

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 1st June 2005
AUTHOR/S: Director of Development Services

**S/0659/05/O - Waterbeach
Dwelling at Land Rear of 9-11 Way Lane
for D. Shipp**

**Recommendation: Refusal
Date for Determination: 2nd June 2005**

Site and Proposal

1. The site comprises an L-shaped area of garden land measuring 0.067 hectares. The land is situated to the rear of two detached bungalows on the western side of Way Lane. The site wraps around the garden boundaries to the southwest and northwest (10 Greenside) and adjoins the boundary with 13 Way Lane to the north. Access to the site is via an existing driveway serving 11 Way Lane. This leads to a garage in its rear garden and runs adjacent to the boundary with 13 Way Lane.
2. This outline planning application, received 7th April 2005, proposes to erect a dwelling on this area of garden land. While only access is to be determined at this stage, indicative details submitted suggest that a 4-bedroom chalet bungalow and detached garage, accessed by extending the existing drive would be sought at the reserved matters stage. The density of development proposed is 14.9 dwellings per hectare.

Planning History

3. **S/0906/02/F** planning permission refused for electronics workshop and private garage to the rear of 11 Way Lane. It was refused on grounds of unacceptable impact upon the quiet and peaceful environment and noise and disturbance to 9 Way Lane and other adjacent properties through the use of the access, in particular by commercial vehicles.
4. **S/0363/03/F** planning permission granted for extensions to a garage at the rear of 11 Way Lane. These works are underway.
5. **S/0944/04/F** planning permission granted for a garage in the front garden to serve 11 Way Lane. It is sited adjacent to the side boundary with 9 Way Lane.

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 developments to include a mix of housing types and sizes, with the design and layout being informed

by the wider area. A high quality of design and distinctiveness and energy efficiency should also be achieved.

8. **Policy HG11** of the Local Plan states that development to the rear of existing properties will only be permitted where the development would not:
 - Result in overbearing, overlooking or overshadowing of existing residential properties;
 - Result in noise and disturbance to existing residential properties through the use of its access;
 - Result in highway dangers through the use of its access; or
 - Be out of character with the pattern of development in the vicinity.
9. **Policy TP1 'Planning for More Sustainable Travel'** of the Local Plan seeks to promote sustainable travel and as such planning permission will only be granted where small-scale increases in travel demands will result, unless satisfactory measures to increase accessibility are included. Standards for maximum car parking levels and requirements for cycle storage are found in Appendices 7/1 and 7/2.
10. **Policy P1/3 'Sustainable Design in Built Development'** of the Cambridgeshire and Peterborough Structure Plan, 2003 states that a high standard of design and sustainability should be adopted for all new forms of development.

Consultations

11. **Waterbeach Parish Council** recommends approval. It comments that attention should be given to the visibility on exiting the property.
12. **Waterbeach Internal Drainage Board** has no comments.
13. **The Chief Environmental Health Officer** recommends conditions relating to the use of power machinery during construction, pile foundations and an informative relating to bonfires.

Representations

14. One letter objecting to the proposal has been received from the occupier of 13 Way Lane. Issues raised in this letter include:
 - Noise and disturbance to them through the increased use of the access and provision of car parking, which is exacerbated by the proposed surfacing with gravel and its siting, which is within 3 metres of their bedroom window;
 - Surface water drainage;
 - Privacy to gardens.

If approved the following planning points should be addressed:

- This should be a single story house only, built in a style sympathetic to the houses in the surrounding area.
- There should be a maximum of 2 bedrooms with absolutely no further development allowed, including commercial or business use.
- A very large fence between 6 to 8 foot high, along the boundary up until the forward edge of no. 13 should be required in order to lessen the impact of noise.

- The gravel drive should also be changed to driveway block or tarmac, which would also lessen the noise of traffic along the shared drive.
- The fence and drive should be completed before any house construction is started, to lessen the impact of noise and ensure this fundamental work is carried out in a timely fashion.
- Access hours to the site should be between the hours of 09.00 hours and 17.00 hours.

Planning Comments – Key Issues

15. The key issues relating to this proposal are visibility, impact of the access on neighbours and impact upon residential amenities.

Visibility

16. The existing access point at 11 Way Lane is to also serve the proposed dwelling. This access point has severely restricted visibility to the north by virtue of the front boundary hedge at 13 Way Lane. This land is outside of the applicants control and therefore provision of a visibility splay in this direction cannot be conditioned. Visibility to the south may be achieved over the front gardens of 9 and 11 Way Lane, though the application does not demonstrate that the necessary visibility splays can be achieved on land within the site or within the control of the applicant.

Access

17. The proposal will increase the use of the existing access. 13 Way Lane has a number of windows serving habitable rooms that face the side boundary with this drive. Due to the proximity of the drive to these windows noise and disturbance to the neighbours will significantly increase. Similarly, the extension of the drive to provide access to a proposed garage and car parking/turning area will introduce vehicle movements along the majority of the length of the private garden serving 13 Way Lane. This parking/turning area will also impact upon the amenities of 10 Greenside, although potentially the garage will screen some of the resulting noise.

Residential amenities

18. The site is an awkward L-shape, which will largely dictate the siting of any proposed dwelling and associated access, turning and garaging. The siting indicated on drawings submitted with the application illustrate that the site cannot be reasonably developed without resulting in an overbearing impact when viewed from habitable rooms and the garden of 10 Greenside. If developed with a chalet style house, the dwelling would result in overlooking of the neighbouring properties and their associated private garden areas from its first floor windows. Some overshadowing of the private garden and habitable rooms serving 10 Greenside would also result in the mornings, as the proposed dwelling could only be sited to the east of it.
19. In light of the above considerations, I consider that the proposal fails to meet the criteria set out in policy HG11 for backland developments.

Recommendation

Refusal:

1. The site is formed from an L-shaped area of garden land to the rear of bungalows at nos. 9-11 Way lane, Waterbeach. It adjoins residential properties. Access to the site is proposed to be via an existing drive serving 11 Way Lane, that runs adjacent to the boundary with 13 Way Lane.
 - (a) The proposal will increase the use of the existing access and will extend the driveway adjacent to the private garden area serving 13 Way Lane. Due to the proximity of habitable windows and adjacent private gardens areas, the additional use of the driveway, including turning and manoeuvring, will significantly increase noise and disturbance to the detriment of neighbouring residential amenities.
 - (b) Due to the awkward L-shape of the site, which will largely dictate the siting of any proposed dwelling and associated access, turning and garaging/car parking, a dwelling could not be reasonably developed without resulting in being visually overbearing and overshadowing of the private garden and habitable rooms serving 10 Greenside in the mornings, as the proposed dwelling would be sited to the east of it. In addition, overlooking of the neighbouring properties and their associated private garden areas would result, particularly if development included first floor accommodation.

In light of the above considerations, the proposal fails to meet the criteria set out in policy HG11 for backland developments of the South Cambridgeshire Local Plan, 2004.

2. The length of frontage available to the north of the site is insufficient to enable safe exit from the site due to poor visibility and as such will be harmful to highway safety. Moreover the application does not demonstrate that visibility can be achieved in a southerly direction on land either within the site or on land within the control of the applicant.

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/0659/05/O, S/0944/04/F, S/0363/03/F and S/0906/02/F

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