

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

11 January 2012

**AUTHOR/S:** Executive Director (Operational Services) / Corporate Manager - Planning and New Communities

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**S/2026/11 – WATERBEACH**  
**Erection of Dwelling with Attached Cycle and Refuse Store –**  
**Land Adj 12 Burgess Road for Miss T Webb**

**Recommendation: Approval**

**Date for Determination: 12 December 2012**

**This application has been reported to the Planning Committee for determination as the officer recommendation conflicts with the recommendation of Waterbeach Parish Council**

### **Site and Proposal**

1. The site is located within the Waterbeach village framework. It currently forms an area of rough grass in a fenced off section within the rear garden to No. 45 Rosemary Road. The boundary adjacent No. 43 Rosemary Road has a low picket fence and the boundary with No. 12 Burgess Road has a low brick wall. The site lies in flood zone 1 (low risk).
2. Nos. 41 to 45 Rosemary Road form a terrace of two-storey cottages with long rear gardens and kitchen windows at ground floor level and no windows at first floor level in their rear elevations. No. 45 has a garage attached to the dwelling. No. 43 has a parking area adjacent the site with access on to Burgess Road. No. 12 Burgess Road is a two-storey semi-detached house that has two small ground floor secondary windows in its side elevation with a garage set back to the side and a driveway adjacent the site.
3. The proposal, as amended on 5<sup>th</sup> December, seeks the erection of detached, two-storey two bedroom dwelling with a single storey rear element. The main dwelling would be set back one metre from the road and the side elevations would project right up to both side boundaries. The dwelling would have width of 4.9 metres, a depth of 7 metres, and a height of 4.85 metres to the eaves and 7.2 metres to the ridge. A single storey, cycle and refuse store and small area of hardstanding would be provided to the front. A small garden would be provided to the rear that has an area of 48 square metres. The dwelling would be constructed from buff bricks for the walls and slate for the roof.

### **Planning History**

4. Site: None relevant.
5. Adjacent Site: **S/2291/11** - Dwelling R/O 43 Rosemary Road - Pending Decision

## **Policies**

6. **South Cambridgeshire LDF Core Strategy DPD, 2007:**  
ST/5 Minor Rural Centres
  
7. **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
  
8. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**  
Open Space in New Developments SPD - Adopted January 2009  
Trees & Development Sites SPD - Adopted January 2009  
Biodiversity SPD - Adopted July 2009  
Landscape in New Developments SPD - Adopted March 2010  
District Design Guide SPD - Adopted March 2010

## **Consultations**

9. **Waterbeach Parish Council** – Recommends refusal on the following grounds: -
  - The absence of any on-site parking will result in vehicles being parked on-street in a busy road where the carriageway is narrow;
  - The dwelling appears cramped in style and represents overdevelopment of the site; and,
  - The dwelling would have an adverse impact upon the neighbours of the adjoining dwelling.
  
10. **Local Highways Authority** – Requires conditions in relation to the provision of pedestrian visibility splays that measure 1.5 metres x 1.5 metres, that the drive is constructed using bound materials and with adequate surface water drainage measures. Also requests an informative with regards to the works to the public highway.
  
11. **Environmental Health Officer** – No reply (out of time).
  
12. **Trees and Landscape Officer** – Has no objections as the site is outside the conservation area and there are no significant trees on the site.
  
13. **Landscape Design Officer** – Has no objections but requests a landscape condition to achieve a planting bed to the front and details of hard surfaced materials.

## **Representations**

14. The owner of **No. 43 Rosemary Road** is currently having plans drawn up for a dwelling on the adjacent site. She has no objections in principle to the development

but has concerns that the first floor bedroom window would overlook the patio area and the ground floor kitchen window would overlook the garden. Requests reassurance that if this application is approved with a kitchen window to the side elevation, it would not prevent her plans being approved. She notes that a high fence could be erected without planning permission.

15. The owners of **Nos. 5 and 5A Burgess Road** have concerns in relation to the absence of off road parking for this property and that if cars park outside the house it may obstruct access to the driveway and the flow of traffic along Burgess Road that is a narrow carriageway.

### **Planning Comments**

16. The key issues to consider in the determination of this application are the principle of the development and the impacts upon the character and appearance of the area, the amenities of neighbours, and highway safety.

### ***Principle of Development***

17. The site is located within the village framework of a 'Minor Rural Centre' where there is a good range of services and facilities and residential developments of up to 30 dwellings are considered acceptable in principle subject to all other planning considerations.
18. The site measures 0.01175 of a hectare in area. The erection of one dwelling would equate to a density of 85 dwellings per hectare. This density would meet the requirement of at least 40 dwellings per hectare for sustainable villages such as Waterbeach as set out under Policy HG/1. Whilst it is acknowledged that it would result in a high-density development, it would make the most efficient use of land.
19. The proposal is not considered to result in piecemeal development. Although it is noted that the sites are situated side by side and a larger development would require infrastructure to make the scheme acceptable in planning terms, the sites are under different ownerships.

### ***Character and Appearance of the Area***

20. The proposed development is not considered to harm the character and appearance of the area. The southern side of Burgess Road has mainly two-storey dwellings that are set close to the road. The main element of the dwelling would be sited the same distance from the road as the adjacent dwelling at No. 12 Burgess Road and reflect the linear pattern of development in the vicinity. It would be two-storey in height and in keeping with the scale of dwellings in the locality. The dwelling would have a simple design similar to that opposite at No. 5 Burgess Road. It would be constructed from materials that are evident in the surrounding area.
21. Whilst it is noted that the dwelling would project right up to the side boundaries of the site, it is not considered to result in a cramped development as the area has a fairly high density of development and the comparable sized dwellings at Nos. 4c to 6b Burgess Road have a similar relationship to their surroundings.

### ***Neighbour Amenity***

22. The proposed dwelling is not considered to adversely affect neighbours through being unduly overbearing in mass or through a significant loss of light. It would be

orientated to the north and situated a distance of 6 metres off the boundary with No. 45 Rosemary Road and 13 metres from the kitchen window its rear elevation. This would comply with the window-to-building distance of 12 metres as set out in the District Design Guide. It would be orientated to the west of No. 12 Burgess Road and set 3.7 metres from the secondary windows in its side elevation and adjacent the driveway and garage. It would be orientated to the east of No. 43 Rosemary Road and situated adjacent its parking area.

23. The ground floor kitchen window in the side elevation of the dwelling would only overlook the parking area at the rear of No. 43 Rosemary Road, and the first floor bedroom window in the rear elevation would overlook the garden/ patio area at an oblique angle of view.
24. The originally proposed dwelling was considered to result in overlooking to the garden and window in the rear elevation to the neighbour at No. 45 Rosemary Road and lead to a severe loss of privacy to that property. The distance of 6 metres between the first floor bedroom/study window and the rear boundary and the distance of 16.5 metres between the first floor bedroom/study window and the kitchen window would fall short of the window to boundary distance of 15 metres and window to window distance of 25 metres as set out in the Council's District Design Guide SPD. Whilst it is noted that it would result in a similar relationship to the existing dwellings at Nos. 12 and 14 Burgess Road and No. 49 Rosemary Road, this is an historic situation that should not be exacerbated by non-compliance with current policy. Consequently, amended plans have been negotiated to provide a high level window to the bedroom in the rear elevation, and obscure glass to the bathroom window. This will therefore overcome any overlooking to No. 49 Rosemary Road.
25. A condition would be attached to any consent to ensure the first floor bathroom window in the rear elevation would be fixed shut and obscure glazed, and that no other first floor windows than those shown on the amended plans are inserted into this elevation in future.

### ***Highway Safety***

26. The erection of one dwelling would not result in a significant increase in traffic generation along Burgess Road.
27. The proposed dwelling would have no on-site parking. However, given that it would provide a small unit of accommodation within a sustainable village that has good access to public transport as a result of the railway station and bus routes, it would be situated in a central location with easy access to local services by walking and cycling, the Council's parking standards are maximum numbers required, and Burgess Road currently has unrestricted on-street parking, the proposal is, on balance, considered acceptable. The development is not considered to result in a significant level of on-street parking that would cause an obstruction to the free flow of traffic along Burgess Road and be detrimental to highway safety.
28. Cycle parking would be provided on site within a covered and secure store.
29. A condition in relation to the provision of pedestrian visibility splays is not required given that there would be no vehicular access. A condition would be attached in relation to the use of bound material and surface water drainage for the hardstanding.

### **Other Matters**

30. The proposal would not increase the risk of flooding to the site and surrounding area subject to satisfactory methods of surface water drainage.
31. A landscape condition would be attached to any consent to agree some planting at the front of the dwelling to soften the development.
32. The South Cambridgeshire Recreation Study 2005 identified a shortfall of sport and play space within Waterbeach. No open space is shown within the development. The increase in demand for sport and playspace as a result of the development requires a financial contribution of approximately £2,244.90 (index linked) towards the provision and management of open space off-site and in the village to comply with Policy SF/10 of the LDF. This would be secured via a legal agreement that would be a condition of any consent. The applicant has agreed to this contribution.
33. The South Cambridgeshire Community Facilities Assessment 2009 did not audit indoor community space in Waterbeach. However, due to the increase in the demand for the use of this space from the development, a financial contribution of £378.88 (index-linked) is sought towards the provision of new facilities or the improvement of existing facilities in order to comply with Policy DP/4 of the LDF. This would be secured via a legal agreement that would be a condition of any planning consent. The applicant has agreed to this contribution.
34. South Cambridgeshire District Council has adopted the RECAP Waste Management Design Guide. In accordance with the guide, developers are requested to provide for household waste receptacles as part of a scheme. The fee for the provision of appropriate waste containers is £69.50 per dwelling. This would be secured via a legal agreement that would be a condition of any planning consent. The agent has confirmed that the applicant would be willing to contribute towards this request.

### **Conclusion**

35. 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 be granted in this instance.

### **Decision**

36. Approve, as amended by plan stamped 5 December 2011, subject to the following 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: Drawing numbers 1A and 2.  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

3. The first floor bathroom window in the rear elevation of the dwelling shall be fixed shut (apart from any top-hung opening light) and glazed with obscure glass and thereafter maintained as such.  
(Reason - To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
4. 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 any elevation of the dwelling at and 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.)
5. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.  
(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.)
6. 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.)
7. During the period of demolition and construction, no power operated machinery shall be operated 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.)
8. No development shall begin until details of a scheme for the provision of outdoor sport and playspace, indoor community facilities, and waste receptacles to meet the needs of the development in accordance with adopted Local Development Framework Policies SF/10 and DP/4 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.

(Reason - To ensure that the development contributes towards outdoor sport and playspace, indoor community facilities, and waste receptacles in accordance with the above-mentioned Policies SF/10 and DP/4 of the adopted Local Development Framework 2007.)

### **Informatives**

1. The granting of a 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.
2. See attached Environment Agency advice regarding soakaways.

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