

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 October 2015

AUTHOR/S: Planning and New Communities Director

Application Number: S/1744/15/FL

Parish(es): Waterbeach

Proposal: Dwelling

Site address: Land at No.9 Burgess Road

Applicant(s): Mrs Sarah Wynn

Recommendation: Approval

Key material considerations: Visual Impact
Highway Safety
Neighbour Amenity

Committee Site Visit: None

Departure Application: No

Presenting Officer: Katie Christodoulides, Senior Planning Officer

Application brought to Committee because: The recommendation of the Parish conflicts with the Officer recommendation of approval.

Date by which decision due: 03/09/2015

Executive Summary

1. The site is located within the Waterbeach village framework and flood zone 1 (low risk). It previously comprised the front garden to No. 9 Burgess Road that is a two-storey dwelling set back from the road. The site has now been cleared. The proposal seeks the erection of a detached, two storey, three bedroom dwelling. It would be set back approximately 6 metres from the road. The dwelling would measure 9.4 metres in width, 10.6 metres in depth (including a single storey rear element) and have a height of 5.1 metres to the eaves and 7.8 metres to the ridge. Two parking spaces would be provided to the front and a small garden to the rear. This application follows a previously approved application S/1010/14/FL for a dwelling.

Planning History

2. Site:
S/1256/15/FL- Dwelling – Withdrawn
S/1015/14/FL - Dwelling - Approved

3. Adjoining Site:
S/1253/15/FL - Dwelling - Pending Decision
S/2003/14/FL - Dwelling - Approved

Planning Policies

4. National Planning Policy Framework
Planning Policy Guidance
5. **South Cambridgeshire LDF Core Strategy DPD, 2007:**
ST/5 Minor Rural Centres
6. **South Cambridgeshire LDF 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
7. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
Open Space in New Developments SPD - Adopted January 2009
Biodiversity SPD - Adopted July 2009
Trees & Development Sites SPD - Adopted January 2009
Landscape in New Developments SPD - Adopted March 2010
District Design Guide SPD - Adopted March 2010
8. **South Cambridgeshire Local Plan Proposed Submission July 2013**
S/7 Development Frameworks
S/9 Minor Rural Centres
HQ/1 Design Principles
H/7 Housing Density
H/15 Development of Residential Gardens
NH/4 Biodiversity
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

Consultation

9. **Waterbeach Parish Council** – Objects to the proposal as it considers the situation in Burgess Road has changed significantly in recent times and therefore now considers that this application constitutes overdevelopment due to ongoing problems of increased road traffic generation and highway safety.

10. **Local Highways Authority** – Raises no objections and requests conditions are added to any consent granted in regard to pedestrian visibility splays, car parking space requirements, the falls and levels of the driveway, the driveway being constructed of a bound material and an informative in regard to permission from the highway authority for works to the highway.
11. **Landscape Design Officer** – No objections to the proposal and requests the applicant plants 2 No. small garden trees within the rear property to screen the proposed dwelling.
12. **Environmental Health Officer** – Raises no concerns and requests conditions are added to any consent granted in regard to hours of work, burning of waste, driven pile foundations and an informative in regard to noise and dust.

Representations

13. None.

Planning comments

14. The principle of one dwelling has already been established on the site through approved planning consent S/1015/14/FL. Therefore, the key issues to consider in the determination of this application are housing mix, developer contributions and the impacts of the development upon the character and appearance of the area, highway safety and neighbour amenity.

Housing Mix

15. Planning consents S/1015/14/FL and S/2003/14/FL granted planning permission for two dwellings on adjoining sites comprised two three bedroom dwellings. This mix did not comply with adopted Policy HG/2 of the LDF but was considered acceptable due to compliance with emerging plan Policy H/8 of the Local Plan. This policy states that a wide choice, type and mix of housing will be provided to meet the needs of different groups in the community including families with children, older people and people with disabilities. The market homes in developments of 10 or more homes will consist of:
 - a. At least 30% 1 or 2 bedroom homes;
 - b. At least 30% 3 bedroom homes;
 - c. At least 30% 4 or more bedroom homes;
 - d. With a 10% flexibility allowance that can be added to any of the above categories taking account of local circumstances.

The proposed mix of two three bedroom dwellings is considered satisfactory as the emerging policy does not specify any mix for smaller schemes and can be given some weight due to the stage of the Local Plan that it is currently under examination and that a number of objections to the policy are seeking even more flexibility than that currently put forward. The outcome of a number of appeals that have given permission for a similar mix are also material considerations that need to be taken account in the decision of this application.

Developer Contribution

16. Waterbeach village has pooled more than 5 planning obligations towards offsite public

open space improvements. There are no infrastructure projects which have been put forward from the Parish. As a result it is not lawful to secure contributions in line with CiL 123 Regulations and therefore no contributions are to be secured as part of this application.

Character and Appearance of Area

17. The dwellings along the northern part of Burgess Road comprise of a mixed pattern of development with the dwellings set at varying distances from the highway. The character of the area consists of a tandem form of development with dwellings set adjacent to the road and to the rear. The existing dwelling at No.9 Burgess Road is set back from the road, within a large sized plot, being in line with dwellings at Nos. 1,2 & 3 Woodpecker Way. The dwellings along Burgess Road comprise of a variety of designs from traditional to modern designed properties, and range in types and sizes from two storey to bungalows. The proposed dwelling would be set slightly back from the line of neighbouring dwellings at Nos. 5 & 7 Burgess Road, with the design being quite simple and traditional. The proposed height would be 0.7 metres above the immediate neighbouring property at No. 7 Burgess Road, however given this would result in a minimal height difference, the proposal is considered to be acceptable in terms of the visual amenity and character of the area.

Highway Safety/Parking Provision

18. The proposal is not considered to result in any harm to highway safety subject to conditions in regard to pedestrian visibility splays, car parking space requirements, the falls and levels of the driveway, the driveway being constructed of a bound material and an informative in regard to permission from the highway authority for works to the highway.

The provision of two vehicle parking spaces to the front of the dwelling would be in accordance with Council standards that require an average of 1.5 spaces per dwelling across the district (up to a maximum of 2 for dwellings with 3 or more bedrooms in poorly accessible areas). These spaces include visitor parking. The level of parking is therefore considered satisfactory and unlikely to result in on-street parking that would cause and obstruction to the free flow of traffic and be detrimental to highway safety.

Neighbour Amenity

19. The proposed dwelling is not considered to harm the amenities of the neighbour at No. 7 Burgess Road through being unduly overbearing in mass or through a significant loss of light to the windows in the side elevation of that property, as it would be orientated to the north and sited 8.8 metres from the ground floor secondary living room and kitchen/dining room windows and first floor primary bedroom window that would face partly towards the single storey rear element and partly towards the two-storey main element. It is also not considered to result in an unduly overbearing in mass or significant loss of light to the patio area at the side of that property given that it would be situated adjacent to the single storey rear element.

The proposed dwelling is not considered to harm the amenities of the neighbour at No. 9 Burgess Road through being unduly overbearing in mass, through a loss of light, or through a loss of privacy, as it would be sited 27 metres from the boundary and separated by a large front garden from that property.

The proposed dwelling is not considered to harm the amenities of the neighbour at new dwelling to the north through being unduly overbearing in mass or through a loss of light, as it would be sited almost on the same line as that property.

No. 7 Burgess Road is not considered to lead to a loss of privacy to the rear garden of the occupiers of the proposed dwelling due to the oblique angle of view and position of the main sitting out area that would be obstructed from view by the single storey element.

A condition shall be added to any consent granted to remove permitted development rights for any extensions to the dwelling in the interests of the residential amenity of the dwelling.

Conclusion

20. 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 not be granted in this instance.

Recommendation

21. Officers recommend that the Committee approval the application subject to 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: 13/1143/WD.01 Rev A, 13/1143/WD.02 Rev A & 13/1143/WD.04 Rev A.
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)]
3. 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.)
4. 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.)

5. No construction site machinery or plant shall be operated, no noisy works shall be carried out and no construction related deliveries take at or despatched from the site except between the hours of 0800 -1800 Monday to Friday, 0800 -1300 Saturday and not at any time on Sundays or Bank Holidays, unless otherwise previously agreed in writing by the Local Planning Authority in accordance with any agreed noise restrictions. (Reason - To minimise noise disturbance to adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
6. There shall be no burning of any waste or other materials on the site, unless otherwise previously agreed in writing by the Local Planning Authority in accordance with any agreed noise restrictions. (Reason - To minimise disturbance to adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
7. Prior to the commencement of any development, should driven pile foundations be proposed, a statement of the method for construction of these foundations shall be submitted and agreed by the District Environmental Health Officer to allow control of noise and vibration. (Reason- To minimise noise disturbance to adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
8. 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 highway boundary with Policy DP/3 of the adopted Local Development Framework 2007.)
9. The proposed driveway shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway. (Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
10. The proposed driveway shall be constructed using a bound material to prevent debris spreading onto the adopted public highway. (Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
11. The proposed car parking spaces for the dwelling shall be 2.5 metres by 5 metres. (Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (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 (west) of the dwelling at or 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.)

13. 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 development within Classes A, of Part 1 of Schedule 2 of the Order shall take place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.
(Reason - In the interests of residential amenity in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

Informatives

1. The applicant is advised that all building materials shall be kept on the site.
2. To avoid congestion along Burgess Road, it is advisable that deliveries shall be made to the site outside of peak times.
3. The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise and dust during the construction phases of development. This should include the use of water suppression for any stone or brick cutting and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information please contact the Environmental Health Service.
4. The granting of planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.

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 (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- S/1256/15/FL & S/1015/14/FL
- National Planning Policy Framework & Planning Policy Guidance

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