

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

8 May 2013

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**S/0630/13/FL - HARDWICK  
Two Dwellings - Land Adj to 3 Lark Rise  
for Mr James & Mark Wakeling**

**Recommendation: Refusal**

**Date for Determination: 23 May 2013**

**This Application has been reported to the Planning Committee for determination at the request of the Local Member**

**To be presented to the Committee by Paul Derry**

**Members will visit the site on 7 May 2013**

### **Site and Proposal**

1. The site is located within the designated Hardwick village framework and forms an area of open (not public) land to the north side of Larks Rise. This road is a small cul-de-sac accessed from the private road of Hall Drive. The land is raised from the road level, and currently has some fruit trees and a corrugated garage located on the land. The north boundary is a line of trees, beyond which are the rear gardens of the properties of Hall Drive. The east boundary is a hedgerow, behind which are the rear gardens and properties at Limes Road. To the southern side of Larks Rise are three properties, two bungalows and a two-storey property, all with open frontages.
2. The full application, validated on 28 March 2013, seeks the erection of two properties on the site. The properties are matching in design, fronting southwards onto the road. The properties are three-bed properties with upstairs offices. The application is accompanied by a Design and Access Statement, a draft Heads of Terms for infrastructure contributions, and correspondence from Registered Providers.

### **Site History**

3. A previous application for two dwellings on the site (**S/2184/12/FL**) was withdrawn. Members should be aware there is an extant consent for a dwelling and garage on the land between the orchard and 41 Hall Drive (**S/1101/12/FL**).

### **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, **HG/2** Housing Mix, **HG/3** Affordable Housing, **HG/4** Affordable Housing Subsidy, **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, **Affordable Housing SPD** - adopted March 2010, & **District Design Guide SPD** – adopted March 2010.
7. The **National Planning Policy Framework (NPPF)** states there is a presumption in favour of sustainable development. It provides a list of policies for use in the determination of planning applications. However, it does state that these policies should apply unless where the adverse impact of allowing development would significantly and demonstrably outweigh the benefits. The NPPF also 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. **Hardwick Parish Council** recommends approval.

**Representations by Members of the Public**

9. **Councillor Stewart** is in favour of the application.
10. At the time of writing, no neighbour comments have been received. However, the consultation period ends on 24 April 2013. Members will be updated on any comments received. Objections were received regarding the previous application S/2184/12/FL from the occupiers of 2 Lark Rise and 171 Limes Road.

**Planning Comments**

11. The key issues in the determination of this application are the principle of development, provision of affordable housing, impact upon the street scene, impact upon the amenity of the occupiers of adjacent properties, highway safety and parking provision, and infrastructure contributions.

*The Principle of Development*

12. The site is located within the designated Hardwick village framework. The village is classified as a Group Village within the LDF CS, where residential development up to an indicative maximum scheme size of eight dwellings will be permitted in such areas. The village is considered to have adequate facilities to sustain two further properties.

13. Policy HG/1 of the LDF DCP seeks residential development to make best use of land by achieving average net densities of at least 30 dwellings per hectare. The site (excluding the access) has an area of approximately 0.078 hectares. Two dwellings on the plot represent development at 26 dwellings per hectare. This is only slightly below the policy requirement, and is considered acceptable in this instance given the nature of the site.
14. Policy HG/2 of the LDF DCP seeks residential developments to contain a mix of units providing accommodation in a range of types, sizes and affordability to meet local needs. It adds that in schemes of up to ten dwellings, market dwellings should provide at least 40% of homes with one or two bedrooms. The scheme provides two three-bed units, although the first floor office effectively makes the properties four-bed units (the applicant notes the properties to be four-bed units in their draft Heads of Terms). No information has been provided from the applicant to demonstrate any local circumstance that suggests the proposed mix would better meet local needs.

#### *Provision of Affordable Housing*

15. Policy HG/3 of the LDF DCP seeks 40% or more of dwellings to be affordable on sites of two or more dwellings. The application provides two properties, and therefore one unit should be affordable in line with the Policy. The applicant has provided copies of correspondence with Registered Providers to demonstrate that none are willing to take a house in this location. This is unsurprising given access is along a private road. The Council's Housing Development Officer has noted the need to secure an off-site affordable housing contribution, and has sent the application to a land valuer to determine the amount for this contribution. Provided the applicant agrees this figure, it would then be secured through a Section 106 Agreement. Members will be updated on the progress of this matter. If the applicant does not agree the payment of the contribution, this would form a further reason for refusal.

#### *Impact upon the Street Scene*

16. The cul-de-sac of Larks Rise serves only three dwellings, these being two bungalows and a two-storey property. All three units have their gables facing the road. The surrounding properties along Hall Drive to the west are bungalows, whilst those along Limes Road are two-storey units derivative of a typical 1980's estate. There is no obvious architectural style in the vicinity of the site.
17. The proposed dwellings are matching in design, but handed so would effectively form a symmetrical pair. The site is raised from Lark Rise, and therefore the dwellings would be set on higher ground. Plot 1 is located between 2.5m and 3.4m from the eastern side of Lark Rise prior to the bend in the road. The dwelling would have a maximum ridge height of 7.8m, which would appear taller given the land levels. As a result of the proximity of plot 1 to the bend in the road and the height of the dwellings, the pair would appear as dominant features in the street scene that would detract from the character of the locality and appear out of context.

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

18. Plot 2 (the western unit) has been moved from 0.7m to 1.4m from the shared boundary with 171 Limes Road to the east from the previous scheme. This neighbouring property has a rear conservatory and a garden approximately 12.5m in depth. The gable end of plot 2 has a height of 7.8m, although there is a small hip shifting some bulk from the boundary. Despite this hip, the proposal would be an overbearing feature when viewed from the rear garden of 171 Limes Road. Given the orientation of the plots, a gable of this length would also cause serious overshadowing of the rear garden at 171 Limes Road.
19. Plot 2 also has a bedroom window in its rear elevation close to the boundary with 171 Limes Road overlooking the rear garden of the plot. The outlook from the window however would cause some serious overlooking to the rear garden of 170 Limes Road to the northeast. A 45° line drawn from the centre point of the window would allow views into the garden from 5m, to the detriment of the amenity of the occupiers of 170 Limes Road.
20. The existing two storey property at 3 Lark Rise has its principal elevation facing northwards. It has two first floor windows that serve habitable rooms in its north elevation. Plot 2 would be located approximately 13.5m from the front elevation, and has an office/bedroom window opposite. The Council's District Design Guide, despite directly referring to rear windows, seeks a minimum distance of 25m between habitable rooms. Given the distance between properties, there would be mutual overlooking between the two, to the detriment of occupiers of both units.
21. Notwithstanding the comments above, the remaining relationships with adjacent properties are considered acceptable. There should be no negative impact between the proposal and the plot to the north with the extant planning permission S/1101/12/FL.

### *Parking Provision*

22. The proposal includes a shared hardstanding area between properties that measures 10m in width. It also measures 7.3m in length but when combined with the turning head, would allow space for eight vehicles per dwelling. The hardstanding element is excessive, and should be reduced accordingly. There is also no boundary between plots. Whilst the personal needs of the applicants are noted, the planning system should seek to protect the amenity of future occupiers of the properties. It would therefore be necessary to put a low dividing fence or hedgerow along the hardstanding between dwellings. This could be secured through condition.
23. The Local Highways Authority has not commented on this particular application. However, they noted that the previous application S/2184/12/FL would not have impacted upon the public highway. This is mainly due to Hall Drive being private. Lark Rise is a narrow road but would appear to have the capacity for two further dwellings.

### *Infrastructure Contributions*

24. The application is accompanied by a draft Heads of Terms form confirming the applicants willingness to contribute towards the provision of open space,

community facilities and waste receptacle infrastructure and the Section 106 monitoring fee. However, this has not yet been passed to the Council's legal team due to the affordable housing issue discussed above. If supported, relevant conditions and informatives can secure the contributions.

#### *Other Matters*

25. When commenting on previous application S/2184/12/FL, the Council's Scientific Officer recommended a condition regarding investigation of contamination and mitigation measures where necessary. If approved, such a condition can be added to the consent.

#### *Conclusion*

26. Despite the recommendation of approval from the Parish Council and support from the Local Member, officers consider there are several failings with the application. Whether taken individually or collectively, they are such as to warrant refusal of the application.

#### **Recommendation**

27. Refuse for the following reasons

1. The application site is set on higher ground than the road of Lark Rise and proposes two dwellings. Plot 1 would be located between 2.5m and 3.4m from the road to the west, close to the bend in this road. Each plot has a total height of 7.8m, which would appear taller on site given the higher ground. As a result of the location of plot 1 and the proposed height of both units, the pair of dwellings would appear as dominant features in the street scene that would detract from the character of the locality and appear out of context with their location. The proposal is therefore contrary to Policy DP/2 of the Local Development Framework Development Control Policies 2007 (LDF DCP) which states all new development must be of high quality design, and as appropriate to the scale and nature of the development, should preserve or enhance the character of the local area; and Policy DP/3 of the LDF DCP which states planning permission will not be granted where the proposed development would have an unacceptable adverse impact on village character.
2. Plot 2 would be located between 1.4m and 1.5m from the rear boundary with 171 Limes Road. Given the total height of 7.8m, the proposal would be viewed as a dominant overbearing feature when viewed from the rear garden area of 171 Limes Road. Given the orientation of the site, the proposal would also cause a serious level of overshadowing to the garden at 171 Limes Road, to the detriment of the occupiers of this property. The outlook from the rear facing easternmost bedroom window of plot 2 would also allow significant views into the rear garden of 170 Limes Road, to the detriment of the occupiers of this property. The front office/bedroom first floor window to plot 2 would be located 13.5m from the front elevation of the existing property at 3 Lark Rise, where there are two windows at first floor level serving habitable rooms. At such a distance, there will be mutual overlooking between properties, to the detriment of the occupiers of both units. The proposal is therefore contrary to policy DP/3 of the LDF DCP which states planning permission will not be granted where the proposed development would have an unacceptable adverse impact on

residential amenity; and paragraph 6.69 of the Local Development Framework District Design Guide SPD 2010, which states careful consideration must be given to minimise the impact of direct overlooking from a new dwelling into a neighbouring garden.

3. Notwithstanding the above, the applicant seeks two properties that are effectively four-bedroom units. There is large demand in the District Council for smaller units such as one or two-bed units. The applicant has failed to demonstrate that local circumstances in Hardwick suggest the proposed mix would better meet local needs. As a result of the size of the dwellings, the application is contrary to Policy HG/2 of the LDF DCP which states all residential developments will contain a mix of units providing accommodation in a range of types, sizes and affordability to meet local needs. It adds that in schemes of up to ten dwellings, market dwellings should provide at least 40% of homes with one or two bedrooms.

**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 and Open Space in New Developments SPD.
- National Planning Policy Framework.
- Planning File refs: S/0630/13/FL, S/2184/12/FL and S/1101/12/FL.

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