

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2 September 2015

AUTHOR/S: Planning and New Communities Director

Application Number: S/1603/15/FL

Parish: Waterbeach

Proposal: Dwelling

Site address: Land Off Mill Lane

Applicant(s): Tom Higgins

Recommendation: Approval

Key material considerations: Principle of Development
Housing Density
Developer Contributions
Character of the Area
Highway Safety and Parking
Neighbour Amenity

Committee Site Visit: No

Departure Application: No

Presenting Officer: Karen Pell-Coggins

Application brought to Committee because: The officer recommendation conflicts with the recommendation of Waterbeach Parish Council

Date by which decision due: 24 August 2015

Planning History

1. S/0083/88/F - 8 Houses - Approved
S/0302/87/F - Demolition of Existing Cottages and Erection of 11 Houses - Appeal Dismissed (character of the area and lack of parking)
2. **National Guidance**
National Planning Policy Framework 2012
Planning Practice Guidance
3. **South Cambridgeshire Local Development Framework Core Strategy 2007**
ST/2 Housing Provision
ST/5 Minor Rural Centres

4. **South Cambridgeshire Local Development Framework 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 Development Frameworks
HG/1 Housing Density
NE/6 Biodiversity
NE/11 Flood Risk
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

5. **South Cambridgeshire Local Development Framework Supplementary Planning Documents**

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

6. **South Cambridgeshire Local Plan Submission 2014**

S/3 Presumption in Favour of Sustainable Development
S/5 Provision of New Jobs and Homes
S/7 Development Frameworks
S/9 Minor Rural Centres
HQ/1 Design Principles
H/7 Housing Density
NH/4 Biodiversity
CC/3 Renewable and Low Carbon Energy in New Developments
CC/4 Sustainable Design and Construction
CC/9 Managing Flood Risk
SC/6 Indoor Community Facilities
SC/7 Outdoor Playspace, Informal Open Space, and New Developments
SC/8 Open Space Standards
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision
TI/8 Infrastructure and New Developments

Consultations

7. **Waterbeach Parish Council** - Recommends refusal and makes the following comments: -

“Object to this application as the Design and Access Statement looks to be incorrect as parking provision for Pieces Court is within the residents deeds that they each have two dedicated parking spaces. Therefore, this restricts additional parking required for the planning application. Obscure glass is recommended for overlooking windows”.

8. **Local Highway Authority** - Comments that the proposal would not have a significant

adverse effect upon the public highway.

9. **Environmental Health Officer** - Suggests conditions in relation to hours of construction related deliveries, noisy works and the use of power machinery. Also requests informatives with regards to the burning of waste on site and pile driven foundations.

Representations

10. The occupier of **No. 18 Pieces Lane** objects to the application on the grounds of a lack of on-site parking as any on-street parking would affect visibility from the driveway, noise and disturbance, loss of privacy and loss of light from the close proximity of the building to the property leading to a loss of value of the property and the visual impact of the bin store and cycle parking at the front of the property. Also questions whether the porch forms part of the application.
11. The occupier of **No. 2 Pieces Court** opposes the application on the grounds of insufficient parking. At present, each of the houses at 1-7 Pieces Court owns two parking spaces each as listed in the deeds of the property. No. 8 only has one parking space as the porch/garage was built across the other space. The turning circle to the front of No. 3 does provide two spaces but this is used by visitors and may not be available to the residents of the new dwelling.

12. **Site and Surroundings**

The site is located within the Waterbeach village framework and currently forms a garage and garden to the dwelling at No. 8 Pieces Court. A communal parking area is situated to the front. The site is situated within Flood Zone 1 (low risk).

13. **Proposal**

The proposal seeks the erection of a dwelling. It would be attached to the western elevation of the existing dwelling at No. 8 Pieces Court. The height would match Nos. 7 and 8 Pieces Court and the design would be similar to No. 7 Pieces Court with the ridgeline parallel to the road. Two parking spaces would be provided for the existing dwelling at No. 8 Pieces Court and the new dwelling within the communal parking area to the front. Each property would have a refuse storage area and cycle parking immediately to the front of the dwelling.

Planning Comments

14. The key issues to consider in the determination of this application relate to the principle of the development, housing density, developer contributions and the impacts of the development upon the character and appearance of the area, highway safety, parking and neighbour amenity.

Principle of Development

15. 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 Waterbeach as a 'Group Village,' where the construction of a single new residential dwelling within the framework is supported.
16. The proposed development would have been acceptable in principle having regard to

adopted LDF and emerging Local Plan policies, had policies ST/6 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.

Housing Density

17. The site measures 0.0135 of a hectare in area. The erection of one dwelling would equate to a density of 74 dwellings per hectare. This density would comply with the requirement under Policy HG/1 of the LDF of at least 40 dwellings per hectare in sustainable locations such as Waterbeach.

Developer Contributions

18. The new development would put extra demand on open space and community facilities in Waterbeach.
19. Recent Government advice (issued through the National Planning Practice Guidance) has led to confusion over the ability of local planning authorities to seek financial contributions. That advice has now been largely cancelled as a result of the recent judicial review decision, which allows the payment of contributions to continue in appropriate cases. However, Waterbeach is one of the villages that has pooled five or more offsite public open space contributions and as such any further request would not be Community Infrastructure Levy (CIL) compliant unless there is a specific need for contributions to make the development acceptable in planning terms. The more informal policy on indoor community facilities is also lacking when considering the CIL.
20. In this case, there is not considered to be a specific need in order to mitigate the impact of the development and contributions and not therefore sought.

Character and Appearance of the Area

21. Pieces Court comprises a small development of 8 semi-detached, T shape, two-storey, red brick and tile houses arranged around a communal parking areas at the end of Pieces Lane. Nos. 7 and 8 are a pair of semi-detached dwellings that have a design that consists of half with a ridgeline parallel to the road and half with a gable facing the road.
22. The erection of a dwelling attached to the existing pair of semi-detached dwellings would result in a terrace of three dwellings. Whilst it is noted that this would not be in keeping with the semi-detached dwellings in Pieces Court, it is not considered to have an unacceptable visual impact upon the character and appearance of the street scene as there are a variety of different scale properties in the area. The development would not result in the loss of an important open gap between the dwellings due to the garage and that the houses are set fairly close together. The design, although narrower, would be similar to that at No. 7 Pieces Court and the materials would match the existing dwellings.
23. The erection of a refuse store to accommodate waste bins and the provision of a secure cycle parking space for the existing dwelling at No. 8 Pieces Court and the new dwelling are not considered to have an unacceptable visual impact.

Highway Safety and Parking

24. The Local Highway Authority has raised no objections to the proposal. The existing communal parking areas to the front of the dwellings in Pieces Court each comprise 6

to 8 parking spaces. There are also two on-street parking spaces in the turning head on the public highway that would still allow vehicles to turn at the end of Pieces Lane along with unrestricted on-street parking along Pieces Lane.

25. In the determination of the appeal for 11 dwellings under planning reference S/0302/87/F, the Inspector commented that the proposed development indicates 11 houses with provision for 13 spaces, marginally less than the Council's minimum standards for small houses of 1.25 per dwelling. This is wholly inadequate.
26. The Council's parking standards are now an average of 1.5 spaces per dwelling and a maximum of 2 spaces per dwelling with three of more bedrooms in poorly sustainable areas. Visitor parking 0.25 spaces per dwelling with 2 parking spaces. The provision of 16 spaces for 9 houses would equate to approximately 1.77 spaces per dwelling. This is considered satisfactory given that Waterbeach is a sustainable location.
27. Whilst it is acknowledged that the development would not result in the provision of on-site parking spaces for the existing dwelling at No. 8 Pieces Court and the new dwelling, this is not considered to result in on-street parking that would be detrimental to highway safety or materially harm the amenities of nearby residents.

Neighbour Amenity

28. The dwelling is not considered to lead to a loss of outlook, light or privacy to the neighbour at No. 18 Pieces Lane. The dwelling would be located in line with that front and rear two-storey part of that property, next to its blank side elevation and to the north east of its garden so there would be no loss of light or outlook. The first floor window in the rear elevation adjacent the boundary serves a bathroom that is a non-habitable room that looks down the garden and a condition would be attached to any consent to ensure that the first floor landing window in the side elevation is obscure glazed and fixed shut unless the non-opening section is above 1.7 metres from finished floor level of the room which it is installed. A condition would also be attached to any consent to ensure that construction would not result in noise and disturbance at unsociable times of the day.

Other Matters

29. The loss of the value of a property is not a planning consideration that can be taken into account in the determination of the application.
30. The existing porch to No. 8 would be replaced as part of the application and the description of the application has been changed to reflect this point.

Conclusion

31. Any adverse impacts of the development are not considered to significantly and demonstrably outweigh the benefits when assessed against the material considerations set out in this report.

Recommendation

32. Approve 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: - 1:1250 location plan and drawing numbers AH121490/01 Revision A, AH121490/02 Revision A, AH121490/03 Revision A and AH121490/06.**
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
- (c) **Details of the materials to be used in the external construction of the dwelling, hereby permitted, shall follow the specifications as shown on the application form and approved drawings.**
(Reason- To ensure the development is in keeping with the character and appearance of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
- (d) **Apart from any top hung vent, the proposed first floor windows in the west side elevation of the development, hereby permitted, shall be (i) obscure-glazed, and (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.**
(Reason - To prevent overlooking of the adjoining properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- (e) **No windows, doors or openings of any kind, other than those expressly authorised by this permission shall be constructed in the west side elevation of the development at and above first floor level unless the windows are (i) obscure-glazed, and (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; or 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.)
- (f) **During the period of demolition and construction, no construction related deliveries, noisy works or power operated machinery shall be carried out on the site before 08.00 hours and after 18.00 hours on weekdays and before 08.00 hours and after 13.00 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.)

Informatives

- (a) During demolition and construction, there shall be no bonfires or burning of waste on site except with the prior permission of the District Environmental Health Officer in accordance with best practice and existing waste management legislation.
- (b) Should pile driven foundations be proposed, then before works commence a statement of the method for construction of these foundations shall be

submitted to the District Environmental Health Officer so that noise and vibration can be controlled.

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 Core Strategy DPD 2007
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Supplementary Planning Documents
- South Cambridgeshire Local Plan Submission 2014
- Planning File References S/1603/15/FL, S/0083/88/F and S/0302/87/F

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