

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

13 January 2016

AUTHOR/S: Planning and New Communities Director

Application Number: S/2540/15/OL

Parish: Conington

Proposal: Detached Dwelling

Site address: 3 School Lane, Conington

Applicant(s): Mr David Rutland, South Cambridgeshire District Council

Recommendation: Delegated Approval

Key material considerations: Local character, residential amenity, highway safety

Committee Site Visit: 12 January 2016

Departure Application: No

Presenting Officer: Alison Twyford, Senior Planning Officer

Application brought to Committee because: The applicant is employed by South Cambridgeshire District Council.

Date by which decision due: 16 December 2015

Relevant Planning History

1. No planning history

Planning Policies

2. *National Planning Policy Framework (NPPF) 2012*
National Planning Practice Guidance
3. *South Cambridgeshire Local Development Framework Core Strategy DPD 2007:*
Policy ST/7: Infill Villages
4. *Local Development Framework Development Control Policies 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
HG/1: Housing Density
SF/10: Outdoor Playspace, Informal Open Space and
New Developments

SF/11: Open Space Standards
NE/6: Biodiversity
TR/1: Planning for More Sustainable Travel
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
Landscape in New Developments-March 2010
6. *Proposed Submission Local Plan*
S/7 Development Frameworks
S/11 Infill Villages
HQ/1 Design Principles
H/7 Housing Density
SC/7 Outdoor Play Space, Informal Open Space and New Developments
SC/8 Open Space Standards
CC/1 Mitigation and Adaption to Climate Change
CC/4 Sustainable Design and Construction
CC/7 Water Quality
CC/8 Sustainable Drainage Systems
CC/9 Managing Flood Risk
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision
TI/8 Infrastructure and New Developments

Consultation

7. **Conington Parish Council** – “I have attached comments from Residents- these raise concerns which need to be considered. On this basis we cannot give a recommendation.”
8. **Local Highways Authority**- Raises no objections and requests conditions are added to any consent granted in regard to visibility splays, the driveway being of a bound material and installed 5 metres from the highway boundary.

Representations

9. Email representation from local resident received 24 November 2015 at 20.33- Concerned that a housing officer designated site as red in a report (indicating an unsuitable site) and yet an application has been made. Potential impact on residents of numbers 2 and 3 that could result in loss of privacy. Concerned site chosen because neighbours are of an older age and therefore may not object as strongly as younger residents may have.
10. Owner of 6 School Lane- Without knowing what type of property is proposed it could cause reduction of light to neighbouring properties, problems with parking, and be of poor design. Concerns that the report for housing allocated the site as unsuitable but it has come forward for consideration. A copy of a report from Saunders Boston Ltd was attached to the comments for officer reference.

Site and Proposal

11. 3 School Lane, Conington is a two storey, semi-detached property lying within a large plot. The dwellings along School Lane form a linear development pattern, with terrace

blocks on one side and semi-detached pairs on the other that have large side gardens. To the rear of the site lies open fields and the edge of the village development framework. The application seeks outline consent with all matters reserved. The appearance, layout and landscaping will be detailed within a reserved matters application.

Planning Appraisal

12. The key issues to consider in this instance are the principle of development, visual impact, landscaping, neighbour amenity, highway safety and parking.

Principle of Development

13. The existing site is residential in use and the proposed subdivision of the plot would intensify this use. However, the proposal would fall within the village framework of Conington, where Policy ST/7 of the LDF Core Strategy 2007 allows for development and redevelopment up to an indicative maximum scheme size of 2 dwellings on a plot where there is a gap along an existing frontage of properties. The proposed use of the site for an additional would have been acceptable in principle having regard to the adopted Local Development Framework had policies ST/7 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.
14. The site has an area of 0.02 hectares. The proposed dwelling would equate to a density of 50 dwellings per hectare. Policy HG/1 Housing Density states the minimum density of dwellings per hectare is 30, with at least 40 dwellings per hectare in more sustainable locations. The proposed density is considered to accord with this policy. The principle of the development is considered acceptable and in accordance with applicable national and local planning policies.

Visual Impact

15. The northern side of School Lane comprises a linear development form of two storey terraced dwellings which are set back from the public highway, within large plots. The south side of School Lane comprises pairs of semi-detached properties with large side garden areas. Further along School Lane to the west properties are of detached style and less linear in pattern along the street scene.
16. Final details of the design of the proposed dwelling are yet to be determined but a two storey dwelling could be acceptable in this location.

Landscaping

17. Landscaping and boundary treatment conditions would be attached to any consent granted to retain the existing character of the site and enhance the quality of the development.

Neighbour Amenity

18. Issues regarding neighboring amenity will be looked at closer when details of the design come forward. However, officers believe there is scope to situate a dwelling on the plot without having adverse impact to residential amenity.

Potential issues of impact upon No.3 School Lane

19. No.3 School Lane lies to the north west of the proposed site. On the side of the property is a single storey conservatory structure. At first floor level on the same elevation is a window which appears to serve a bathroom. The proposed indicative development appears to be slightly longer in length than no.3 and this could result in a

loss of light to the rear of the house and the garden amenity space of no.3. The siting of windows on side elevations of the proposed property would need careful consideration to protect the privacy of occupants using the conservatory area.

Impact upon No.2 School Lane

20. The proposed indicative development is considered to be sufficiently distanced from No.2 School Lane to avoid any undue loss of light or overbearing impact. First floor windows in the east elevation would need to be designed to avoid undue overlooking of the private amenity space of this property and this would be considered at Reserved Matters Stage.

Highway Safety and Parking

21. The Local Highway Authority has raised no concerns regarding highway safety. The District Council's Parking Standards require an average of 1.5 spaces per dwelling across the District, with up to a maximum of 2 per 3 bedrooms in poorly accessible areas. The proposal is considered to provide sufficient off street car parking.
22. Conditions have been proposed in relation to visibility splays, the driveway being of a bound material and installed 5 metres from the highway boundary which Officers consider are appropriate to be attached to the decision if approved.

Other Matters

23. Representations received from local residents have raised a report that has been prepared for the Housing Department by Saunders and Boston Ltd. The report looks to have surveyed the local area and has provided an Architects recommendation regarding a number of plots. The site in question was detailed in the report as unsuitable for development because –
- 1) "The site is not large enough for a maximum of 1 dwelling which will not meet SCDC housing need
 - 2) Off street parking for both properties is likely to be a planning requirement, available space is limited and it is likely not to be possible.
 - 3) House number 3 has side aspect windows overlooking the garage, privacy may be compromised"
24. Officers have noted points raised in the report and consider that this application and the subsequent reserved matters application will address possible issues of overlooking and parking. The size of the plot has been considered in this application and Officers are of the view that it would be possible to accommodate a further dwelling on this site.
25. Government planning policy that sought to introduce a new national threshold on pooled contributions was introduced on 28 November 2014 but has since been quashed. Policies DP/4, SF/10 and SF/11 therefore remain relevant in seeking to ensure the demands placed by a development on local infrastructure are properly addressed.
26. There remains restrictions on the use of section 106 agreements, however, resulting from the Community Infrastructure Levy Regulations 2010 (amended). CIL Regulation 122 states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is (i) Necessary to make the development acceptable in planning terms; (ii) Directly related to the development; and (iii) Fairly and reasonably related in scale and kind to the development.
27. CIL Regulation 123 has the effect of restricting the use of pooled contributions. In

accordance with Planning Practice Guidance “When the levy is introduced (and nationally from April 2015), the regulations restrict the use of pooled contributions towards items that may be funded via the levy. At that point, no more may be collected in respect of a specific infrastructure project or a type of infrastructure through a section 106 agreement, if five or more obligations for that project or type of infrastructure have already been entered into since 6 April 2010, and it is a type of infrastructure that is capable of being funded by the levy”. The pooling is counted from 6 April 2010.

28. Less than five planning obligations have been entered into for developments in the village of Conington since that date. As such, officers are satisfied that the Council could lawfully enter into a section 106 agreement to secure developer contributions as per development control policies DP/4, SF/10, SF/11 should the application be approved.
29. However, no specific projects for either outdoor or indoor community facilities have been identified that are directly related to the development; fairly and reasonably related in scale and kind to the development; or necessary to make the development acceptable in planning terms (as per the requirements on paragraph 204 of the NPPF). As such, no request for such contributions should be sought in the event the application was to be approved.

Recommendation

30. Officers recommend that the Committee approve the application, subject to:

Conditions

- a) Approval of the details of the layout of the site, the scale and appearance of buildings, the means of access and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
(Reason - The application is in outline only.)
- b) Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
(Reason - The application is in outline only.)
- c) The development hereby permitted shall begin not later than the expiration of two years from the date of approval of the last of the reserved matters to be approved.
(Reason - The application is in outline only.)
- d) The landscape works referred to in condition (a) shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock and the positions, design, materials and type of boundary treatments to be erected.
(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.)

- e) All hard and soft landscape works 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.)
- f) 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.)
- g) Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.
(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)
- h) Visibility splays shall be provided on both sides of the access and shall be maintained free from any obstruction over a height of 600mm within an area of 2m x 2m measured from and along respectively the:
- (a) highway boundary
 - (b) back of the footway
 - (c) edge of the carriageway
- (Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- i) The vehicular access shall be of a bound surface and installed for 5 metres from the highway boundary.
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

Background Papers:

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 (adopted July 2007)

- Planning File Ref: S/2540/15/FL

Report Author:

Alison Twyford
Telephone Number:

Senior Planning Officer
01954 713264