £3,104.38. It would also result in the need for contributions towards the provision of indoor community facilities (£513.04), and household waste receptacles (£69.50), together with additional costs relating to Section 106 monitoring (£50) and legal fees (minimum £400). The applicant has submitted a completed Heads of Terms confirming agreement to these payments.

Recommendation

30. Delegated powers are sought to approve the application subject to the receipt of amended plans to resolve the overlooking issue of No.19 Hinton Way and to increase the width of the access to the site, and to confirmation that 17.5m of the Council parking area would be retained:
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: [amended plan number to be inserted].
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
3. The development, hereby permitted, shall not commence until details of the materials to be used for the dwelling hereby permitted been submitted to and approved in writing by the Local Planning Authority. The development shall be completed 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 South Cambridgeshire Local Development Framework 2007.)
4. 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 in accordance with the approved details before the commencement of and shall be retained in accordance with the approved 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.)
5. 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.)
6. 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.)
7. No demolition, site clearance or building operations shall commence until tree protection comprising weldmesh secured to standard scaffold poles driven into the ground to a height not less than 2.3 metres shall have been erected around trees to be retained on site at a distance agreed with the Local Planning Authority following BS 5837. Such fencing shall be maintained to the satisfaction of the

Local Planning Authority during the course of development operations. Any tree(s) removed without consent or dying or being severely damaged or becoming seriously diseased during the period of development operations shall be replaced in the next planting season with tree(s) of such size and species as shall have been previously agreed in writing with the Local Planning Authority. (Reason - To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)

8. Apart from any top hung vent (which must be positioned at least 1.7 metres above the internal finished floor level), the proposed first floor windows in the rear/south elevation of the dwelling 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.)
9. No windows, doors or openings of any kind, other than those expressly authorised by this permission, shall be constructed in the south and east elevations of the dwelling at and above first floor level unless:
 - (i) permanently fitted with obscure glazing and fixed in place; or
 - (ii) installed with a sill height of not less than 1.7m above the finished internal floor level; or
 - (iii) otherwise expressly authorised by planning permission granted by the Local Planning Authority in that behalf.
(Reason - To protect the amenities of adjoining residents in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
10. 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 minimise noise disturbance to adjoining residents in accordance with Policy NE/15 of the Local Development Framework 2007.)
11. No development shall begin until details of a scheme for the provision of recreational and community facilities infrastructure, and household waste receptacles, to meet the needs of the development in accordance with adopted Local Development Framework Policies DP/4, SF/10 and SF/11 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 infrastructure in accordance with the Policies DP/4, SF/10 and SF/11 of the adopted Local Development Framework 2007.)
12. Visibility splays shall be provided on both sides of the access 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.)
13. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority, in

accordance with a scheme submitted to and approved in writing by the Local Planning Authority.

(Reason – To prevent surface water discharging to the highway in the interests of highway safety, in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

14. No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.

(Reason – To avoid displacement of loose material onto the highway in the interests of highway safety, 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 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, Trees and Development Sites, Biodiversity, Landscape in New Developments, District Design Guide
- Circular 11/95
- Planning File References: S/1329/12/FL, S/1929/93/O, S/0622/93/O and C/0136/67/D

Case Officer: Lorraine Casey – Senior Planning Officer
Telephone: (01954) 713251