

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

22 April 2016

AUTHOR/S: Planning and New Communities Director

Application Number: S/3182/15/FL

Parish(es): Harston

Proposal: Demolition of existing bungalow and erection of two new family dwellings

Site address: 57 London Road, Harston, Cambridge, CB22 7QJ

Applicant(s): Andy Houghton, Simpers Ltd

Recommendation: Approval

Key material considerations: Principle of Development
Design and Impact Upon the Character and Appearance of the Area
Residential Amenity
Highways Safety
Trees and Landscape

Committee Site Visit: Yes

Departure Application: No

Presenting Officer: James Platt, Senior Planning Officer

Application brought to Committee because: The recommendation of Harston Parish Council conflicts with the Officer recommendation

Date by which decision due: 29 April 2016

Planning History

1. S/1859/15/FL - Demolition of existing bungalow and erection of three new family dwellings on existing site – Withdrawn

Planning Policies

National Guidance

2. National Planning Policy Framework (NPPF)
National Planning Practice Guidance 2014 (NPPG)

South Cambridgeshire Core Strategy DPD, 2007

3. ST/6 Group Villages

South Cambridgeshire LDF Development Control Policies DPD, 2007:

4. 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
HG/2 Housing Mix
NE/1 Energy Efficiency
NE/6 Biodiversity
NE/11 Flood Risk
NE/15 Noise Pollution
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

South Cambridgeshire LDF Supplementary Planning Documents (SPD):

6. Open Space in New Developments SPD - Adopted January 2009
Trees & Development Sites SPD - Adopted January 2009
Landscape in New Developments SPD - Adopted March 2010
District Design Guide SPD - Adopted March 2010

South Cambridgeshire Local Plan Submission - March 2014

7. S/1 Vision
S/2 Objectives of the Local Plan
S/3 Presumption in favour of sustainable development
S/10 Group Villages
HQ/1 Design Principles
NH/4 Biodiversity
NH/8 Mitigating the Impact of Development in and adjoining the Green Belt
NH/14 Heritage Assets
H/7 Housing Density
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision
TI/8 Infrastructure and New Developments
TI/9 Education Facilities
SC/6 Indoor Community Facilities
SC/7 Outdoor Play Space, Informal Open Space and New Developments
SC/8 Open Space Standards
CC/1 Mitigation and Adaption to Climate Change
H/7 Housing Density

Consultation

8. **Harston Parish Council** – Recommends refusal. The Parish objects to the proposal on grounds of overlooking, loss of privacy and loss of light. First floor windows look directly into gardens.
9. **Local Highways Authority** – Raise no objection and request conditions are added to any permission with regard to pedestrian visibility splays, minimum access width, turning and parking areas prior to occupation, drainage and construction of the

proposed drive and submission of a traffic management plan.

10. **Tree Officer** – Raises no objection and requests a condition requiring tree protection measures be implemented in accordance with the tree protection plan.

Representations

11. One letter of representation have been received from a neighbouring party, objecting to the proposal on the following planning grounds;
 - Overbearing development
 - Loss of light
 - Loss of privacy
 - Flood risk
 - Harmful impact upon biodiversity

Site and Surroundings

12. The proposal site is located within the Development Framework of Harston, positioned on the northern side of London Road. The site is comprised of a one and a half storey dwelling and accompanying amenity space to the rear, forming 57 London Road, the site also includes rear sections of gardens serving residential properties 59 and 61 London Road. The site area measures approximately 0.21 hectares. The surrounding area is of a generally residential character, with the site bounded by residential properties to the north, south and east and the highway to the west.

Proposal

13. The proposal seeks full planning permission for the demolition of the existing one and a half storey dwelling and erection of two dwellings. Associated works include the erection of a detached garage to the rear plot, parking, landscaping and tree works.
14. Plot 1, positioned to the front of the site, consists of a two storey, five bedroom dwelling, constructed of buff brick with a slate roof. The proposed dwelling would measure 11.7 metres in width, 18.3 metres in depth, 4.9 metres in height to the eaves and 7.3 metres in height to the ridge.
15. Similarly, plot 2, positioned to the rear of the site, consists of a two storey, five bedroom dwelling, constructed of buff brick with a clay plain tile roof. The proposed dwelling would measure 20 metres in width, 20.5 metres in depth, 5.0 metres in height to the eaves and 6.9 metres in height to the ridge.
16. The application has been subject to two amendments. Please see below;
 - Amendment 1 09/03/2016 – First floor window serving bedroom 5 of plot 1 repositioned following Officers request.
 - Amendment 2 06/04/2016 – Proposed garage to neighbouring property 59 removed from proposed site layout and proposed garage elevations drawing following Officer request. The development is outside of the red line plan and thereby should not form part of this application

Planning Assessment

17. The key issues to consider in the determination of this application are whether the principle of development is acceptable, the design and impact upon the character and

appearance of the area, residential amenity, highway safety and trees and landscape.

Principle of Development

18. The proposal is located within Development Framework of the village of Harston. Policy ST/6 of the Core Strategy identifies the settlement as a Group Village, where development and redevelopment up to an indicative maximum scheme size of 8 dwellings will be permitted within the village framework. The proposal will represent a net increase of one dwelling, as such the proposal accords with Policy ST/6.
19. Policy HG/1 of the Local Development Framework relates to Housing Density. The policy requires housing development to provide average net densities of 30 dwellings per hectare unless there are exceptional circumstances.
20. The proposed site measures 2120 square metres in area, on this basis the scheme would represent a net density of 10 dwellings per hectare, significantly below the required average net density of 30 dwellings per hectare. However, given the character of neighbouring development, with properties situated in relatively large plots and the location of neighbouring amenity areas, the proposed lower density would be more suitable to the locality and as such represents an exceptional circumstance.
21. For the above reasons the principle of the proposed development is considered to be acceptable, subject to the material planning considerations discussed below.

Design and Impact Upon the Character and Appearance of the Area

22. The proposed site is located on the northern side of Harston Road, approximately 70m from the junction onto Queens Close. London Road is a residential street, subject to predominantly two storey detached dwellings, of a broadly traditional design. Properties are situated in relatively large elongated plots, with substantial set backs from the highway.
23. With respect to form, development along London Road is predominately linear. However, examples of residential properties behind the established building line are evident. Particular attention is drawn to the presence of development at 37a, 39a, 41a, 43a, 49 and 55 London Road and the more recent planning approval (S/0693/14/FL) for a dwelling to the immediate west of Plot 2 of the proposal. These properties are positioned behind those dwellings fronting onto London Road, with access between existing dwellings. The properties are generally of a substantial footprint and scale and although positioned behind the frontage, they are subject to intermitted views from the streetscene, thus contributing to the character of the area.
24. Plot 1 of the proposal shall be sited similarly to the existing dwelling, maintaining an accepted degree of separation from neighbouring development and the highway. Furthermore, proposed parking and access shall be located to the front of the property, a design response that is accepted within London Road. Although the existing dwelling is of a single storey scale, Plot 1 of the proposal would be in keeping with the predominately two storey scale of the locality and neighbouring properties at 53a and 59 London Road. Furthermore, proportionally the dwelling would mirror adjacent development at 51 London Road, whilst being constructed at a comparable ridge and eaves height.
25. With respect to Plot 2, the position of a dwelling behind those properties fronting onto London Road and the proposed access between properties is acceptable given the

presence of similar development in the locality. Furthermore, whilst of a considerable footprint, it would mirror the scale of development similarly located.

26. The proposed dwellings are of a similarly traditional architectural style to existing development, incorporating design features present in the locality. Features include, similar roofscapes, styles of fenestration, chimneys and sill detailing above the windows and doors. The proposed dwellings will be constructed of buff brick, with a clay plaintile or slate roof, in keeping with the pallet of materials in the locality. A condition securing samples of external materials would ensure appropriately matching materials.
27. Considering the above factors, the development would not unacceptably undermine uniformity of the area; the proposed extension would provide a cohesive development, compatible to neighbouring properties. The proposal is therefore considered to be of an acceptable design, preserving the character of the local area, in accordance with policies DP/2 and DP/3 of the Local Development Framework and section 7 of the NPPF.

Residential Amenity

28. As discussed, Plot 1 of the proposal shall be sited in a similar position to the existing dwelling. Whilst the proposal would be of two storey scale, it shall maintain a similar relationship with respect to the building line and a comparable ridge height to neighbouring development. This combined with the proposed obscure glazing and position of fenestration serving habitable rooms in the side elevations, gives rise to an acceptable amenity outcome to neighbouring properties.
29. The blank side elevation of Plot 2, maintain distances of 24 metres and 22 metres to the rear habitable rooms of 59 and 61 London Road respectively. Thus, any harmful amenity impact to these properties is mitigated. With respect to property 67 London Road, situated to the north east, those windows in the north eastern side elevation of Plot 2 are situated approximately 30 metres from the properties front elevation. Whilst the proposal building is in relative proximity to the properties boundary and their would be some degree of overlooking and possible overshadowing of a small greenhouse, given this area of curtilage predominately serves as access and parking and the property retains a significant area of private amenity space to its rear, the development on balance would not result in a significant loss of amenity. With respect to neighbouring development to the north west, the first floor windows serving bedroom 3 of the proposal would maintain a distance of separation of 14 metres to the properties elevation. Whilst the property is subject to ground floor doors, any potential for overlooking is mitigated by way of this distance and existing boundary fence.
29. The concerns of the immediate neighbour regarding residential amenity has been considered against the above factors and, on balance, the development is not found to result in an unacceptable adverse impact upon residential amenity in accordance with the relevant amenity criteria of policy DP/3 of the Local Development Framework.

Highway Safety & Parking Provision

30. The Highways Authority raises no objection to the proposal subject to the imposition of conditions regarding pedestrian visibility splays, minimum access width, turning and parking areas provided prior to occupation, drainage and construction of the proposed drive and submission of a traffic management plan. The proposal is thereby acceptable in this regard.

31. Three car parking spaces are proposed to serve each dwelling. Furthermore, sufficient space to manoeuvre and turn to ensure that vehicles leave the site in a forward gear is provided. The proposal would comply with Policy TR/2 of the Local Development Framework.

Trees & Landscape

32. The proposal includes tree works, as outlined on the submitted tree protection plan. Trees to be removed to enable development include a Yew, Blue Cypress, Magnolia, self set Ash and Damson, Silver Birch, two Apple and one Pear tree.
33. The Trees officer raises no objections to the proposal, subject to compliancy with the tree protection measures as submitted in the accompanying tree protection plan. The proposal is thereby acceptable in this regard.

S106 Contributions

34. The introduction of a new threshold on pooled contributions, as outlined in the update to the National Planning Practice Guidance on 28th November 2014, was subsequently been quashed by a high court ruling on 31st July 2015; 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.
35. As a result of the Community Infrastructure Levy Regulations 2010 (amended), the use of section 106 agreements does however remains restricted. 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.
36. CIL Regulation 123 has the effect of restricting the use of pooled contributions. In accordance with the National Planning Practice Guidance, if five or more obligations for an infrastructure project 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, 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.
37. Five or more planning obligations have been entered into for developments in the village of Harston since that date. As such, officers are satisfied that the Council cannot lawfully enter into a section 106 agreement to secure tariff-style developer contributions as per development control policies DP/4, SF/10, SF/11 should the application be approved.
38. However, no specific projects for either outdoor or indoor community facilities have been identified by the Parish Council 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 this case.

Conclusions

39. 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

40. Officers recommend that the Committee grants planning permission, subject to the imposition of the following Conditions;

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:
Site Location Plan drawing no.14-258GA001
Proposed Site Layout drawing no.14-258GA010 Revision N
Survey of Existing Trees drawing no.MMX132/3
Landscaping & Tree Protection Details drawing no.MMX132/5
Proposed Visibility Splays drawing no.14-258GA025 Revision A
Plot 1 – Elevations drawing no.14-258GA01 Revision E
Plot 1 – Floor Plans drawing no.14-258GA013 Revision G
Plot 2 – Elevations drawing no.14-258GA016 Revision E
Plot 2 – Ground Floor Plans drawing no.14-258GA011 Revision G
Plot 2 – First Floor Plans drawing no.14-258GA012 Revision G
Proposed Floor Plans, Elevations & Sections drawing no.(20)01
Proposed Garage Plans & Elevations drawing no.14-258GA019 Revision B
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
3. 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 side or rear elevations of the dwellings 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.)
4. Apart from any top hung vent, the proposed first floor windows in the side elevations of Plot 1, serving the properties bathrooms and in the north eastern side elevation of Plot 2, hereby permitted, shall be fitted with obscured glazing (meeting as a minimum Pilkington Standard level 3 in obscurity) and shall be permanently fixed shut. The development shall be retained as such thereafter.
(Reason - To prevent overlooking of the adjoining properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
5. 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.)

6. 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.)
7. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The details shall include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.
(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.)
8. 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.)
9. Prior to the commencement of any development, a scheme for the provision and implementation of foul 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 reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policy NE/10 of the adopted Local Development Framework 2007.)
10. 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.)
11. Pedestrian 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 the edge of the access towards the

highway.

(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

12. The access shall be a minimum width of 5m, for a minimum distance of 5m measured from the near edge of the highway boundary.
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
13. Prior to the first occupation of the development sufficient space shall be provided within the site to enable vehicles to:
 - a) enter, turn and leave the site in forward gear
 - b) park clear of the public highway

The area shall be levelled, surfaced and drained and thereafter retained for that specific use.

(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

14. The surface of the driveways to serve the dwellings hereby approved shall be constructed on a level that prevents surface water run-off onto the highway and shall be constructed from a bound material so as to prevent displacement of material onto the highway. The development shall be retained as such thereafter.
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007 and the National Planning Policy Framework.)

15. No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Local Planning Authority in consultation with the Highway Authority. The principle areas of concern that should be addressed are:
 - (i) Movements and control of muck away lorries (all loading and unloading shall be undertaken off the adopted highway)
 - (ii) Contractor parking, for both phases all such parking shall be within the curtilage of the site or within the car hire yard and not on the street at any time.
 - (iii) Movements and control of all deliveries (all loading and unloading and storage of materials shall be undertaken off the adopted public highway and should be carried out within the car hire yard.
 - (iv) Control of dust, mud and debris, in relationship to the functioning of the adopted public highway.

(Reason - In the interests of highways safety in accordance with Policies DP/3 of the adopted Local Development Framework 2007.)

16. The tree protection measures shall be implemented in accordance with the Landscaping and Tree Protection Details drawing no.MMX 132/4 dated Dec.2015 prepared by Lisa Camps Landscape Designer & Arboricultural Consultant.
(Reason - To protect the trees present on the site and their contribution to the character and appearance of the area in accordance with Policies NE/6 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 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- South Cambridgeshire Local Plan Submission 2014
- Planning File References: S/2617/15/FL and S/2642/15/FL

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