

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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

9 January 2013

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**S/2096/12/FL - WILLINGHAM  
Dwelling at 94 Rampton Road  
for Mr and Mrs Jones**

**Recommendation: Approval**

**Date for Determination: 3 December 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 8 January 2013**

**Site and Proposal**

1. The application site is located within the designated Willingham village framework, the boundary for which is located along the rear garden line. Residential properties are located to the north, east and south, with an orchard located to the west. The existing dwelling is a detached two-storey property, with a single storey outbuilding set deeper into the plot along the southern boundary. A hedgerow divides the rear garden area into two distinct areas.
2. The full application, validated on 8<sup>th</sup> October 2012, seeks the erection of a dwelling into the rear garden area. The property would be set over three floors, with a subterranean basement below the main ground floor space. At first floor level would be a master bedroom. The proposal is contemporary in style. Access would be gained to the southern side of the existing property. The application is accompanied by a Design and Access Statement, a Tree Survey, an Arboricultural Implications Assessment, a Unilateral Undertaking, a Car Turntable Brochure, and a Planning Statement incorporating a Waste Design Guide Statement.

**Site History**

3. Application **S/1635/83/F** granted planning permission for an extension to the dwelling.

**Planning Policy**

4. **South Cambridgeshire Local Development Framework Core Strategy (LDF CS), adopted January 2007: ST/5 Minor Rural Centres**

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/10** Foul Drainage – Alternative Drainage Systems, **NE/15** Noise Pollution, & **TR/2** Car and Cycle Parking Standards.
6. **Open Space in New Developments SPD** – adopted January 2009, **Biodiversity** – adopted July 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. **Willingham Parish Council** recommends refusal on grounds of the scheme being large background development with limited access which may set a precedent.
9. The **Local Highways Authority** requests details regarding vehicle-to-vehicle visibility splays and pedestrian splays. Conditions are also recommended regarding drainage of private water from the access and materials to be used for the ace. An informative regarding works to the public highway is also recommended.
10. The Council's **Trees Officer** notes the trees along the northern boundary are afforded no statutory protection, and there is space for protection under the British Standard. No objections.

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

11. None were received.

#### **Planning Comments**

12. The key considerations in the determination of this application are the principle of development, impact upon the street scene, impact upon the amenity of the occupiers of adjacent properties, highway safety and parking provision, impact upon trees, and infrastructure provisions

#### *The Principle of Development*

13. Willingham is classified as a Minor Rural Centre in the LDF CS, where residential development up to an indicative maximum scheme size of 30 dwellings will be permitted within village frameworks, subject to site-specific

issues. There is in-principle support for the scheme, subject to site specific issues.

14. Policy HG/1 of the LDF DCP 2007 seeks residential developments to make best use of land and achieve minimum densities of 30 dwellings per hectare. The application site has an area of approximately 0.061 hectares excluding the access and turning area. A single dwelling would represent development of 16 dwellings per hectare, below the requirement of the policy. However, given potential impacts upon the character of the area and access, a single dwelling is considered acceptable in this instance.

#### *Impact upon the Street Scene*

15. Rampton Road is characterised by single dwellings on large plots all fronting the road. There is no residential backland development in this area. The only buildings to the rear of the main dwellings are single storey outbuildings, as expected in such locations given the long garden lengths. The designated village framework boundary runs along the rear boundary of the plot, and the long gardens provide a more semi-rural character, especially given the proximity of the orchard to the rear of the site. The introduction of backland development in this area would create more formal development to the rear of the existing dwellings, and also introduce the division of curtilages in this location.
16. However, having visited the site, it is considered that development of a residential unit could not be ruled out, and a single storey unit was encouraged during the pre-application discussions. The proposal does include a first floor element. The design is contemporary with sections of flat roofs above the ground floor elements. These roofs are proposed to be green with wildflowers grown above. The first floor element has a shallow monopitch roof.
17. The dwellings along the frontage of Rampton Road do vary in character and style. There is no contemporary style in the vicinity. However, as the scheme would introduce backland development to the local vicinity, there is no objection to the modern design of the unit in this location. The advantage of the flat roof is the reduction in bulk of the buildings. At its highest point, the dwelling measures 5.88m, whereas 94 Rampton Road itself has a height of 7.65m. The dwelling will be visible between units, but the design should ensure no serious harm would result to the street scene.

#### *Impact upon the Amenity of the Occupiers of Adjacent Properties*

18. To the north of the site is the long rear garden of 92 Rampton Road. This property is a bungalow although it has a two storey extension to the side, with a flat roofed element to the rear. Its main private area would be towards the rear of the property. There would be a 17m separation between the rear of the existing dwelling and the proposal site. The proposed dwelling would be located approximately 1.7m and 2m from the shared boundary. At this point, the dwelling would measure 2.75m in height for a distance of 15.2m. Whilst the dwelling would clearly be visible from the rear garden of 92 Rampton Road, it should not be viewed as overbearing from this location. Some loss of light would result, but not to a degree that would warrant refusal of the application.

19. The windows in the northern elevation are all set at high level, and therefore no overlooking would result. A condition can ensure no windows are added to the northern elevation of the two storey section, which at 6.6m from the shared boundary, would cause serious overlooking. Subject to conditions, no serious harm would result to the occupiers of 92 Rampton Road.
20. To the south of the site is 98 Rampton Road, a bungalow with a long range running parallel with the shared boundary of the application site. It has numerous windows in its north elevation. Two high levels windows are set behind the existing outbuilding at the application site. There are also two large obscure glazed windows, and a clear kitchen window. This window is set opposite the existing parking area, and therefore there would be a neutral impact from vehicle traffic. Other openings would hear vehicles passing, but no serious noise disturbance is likely to result that would warrant refusal of the application.
21. The development would be visible from the rear garden of 98 Rampton Road. It is set due north, so no light would be lost. The single storey element is 1.5m from the shared boundary, but only 2.75m in height. The two-storey element is just 4.5m from the boundary, but should not be viewed as seriously overbearing. The scheme does include a south facing window to the master bedroom. This would have the potential to cause overlooking, and therefore a condition can ensure it is obscure glazed. A further condition would restrict any further first floor windows in this elevation. Subject to conditions, no serious harm would result to the occupiers of 98 Rampton Road.
22. There is adequate separation between the proposed unit and the existing dwelling at 94 Rampton Road to ensure no serious loss of amenity results to future occupiers of either property. A condition would be required to ensure no first floor windows are added to the east elevation in the future, given its potential to overlook the rear garden of no. 94, as it is set 5.5m from the shared boundary.

#### *Highway Safety and Parking Provision*

23. The development seeks the use of a shared access, which would be required to run slightly across the front of the existing dwelling. Parking for 94 Rampton Road would be to the front of this property behind the frontage hedge. A gate is shown, and a new boundary would be formed. A boundary/landscape condition can ensure this is hedge rather than inappropriate fence or wall. There appears adequate pedestrian and vehicle-to-vehicle visibility at the entrance, and conditions can be added to retain these.
24. A new access would continue adjacent the southern boundary of the site. At pre-application stage, space for turning was discussed and it was considered tight for the manoeuvring of vehicles. The applicant has added a turntable to the access to ensure that vehicles can leave the site in forward gear. A condition can ensure the access and parking space, and the turntable are added and retained for such uses. The local Highways Authority seeks details of materials for the access, and this can be added to the landscape condition. Drainage details can be sought through condition.

### *Impact upon Trees*

25. The comments from the Trees Officer are noted. There are trees in the rear garden to be removed, but these are offered no statutory protection. There is no objection to their removal. Some trees are to remain which would soften the rear garden area. There are a line of trees in the rear garden of 92 Rampton Road. These would be offered protection from construction, and a condition would be required.

### *Infrastructure Contributions*

26. The application is accompanied by a Unilateral Undertaking agreeing to the payment of contributions towards open space, community facilities and waste receptacles, and £50 towards section 106 monitoring. Members will be updated as to whether the Undertaking is satisfactory.

### **Recommendation**

27. 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: Dwg's L01, P01, P02, P03, P04, P05, P06, P07, P08, P09, P10, P11 and P12 date stamped 8 October 2012.  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
3. 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; and materials for the newly created access.  
(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.)
4. 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.)

5. 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.)
6. The materials to be used in the construction of the external surfaces of the dwelling hereby permitted shall be as described on the application form (chapter 10) 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.)
7. Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.  
(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)
8. 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 north, south and east 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.)
9. Apart from any top hung vent, the proposed first floor window in the south (side) 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.)
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 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.)

11. The pedestrian visibility splays and vehicle-to-vehicle visibility splays, as shown on approved plans P01 and P02 date stamped 8 October 2012 respectively, should be laid out prior to occupation of the proposed dwelling, and shall thereafter be maintained free from any obstruction over a height of 600mm.  
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
  
12. The access, parking areas to both the approved dwelling and 94 Rampton Road, and the turntable, shall be laid out as per approved plan P01 date stamped 8 October 2012, and the land shall not be used for any other purpose.  
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

#### *Informative*

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.

**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, Biodiversity SPD & District Design Guide SPD.
- National Planning Policy Framework.
- Planning File refs: S/2096/12 and S/1635/83/F.

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