

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

13 May 2015

AUTHOR/S: Planning and New Communities Director

Application Number: S/0322/15/FL

Parish(es): Coton

Proposal: Detached dwelling and associated works

Site address: Land adjacent to 14a Silverdale Avenue, Coton

Applicant(s): Mr Cousins

Recommendation: Approval

Key material considerations: Principle of development, neighbouring amenity and trees

Committee Site Visit: Yes

Departure Application: No

Presenting Officer: Rebecca Ward

Application brought to Committee because: The Officer recommendation is contrary to the recommendation of Coton Parish Council

Date by which decision due: 13 May 2015

Planning History

1. S/0736/11 – New dwelling and access – Approved (land adjacent to 14 Silverdale Avenue)
2. S/0691/12/FL – Planning permission was dismissed at appeal for a new dwelling. A subsequent application was submitted under S/0889/13/FL and planning permission was granted for a dwelling (land to the rear of 13a Silverdale Avenue).

Planning Policies

3. *National Planning Policy Framework 2012*
4. *Local Development Framework 2007*

DP/1 Sustainable Development
DP/2 Design of New Development

DP/3 Development Criteria
DP/4 Infrastructure and New Developments
DP/7 Development Frameworks
SF/10 Outdoor Playspace, Informal Open Space and New Developments
SF/11 Open Space Standards
TR/1 Planning for More Sustainable Travel
TR/2 Car and Cycle Parking Standards
Open Space in New Developments SPD
District Design Guide SPD

5. *Draft Local Plan 2013*

S/1 Vision
S/2 Objectives of the Local Plan
S/3 Presumption in Favour of Sustainable Development
S/5 Provision of New Jobs and Homes
S/7 Development Frameworks
HQ/1 Design Principles
H/15 Development of Residential Gardens
SC/6 Indoor Community Facilities
SC/7 Outdoor Play Space, Informal Open Space and New Developments
SC/8 Open Space Standards
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision

Consultations

6. **Coton Parish Council** – The Parish Council recommend refusal of the application on the grounds of :
- The impact on existing residents
 - It would block light to adjacent residents, especially a loss of evening light from the west – the parish council notes that no shadow study has been provided
 - It will increase the density of the housing in the area
 - Car parking issues, leading onto Silverdale Avenue, where there are already parking issues
 - Sewage – added pressure on the sewage system from additional property
7. **The Local Highways Authority** – Raises no objections but request the application is conditioned with the following :
- Pedestrian visibility splays (2.0m x2.0m)
 - Falls and levels are such that there is no water run-off into the public highway
 - Drive is constructed using a bound material

Representations

8. **No.16 Silverdale Avenue** - Impact to neighbouring amenity, overshadowing to gardens, sewage, parking and highway safety.

Planning Comments

Site and Proposal

9. The application site lies within the village development of Coton and makes up an existing residential garden. The wider site has been subject to a number of planning permissions over the years which have resulted in the subdivision of the plot to provide two additional dwellings (S/0889/13/F and S/0736/11). These have now been built and occupied.
10. The land in questions currently makes up the garden amenity space of No.14a Silverdale Avenue which also accommodates a redundant asbestos garage currently used as a parking space for the occupiers.
11. The proposal is to construct a detached two bedroom, two storey dwelling that would sit to the side of No.13b (S/0889/13/F) and to the rear of No.14a (S/0736/11). The existing garage will be removed in replacement of the dwelling and two vehicle parking spaces are proposed to the front of the dwelling.
12. As a result of the proposal the car parking spaces for No.14a have been re-allocated to the front of the plot whereby they will be shared with No.14 (the original dwelling).

Principle of development

13. The NPPF advises that every effort should be made to identify and then meet the housing needs of an area, and respond positively to wider opportunities for growth. Additionally the Development Plan (Core Strategy Development Plan Document adopted January 2007 and Development Control Policies Development Plan adopted January 2007) identifies Coton as a Group Village where the construction of new residential dwellings within the framework is supported.
14. The proposed development would have been acceptable in principle having regard to adopted LDF and emerging Local Plan policies, even if policies ST/6 and DP/7 had not become out of date as a consequence of the Council not currently being able to demonstrate a five-year supply of deliverable housing sites.
15. Housing density Policy HG/1 seeks a minimum density of between 30-40 dwellings per hectare, unless there are local circumstances that require different treatment. The proposal site is 215m² and with a single dwelling on the site the density would be 50 dwellings per hectare. Whilst this is above the standards set by the policy it is a minimum standard and in this particular location officers consider a high density would not be out of character with the pattern of the development.

Character and Appearance

16. The design of the dwelling is considered to reflect the simple character and appearance of the dwellings along Silverdale Avenue. The form is not considered as being intrusive to the street scene and would continue to reflect the linear character. Its height and scale would also appear proportionate to the size of the plot and comparable to the neighbouring built forms.
17. Contextually, the development would enclose the gap between No's 13b and 14a; however, a similar relationship can be seen to the east with 10, 9-9a Silverdale Avenue and the terrace properties on the other side of the road from the site. As a result, the development would contribute to a rectilinear pattern of development to the east side of Silverdale Avenue forming a compatible feature in the immediate locality. The dwelling would also be set back in line with the immediate built forms to the east side of Silverdale Avenue, responding to the existing building line and avoiding any undue prominence. Consequently, the scheme would forge a sense of connection

with the surrounding built form that, on balance, is considered to be acceptable in accordance with Policies DP/2 and DP/3.

Residential Amenity

18. No14a Silverdale Avenue lies due south of the proposed dwelling and is a two storey property with a first floor bedroom window in the rear facing elevation. To protect daylight and overlooking the Councils District Design Guide SPD states a minimum distance of 12m should be provided between a blank wall that faces a neighbouring dwelling. The distance between the properties meets this minimum requirement at 12m and therefore daylight and overlooking impacts would not be significant. Furthermore, by virtue of the position of the proposed dwelling and the path of the sun through the day no overshadowing impacts to their garden amenity would be apparent.
19. No 13b Silverdale Avenue is situated adjacent to the proposal site on the northern boundary. There are no windows on the southern side elevation of the property. The proposed dwelling will sit within almost the same footprint at No.13a and will line up with its rear elevation. As a result of the proposal the dwelling is not consider to cause any significant overlooking, overbearing or overshadowing impacts to the occupiers of No.13b.
20. The rear elevation of the proposed dwelling will not contain any windows at first floor, other than an obscure glazed fix shut opening serving the bathroom. A condition on the decision notice would restrict any other opening to this elevation in order to protect the overlooking to the garden amenity areas beyond the eastern boundary of the site.
21. Officers consider the proposal accords with Policy DP/3 as it does not cause an unacceptable adverse impact on residential amenity.

Parking, Access and Highway Safety

22. Two vehicle spaces will be provided to the front of the proposed new dwelling. The layout will match that of the neighbour property (No.13a). The Local Highways Authority has not raised any objections to the application provided suitable visibility splays can be provided on the access. These have been included on amended plan 305/P/02 rev B dated 25 March 2015.
23. The proposal also seeks to secure three new spaces to the front of No.14 and No.14a for the occupants of these properties. The Local Highways Authority had no objections to the parking spaces being in this position but require pedestrian visibility splays to be shown on the plans. A condition will be added to the decision notice to secure this requirement.
24. In accordance with Policy TR/2 the proposal should provide a minimum of 1.5 car parking spaces per dwelling. The proposed scheme would sufficiently meet this minimum requirement. Whilst there would be no provision for visitor parking officers consider there to be sufficient on-road parking to provide for this event.

Trees

25. Officers are minded that one tree, to the front of the site, needs to be lost to enable the development. Whilst the tree adds to the setting of the street scene officers do not consider it to be special enough to be worthy of a Tree Preservation Order.

Notwithstanding this application, the occupants could remove the tree without the prior approval of the Council. Taking this into consideration officers agreed it could be removed provided the adjacent tree is retained. The plans were amended on the 25 March 2015 to retain one of the trees to the front of the site.

S106 Contributions

26. Development Plan policies state that planning permission will only be granted for proposals that have made suitable arrangements towards the provision of infrastructure necessary to make the scheme acceptable in planning terms. Contributions towards open space, sport and recreation facilities, indoor community facilities and waste receptacles have been identified. Such provision cannot be made on site and can therefore only be provided by way of financial contributions.
27. National Planning Practice Guidance seeks to remove the disproportionate burden of developer contributions on small scale developers. It advises that tariff style contributions should not be sought for sites of 10 units or less, and which have a maximum combined gross floor space of 1000 square metres. The development falls within this threshold.
28. The Guidance is a material consideration and the benefits of the development are considered to outweigh the need to make suitable arrangements for the provision of infrastructure. No request for such provision is therefore sought.

Affordable Housing

29. Whilst officers are minded that this would be a third dwelling to the housing stock in the immediate setting, off-site affordable housing contributions cannot be sought for the following reasons:
 - No.14a was built under planning permission (S/0736/11) by the same applicant, Mr Cousins. Before being sub-divided, both this site and the proposal site once served as a residential garden to No.14 Silverdale Avenue.
 - The dwelling on the adjacent, No.13a, was built under planning permission S/0889/13/FL. This was developed by the owner/occupier of No.13. This dwelling was placed on land that once served as a residential garden to No.13 Silverdale Avenue.
30. As the dwellings have been built on separate plots, by individual applicants with different means of accesses, it would not trigger affordable housing contributions as there is not a net gain of three dwellings on a single plot.

Other Matters

31. The application form states that the proposed dwelling will be connected to the existing drainage system on the site. The manhole has been identified on the proposed block plan. Officers consider the addition of a single dwelling house would not put significant strain on the foul sewage system. Anglian Water does not normally comment on applications for single dwellings.

Conclusion

32. Any adverse impacts of the development are not considered to significantly and demonstrably outweigh the benefits when assessed against the material

considerations set out in this report, and the proposed development is considered to be acceptable. As such it is recommended that permission be granted.

Recommendation

33. Approval, subject to:

Conditions

- (a) **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.)
- (b) **The development hereby permitted shall be carried out in accordance with the following approved plans: The Location Plan 1:1250, 305/P/01 rev A, 305/P/02 rev B (amended 25 March 2015),**
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
- (c) **No development shall take place until details of the materials to be used in the construction of the external surfaces of the building 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.)
- (d) **Notwithstanding approved drawing 305/P/02, no development shall take place until visibility splays of 2.0mx2.0m measured from and along respectively the public footpath have been provided on both sides of the access to front of No.14 and No.14a and the access to the proposed dwelling and kept free from any obstruction over a height of 600mm. The pedestrian splays shall be provided within the residential curtilage of the site only and maintained thereafter.**
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- (e) **No unbound material shall be used in the surface finish of the driveways of the sites and any hard surfaces within this area shall be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling.**
(Reason – In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- (f) **The proposed dwelling shall not be occupied until the new access and vehicle parking spaces to the front of No.14 and No.14a Silverdale Avenue has been completed in accordance with the details on the approved plans. These parking spaces are to be thereafter maintained for this purpose.**
(Reason – To ensure the properties have access to on-site vehicle parking in accordance with policy TR/2 of the Local Development Framework)

- (g) **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.)

- (h) **Notwithstanding the approved drawings, any window, door or opening of any kind constructed in the south-east or north-east elevations of the dwelling at and above first floor level shall be:**

(i) permanently fitted with obscure glazing, and

(ii) non-opening, unless the part of the window, door or opening is more than 1.7m above the floor of the room in which it is installed.

(Reason - To protect the amenities of adjoining residents in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

Informative

- (a) The applicant is advised that the granting of planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.
- (b) The applicant is encouraged to install mitigating surface water drainage features within the design of the soakaway system to cope with heavy rainfall and localised flooding issues raised in this application.

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 Core Strategy DPD 2007
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents
- Draft Local Plan 2013
- National Planning Policy Framework 2012
- Planning File Ref: S/0322/15/FL

Report Author: Rebecca Ward – Senior Planning Officer
Telephone: (01954) 713236

