

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6th September 2006

AUTHOR/S: Executive Director / Head of Planning Services

S/1353/06/F - WATERBEACH
Dwelling (amended design) at Land Rear of 1 Cambridge Road for
Loxfield Developments Ltd

Recommendation: Delegated approval

Date for Determination: 6th September 2006

Site and Proposal

1. The site sits within the village framework and the Conservation Area for Waterbeach. The 0.046 hectare site consists of part of the rear garden of No. 1 Cambridge Road. It is adjacent to 16 Chapel Street and there is a large telephone exchange to the immediate west. The land is bounded by a large hedge and is used as garden land at present. There is a large yew tree close to the boundary with 16 Chapel Street, about half way down the garden.
2. This full planning application, received on 7th July 2006 seeks a revised design to incorporate living accommodation at first floor. It therefore proposes the erection of a bungalow, with 2 bedrooms in the roof and an attached single garage. The site is to be access off Chapel Street via an existing private shared drive, serving four existing dwellings. Turning is to be provided on an area in front of the bungalow. The bungalow would have a private rear garden adjacent to the boundary with the playing field.
3. The overall form, massing and bulk of the new dwelling was approved in 2004 (ref S/1872/04/F) and the revised design follows the approved form but with the addition of a series of Velux rooflights to enable the roof void to be used for habitable accommodation.

Planning History

4. **S/1872/04/F** – Full planning permission was approved with conditions by the Planning Committee for the erection of a bungalow with an attached single garage. The conditions included an appropriate landscaping scheme, boundary treatment and a scheme for protecting acoustically the dwelling and garden from noise and disturbance from the recreation ground. This permission has not to date been implemented.
5. **S/1394/00/O** – Outline planning permission was refused by the Council for a bungalow on the site due to concerns that the access, which was to pass in front of 16 Chapel Street, would result in loss of amenity due to noise, disturbance and fumes. In considering a subsequent appeal, the inspector noted that:

“...it is unlikely that a houses set 4.5m back from the carriageway of a cul-de-sac serving only one further property would suffer disturbance from noise, and I do not believe that in this instance the residents of No. 16 would experience a degree of noise and disturbance anywhere near that which is unacceptable;

they would probably be aware of vehicles passing from time to time, but no more so than is the case with very many residential developments. I have considered the Council's reference to fumes but there is no evidence, or in my view any likelihood, that there would be a material effect on No16. from that cause"

The appeal was allowed.

Planning Policy

6. **Policy SE2 'Rural Growth Settlements'** of the South Cambridgeshire Local Plan 2004 ("Local Plan") defines Waterbeach as a Rural Growth Settlement in which residential development will be permitted on unallocated land providing the development meets with the criteria of this and other policies included within the Local Plan.
7. **Policy HG10 'Housing Mix and Design'** of the Local Plan requires development to make best use of the site and promoting a sense of community that reflects local needs. Design and layouts should be informed by the wider character and context. In addition, high quality design is sought, combining energy efficiency.
8. **Policy HG11 'Backland Development'** of the Local Plan only permits development to the rear of existing properties when it would not 1) result in overbearing, overlooking or overshadowing of existing properties 2) result in noise and disturbance to existing residential properties through the use of its access, 3) result in highway dangers through use of its access or 4) be out of character with the pattern of development in the vicinity.
9. **Policy EN30 'Development in Conservation Areas'** of the Local Plan states that proposals will be expected to preserve or enhance the special character and appearance of the Conservation Area
10. **Policy P1/3 'Sustainable Design in Built Development'** of the Cambridgeshire and Peterborough Structure Plan 2003 ("Structure Plan") states that a high standard of design and sustainability should be adopted for all new forms of development.
11. **Policy 7/6 'Historic Built Environment'** of the Structure Plan requires all proposals to protect and enhance the quality and distinctiveness of the historic built environment.

Consultation

12. **Waterbeach Parish Council** recommends refusal on the grounds of overdevelopment with inadequate parking and turning space. In the event that the application is approved the same conditions as the previous application should be applied; a sound proof wall to mitigate the noise from the recreation ground and specifically the skateboard park should be erected. The barrier should be maintained along the length of the boundary with the recreation ground so direct access is not established.
13. **Environmental Health Officer** recommends conditions to minimise the effects of noise from the construction of the development on nearby residents or occupiers; including hours of operation of machinery and further information be submitted should pile foundations be proposed.
14. **Conservation Officer** has no objection to the proposal but requires conditions with regards to roofing materials and timber windows and doors.

15. **Waterbeach Level Internal Drainage Board** has no comment from a drainage point of view.
16. **Trees and Landscape Officer** notes that the boundary planting is mature and would like to see a landscaping scheme detailing present species on site and what is to be retained and removed prior to the development commencing.

Representations

17. One letter received from the occupier of 1 Cambridge Road objecting to the position of the garage. Under the sale agreement of the land to Loxfield Developments a 6ft fence was to be erected along the boundary to divide No. 1 from the bungalow. The garage now sits on the boundary. The occupier encloses a solicitor's letter detailing the restrictions imposed when the land was sold to Loxfield Developments.

Planning Comments – Key Issues

18. The key planning issues to consider in determining this application relate to the potential overlooking to neighbouring properties as a result of the positioning of velux windows in the roof and the impact of the close proximity of the recreation ground. The Parish Council also raises concern about the parking and turning arrangements.
19. **Access and Turning** was concluded to be adequate as part of the approved planning application S/1872/04/F. There has been no material change to the proposed parking and turning arrangements since that decision was reached.
20. **Overlooking to neighbouring properties** may result from the positioning of windows in the roof space. In particular, the proposed velux (W 12) in the east elevation is at a height of 1.1m from floor level to the central point of the glazing, which will result in the direct overlooking of the private amenity space of 16 Chapel Street. It is recommended that this window be omitted and relocated, if necessary, to the west elevation, overlooking the telephone exchange. The positioning of the front (north) velux (W16) was also raised as a concern with potential overlooking to 1 Cambridge Road. However, it is concluded that the dwelling and immediate private amenity space is a considerable distance (30m) away and as such the addition of first floor windows will not be significantly detrimental to the amenities enjoyed by the occupants of that property.
21. **Impact of noise from the recreation ground on the residential amenities of the new dwelling** were addressed as part of the previous application (S/1872/04/F) with the Environmental Health Officer suggesting boundary treatment to the rear of the site to block views from the skate park onto the property and also block some noise. With the addition of velux rooflights to the rear elevation, facing the skate park, the potential of noise disturbance is greater, particularly as the rooflight serves a bedroom. It is recommended that velux (W15) be omitted.

Recommendation

22. Delegated approval is recommended subject to receipt of amended plans to address the points above relating to the number and siting of windows.
 1. Standard Condition A – Time limited permission (Reason A);

2. This permission shall not include the wall and roofing materials detailed on the approved drawings.
(Reason - Samples of these materials are required to be submitted to ensure that they are not incongruous with the surrounding buildings, which are located within the Waterbeach Conservation Area)
3. Sc5:
 - a – Details of materials for external walls and roofs (Rc5aii)
 - f – Details of materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas (Reason – To minimise disturbance to adjoining residents)
4. The doors and windows detailed on the approved drawing shall be constructed of timber. (Reason - The site is within the Conservation Area where materials used must fit comfortably into their context, as required by policy 'EN30 – Development in Conservation Areas' of South Cambridgeshire Local Plan, 2004.)
5. Sc51 – Landscaping Wording added 'This scheme shall include details of a tree to replace the yew tree which will be removed to form the driveway serving the site (Rc51);
6. Sc52 – Implementation of landscaping (Rc52);
7. Sc56 – Protection of trees during construction (Rc 56)
8. Sc60 – Details of boundary treatment (Rc60); Add wording:
The boundary to the recreation ground shall be constructed of brick and shall be designed to provide acoustic screening and privacy to the dwelling hereby approved. The wall shall be maintained in perpetuity and shall not be removed or replaced without the prior written agreement of the details of the replacement wall by the Local Planning Authority.
(Reason - Add to reason: and to ensure that the privacy and acoustic screening is maintained in order to protect the amenities of future occupiers.
9. SC21 withdrawal of permitted development part 1 ABCD & E (Rc21 C detriment to the neighbours)
10. Before any development is commenced, a scheme for protecting acoustically and (in conjunction with any landscaping scheme) visually the proposed dwelling and its garden from noise and disturbance from the recreation ground shall be submitted to and approved in writing by the Local Planning Authority. This scheme of noise mitigation and sound insulation measures shall be designed to meet the 'good' internal noise criterion of BS 8233:1999 (sound insulation and noise reduction for buildings – Code of practice) for new development, or any subsequent replacement of these standards. All works that form part of the approved scheme shall be completed before the permitted dwelling is occupied and shall be maintained thereafter for so long as the dwelling shall be occupied as such, subject to any changes that the Local Planning Authority may agree in writing.
(Reason – To protect future residents from noise, in the interests of enjoyment of their property.)
11. Sc26 – Noise Control, worded ' During the period of construction no power operated machinery shall be operated on the premises before 08.00hrs on weekdays and 08.00hrs on Saturdays nor after 18.00hrs on weekdays and 13.00 hrs on Saturdays (nor at any time on Sundays or Bank Holidays) unless otherwise

agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions' (Rc26)

Informatives

23. During construction there shall be no bonfires or burning of waste on site except with prior permission of the Environmental health Officer in accordance with best practice and existing waste management legislation.
24. Should driven pile foundations be proposed then before works commence, a statement of the method for construction of these foundations shall be submitted and agreed by the District Environmental health Officer so that noise and vibrations can be controlled.
25. It is suggested by the Environmental Health Officer that, in order to minimise potential conflict of interest between the future occupiers of the dwelling and users of the adjacent recreation ground and skate park, the internal layout and siting of the windows and doors be re-designed. The living room would be better located where the proposed kitchen and dining rooms are, at the front of the property, away from the skate park. The kitchen and dining rooms can then be sited at the rear with windows in the east and west elevations. These alterations may be considered as minor amendments to the approved scheme with approval subject to no detriment to the amenities of existing dwellings neighbouring the site.
26. The site adjoins the Waterbeach Recreation Ground and is close to a skate park within that area. Conditions have been placed on this permission, which will require acoustic and visual screening to be provided in the interests of future occupiers' amenities to ameliorate any possible impact arising from the manner in which the Recreation Ground facilities are used and managed.

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003: P1/3** (Sustainable design in built development) and **P7/6** (Historic Built Environment);
 - **South Cambridgeshire Local Plan 2004: SE2** (Development in Rural Growth Settlements), **HG10** (Housing Mix and Design), **HG11** (Backland Development) and **EN30** (Development in/adjacent to Conservation Areas)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity including overlooking issues
 - Noise disturbance to the occupants of the proposed dwelling

Background Papers: the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning Files Ref: S/ 1353/06/F, S/1872/04/F and S/1394/00/O

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