

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

5 August 2015

AUTHOR/S: Planning and New Communities Director

Application Number: S/0482/15/FL

Parish: Melbourn

Proposal: Demolition of existing outbuilding and erection of new dwelling attached to No.56 Medcalfe Way

Site address: 56 Medcalfe Way

Applicant(s): Mr C Digby

Recommendation: Approval

Key material considerations: Principle of development
Scale, layout and design
Access, parking and highway safety
Residential amenity
Noise and disturbance

Committee Site Visit: 4 August 2015

Departure Application: No

Presenting Officer: Andrew Winter

Application brought to Committee because: The recommendation of the Parish Council conflicts with that of Planning Officers

Date by which decision due: 22 April 2015

1. **Planning History**

S/0224/89/F – Double garage (approved)

Planning Policies

2. **National Planning Policy Framework (NPPF) 2012**

3. **South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007**

ST/ 5 Minor Rural Centre

4. **South Cambridgeshire LDF Development Control Policies DPD, 2007:**

DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/4 Infrastructure and New Developments
DP/7 Village Frameworks
HG/1 Housing Density
NE/15 Noise Pollution
SF/10 Outdoor Playspace, Informal Open Space and New Developments
SF/11 Open Space Standards

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

District Design Guide SPD – adopted March 2010
Open Space in New Developments SPD – adopted January 2009
Landscape in New Developments SPD – adopted March 2010

6. **Proposed Submission Local Plan (July 2013)**

CC/4 Sustainable Design and Construction
H/7 Housing Density
H/11 Residential Space Standards
H/13 Replacement Dwellings in the Countryside
HQ/1 Design Principles
S/3 Presumption in Favour of Sustainable Development
S/7 Development Frameworks
S/9 Minor Rural Centres
SC/7 Outdoor Playspace, Informal Open Space, and New Developments
SC/8 Open Space Standards
TI/2 Planning for Sustainable Travel

Consultations

7. **Parish Council** – Recommends refusal: “The concern is that this is overdevelopment on a plot which is on a corner of a junction. Access is therefore problematic.”
8. **Local Highway Authority (LHA)** – Raises an objection to the above planning application in its current format as the application does not show a dropped kerb along Medcalfe Way to enable access from the public highway to the proposed car parking spaces.
9. The Highway Authority can confirm that CP1 for number 56 Medcalfe Way will be unable to achieve the required 2x2m pedestrian visibility. CP2 for number 56A access entrance will require minor modification to the public highway to provide a more contained single car parking space and potentially more landscaping.
10. If, following provision of the above, the Highway Authority is satisfied that the proposal will have no significant adverse effect upon the public highway, please add the following conditions and informatives to any permission that the Planning Authority is minded to issue in regard to this application.
11. Conditions are recommended to secure two 2.0 x 2.0 metres pedestrian visibility splays, surface water drainage that prevents water run-off onto the adopted public

highway, and that the proposed drive be constructed using a bound material to prevent debris spreading onto the adopted public highway.

12. In the event that the Planning Authority is so minded as to grant permission to the proposal please add an informative to the effect that the granting of a 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.

Representations

13. **Owner/Occupier of 54 Medcalfe Way** – Objects to the proposal on the following issues: the change in street plan (semi-detached to terraced); the dwelling is too close to the T-junction causing visibility problems for motorists and an unsafe crossing for school children; the allocated car parking does nothing to alleviate existing on-street parking problems; and pollution from car fumes entering windows of No.54 Medcalfe Way.

Planning Comments

Principle of Development

14. 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 Melbourn as a 'Minor Rural Centre' where the construction of new residential dwellings within the framework is supported.
15. The proposed development would have been acceptable in principle having regard to adopted LDF and emerging Local Plan policies, had policies ST/5 and DP/7 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.
16. The density of the proposal is accepted with regard to Policy HG/1 and taking into account the physical constraints of the site. Consequently, the principle of the development is considered acceptable subject to the detailed considerations discussed below.

Scale, Layout and Design

17. The proposed dwelling is located on a corner plot at the junction of Medcalfe Way and Trigg Way. The new dwelling would continue the scale, height and form of No.56 to create a terraced set of three dwellings (instead of the current pair of semi-detached properties). Other terraced properties can be found within Medcalfe Way and the creation of a further terrace in this specific location is not considered harmful to the character of the area. The proposal would continue the linear pattern of development found in the area and would reflect the simple style and character of existing housing. On this basis, the proposal is considered to preserve the character of the area.
18. The dwelling would be set back from the front walls of No.2a Trigg Way and No.56 Medcalfe Way to avoid any undue prominence within the street scene. It would also be sufficiently scaled within its plot to avoid appearing cramped or too close to the corner junction.

19. Consequently, the dwelling is considered to accord with the objectives of Policies DP/2 and DP/3.

Access, Parking and Highway Safety

20. The siting of the dwelling is not considered to obstruct visibility for motorists at the junction of Medcalfe Way and Trigg Way given the highway verge at this point. The nearest part of the dwelling is shown on the submitted plans at 12m distance back from the edge of the carriageway at the give way point of this junction. Consequently, there is no strong reason to object to the development on this point.
21. Sufficient car parking is provided for both the proposed and existing dwelling in accordance with Policy TR/2. Two parking spaces are provided for both the existing and proposed dwelling with sufficient space to meet the required 2.5m x 5m parking dimensions. The development therefore does not present any adverse impact upon existing on-street parking. The developer cannot be required to alleviate any existing parking concerns there may be in the area.
22. The proposed parking spaces accessed from Medcalfe Way, along with the dropped kerbs, do not require specific planning permission and can be carried out under permitted development, subject to the use of permeable materials or adequate drainage to direct run-off water to a permeable area within the site. A condition is recommended to achieve this objective and the applicant will need to obtain separate consent from County Highways for the dropped kerbs along Medcalfe Way. This can be relayed to the applicant via a planning informative.
23. The LHA has recommended that pedestrian visibility splays will not be achievable for all of the parking spaces; however, this would appear to relate more to land ownership issues rather than any specific highway obstruction. As previously mentioned, the parking bays can already be implemented under permitted development which does not require the provision of 2m x 2m pedestrian splays. Furthermore, any new boundary treatment causing obstruction above 1m in height would automatically require specific planning consent.
24. Vehicular access to the side of the new property along Trigg Way already exists and benefits from a dropped kerb. The proposal would not intensify the use of this access, as it would provide access for a single parking space with further parking provided in front of the property along Medcalfe Way. This existing access does not benefit from any turning area and this is common of many other properties found within the area. Cars therefore already reverse out onto Trigg Way at this point but do so without any significant visual obstruction, and onto a limited speed residential road. This, together with the existing and unaltered use of the access, does not present any new or significant impacts upon highway safety to warrant a refusal in this instance.

Residential Amenity

25. The dwelling would be sited to the north of the immediate neighbour at No.2a Trigg Way to avoid any adverse overshadowing impact. Overlooking has been addressed to the rear first floor bathroom windows, which will be obscure glazed and fixed shut apart from any top hung vent (to be conditioned). Finally, overbearing impact is mitigated by the distance to No.2a and the good degree of outlook maintained by this property to the rear (south-west).

26. The creation of a further dwelling in this location would give rise to further traffic and car fumes but to a limited extent given the development is for a single dwelling only. The concern raised in relation to car fumes is therefore not considered to be significant in this instance.
27. The proposed 44m² allocated garden space to the new dwelling would accord with the recommended garden spaces set out in paragraph 6.75 of the Council's District Design Guide SPD.
28. Consequently, the development would not have any unacceptable adverse impacts upon residential amenity in accordance with Policy DP/3.

Noise and Disturbance

29. A standard condition is recommended to control noise and disturbance during the construction process, as set out at the end of this report.

Outdoor Playspace and Indoor Community Infrastructure

30. Local Development Framework 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 had been identified. Such provision cannot be made on site and can therefore only be provided by way of financial contributions.
31. 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.
32. 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 now therefore sought.

Conclusion

33. Paragraph 14 of the NPPF explains that the presumption in favour of sustainable development means granting permission unless any adverse impacts would significantly and demonstrably outweigh the benefits, or policies in the NPPF indicate that development should be resisted.
34. In this instance, the development is not considered to be an overdevelopment of the site, is compatible with the local area, and acceptable in highway safety terms. On this basis, there are no adverse impacts that would significantly or demonstrably outweigh the benefits of the proposal. Accordingly, the development is recommended for approval.

Recommendation

35. 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: Site Plan (scale 1:200; date stamped 11 June 2015) and Elevation, Floor, Roof Plan and Site Plan (scales 1:100/1:1250; date stamped 11 June 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 dwelling, 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) **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 to be erected. The boundary treatment shall be completed before 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 in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
- e) **The dwelling, hereby permitted, shall not be occupied until parking has been laid out within the site in accordance with the approved Site Plan (date stamped 11 June 2015). The approved parking areas shall be retained thereafter for the purposes of vehicular parking.**
(Reason – To ensure sufficient off-street parking to meet local parking standards and in the interests of highway safety in accordance with Policies DP/3 and TR/2 of the adopted Local Development Framework 2007.)
- f) **The new vehicular accesses and parking areas to the existing dwelling (known as No.56a Medcalfe Way) shall be constructed 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 dwellinghouse.**
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- g) **Apart from any top hung vent, the proposed first floor windows in the rear elevation of the dwelling, hereby permitted, shall be fitted and permanently glazed with obscure glass and fixed shut.**

(Reason - To prevent overlooking of the adjoining properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

- h) 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.)

- i) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (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 elevation of the dwelling at and 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.)

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 Proposed Submission July 2013
- South Cambridgeshire Supplementary Planning Documents
- National Planning Policy Framework 2012
- Planning File Ref: S/0224/89/F

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