

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2nd July 2008

AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S/0654/08/O - WATERBEACH

9 Dwellings and Associated Vehicular Access, Land Rear of 10A Rosemary Road and 3 St Andrews Hill for Mrs A Dant, Mr N Foster and Mr T Brown

Recommendation: Approval

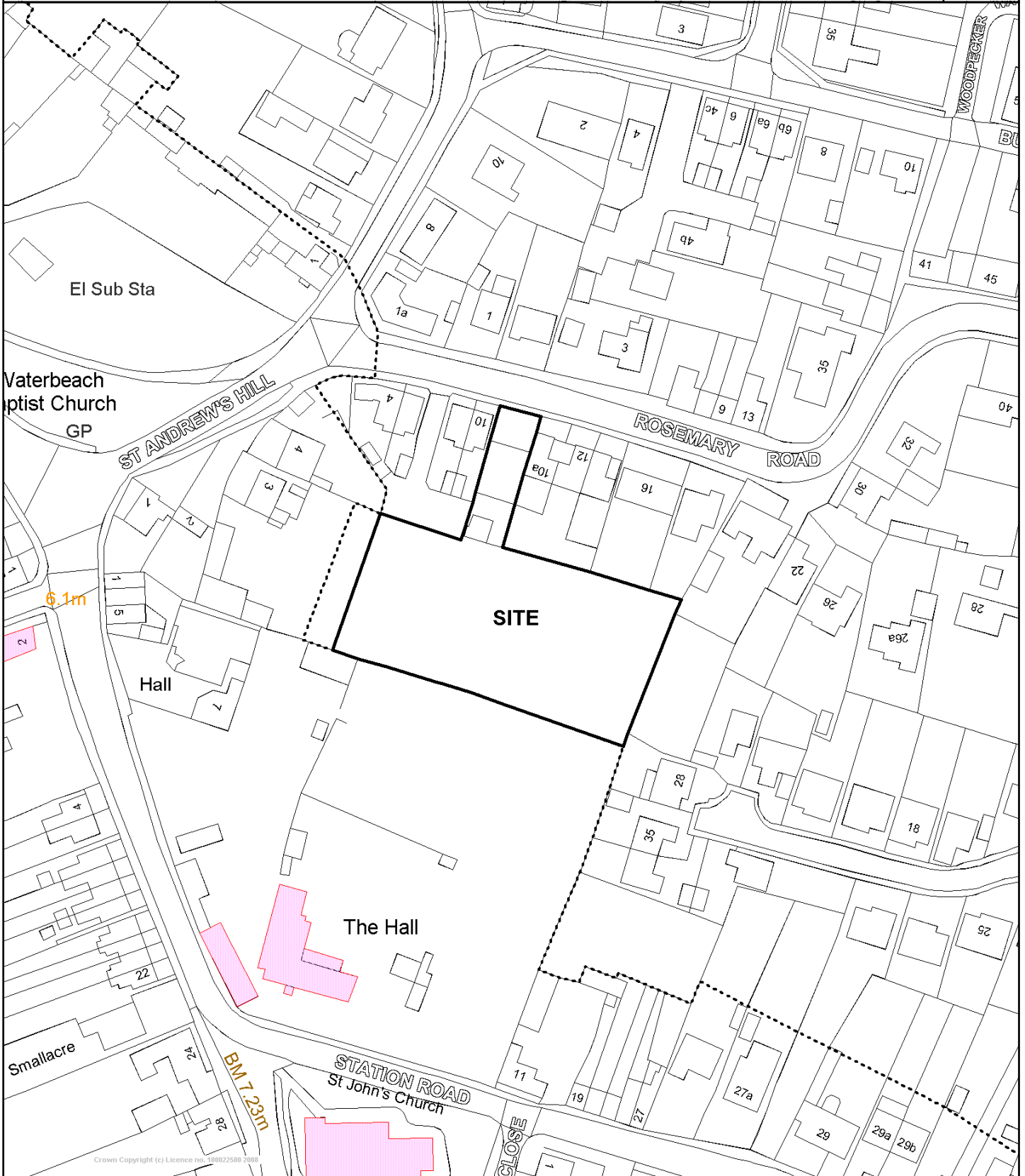
Date for Determination: 29th May 2008

Notes:

This Application has been reported to the Planning Committee for determination because of the recommendation of Refusal by the Waterbeach Parish Council and on the request of Cllr's Johnson & Hockney;

Site and Proposal

1. The 0.26 hectare site consists of a back land plot behind Nos. 4, 6, 8, 10, 10a, 12, 14, 16 and 18 Rosemary Road. The site is believed to be a former coal yard, which over the years has been used as an orchard as the site has become overgrown and foliage has taken hold. The site is accessed via an access point between Nos. 10 and 10a, which currently is closed with boarded gates and it would seem is used as additional off road parking. The dwellings fronting the site are modern units modest in scale with low front boundaries consisting of dwarf walls and open fences.
2. There is a similar access point between Nos.6 & 8 Rosemary Road, which leads to a garage block. To the rear of the site is a grade II Listed Building at The Hall, which fronts onto Station Road. There is a prominent and mature Leylandii hedgerow just off the common boundary with the Listed Building and the site in question, which makes up an important buffer for the Waterbeach Conservation Area abutting the site to the west and south. Rosemary Road is a 30mph street with mainly residential housing, although there is a small village shop opposite the site at No.3.
3. This planning application, dated 3rd April 2008, is for outline consent and includes the following details for approval:
 1. Layout
 2. Means of access and
 3. Landscaping
4. The proposal is for 9 dwellings in total, 4 of which (2 bed terrace two storey dwellings) are to be affordable homes, whilst the remaining 5 market dwellings are to be a mixture of 2 two bedroom, 2 three bedroom and 1 four bedroom properties. The density equates to 35 dph. These properties are to be situated in a row with the four affordable properties consisting of a terrace at



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the centre of the development. Although this application does not seek the determination of the scale and appearance of the proposed dwellings the information supplied suggests that the properties are to be two-storey dwellings.

5. The application is accompanied by a design and access statement, an Access Appraisal, Arboricultural Assessment and Flood Risk Assessment.

Planning History

6. Planning Application **S/0381/07/O** was refused on the 26th April 2007 for the siting and access of 8 dwellings to the rear of No.10a Rosemary Road. This application was refused on two grounds; firstly due to an inadequate access road and visibility splays and secondly due to the close proximity of the proposed dwellings to the Leylandii hedgerow and Conservation Area, which was deemed to put pressure on this landscaping, which would result in further impact upon the setting of the adjacent Listed Building.

Planning Policy

South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007 and Development Control Policies adopted July 2007.

7. **Policy ST/5 “Minor Rural Centres”** identifies Waterbeach and such a settlement where residential development and redevelopment up to an indicative maximum scheme size of 30 dwellings will be permitted within village framework.
8. **Policy DP/1 “Sustainable Development”** only permits development where it is demonstrated that it is consistent with the principles of sustainable development. The policy lists the main considerations in assessing whether development meets this requirement.
9. **Policy DP/2 “Design of New Development”** requires all new development to be of a high quality design and indicates the specific elements to be achieved where appropriate. It also sets out the requirements for Design and Access Statements.
10. **Policy DP/3 “Development Criteria”** sets out what all new development should provide, as appropriate to its nature, scale and economic viability and clearly sets out circumstances where development will not be granted on grounds of an unacceptable adverse impact e.g. residential amenity and traffic generation.
11. **Policy DP/4 “Infrastructure and New Developments”** requires that development proposals should include suitable arrangements for the improvement or provision of infrastructure necessary to make the scheme acceptable in planning terms. It identifies circumstances where contributions may be required e.g. affordable housing and education.
12. **Policy DP/7 “Development Frameworks”** permits development within village frameworks provided that retention of the site in its present state does not form an essential part of the local character; it would be sensitive to the character of the location, local features of landscape, ecological or historic importance, and

the amenities of neighbours; there is the necessary infrastructure capacity to support the development; and it would not result in the loss of local employment, or a local service or facility.

13. **Policy HG/1 “Housing Density”** is set at a minimum of 30dph unless there are exceptional local circumstances that require a different treatment in order to make best use of land. Higher densities of 40dph will be sought in the most sustainable locations.
14. **Policy HG/2 “Housing Mix”** sets a mix of at least 40% of homes with 1 or 2 bedrooms, approximately 25% 3 bedrooms and approximately 25% 4 or more bedrooms for housing developments of less than 10 dwellings.
15. **Policy HG/3 “Affordable Housing”** at a level of 40% of all new dwellings on developments on two or more units is required to meet housing need. The exact proportion, type and mix will be subject to the individual location and the subject of negotiation. Affordable housing should be distributed in small groups or clusters. Financial contributions will be accepted in exceptional circumstances.
16. **Policy NE/6 “Biodiversity”** Aims to maintain, enhance, restore or add to biodiversity. Opportunities should be taken to achieve positive gain through the form and design of development. Where appropriate, measures may include creating, enhancing and managing wildlife habitats and natural landscape. The built environment should be viewed as an opportunity to fully integrate biodiversity within new development through innovation.
17. **Policy SF/10 “Outdoor Play Space, Informal Open Space and New Development”** requires that all new residential development contribute towards outdoor space. The policy states the specific requirements, including that for small developments (less than ten units) it is expected that only informal open space be provided within the site. Contributions to off-site provision and maintenance of other types of open space will be expected in addition to this.
18. **Policy SF/11 “Open Space Standards”** sets out minimum space requirements as follows: 2.8ha per 1000 people comprising 1) 1.6ha per 1000 people outdoor sport; 2) 0.8ha per 1000 people children’s play space; and 3) 0.4ha per 1000 people informal open space.
19. **Policy NE/1 “Energy Efficiency”** requires development to demonstrate that it would achieve a high degree of measures to increase the energy efficiency of new and converted buildings. Developers are encouraged to reduce the amount of CO₂m³ / year emitted by 10%.
20. **Policy NE/9 “Water and Drainage Infrastructure”** indicates that planning permission will not be granted where there are inadequate water supply, sewerage or land drainage systems to meet the demands of the development unless there is an agreed phasing agreement between the developer and the relevant service provider to ensure the provision of necessary infrastructure.
21. **Policy TR/1 “Planning for More Sustainable Travel”** states that planning permission will not be granted for developments likely to give rise to a material increase in travel demands unless the site has (or will attain) a sufficient standard of accessibility to offer an appropriate choice of travel by public transport or other non-car travel mode(s). Opportunities to increase integration

of travel modes and accessibility to non-motorised modes by appropriate measures will be taken into consideration. The Local Transport Plan road user hierarchy will also be taken into account in the determination of planning applications to ensure adequate emphasis has been placed on the relevant modes, although no modes should be promoted to the exclusion of others.

22. **Policy “TR/2 Car and Cycle Parking Standards”** identifies maximum parking standards to reduce over-reliance of the car and to promote more sustainable forms of transport. Cycle parking should be provided in accordance with minimum standards

East of England Plan 2008

23. **Policy SS1 “Achieving Sustainable Development”** seeks to bring about sustainable development through the principles of the UK Sustainable Development Strategy.

Consultation

24. **Waterbeach Parish Council** – Recommend Refusal on the following grounds:
- a. Overdevelopment of the site;
 - b. Inadequate provision of parking and movement of vehicles;
 - c. Adjacent to Listed Building with a concern about the view from the Gault and the Green;
 - d. Concern over light pollution due to street lighting to the rear of existing properties;
 - e. Crowded site would result in noise and disturbance to residents;
 - f. If loft space is developed there could be issues of overlooking, this should be safeguarded by condition;
 - g. Inadequate access, which does not appear to conform to highway standards;
 - h. Inadequate access for emergency vehicles and refuse;
 - i. Elevation drawings do not show relationship with surrounding buildings;
 - j. Pedestrian access would appear unsatisfactory;
 - k. Earth moving could cause damage to the Listed Wall;
 - l. Landscaping
25. **County Council Archaeology** – Recommends that the site be subject to an archaeological evaluation prior to the granting of planning permission due to the site lying in an area of high archaeological potential within the village core.
26. **Building Control** – Provision for domestic waste storage is not included, this must be provided in accordance with approved document H6.

27. **Conservation** – No objection providing adequate screening can be retained along the southern boundary of the site.
28. **Highway Authority** - Recommends a condition requiring that two 2.0 x 2.0 metres pedestrian visibility splays be provided and shown on the drawings.
29. The Highway Authority recommends that visibility splays with dimensions of 2.4 metres by 70 metres as measured from and along the nearside edge of the carriageway should be provided and shown on the drawings on both sides of the access. The area within each splay should be kept clear of any obstruction exceeding 600mm in height at all times. Given the sites location the Highway Authority is prepared to consider the application of the principles of Manual for Streets provided that the developer is able to produce empirical evidence to demonstrate that the traffic speeds, flows etc. for the surrounding area fall within the required parameters.
30. The Highway Authority is in agreement that this access road shall remain private and not adopted as the design is not suitable and will therefore remain private at all times. The applicant must show the dimensions for the access road and the proposed car parking spaces, which should be 2.5m x 5m with a 6m reversing space.
31. The access should be laid to a gradient not exceeding 4% for the first 6 metres from the highway boundary and not exceeding 8% thereafter. Prior to commencement of the development details should be approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme should be carried out in its entirety before the access is first used and should be retained at all times.
32. No unbound material should be used in the surface finish of the driveway within 6 metres of the highway boundary of the site. In order to mitigate the potential traffic impact that the proposed development may have on the surrounding streets, the Highway Authority will seek a contribution to investigation and the potential implementation of traffic regulations within the vicinity of the site, under a Section 106 Agreement.
33. **Ecology** – No buildings of interest on site so a bat roost is unlikely, however, a condition should be attached for site clearance in light previous comments on S/0381/07/O;
34. **Landscape Design** – Comments to be expressed verbally at meeting if received.
35. **Trees Officer** – No objection in view of footprints of dwellings having been revised to accommodate the Leylandii hedge at The Hall.
36. **County Financial Planning Officer** – Awaiting comments, although a contribution of £20,000 was sought in March 2007 (Ref: S/0381/07/O) to meet the provision needs from housing growth for pre-school nursery and primary pupils.
37. **Council's Drainage Manager** – Flood Risk Assessment (FRA) appears satisfactory but a soakaway test will be required at a later stage. Consent

should be given subject to a standard condition that SW drainage details must be provided and approved in writing prior to work commencing.

38. **Waterbeach Internal Drainage Board** – The board will not object to this application providing surface water accommodation is a reserved matter in the form of a condition.
39. **Housing Development Officer** – Comments to be expressed verbally at meeting if received.
40. **Environment Agency** – No objections subject to advice upon sustainable drainage to manage surface water run-off.
41. **Environmental Health** – Condition to be attached restricting the use of power operated machinery during the construction period and details of pile driven foundations.

Representations

42. 9 neighbour objection letters have been received, the contents of which have been summarised below:
 - a. The access situation has not changed since the previous refusal S/0381/07/O, if anything this will be made worse by the proposal seeking 9 dwellings rather than 8. The access width is inadequate for bin collection and emergency vehicles;
 - b. The visibility splays still encroach upon land outside of the control of the applicants and therefore cannot be kept free of obstruction, which will cause hazards to pedestrians and passing traffic;
 - c. There is an under provision of parking on the site, with manoeuvrability made difficult by the parking layout and the width of the road;
 - d. The layout is not significantly different to that which was refused and is contrary to Policy HG/11 of the local plan now superseded;
 - e. It is impossible to judge the height of the buildings in relation to their impact upon the adjacent Listed Building;
 - f. The proposed southern landscaping screen is inadequate;
 - g. Continued impact to Listed Wall via rear access to proposed terrace;
 - h. The FRA makes no reference to 3 recent incidents of flooding of adjoining land;
 - i. Dwelling would be in close proximity to existing dwellings resulting in overlooking and a loss of privacy;
 - j. Rosemary Road is already congested and further vehicles would exacerbate this issue;
 - k. 4 Bungalows would be more appropriate than 9 dwellings;

- l. A full tree survey should be completed before work commences;
- m. A more detailed landscaping proposal should be provided;
- n. Boundary treatments to the properties abutting the site will require careful consideration;
- o. The local shop in Rosemary Road already results in excess traffic through deliveries and visitors along with the residents of Rosemary Road, further traffic would result in highway danger;
- p. There have been no change in circumstances since the last refusal;
- q. The density of the development is unreasonably high;
- r. Further traffic and street lighting to the rear would impact upon the amenity to the rear gardens of properties fronting Rosemary Road;
- s. Lower profile housing would be more appropriate within this location given the close proximity of the adjacent Conservation Area;
- t. The site contains a mixture of birds, bats and foxes that will all be affected by the loss of habitat;
- u. Refuse trucks would not be allowed to manoeuvre safely within the site;
- v. Development of this nature would put demands on village amenities;
- w. The Bannold Road development for 100 homes and development such as this will put further demand on school numbers;

Planning Comments – Key Issues

- 43. The site is previously developed land. The proposal for 9 dwellings, representing a net density of 35 dwellings per hectare, is within the threshold of the requirements of Policy HG/1 and would result in a good use of land in a Minor Rural Centre. It would comply with Policy ST/5 of the adopted Core Strategy. The proposal would also provide affordable dwellings on site adhering to the 40% provision as set out in Policy HG/3. Although the affordable dwellings would not be pepper-potted throughout the development they would be integrated within a terrace at the centre of the proposed development. The remaining market dwellings mix would meet the requirements of Policy HG/2.
- 44. The dwellings will be laid out in a linear format fronting the access road, all of which would accommodate off road parking, which would meet the requirements of Policy TR/2, with the proposal being only 0.5 of a space short of the maximum standard. This would see a total of 13 spaces serving the 9 dwellings, which is in line with the 1.5 space per dwelling standard. Whilst it is acknowledged that Rosemary Road suffers from on road parking problems, which are intensified by the local shop, this application fully complies with the Council's parking standards and is in a very sustainable location within the village with local services and means of public transport within a short distance.
- 45. The proposed dwellings have been carefully sited in order to provide a 12m buffer between the rear elevations of the dwellings and the listed wall along

the southern boundary. This is deemed adequate, as it would not result in a building having a negative impact upon the adjacent Conservation Area or the setting of the listed building, whilst minimising any harm from overshadowing from the Lelandii hedge adjacent to the southern boundary. An indicative planting scheme proposes several trees in the rear gardens.

46. The proposed dwellings, although brought forward from the southern boundary, would still have a back-to-back relationship with the existing dwellings in Rosemary Road of approximately 30m. This is considered more than adequate for two-storey housing to safeguard light and privacy. It is therefore considered that the proposed dwellings would not result in material loss of privacy upon the amenities that the occupiers of Rosemary Road currently enjoy. Given this distance and the proposed housing types it also considered that the proposal would not result in any significant loss of light to the surrounding properties nor would the dwellings be unduly visually overbearing from views outside of the site.
47. It is proposed that the access road to the development will be a private road and therefore will not be adopted by the local highway authority. As a consequence it will not be required to meet the minimum dimensions of 6m width with the provision of public footpaths to meet the Highway Authority standards.
48. Nevertheless the access width of 5 metres for the initial 10 metres and thereafter 4.1 metres will allow two vehicles to pass and will be suitable for emergency vehicles. Furthermore, the applicant has now supplied a traffic speed survey to justify the use of the Manual for Streets and the lower provision of 2.4m x 45m vehicular visibility splays together with evidence that these splays can be achieved.
49. Although the site would not provide footpaths on both sides of this access road, there would be the option of a shared surface for pedestrians upon the eastern edge of the road, whilst the western edge is to provide planting.
50. I am of the opinion that the proposal has adequately addressed the two reasons for refusal of the previous planning application S/0381/07/O. This is also the opinion of both the Conservation Officer and Trees Officer along with the Highway Authority. This application has also taken heed of the newly adopted policies that did not apply on the previous planning application and would provide a valuable housing development, which would conform with the policies of the Local Development Framework 2007. Given the constraints of the site in relation to the 12m buffer to the southern boundary, the site is unable to provide any informal play space. The applicant is however, willing to provide a scheme for informal space by way of a financial contribution to provide such space elsewhere within the village.

Recommendation

51. Approve

Conditions

1. Approval of the details of the scale and appearance of buildings, and the detailed landscaping of the site (hereinafter called "the reserved matters")

shall be obtained from the Local Planning Authority in writing before any development is commenced. (Reasons - The application is in outline only.)

2. Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. (Reasons - The application is in outline only.)
3. The development hereby permitted shall begin not later than the expiration of two years from the date of approval of the last of the reserved matters to be approved. (Reasons - The application is in outline only.)
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 of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, another tree 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 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 for each dwelling shall be completed before that 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.)
6. Visibility splays shall be provided on either side of the junction of the proposed access road with the public highway. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access road from its junction with the channel line of the public highway, and 45m measured along the channel line of the public highway from the centre line of the proposed access road. (Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
7. 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. (Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
8. 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 works/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.)

9. During the period of construction no power operated machinery (or other specified machinery) shall be operated on the premises before 08.00 am on weekdays and 08.00 am on Saturdays nor after 18.00 pm on weekdays and 13.00 pm on Saturdays (nor 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.)
10. Any removal of trees, scrub or hedgerow shall not take place in the bird-breeding season between 15 February and 15 July inclusive, unless a mitigation scheme for the protection of bird-nesting habitat has been submitted to and approved in writing by the Local Planning Authority. (Reason - To avoid causing harm to nesting birds in accordance with their protection under the Wildlife and Countryside Act 1981 and in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)
11. No development shall begin until a scheme for the provision of bird nest boxes has been submitted to and approved in writing by the Local Planning Authority; the dwellings shall not be occupied until the next boxes have been provided in accordance with the approved scheme. (Reason - To achieve biodiversity enhancement on the site in accordance with adopted Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)
12. The development shall not begin until a scheme for the provision of 4 two bedroom affordable dwellings as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme. The scheme shall include:
 - i. The timing of the construction of the affordable housing;
 - ii. The arrangements to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing; and
 - iii. The occupancy criteria to be used for determining the identity of prospective and successive occupiers of the affordable housing, and the means by which such occupancy shall be enforced.(Reason - To ensure the provision of an agreed mix of affordable housing in accordance with Policy HG/3 of the adopted Local Development Framework 2007.)
13. No development shall take place until a scheme for the siting and design of the screened storage of refuse has been submitted to and approved in writing by the Local Planning Authority. The screened refuse storage for each dwelling shall be completed before that dwelling is occupied in accordance with the approved scheme and shall thereafter be retained. (Reason - To provide for the screened storage of refuse in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
14. No development shall begin until details of a scheme for the provision of outdoor sports and playing space and informal open space infrastructure to

meet the needs of the development in accordance with Policy SF/10 of the Local Development Framework Development Control Policies 2007 has been submitted to and approved in writing by the Local Planning Authority. (Reason: To ensure the development provides a suitable level of public open space for occupants of the development, in accordance with Policies SF/10 and SF/11 of the South Cambridgeshire Local Development Framework 2007

15. No development shall take place on the application site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. (Reason - To secure the provision of archaeological excavation and the subsequent recording of the remains in accordance with Policy CH/2 of the adopted Local Development Framework 2007.)

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

- East of England Plan 2008
- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007) and Development Control Policies adopted July 2007.
- Planning Files Ref: S/0654/08/O and S/0381/07/O
- Documents referred to in the report including appendices on the website only and reports to previous meetings

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