

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

5 December 2012

**AUTHOR/S:** Planning and New Communities Director

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**S/1371/12/OL - WATERBEACH**  
**Outline application for the erection of a bungalow in rear garden of dwelling**  
**2 Primrose Lane**  
**for Mr Nick Blackaby**

**Recommendation: Delegated Approval**

**Date for Determination: 1 October 2012**

**The application has been referred to the Planning Committee as the Officers' recommendation conflicts with that of the Parish Council.**

To be presented to the Committee by Dan Smith

**Site and Proposal**

1. The application site is garden land to the rear (North) of No. 2 Primrose Lane. It is located within the Development Framework of Waterbeach and is not within a Conservation Area. The existing dwelling is a semi-detached two storey house and fronts Primrose Lane to the South. It has an existing vehicle access off Primrose Lane and another to the rear garden from the car parking area at the end of Wiles Close. This latter access would be used to serve the proposed dwelling. The neighbouring property to the West, No. 3 Primrose Lane, is set back further into its site from Primrose Lane than No. 2 and would therefore be closer to the proposed dwelling, indeed its rear elevation would be roughly in line with that of the new dwelling. The neighbour to the East, No.1 Primrose Lane is attached to No. 2 and on the same building line. It has a double prefabricated garage close to the Northern boundary of its rear garden which would be adjacent to the access for the proposed dwelling. There are also a pair of semi-detached bungalows further to the East which face North and front Wiles Close. There is a large Chestnut tree on open space outside the Northern boundary of the site which benefits from a Tree Preservation Order.
2. The application seeks outline permission for the erection of a dwelling in the rear garden of the property. All matters, including access, appearance, landscaping, layout and scale are reserved for future consideration.

**Relevant Planning History**

3. S/0560/82/O – Outline planning permission was refused for the erection of a dwelling on the site on the grounds that it would adversely affect the privacy and amenity of Nos. 1, 2 and 3 Primrose Lane and would not relate well to the existing pattern of development.

## **Planning Policies**

4. ST/5 – Minor Rural Centres  
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  
SF/10 – Outdoor Play Space, Informal Open Space and New Developments  
SF/11 – Open Space Standards  
NE/6 – Biodiversity

## **Consultations**

5. **Parish Council** – has recommended refusal stating that the proposed dwelling would represent an overdevelopment of the site and that there is a lack of clarity from the plans regarding the level of parking on site and the potential for the dwelling to be sold for occupation unrelated to the applicant.
6. **Local Highways Authority** - has not commented on the application.
7. **Council Lands Officer** – has no objection but has noted that the legal right of way to access the property may only apply to the existing dwelling and the applicants may therefore need to apply to extend the existing easement to include the new dwelling.
8. **Council Scientific Officer** – has no objection and does not request any conditions relating to contaminated land.
9. **Council Trees Officer** – does not object to the proposed development, provided that suitable tree protection measures are put in place to protect the Chestnut tree to the North.
10. **Council Environmental Health Officer** – does not object to the proposed development, and requests conditions relating to power operated machinery during construction and foundations.

## **Representations**

11. Two representations have been received from neighbours on Wiles Close and Primrose Lane. Neither have objected to the proposed development as long as it remains a bungalow and sympathy is given to trees.

## **Planning Comments**

12. The main planning considerations in this case are the principle of the development, the impact on visual amenity, the impact on residential amenity, parking and highway safety considerations, the impact on trees and the need for contributions towards the provision of open space and community facilities.
13. **Principle** – Waterbeach is classified as a Minor Rural Centre by policy ST/5 of the LDF Core Strategy which states that residential development and redevelopment up to an indicative maximum scheme size of thirty dwellings will be permitted within the

village frameworks of Group Villages. As the scheme proposes one dwelling it is considered to comply with policy ST/5 in principle.

14. The application site area is within the Waterbeach Development Framework and the area occupied by the new dwelling measures approximately 230 sqm. 1 dwelling on the site would result in a net density of approximately 43 dwellings per hectare. This net density meets the minimum density of 30 dwellings per hectare required by policy HG/1.
15. **Impact on visual amenity** – While scale and design are being reserved at this stage, the indicative elevations show that the proposed dwelling would be a largely single storey dwelling, with a single bedroom and bathroom in the roof. The pitched roof would have a ridge approximately 6.5 metres high. Given the limited scale of the plot, the dwelling would be sited fairly centrally with parking to the front and a small garden to the rear. The dwelling would front the parking area on Wiles Close. Roof windows are shown in the rear roof slope of the indicative elevations. In terms of its impact on the streetscene, on balance, the site is considered to be capable of accommodating a small single dwelling. At present the parking area to the North has no properties directly facing it and the creation of a dwelling facing that area would open up the parking area and improve its appearance; creating a building frontage onto it which would also provide some surveillance of the parking area.
16. The dwelling is however considerably taller than the existing bungalows on Wiles Close and it is considered that, in addition to the reasons of neighbouring amenity discussed below, the proposed dwelling should have a lower roof and be limited to purely single storey accommodation in order to fit more comfortably into the character of the existing development in the area. This would be achieved by applying an appropriate condition on any outline permission granted.
17. On that basis and with all other matters reserved for future consideration, the principle of a bungalow is considered to be acceptable in terms of its impact on the streetscene.
18. **Impact on the residential amenity** – The proposed dwelling would be located close to neighbouring garden boundaries on both sides and approximately 25 metres from the rear of No. 2 Primrose Lane. It would be closest to No. 3 Primrose Lane, a detached dwelling with extensions to the rear which sits further North in its plot than nos. 1 and 2. While a single storey building close to the common boundary with No. 3 would be visible from rooms to its rear and some of its garden area, its location to the East and low level would mean it would not cause any significant harm to the residential amenity or overlook the occupants of No. 3. This is subject to the building being purely single storey and having a lower ridge than shown on the indicative elevations; this element of the scale of the proposed dwelling would be controlled by condition.
19. In addition, the bungalow would be far enough away (over 25 metres) that it would not cause any harm to the residential amenity of Nos. 1 or 2 Primrose Lane further to the South. Were windows to be provided in the rear roof slope or gable ends of the dwelling there would be the potential for overlooking of neighbours, however with a purely single storey dwelling this would not be a factor. On that basis, the principle of a single storey dwelling on site is considered to be acceptable in terms of its impact on residential amenity.
20. **Parking and highway safety** – Although the precise details of the access to the property have been reserved at this stage, there is an existing access from the car

parking area to the North and the Council's Lands Officer has not objected in principle to this being used for access to the new dwelling. The existing dwelling would then be solely served by the access on Primrose Lane to the South with the new dwelling being accessed from the North. This is considered to be an adequate arrangement and would not result in any significant harm to highway safety in the area.

- 21 The existing dwelling would have parking for at least two cars on its driveway accessed from Primrose Lane and the new scheme would provide one driveway space accessed from the North. This is in accordance with the Council's maximum parking standards, and given the availability of off street parking spaces in the immediate vicinity, the level of parking for the proposed dwelling is considered to be acceptable. The dwelling would have to be sited carefully so as to allow an adequate drive length to be provided but such an arrangement is considered to be achievable and would be addressed in detail at reserved matters stage. The proposed development is therefore considered to be acceptable in terms of its impact on parking and highway safety.
- 22 **Trees and hedges** – The proposed dwelling would involve the loss of some small trees and shrubs in the garden of No. 2, however these trees are not considered to contribute significantly to the character and appearance of the area and their loss is not considered to cause any significant harm.
- 23 The proposed dwelling would require construction traffic to manoeuvre close to the protected Chestnut tree to the North of the access and there is potential for the tree to be damaged during the course of construction. However, it is considered that this risk can be acceptably mitigated by the application of a condition requiring tree protection measures to be installed prior to the commencement of and during construction. On that basis, the proposed development is therefore considered to be acceptable in terms of its impact on trees.
- 24 **Open space and community facilities** - The proposed development would not provide open space or community facilities on site and would therefore be required to contribute to their provision off site, in order to mitigate the additional burden that the occupants of the proposed dwellings would place on such facilities locally. The applicant has agreed to enter into a Section 106 legal agreement to make such contributions. At present the amounts for a two bedroom dwelling would be as follows: Public open space - £2,244.90; Community facilities - £371.00; Waste receptacles - £69.50 and a Section 106 monitoring fee of £50. The applicant's willingness to enter into such a scheme is considered sufficient to comply with the relevant policies in this case.
- 25 **Other matters** – The issue of the occupancy of the dwelling was raised by the Parish Council in its consultation response. Although the applicant states that he initially intends to use the dwelling as accommodation for elderly relatives, the application has been made and considered as a new dwelling which would not have a functional link to the existing dwelling No. 2. It is considered to be acceptable on that basis and no conditions limiting the occupancy of the dwelling are considered appropriate or necessary.

### **Recommendation**

26. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is recommended that delegated

powers to approve the application be granted, subject to the prior signing of a Legal Agreement securing affordable housing contribution and open space, community facilities and waste receptacles contributions and to conditions relating to:

1. Timescale for implementation
2. Submission of reserved matters application(s)
3. Scale of dwelling limited to a single storey
4. Materials
5. Hard and soft landscaping
6. Boundary treatments
7. Bin storage
8. Provision and retention of parking and turning area
9. Tree Protection
10. Drainage of parking area
11. Hours of construction

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

- **Local Development Framework Core Strategy 2007**
- **Local Development Framework Development Control Policies 2007**
- **Planning File ref: S/1371/12/OL**

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