

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6 February 2013

AUTHOR/S: Planning and New Communities Director

S/1771/12/FL – OVER Erection of Dwelling – Land S/E of, Mustills Lane, Over for Mr Sean Baker

Recommendation: Approve

Date for Determination: 14 January 2013

Notes:

This Application has been reported to the Planning Committee because the Parish Council's recommendation of refusal is contrary to Officer recommendation of approval.

To be presented to the Committee by Matthew Hare

Site and Proposal

1. The application site is a parcel of land that forms part of the garden serving the existing dwelling at 1 Mustills Lane, immediately inside the village development framework for Over.
2. The plot is currently laid to lawn. The boundaries for the plot are characterised by a strong historic hedgerow, which measures approximately 3m in height, that runs along the boundary shared with Longstanton Road to the north, whilst mature planting also separates the plot from the adjoining paddock land to the east and the curtilage serving the neighbouring dwelling to the south.
3. The application seeks approval of the erection of a single storey dwelling including a means of access from Longstanton Road.

Planning History

4. **S/0167/11 - Erection of a Dwelling and Garage (Outline) - Refused for design and residential amenity issues largely arising from the scale of the proposal.**

Planning Policy

5. **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 in New Developments

DP/7 Development Frameworks

SF/10 Outdoor Playspace, Informal Open Space, and New Developments

SF/11 Open Space Standards

NE/1 Energy Efficiency

NE/2 Renewable energy

TR/1 Planning for more Sustainable Travel

TR/2 Car and Cycle Parking Standards

Consultation by South Cambridgeshire District Council as Local Planning Authority

6. **Over Parish Council** – Recommends refusal, making the following comments:

Our concerns are based on the fact that we believe access onto the main road at the proposed juncture is dangerous as the road is narrow and there is no footpath here either, we also feel that the visibility splays shown on the plan are inaccurate. We also have concerns with the construction traffic and if the Council does grant this application we would like to request that conditions be imposed to ensure all construction and delivery traffic park on site not on the road.

7. **Local Highways Authority** – Has no objections, recommends a number of standard conditions regarding:

- Retention of visibility splays
- Surface water drainage
- Use of a bound material for driveway

Representations by members of public

8. 1 Letter of representation received from the occupant of Meadow Mouse Farm, raising the following concerns:

- Loss of privacy to Meadow Mouse Farm (and the proposed dwelling)
- Harm to highway safety

Material Planning Considerations

9. The key issues for consideration in this instance are; the principle of development, character and appearance, residential amenity and highway safety.

Principle of Development

10. In accordance with the guidance set out in the NPPF it is important to make an initial assessment of the impact that residential development would have upon the character and appearance of the area. In this case surrounding development is predominantly residential in a loose knit form within close proximity of the application site. The site and density of the proposal relate well to the prevailing pattern of development and to this end it is considered that the principle of residential development of the site in question would not be detrimentally uncharacteristic to the character and appearance of the area in this instance.

11. The site measures approximately 0.037ha, thus a single dwelling on the site represents a development density of approximately 27dph. This is slightly below the Council's density targets but not to such an extent that the development would represent an inefficient use of land.

Character and Appearance

12. The proposed dwelling is single storey in scale and such would not appear unduly prominent when viewed from outside of the site. The design is relatively simple in form and proposes the use of suitably contextual materials (timber boarding and slates).
13. In the event of approval it would be reasonable and necessary to apply a conditional requirement to control the precise details of external materials to ensure that they relate to other local examples.
14. At present the site is screened from Longstanton Road by a hedgerow. The proposals show this hedgerow to be retained except where the vehicular access to the site is proposed, this would require a 3m section of hedge to be removed with 2m either side reduced to 600mm in height to accommodate the requisite pedestrian visibility splays.
15. The hedge contributes to the character of this part of the village so it is important that it is retained where possible. Currently the hedge benefits from no protection but through granting planning permission the Authority could secure its retention in perpetuity by conditional requirement.
16. Having regard to the above it is considered that the proposals overcome the previous reasons for refusal of planning application S/0167/11 and accord with the Council's general design requirements.

Residential Amenity

17. Officers consider that the scale and location of the proposed dwelling are such that there would be no significant adverse impact upon adjacent residential properties by way of overshadowing or overbearing.
18. The occupant of Meadow Mouse Farm raises concern for loss of privacy to Meadow Mouse Farm as a result of the Proposals. Officers note that Meadow Mouse Farm benefits from a private external amenity area that would be unaffected by the proposals.
19. Furthermore the scale of the development (single storey) is such that there would be no windows that would afford an elevated view of the curtilage of Meadow Mouse Farm. The occupant is concerned for views through the boundary hedge that divides the sites - this could reasonably be addressed through the erection of a close boarded fence and could form a condition of any consent.
20. Concern is also raised that the residential property known as Stable Cottage would afford views over the site that would be to the detriment of end users (should permission be granted). The Council requires a distance of separation of approximately 15m between first floor windows and site boundaries in accordance with the Design Guide SPD. The distance of separation is slightly less at approximately 13m, but given the oblique relationship between these

two sites this is not considered to be a sustainable reason for refusal in this instance.

21. Officers reach the conclusion that there would be no significant adverse harm to residential amenity in this instance.

Highway Safety

22. Residents and the Parish Council raise concerns for harm to highway safety as a result of the proposed vehicular access onto Longstanton Road. The Local Highways Authority however, raises no concerns for the impact of the access upon highway safety.
23. A number of standard conditional requirements are recommended (retention of visibility splays, drainage and use of bound material) and these are all considered reasonable and necessary.

Further considerations

24. Having regard to the Audit of Outdoor Sport and Play Space (June 2005) and The Community Facilities Assessment 2009, which both demonstrate a shortfall in utility provision in the village it is considered reasonable and justified to seek a contribution in lieu of on-site provision of open space, community facilities and refuse infrastructure in this instance. To this end the applicant has entered into a S106 agreement which has been engrossed.
25. The Parish Council requests a construction management plan to form a conditional requirement in the event of approval. The reason given is to ensure that construction and delivery vehicles park on the site and not on the road. The highway adjacent to the site is free from parking restriction and blockage or obstruction to the highway during construction would be dealt with under other legislation. As such a condition would not meet the tests of circular 11/95 in this instance and hence would be inappropriate.

Conclusion

26. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission be granted in this instance.

Recommendation

27. Approve subject to conditions.

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 & Documents:**
1MULA3-01, 1MULA3-02B, 1MULA3-03 & LD12192

(Reason – To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990 and to ensure that appropriate tree protection is carried out during construction)

3. **No development shall take place until details of the materials to be used in the construction of the external surfaces of the buildings and driveway hereby permitted have been submitted to and approved in writing by the Local Planning Authority. 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 existing hedge on the front boundary of the site shall be retained except at the point of access; and any trees or shrubs within it which, within a period of five years from the completion of the development or the occupation of the buildings, whichever is the sooner, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.**
(Reason - To protect the hedge which is of sufficient quality to warrant its retention and to safeguard biodiversity interests and the character of the area in accordance with Policies DP/1 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 as shown on plan ref LD12192. 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. **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 and gates to be erected. The boundary treatment and gates shall be completed before that/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 and in the interests of residential amenity in accordance with Policies DP/2 & DP/3 of the adopted Local Development Framework 2007.)

7. **The driveway and hardstanding, hereby approved, shall be constructed such that no surface water run-off is discharged onto the public highway. This arrangement shall be retained for so long as the hardstanding remains.**
(Reason - To ensure that the development does not negatively impact on site highway safety in accordance with Policies DP/2 and DP/3 of the adopted Local Development Framework 2007.)
8. **During the period of demolition and 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. **The visibility splays shown on plan ref 1MULA3-02B shall be provided on both sides of the access prior to the occupation of the dwelling, hereby approved, and shall be maintained free from any obstruction over a height of 600mm in perpetuity.**
(Reason - In the interest 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 2007

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