

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

5<sup>th</sup> March 2008

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

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**S/1881/07/RM - LINTON**

**Erection of 11 Dwellings**

**Approval of Reserved Matters - Layout, Scale, Appearance, Access and Landscaping,  
Land Rear of Newdigate House, Horseheath Road, for Beechdale Homes Ltd**

**Recommendation: Approval**

**Date for Determination: 26 February 2008 (Major Application)**

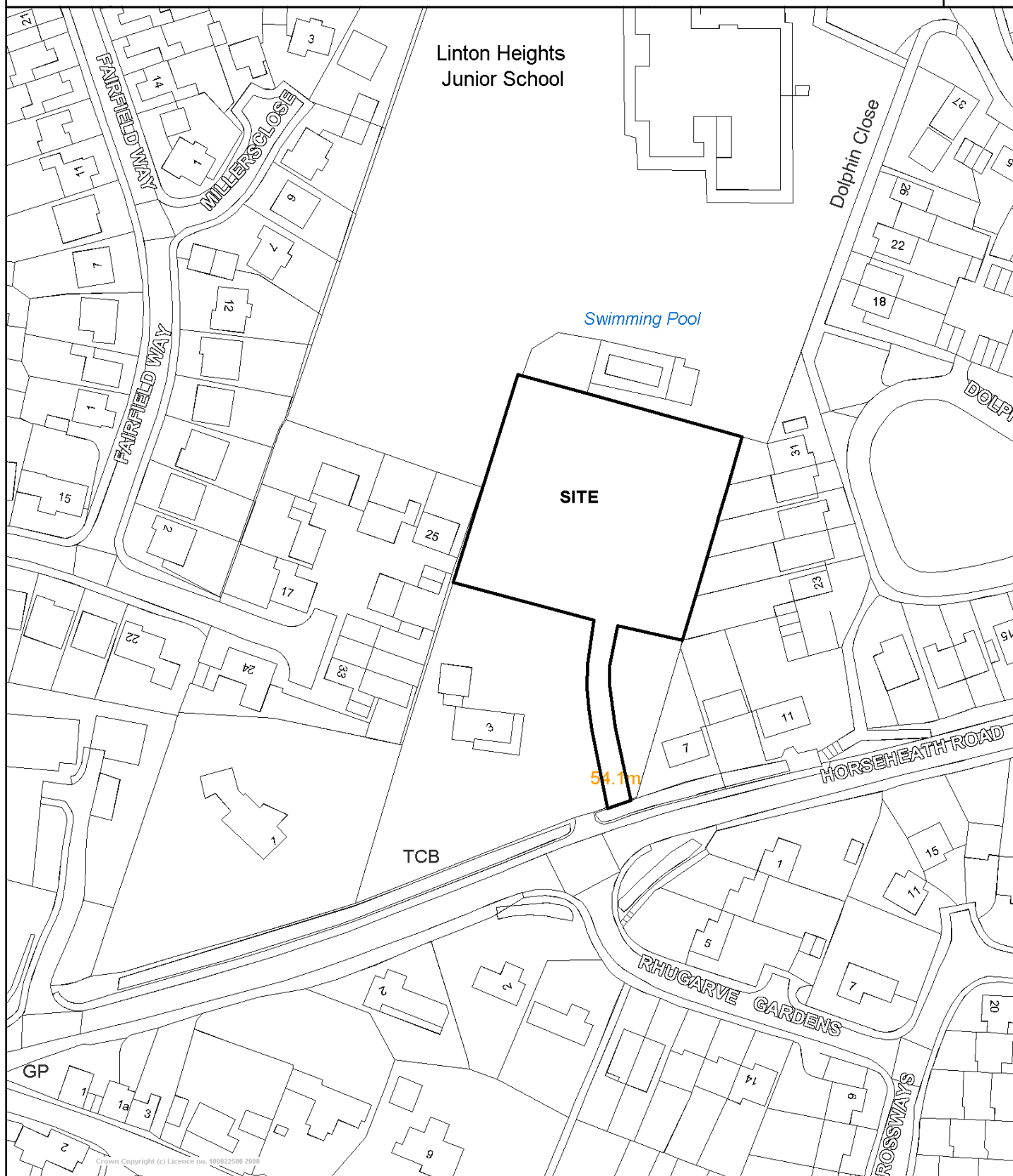
**This Application has been reported to the Planning Committee for determination because the recommendation of the officers does not accord with the recommendation of the Parish Council.**

### **Site and Proposal**

1. The application relates to 0.3ha rear garden area associated with a detached dwelling, Newdigate House, which takes vehicular access from Horseheath Road. The land slopes upwards to the north (rear). The northern boundary is marked by a small spinney of conifer trees. To the north and west, the site is adjoined by the playing fields and the swimming pool of Linton Heights Junior School. To the east, the site is overlooked from the rear elevations of two-storey dwellings Nos 23 to 31 (odd) Dolphin Close, and Nos 7 and 9 Horseheath Road. To the south west, the site adjoins the rear garden boundaries of Nos 25 and 27 Parsonage Way.
2. This reserved matters application, dated 21 September 2007, was amended by drawings date-stamped 27 November and 30 November 2007, and 18 February 2008. Details of layout, scale, appearance, access and landscaping have been submitted for the erection of eleven dwellings, sharing vehicular access with Newdigate House onto Horseheath Road. The amended proposal includes provision of three affordable terraced houses on Plots 3-5, each with two bedrooms. The remaining market housing is to have a mix of 38% of 2-bed, 12% of 3-bed and 50% of 4+-bed, as follows:

Plot	Type		Bedrooms
1	A	Semi detached	2
2	A	Semi detached	2
6	D	Detached	4
7	D	Detached	4
8	C	Detached 2.5 storey	4/5
9	C	Detached 2.5 storey	4/5
10	E	Linked	3
11	A	Semi detached	2

3. The layout shows the dwellings grouped in a courtyard, in similar fashion to the layout of the adjoining group in Parsonage Way. The external materials are to be facing brick and tile roofing, details to be agreed.



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Scale 1/1250 Date 22/2/2008

Centre = 556827 E 246912 N

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4. The application is supported by an arboricultural assessment, and a landscape and biodiversity statement. This indicates that the conifer spinney is in a generally poor condition, and some specimens are dying and should be removed. The proposal shown in drawings date-stamped 18 February is to remove these trees and to erect on the rear garden boundary of Plots 6 and 7 a 2.4m high close boarded fence, surmounted with 0.8m trellis, which would be planted with climbing plants. This would provide a visual barrier facing the swimming pool of 3.2m height. Eleven new trees would also be planted. These would be a mix of ornamental species, ultimate height 4 to 5m. Correspondence has been provided by the agent to indicate that discussions with the school representatives is taking place with a view to providing additional planting on the school's land between the developer's fencing and the swimming pool fence, to provide additional screening.
5. Remaining boundaries would be provided with 1.8m close board fencing or 1.2m post and rail fencing, as appropriate. Ornamental planting areas are shown within the courtyard area.
6. The vehicular access onto Horseheath Road is to be widened to 5.0m, which will entail some removal of earth banking on the eastern side. 2.4m x 90m visibility splays have been demonstrated in each direction along Horseheath Road. A single rumble strip is to be provided at the entrance. Evidence has been provided that the road has been designed to cater for the access and turning of emergency and refuse vehicles.

### **Planning History**

7. Outline planning permission for the erection of eleven dwelling units was allowed on appeal reference **APP/W0530/A/06/2020762** dated 6 February 2007. A copy of this decision is attached at [Appendix 1](#). The appeal was lodged following the refusal of planning application **S/0348/06/O** under delegated powers on the grounds of harm to the amenity of neighbouring properties and the adjacent junior school swimming pool, and the insufficient provision of affordable dwellings to meet the 30% level required under former Policy HG7 of the Local Plan 2004.
8. The Inspector attached five conditions to the approval, including a requirement to provide three affordable dwellings (Condition 5). Details of the siting, design, external appearance of the buildings and the landscaping of the site were to be submitted for approval by the Local Planning Authority (Condition 1).

### **Planning Policy**

*Cambridgeshire and Peterborough Structure Plan 2003:*

9. **P1/3** (Sustainable Design in Built Development) requires compact forms of development through the promotion of higher densities that responds to the local character of the built environment. A high standard of design and sustainability for all new development will be required.

*South Cambridgeshire Development Control Policies Development Plan Document (2007):*

10. **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.

11. **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.
12. **HG/2** (Housing Mix) states that in developments of more than 10 dwellings, a mix of units will be sought providing a range of accommodation.

### **Consultations**

13. **Linton Parish Council:** Recommendation of refusal on the grounds of:
  - a) "The access road should not be higher up Horseheath Road than had been previously approved and there should only be one access road, including the access to Newdigate House.
  - b) The proposed development was contrary to Policies SE2 and HG10 as referred to by the Planning Inspectorate in the previous decision notice and would have a serious impact on the amenities of 29 and 31 Dolphin Close.
  - c) The trees on the northern boundary should be retained because of the impact of the proposed development on the school and the existing trees should be strengthened by additional tree planting.
  - d) The shrub land on the eastern boundary should be retained to maintain biodiversity.
  - e) All dwellings should be restricted to 2 storeys in height.
  - f) A full biodiversity survey should be undertaken prior to any development commencing.
  - g) No properties on the northern and eastern boundaries of the development should be allowed any permitted development rights.
  - h) The proposed rumble strip was unnecessary and liable to cause a noise nuisance.
  - i) There should be a requirement that any landscaping undertaken by the developers should be maintained thereafter by the householders".
14. **Local Highway Authority:** Additional speed reduction features are needed on the shared driveway. The drawing should include highway dimensions, including radius curve. The comments of the LHA on the amended plans are awaited.
15. **Cambridgeshire Fire and Rescue:** Recommends a condition to require provision of fire hydrants.
16. **Council's Landscape Officer:** To the amended plans, concern that insufficient land is provided for tree planting to the front of Plots 6 and 7, and a request for final details of plant species to be submitted for agreement.

### **Representations**

17. Letters of objection have been received from the occupiers of Nos. 25, 27, 31 Dolphin Close, 12 Fairfield Way, 7 Horseheath Road, 21 Balsham Road, 33 Rivey Way, Greenditch Hill Barn and 21 Balsham Road, and from the Head teacher and Governor of Linton Heights Junior School. Issues raised are:

18. Landscaping
- a) Loss of buffer zone on eastern boundary;
  - b) Loss of trees on northern boundary;
  - c) Lack of landscaped areas.
19. Scale and layout
- a) Height of dwellings;
  - b) Density of development too high;
  - c) Not in keeping with the character of the area;
  - d) Lack of 2-bed market housing;
  - e) House Type A is 2-bed with a first floor study, so is 3-bed in effect.
20. Amenity
- a) loss of privacy to the school pool;
  - b) noise disturbance to future occupiers when the school pool is in use;
  - c) loss of privacy to Nos.27 and 31 Dolphin Way
  - d) overshadowing of Nos.27 and 31 Dolphin Way
  - e) loss of outlook to No.31 Dolphin Way
21. Other
- a) Unacceptable re-siting of access position on Horseheath Road.
22. The comments of objectors in response to the amended plans date-stamped 18 February will be reported verbally to Members.

## **Planning Comments**

### ***Amenity***

23. The concerns of the occupiers of dwellings in Dolphin Way are noted. The amended plans have reduced the impact due to overshadowing and overbearing impact on Nos 29 and 31, by virtue of the addition of a hipped gable end to Plot 3, and the resiting of the dwelling to provide a 3.0m distance to the side garden fence. The distance of the proposed gable to the windows in the rear of Nos 29 and 31 is 14.0m, and set due west of them, which I consider to be acceptable. The dwelling on Plot 3 nearest to the rear garden of No.31 is shown to have a bathroom window closest to the boundary. The first floor bedroom window in its rear elevation is located 6m from this boundary, but at a minimum angle of 30 degrees to it, so any views over the rear garden of No.31 will be oblique. I do not consider that the development will result in serious overlooking of this dwelling.
24. The distance between rear bedroom windows in Plots 1 and 2 to the rear garden boundary with Nos 8 Horseheath Road, and 23/25 Dolphin Close, has been increased in the amended layout plan to 8.1m. The window-to-window distances are between 25 and 31m, which is acceptable. The development will result in a degree of overlooking of these gardens and rear elevations, but as the gardens are already overlooked from existing dwellings, I do not consider that the additional overlooking is so serious as to warrant a refusal of planning permission.

25. The boundary to the school pool is to be provided with a fence of 3.2m in height. Such a fence would be sufficient in my opinion to prevent overlooking of the pool area, but screening could be further improved with intermediate planting within the adjacent school land. This intermediate land does not lie within the applicant company's ownership/control, but I consider that sufficient screening will be achieved by the fence, and it is encouraging that the school is participating in discussions with the applicant company to this end. I recommend that an additional condition is attached to any consent issued to ensure that fencing of this height is retained in perpetuity on the rear boundaries of Plots 6 and 7.

### ***Scale and Layout***

26. The dwellings are of conventional two-storey height, being 8.3m to ridge, and the larger two-and-a-half storey dwellings on the western end of the site adjacent to the playing field being 8.7m to ridge. This scale is similar to dwellings in adjacent Parsonage Way, for example. The courtyard layout is typical of newer development in the vicinity, and subject to final details of soft landscaping and tree planting, as required by the Landscape Design Officer. I consider this to be acceptable.

### ***Housing Mix***

27. LDF Policy HG/2 (Housing Mix) sets out firm guidelines for the required house size in development of up to ten dwellings, but in larger schemes such as this more flexibility is provided for. The amended scheme includes 38% 2-bed market housing, which I consider to be acceptable in this context. I do not consider that the shortfall in 3-bed housing, and more than expected provision of 4-bed dwellings to be a sustainable reason for refusal of planning permission in a scheme of this size.

### ***Access***

28. The comments of the Local Highway Authority are noted, and any further comments received will be reported verbally to Members. The LHA accepted an identical access configuration in the outline application, although this was not finally a matter determined by the Inspector. I consider that the amended plan, with the corrected access position and necessary design details provided, is acceptable in highway safety terms.

### ***Inspector's comments***

29. The Inspector, in allowing the appeal and granting outline planning permission on 6 February 2007, made comments about the suitability of the site for development, and in particular the need to safeguard the amenity of the school swimming pool from overlooking (Paragraph 15). She did not discount the possibility of the spinney being replaced (Paragraph 7).
30. The Inspector noted the potential for serious overlooking between Nos 29 and 31 Dolphin Close and the new development (Paragraph 10). She referred to the desirability of a buffer zone between the developments in this vicinity, with a different mix and layout of dwellings from the illustrative plan, so as to reduce the harm to residents' outlook and minimise any dominating effect of loss of daylight. The layout plan that the Inspector was commenting upon showed a pair of semi-detached dwellings with rear elevations facing directly towards Nos 29 and 31 Dolphin Close. The layout currently proposed is much different, and for the reasons explained above in paragraph 23, I consider that the amenity issues identified by the Inspector have been satisfactorily addressed without provision of a buffer strip.

## **Recommendation**

31. In accordance with the application dated 21<sup>st</sup> September 2007, as amended by drawings date-stamped 27<sup>th</sup> November and 30<sup>th</sup> November 2007, and 18<sup>th</sup> February 2008: Approval of reserved matters – layout, scale, appearance, access and landscaping in accordance with outline planning permission reference and APP/W0530/A/06/2020762 (LPA reference S/0348/06/O) dated 6<sup>th</sup> February 2007.

## **Additional Conditions**

1. SC22 (no additional windows) 'inserted at first floor level in the eastern elevation of Plot 3' - (RC22).
2. SC23 (obscured window) 'first floor bathroom window in the rear elevation of Plot 3' (RC23 'adjoining property at 31 Dolphin Close').
3. SC21 Plots 1, 2 and 3 (Withdrawal of permitted development rights) Part 1 Classes A and B (extensions and roof alterations). (RC23 'properties').
4. SC51 (landscaping). (RC51).
5. SC52 (Implementation and maintenance of landscaping). (RC52).
6. SC5 (external materials). (RC5).
7. SC59 (Provision and retention of fencing) '3.4m', 'northern boundary Plots 6 and 7', add at end 'and thereafter retained'.  
(Reason: To protect the privacy of users of the adjoining school swimming pool.)
8. Development shall not begin until a scheme for the provision and location of Fire Hydrants to serve the Development to a standard recommended by the Cambridgeshire Fire and Rescue Service has been submitted to and approved by the Local Planning Authority; no Development shall take place otherwise than in accordance with the approved scheme.  
(Reason - To ensure adequate provision is made for fire hydrants.)

## **Informatives**

The applicant's attention is drawn to Condition No 5 of the outline planning permission APP/W0530/A/06/2020762 (LPA reference S/0348/06/O) dated 6<sup>th</sup> February 2007 relating to the provision of affordable housing.

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

- South Cambridgeshire Development Control Policies Development Plan Document (2007)
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning File ref APP/W0530/A/06/2020762 (LPA reference S/0348/06/O)

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