

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

01/10/2014

**AUTHOR/S:** Planning and New Communities Director

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**Application Number:** S/2322/13/FL

**Parish(es):** Great Shelford

**Proposal:** Extension to existing dwelling and proposed dwelling

**Site address:** 19 Hinton Way

**Applicant(s):** Mr Dave Southby

**Recommendation:** Approval

**Key material considerations:** Principle, character of area, neighbour amenity, highway safety, parking, trees and landscaping

**Committee Site Visit:** None

**Departure Application:** No

**Presenting Officer:** Katie Christodoulides

**Application brought to Committee because:** Recommendation conflicts with the views of Great Shelford Parish Council and part of the site is in the ownership of South Cambridgeshire District Council

**Date by which decision due:** 09/01/2014 (Extension of Time Agreed)

### **Planning History**

1. S/0447/13/FL-Extensions-Approved.

### **Planning Policies**

2. **National Planning Policy**  
National Planning Policy Framework-March 2012
3. **South Cambridgeshire Local Development Framework Core Strategy DPD 2007:**  
Policy ST/4: Rural Centres
4. **Local Development Framework Development Control Policies 2007:**  
Policy DP/1: Sustainable Development  
Policy DP/2: Design of New Development

Policy DP/3: Development Criteria  
Policy DP/4: Infrastructure and New Developments  
Policy HG/1: Housing Density  
Policy SF/10: Outdoor Playspace, Informal Open Space and  
New Developments  
Policy SF/11: Open Space Standards  
Policy NE/1: Energy Efficiency  
Policy NE/2: Renewable Energy  
Policy TR/2: Car and Cycle Parking Standards

5. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**

District Design Guide - Adopted March 2010.  
Open Space in New Developments - Adopted January 2009

6. **Draft Local Plan:**

S/8 Rural Centres  
S/2 Objectives of the Local Plan  
S/3 Presumption in Favour of Sustainable Development  
HQ/1 Design Principles  
H/7 Housing Density  
H/8 Housing Mix  
SC/7 Outdoor Play Space, Informal Open Space and New Developments  
SC/8 Open Space Standards  
CC/1 Mitigation and Adaption to Climate Change  
NH/4 Biodiversity  
SC/11 Noise Pollution  
TI/3 Parking Provision

**Consultations**

7. **Great Shelford Parish Council**\_ Recommends refusal. Concerns raised regarding the loss of parking off Hinton Way and the replacement to the rear which would cause disruption to No.17 Hinton Way. Concerns raised regarding the ownership of the development site.
8. **Land Officer**\_ No objections. A vehicular right of access over the District Council's parking area from Chaston Road to No.19 Hinton Way has been informally agreed.
9. **Environmental Health Officer**\_ Raises no objections and requests that conditions in regard to working hours and driven pile foundations and an informative in regard to no bonfires or burning of waste shall be added to any consent granted.
10. **Local Highways Authority**\_ Raises no objections and requests that a condition requiring that no part of any structure including the proposed front wall shall overhang or encroach under or upon the public highway shall be added to any consent granted.

**Representations**

11. **No.21 Hinton Way**\_ Objects to the proposal on the grounds of loss of privacy and intrusion.
12. **No.17 Hinton Way**\_ Objects to the proposal on the grounds of over development of the site. Concerns raised regarding the loss of the right of way to Nos. 17 & 15 Hinton Way and building over the existing drain were raised.

13. **Address not provided**—The current application S/0793/14 for land to the rear of Nos. 15, 17 & 19 Hinton Way makes the proposed dwelling less appropriate.

### **Planning Comments**

14. The key issues to consider in this instance are the principle of the development, impact upon the character and appearance of the area, neighbour amenity, highway safety/parking provision, trees and landscaping and developer contributions.

### **15. Principle of Development**

The site is located within the village framework of a 'Rural Centre' where development without any limited on individual scheme size will be permitted within the village framework. The site has an area of 0.013998 hectares. The proposed dwelling would equate to a density of 71 dwellings per hectare. Whilst this density would be higher than the minimum density of 30 dwellings per hectare and at least 40 dwellings per hectare in more sustainable locations, given the character of the area with small dwellings in narrow plots, the proposed density is considered appropriate to the surrounding area.

The design of the proposed rear extension is considered to be simple and would be comtable with the design and character of the existing dwelling.

### **16. Character and Appearance of the Area**

The adjacent dwellings along Hinton Way to the south of the site are characterized by two storey, terraced properties in large narrow plots. Larger semi-detached dwellings lie to the north and further south. There is no set dwelling design or distinct character to the area. The design of the proposed dwelling would match the design of the existing terraced properties, with the addition of a lean-to porch and single storey rear extension. The proposed scale and layout of the dwelling would be appropriate to the site and surrounding area. The proposal is therefore not considered to be excessively prominent in street scene views and would not result in harm to the character and appearance of the area.

### **17. Neighbour Amenity**

The attached neighbouring property at No.17 Hinton Way lies to the south of the development site. A 1.8 metre high brick wall serves as the common boundary between the neighbour and development site. To the rear of the neighbouring dwelling at No.17 Hinton Way lies a single storey pitched roof rear extension which has a door and obscure glazed window within the rear elevation. Two roof lights lie within the northern roof slope of the extension which face towards the development site. The proposed single storey rear extension to No.19 Hinton Way would not extend beyond the rear of the neighbouring single storey projection. The proposed single storey rear extension has been assessed in terms of loss of light, loss of privacy and overbearing impact and is considered acceptable in terms to this neighbour.

The proposed dwelling adjacent to No.19 Hinton Way has been assessed in terms of loss of light, loss of privacy and overbearing impact and is acceptable in terms of neighbour amenity to No.17 Hinton Way.

To the north west of the site lies the neighbouring property at No.21 Hinton Way. No. 21 Hinton Way is set back further from the public highway than No.19 with an open green area lying immediately adjacent to the highway. To the front of the neighbouring property at No.21 Hinton Way lies various trees and hedges with a flat roof garage sited adjacent to the common boundary with No.19 Hinton Way. To the

rear and side of No.21 Hinton Way lies a paved area. Given the size and distance of the proposed dwelling from the neighbour at No.21 Hinton Way, the proposal is not considered to result in significant overbearing or loss of light. The neighbours at No.21 Hinton Way raised concern regarding the proposed first floor side (north) elevation window and loss of privacy. Given the position of this window with oblique views to the north west, which is not used as a private amenity area, this is not considered to result in significant loss of privacy to this neighbour. A condition shall be added to any consent granted to remove permitted development rights for any windows at first floor level in the rear elevation of the dwelling.

#### **18. Highway Safety/Parking Provision**

Two parking spaces are provided for the proposed dwelling and one space would be provided for the existing dwelling. Additional off street parking spaces are also available within the parking area which is sited to the north west of the site. The Council's Parking Standards require an average of 1.5 spaces per dwelling and a maximum of two spaces per 3 or more bedrooms in poorly accessible areas. Vehicular access to the site would be through the adjacent parking area. The proposal is therefore considered acceptable in terms of highway safety.

#### **19. Trees and Landscaping**

There are no trees within the site which will be affected by the proposal. The proposed landscaping comprises of a mix of soft and hard landscaping, similar to the existing landscaping at No.19 Hinton Way. A planning condition will be added to any consent granted to require that the hard and soft landscaping works are carried out in accordance with the approved details.

#### **20. Developer Contributions**

The South Cambridgeshire Recreation Study 2005 identified a shortfall of sport and play space within Great Shelford. No open space is shown within the development. The increase in demand for sport and play space as a result of the development required a financial contribution of approximately £2244.90 (index linked) towards the provision and management of open space off and in the village to comply with Policy SF/10 of the LDF.

The South Cambridgeshire Community Facilities Assessment 2009 states that Great Shelford has a poor standard of facilities. Due to the increase in the demand for the use of this space from the development, a financial contribution of £371 (index-linked) is sought towards the provision of new facilities or the improvement of existing facilities in order to comply with Policy DP/4 of the LDF. The applicant has agreed to these contributions and a Section 106 Agreement is to be completed.

#### **21. Other Matters**

The neighbour at No.17 Hinton Way in their comments raised concern regarding the right of way to the rear of Nos. 17 & 15 Hinton Way through No.19 Hinton Way, and that the proposed dwelling would be built over an existing drain. These matters are not material planning considerations and therefore cannot be considered as part of the application; however an informative shall be added to any consent granted to advise the applicant that the granting of planning permission does not infer any other permission.

Great Shelford Parish Council raised concern regarding the ownership of the development site. This is not a material planning consideration and cannot be considered as part of the application.

The District Council's Land Officer has raised no objections to the proposed vehicular access across land owned by the District Council.

## 22. Conclusions

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

## Recommendation

## 23. Approval

### 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:13048-01A.  
(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 details of the materials to be used in the construction of the external surfaces of the buildings 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 development shall commence in line with the landscape details submitted on plan number 13049-01A, unless agreed in writing with the Local Planning Authority. The development 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) Prior to the commencement of any development, should driven pile foundations be proposed, a statement of the method for construction of these foundations shall be submitted and agreed by the District Environmental Health Officer to allow control of noise and vibration.  
(Reason- To minimise noise disturbance to adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

- (6) No part of any structure shall overhang or encroach under or upon the public highway  
(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- (7) 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 rear (west) elevation of the dwelling at or 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.)

### **Informatives**

- (1) The applicant is advised that the granting of planning permission does not infer any other permission. The applicant may therefore wish to ensure the approved development does not conflict with other legislation, and may wish to check the Deeds for the property for relevant clauses.
- (2) During construction there shall be no bonfires or burning of waste on site except with the prior permission of the District Environmental Health Officer in accordance with best practise and existing waste management legislation.
- (3) The application site is subject to a Planning Obligation Agreement under S106 of the Town and Country Planning Act 1990, dated to be confirmed.

### **Background Papers**

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council's website; and
- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Plan Submission March 2014
- South Cambridgeshire Supplementary Planning Documents
- National Planning Policy Framework 2012
- Planning File Reference S/0447/13/FL, S/0793/14/FL, S/1329/12/FL, S/1275/14/FL.

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