

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

---

**REPORT TO:** Planning Committee

1 February 2012

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

---

### **S/2291/11 – WATERBEACH**

**Erection of Dwelling at Land to the North of 43 Rosemary Road for Mrs C. de Grey**

**Recommendation: Approval**

**Date for Determination: 10<sup>th</sup> January 2012**

#### **Notes:**

**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 a single gravel parking space in a fenced off section to the rear of the garden to No. 43 Rosemary Road. The boundaries adjacent Nos. 41 and 45 Rosemary Road have a low picket fence. The site lies in flood zone 1 (low risk). This site is immediately adjacent the application site at rear of 45 Rosemary Road (adjacent 12 Burgess Road), Waterbeach where a dwelling was approved at the January planning committee meeting.
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 garden adjacent the site where there is currently a two-storey dwelling proposed with a kitchen window in its side elevation facing the site. No. 41 Rosemary Road has a parking space adjacent the site that has planning permission for a garage.
3. The proposal, received on 15<sup>th</sup> November 2011, seeks the erection of detached, two-storey two bedroom dwelling with access on to Burgess Road. The main dwelling would be set back 3.8 metres from the road and the side elevations would project almost right up to both side boundaries. The dwelling would have width of 5.65 metres, a depth of 8 metres, and a height of 5 metres to the eaves and 7.7 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 36 square metres. The dwelling would be constructed from bricks for the walls and concrete tiles for the roof.

#### **Planning History**

4. Site: None relevant.
5. Adjacent Sites:  
**S/2026/11** - Dwelling Adjacent 12 Burgess Road (RO 45 Rosemary Road) – Approved.  
**S/2032/08/F** - Extensions, Garage and Vehicular Access at No. 41 Rosemary Road - Approved

## **Planning Policy**

### **6. Local Development Plan Policies**

**South Cambridgeshire LDF Core Strategy DPD, 2007:**  
ST/5 Minor Rural Centres

**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

**South Cambridgeshire LDF Supplementary Planning Documents (SPD):**

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

### **7. National Planning Guidance**

Planning Policy Statement 1 (Delivering Sustainable Development)

Planning Policy Statement 3 (Housing)

### **8. Circulars**

Circular 05/2005 Planning Obligations

Circular 11/95 The Use of Conditions in Planning Permissions

## **Consultation**

### **9. Waterbeach Parish Council – Recommends refusal on the following grounds: -**

“Narrow road width with no pathway, there is no provision for car parking space for the property, and nowhere for visitors to the proposed dwelling to park.”

### **10. Environmental Health Officer – Concerned that problems could arise from noise during construction and suggests a condition in relation to the hours of use of power operated machinery. Also requests informatives with regards to pile driven foundations and the burning of waste on site.**

### **11. Trees and Landscapes Officer – Has no objections.**

### **12. Landscape Design Officer – No reply (out of time).**

## **Representations**

### **13. None received.**

## **Planning Comments – Key Issues**

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

### **Principle of Development**

15. 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.
16. The site measures 0.01062 of a hectare in area. The erection of one dwelling would equate to a density of 94 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.
17. 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**

18. 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 set back from the adjacent proposed dwelling but set forward from the adjacent garage and the dwelling at No. 10 Burgess Road. The siting would therefore reflect the linear but slightly staggered pattern of development in the vicinity. It would be two-storey in height and in keeping with the scale of dwellings in the locality and a similar height to the proposed dwelling at No. 45 Rosemary Road. The dwelling would have a simple design that would replicate that opposite at No. 5 Burgess Road and the proposed dwelling at No. 45 Rosemary Road. It would be constructed from materials that are evident in the surrounding area.
19. 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 the loss of an important gap in the street scene or 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**

20. 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. 43 Rosemary Road and 15 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 the new proposed dwelling to the rear of No. 45 Rosemary Road and set 0.1 metres from the kitchen window in its side elevation. Although it would adversely affect the outlook from this window, it is not a significant habitable room and a two metre high fence could be erected without planning permission that would have a very similar impact. This relationship is therefore considered acceptable. It would be orientated to the east of No. 41 Rosemary Road and situated adjacent its parking area/ garage.
21. The proposed dwelling is not considered to result in overlooking to the garden and window in the rear elevation to the neighbour at No. 43 Rosemary Road and lead to a severe loss

of privacy to that property. The distance of 6 metres between the first floor bedroom windows and the rear boundary and the distance of 15 metres between the first floor bedroom windows 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. However, the windows would be roof lights positioned at a height of 1.7 metres from finished floor level and be high level. This would therefore overcome any overlooking to No. 43 Rosemary Road.

### **Highway Safety**

22. The erection of one dwelling would not result in a significant increase in traffic generation along Burgess Road.
23. The proposed dwelling would have no on-site parking and would result in the loss of the parking space to No. 43 Rosemary Road. 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, Burgess Road and Rosemary Road currently have unrestricted on-street parking, and the majority of properties in Burgess Road have on site 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 or Rosemary Road and be detrimental to highway safety.
24. Cycle parking would be provided on site within a covered and secure store.
25. 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**

26. The proposal would not increase the risk of flooding to the site and surrounding area subject to satisfactory methods of surface water drainage.
27. A landscape condition would be attached to any consent to agree some planting at the front of the dwelling to soften the development.
28. 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.
29. 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.
30. 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**

31. 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.

### **Recommendation**

32. Approval. The following conditions and informatives are suggested: -

#### **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 number 527/1.  
(**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. The first floor bedroom windows in the rear elevation of the dwelling shall have a minimum sill height of 1.7 metres above finished floor level (first floor).  
(**Reason** - To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
5. 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.)
6. 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.)

7. 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.)

8. 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.)

9. 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.

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

- South Cambridgeshire Local Development Framework Core Strategy DPD 2007
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents: Open Space in New Developments, Trees & Development Sites, Landscape in New Developments, and District Design Guide.
- Planning Policy Statements 1 and 3
- Planning File References: S/2291/11, S/2026/11, and S/2032/08

**Contact Officer:** Karen Pell-Coggins - Senior Planning Officer  
Telephone: (01954) 713230