

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

3 April 2013

**S/0231/13/FL - OVER
Dwelling and Garage - 16 Willingham Road
for Mr Ian Willars**

Recommendation: Delegated Approval

Date for Determination: 01 April 2013

This Application has been reported to the Planning Committee for determination as the views of the Parish Council are contrary to that of the case officer

To be presented to the Committee by Paul Derry

Members will visit the site on 2 April 2013

Site and Proposal

1. The site is located within the designated Over village framework, and forms an area of garden land set to the rear of 16 Willingham Road. This property is a blue painted rendered bungalow, with mixed concrete tiles on the roof above. There is an existing double garage set beyond the bungalow, along the eastern boundary of the site. The front of the dwelling is open, with a gravelled area across the whole of the frontage. There are dropped curbs to both sides of the plot. The neighbouring properties are bungalows, whilst to the rear are two storey properties at Pippin Close. An Awarded Watercourse runs underground across the front of the plot.
2. The full application, validated on 4th February 2013, seeks the erection of a dwelling to the rear garden of the plot. The existing access to the east of the bungalow would be continued further southwards to serve a double garage and turning area. The proposed dwelling is a chalet bungalow, with first floor accommodation in the roof space. The application is accompanied by a Design and Access Statement and a Heads of Terms form. Amended plans have been received showing the introduction of a landscape belt along the access, clarification of the parking layout to the front of the site, and confirming the obscure glazing to east facing first floor windows.

Site History

3. Outline planning applications were withdrawn through applications S/1430/02/O and S/1431/02/O for residential developments to the rear of 16 and 18 Willingham Road respectively.

Planning Policy

4. **South Cambridgeshire Local Development Framework Core Strategy (LDF CS), 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, Biodiversity SPD – 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. **Over Parish Council** recommends refusal as the scheme would be out of keeping with the linear pattern of development within this area of the village. Given its height, it would have an overbearing impact on surrounding dwellings, all of which are bungalows. The access would affect the amenity of the neighbouring properties and the development constitutes garden grabbing.
9. The **Local Highways Authority** request clarification of the parking plan for the original application. Conditions regarding pedestrian visibility splays, materials for the access, and drainage of the access are proposed, along with an informative regarding works to the public highway.
10. The Council's **Trees Officer** notes the site is outside the conservation area and are considered domestic being set so far back into the garden, thereby having limited wider amenity value. There are no objections.
11. The consultation period following the receipt of the amended plans expires on 20 March, and Members will be updated on any comments received from the Parish Council or the Local Highways Authority.

Representations by Members of the Public

12. None were received. The consultation period following the receipt of the amended plans expires on 20 March, and Members will be updated on any comments received.

Planning Comments

13. 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

14. Over is classified as a Group Village within the LDF CS 2007, where residential development up to a maximum scheme of 8 dwellings will be permitted within village frameworks. Policy HG/1 of the LDF DCP 2007 seeks residential development to make best use of the site by achieving average net densities of at least 30 dwellings per hectare unless there are exceptional local circumstances that require a different treatment. The site has an area of approximately 0.05 hectares excluding the access (which would need to be included in any application site). A single dwelling on the plot would represent development with a density of 20 dwellings per hectare. This is below that required by the policy. However, given the development forms a backland plot on a relatively narrow site, and the dwellings in the vicinity, the lower density is considered acceptable in this instance.

Impact upon the Street Scene

15. The frontage bungalow is a relatively low structure. The proposed dwelling is taller given the accommodation in the roof. However, there would be a separation of 20m between the existing bungalow and the garage to the proposed dwelling. The proposal would not be visible above the existing bungalow at this distance. Part of the development would clearly be visible along the proposed access road to the site. However, no serious harm would result from this relatively narrow view.
16. Comments from the Parish Council note the village is linear in this location. There is no backland development in the immediate locality along Willingham Road, although nos. 4a and 6 are well set back from the road. This would appear to be the result of a lack of access to the rear gardens, or the positioning of some dwellings deeper into their plots. While adding backland development in this area would alter the pattern of development along Willingham Road, there is no serious impact on the character and appearance of the area such that the approach into the village will be materially altered. While this may be seen as “garden grabbing”, no material harm has been identified. The application can therefore be supported. The proposal would not set a precedent for further development, as each application would be determined on its merits.

Impact upon the Amenity of the Occupiers of Adjacent Properties

17. The neighbour to the east at 18 Willingham Road is also a bungalow. It is set slightly deeper into its plot than no. 16. The two-storey element of the proposed dwelling would be located just 4.8m from the shared boundary, which is currently open except a low post and wire fence. The dwelling would easily be visible from the rear garden of no. 18. However, it is some distance from the private garden area of no. 18, and there are a number of fruit trees in the garden of this property. As a result, the proposal is not considered to be

overbearing to the occupiers of 18 Willingham Road. The orientation should ensure no serious overshadowing would result.

18. There are two dormer windows at first floor level facing the garden of 18 Willingham Road. These serve a bathroom and a bedroom. The amended plans show that these windows are to be obscure glazed to a minimum height of 1.7m above finished floor level. This should ensure no serious overlooking would result and be secured through a condition. A further condition can prevent further windows at first floor level in this elevation.
19. There were concerns regarding original plans regarding the impact of the access on the occupiers of 18 Willingham Road. The existing garage on the application site is located to the side and rear of 16 Willingham Road, and therefore there is a neutral impact up to this point. The access would continue further along the garden to the proposed garage. The amended plan introduces a break in the access to allow it to be moved approximately 0.5m. This would allow some defensive planting in this area to aid prevention of noise disturbance. Although occupiers of no. 18 will be aware of vehicles using the access, no serious harm should result.
20. To the west side of the site is 14 Willingham Road. This is a bungalow with a large area of hardstanding to the rear running to the garage deep into the plot. The grassed area would be parallel with the proposed reduced garden to 16 Willingham Road. The proposed garage and dwelling would be visible, but given the location of the garage, no serious harm should result. Land beyond the garage at 14 Willingham Road is the extended rear garden to no. 12. Again, the proposal would be visible from this area, but given the size of the garden and the low proposed eaves height, no serious impact would result. There are three first floor rooflights in the west elevation of the dwelling, and these would be a bedroom and the landing. The proposed section plan shows them to be at high level, so no overlooking would result.
21. The proposed dwelling does have a bedroom window in the north elevation. This would be 8.5m from the shared boundary with the rear garden of 16 Willingham Road. At such a distance, overlooking could result. However, the garage would prevent overlooking, and a condition would be necessary to ensure the garage is in situ or the window is obscure glazed.
22. Officers note that no objections have been received from occupiers of adjoining properties.

Highway Safety and Parking Provision

23. The amended plan clarifies the highway arrangement to the front of the site. The proposed dwelling would use the existing access onto Willingham Road. The applicant has shown that relevant pedestrian visibility splays can be achieved. A small hedge would divide this access from the existing parking area to the front of the property. This would be retained to serve the existing bungalow. There would be adequate space to park two vehicles off-street in this location. Of the other proposed conditions, a condition to prevent water draining to the public highway is not considered necessary as the layout would not change from the existing situation. Details of materials for access can be incorporated within the hard landscaping plan.

Impact upon Trees

24. The trees to the rear of the site are fruit trees, and the proposal would seek the removal of 11 of these. The trees are not protected in their own right. However, orchards are a habitat within the Cambridge Biodiversity Action Plan. Its size would suggest it would not be an economically viable area of open space, or would not make a significant community area in itself. While the loss of the trees is unfortunate, the applicant has proposed three new fruit trees as part of a landscape plan. There would appear ample space for further fruit trees if considered necessary. A landscape condition can be added to ensure appropriate species are used (the landscape plan will also provide further details regarding hedging).

Infrastructure Provision

25. The application is accompanied by a Heads of Terms, and this was sent to the Council's legal team to draft the agreement. The Terms agree the relevant contributions towards provision of open space, community facilities and waste receptacles, and the Section 106 monitoring fee. Members will be updated on any progress of the Section 106 Agreement. If not agreed prior to the determination of the consent, a condition can be added to any approval, along with a relevant informative.

Recommendation

26. Approve, (as amended by plans 16WRD1-PP-03C, 16WRD1-PP-05C and 16WRD1-PP-07) subject to any further comments received on the amended plans.

If approved, **Conditions** would be requested regarding the time limit of consent, approved plan numbers, materials, detailed landscaping and implementation, provision of infrastructure contributions, prevention of further windows in the east and west elevations, control of bedroom windows if the garage is not built, obscure glazing to the two dormer windows in the east elevation, cill heights of the west facing rooflights to be 1.7m above finished first floor level, retention of pedestrian visibility splays, and the timings of use of power operated machinery during construction.

Informatives regarding provision of infrastructure contribution, use of pile foundations, bonfires and burning of waste, and works to a public highway should also be added to the permission.

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.
- District Design Guide SPD, Open Space in New Developments SPD and Biodiversity SPD.
- National Planning Policy Framework.
- Planning File refs: S/0231/13, S/1430/02/O and S/1431/02/O.

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