

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee

1st March 2006

AUTHOR/S: Director of Development Services

**S/0034/06/O – Gamlingay
Residential Development, Land Off West Road For Wyboston Lakes Ltd**

**Recommendation: Delegated Approval
Date for Determination: 7th March 2006**

Site and Proposal

1. This application, registered on 10th January 2006, seeks outline planning consent for residential development of a 0.497 site that formerly comprised part of the garden land to 24 West Road, a large detached house to the south of the site. The site drops in level significantly from east to west.
2. The site is partially screened by trees and conifers on the north and west boundaries with the rear gardens of detached houses in Fairfield. To the east is an existing bungalow, also built on part of the original garden of 24 West Road. Access to the proposed dwellings is from West Road as an extension of the existing private driveway serving this bungalow.
3. An illustrative plan accompanying the application shows an indicative layout for 8 dwellings, however all matters, including the number of dwellings, are reserved.

Planning History

4. Outline planning consent for the residential development of this site was originally granted in December 1995 (**Ref S/1780/95/O**). In December 1998 an application to allow a further period for submission of reserved matters was approved (**Ref S/1839/98/O**). An additional condition attached to that consent restricted development of the site to a maximum of 2 dwellings to comply with Local Plan policy.
5. In February 2001 consent was granted for variation of conditions to allow a further period for the submission of reserved matters and to allow the erection of four dwellings on the site, reflecting a change in Development Plan policies (**Ref S/2229/00/F**).
6. At the January 2005 meeting a reserved matters application (**Ref S/0266/04/O**) for the erection of four dwellings was refused following a site visit by Members on the grounds that the design of the proposed dwellings was out of character with the area. That decision was upheld at appeal.

Planning Policy

7. **Policy SE3** of the South Cambridgeshire Local Plan 2004 ("The Local Plan") identifies Gamlingay as a Limited Rural Growth Settlement where residential development and redevelopment of up to 30 dwellings can be permitted subject to specified criteria. Development should provide an appropriate mix of dwellings in

terms of size, type and affordability and should achieve a minimum of 30 dwellings per hectare unless there are strong design grounds for not doing so.

8. **Policy SE9** of the Local Plan states that development on the edges of villages should be sympathetically designed and landscaped to minimise the impact of development on the countryside.
9. **Policy HG7** of the Local Plan sets out the Council's policy in respect of affordable housing provision on sites within village frameworks. In villages with a population of over 3000, such as Gamlingay, the requirement to provide affordable housing affects schemes of more than 10 dwellings only.
10. **Policy HG10** of the Local Plan requires residential developments to contain a mix of units providing accommodation in a range of types, sizes and affordability, making best use of the site and promoting a sense of community which reflects local needs. The design and layout of schemes should be informed by the wider character and context of local townscape and landscape.
11. **Policy P5/3** of the Cambridgeshire and Peterborough Structure Plan 2003 ("The County Structure Plan") states that average densities of new housing development will need to be increased across the area in order to maximise efficiency in the use of sites. Densities of less than 30 dwellings per hectare will not be acceptable. Local Planning Authorities should seek to maximise the use of land by applying the highest density possible which is compatible with maintaining local character.
12. The Local Development Framework Submission Draft 2006 **Policy ST6** proposes to identify Gamlingay as a Minor Rural Centre where developments up to a maximum size of 25 dwellings will be permitted on sites within village frameworks.
13. The Local Development Framework Submission Draft 2006 **Policy HG/3** states that proposals for housing developments will only be permitted if they provide an agreed mix of affordable housing types, including for Key Workers, to meet local needs. The amount of affordable housing to be sought will be approximately 50% of the dwellings for which planning permission may be given on all sites of two or more dwellings.

Consultation

14. **Gamlingay Parish Council** recommends refusal. "The Council has no objection in principle for development of housing on this site. However it reiterates the issue of density and the requirement for affordable housing in this location. Please refer to previous comments relating to this site."
15. Commenting on the reserved matters application for 4 dwellings, the Parish Council had stated its strong objection to the density and design of the proposed units and that development was contrary to Local Plan policies on density and offered no affordable housing.
16. The **Local Highway Authority** sets out conditions to be attached to any consent. It requests that a safe pedestrian route should be provided from the development site to link with the existing footway to the east of the site to give access to village facilities. It is questioned as to how this is to be achieved given that there appears to be a pinch point within the highway verge in front of nos 16-20 West Road. If such pedestrian link cannot be achieved it is questioned whether this is really a suitable site for residential development.

17. The **Chief Environmental Health Officer** requests a condition be attached to any consent restricting the use of power driven machinery during the construction process. Informatives should be attached to any consent in respect of the use of driven pile foundations and the burning of waste/use of bonfires during the construction period.
18. The **Environment Agency** comments that the development site is adjacent to the “LS 35 non-inert landfill site”. It points out that, before the application can be adjudicated the applicant must commission a landfill gas investigation of the western most plots monitoring for the usual gases weekly for a minimum of four weeks. The buildings and services must be protected against gas ingress/egress to an appropriate degree based on the results of the monitoring and modern guidance such as CIRIA report 149.
19. The comments of the **Bedfordshire and River Ivel Internal Drainage Board** are awaited and will be reported at the meeting.

Representations

20. The occupiers of 8 and 10 Fairfield point out that previously concerns have been expressed about instances of subsidence in and around that property and to the poor drainage that has resulted in the past to some flooding and the overflow of sewage. The new proposal to increase the number of properties on the site can only exacerbate these problems, particularly drainage, which has the potential to be a long-term health risk.

Applicant's Representations

21. In a letter accompanying the application the applicants' agent points out that the principle of development is clearly established by the previous grant of outline planning permissions and this was not challenged by the Appeal Inspector. In relation to access, the proposal would involve improvements to the existing entrance and there has been correspondence with the Local Highway Authority on this point.
22. In relation to the form and layout of development, the previous application has highlighted a number of issues that will have a bearing on any scheme and specifically:
 - The need to have regard to the character of existing development in the vicinity.
 - The constraints due to the topography of the site and the fall in levels to the western boundary.
 - The relationship to existing properties off Fairfield to the north.
 - The trees on the site
 - The need to provide wider roads and a turning area given the number of properties now proposed.
 - The impact development would have on the village edge views from Dennis Green to the southwest, which the Appeal Inspector specifically referred to.
23. Having regard to the above and the need to obtain an appropriate mix of properties it is understood that officers are of the opinion that a scheme of 8 units along the lines of the illustrative layout, comprising 4 detached 2 bedroom retirement homes together with a terrace of 4 properties, would represent an acceptable and satisfactory form of development for the site.

Planning Comments – Key Issues

24. The key issues to be considered with this application are whether the principle of development of this site is acceptable having regard to development plan policies and planning history of the site; the density of development; the provision of affordable housing; and whether safe and satisfactory access can be provided to the public highway.
25. The site has benefited from outline planning consent for residential development since 1995. Although the most recent outline consent, for 4 dwellings, expired on 13th February 2006, I consider that it would be unreasonable to refuse the principle of development of this site unless it could be demonstrated that there has been a material change in circumstances. I am of the view that this is not the case and that the principle of the development of this site for residential use remains acceptable, subject to the satisfactory resolution of any matters referred to below.
26. The application is submitted in outline with all matters reserved, including the number of dwellings to be erected. Although the application is accompanied by an illustrative plan showing the erection of 8 dwellings it does not form part of the formal submission. Development Plan policies require new developments to achieve a minimum density of 30 dwellings per hectare, unless there are strong design grounds for not doing so. To achieve that density of this particular site would require the erection of 15 dwellings. It is my view that, given the topography and shape of the site, the relationship to adjacent properties and the need to minimise the impact of any development at the edge of the village, it might not be possible to achieve that density. However, this matter should be addressed in detail through a reserved matters application, when such matters as siting, levels and relationship to adjoining houses can be properly assessed.
27. The Parish Council has requested that there should be provision within any development for affordable housing. Under Policy HG7 of the Local Plan 2004 the requirement to provide affordable housing applies to a development of more than 10 dwellings. In such schemes up to 30% of the total number of dwellings to be built should be affordable. In the Local Development Framework Submission Draft 2006 (Policy HG/3) it is proposed that the threshold of 10 dwellings is removed and that the amount of affordable housing to be sought will be approximately 50% of the dwellings for which planning permission may be given on all sites of two or more dwellings. At the present time the proposed revisions to the policy carry limited weight and I understand that this particularly policy is likely to be the subject of representations during the current consultation process. If this is the case it is my view that any weight that can be attached at this stage would be further reduced.
28. In my view however it would be appropriate at this stage to attach a condition to any outline consent requiring the provision of affordable housing if the number of dwellings constructed on the site exceeds 10 in accordance with Policy HG7 of the Local Plan 2004.
29. The Local Highways Authority has questioned whether a safe pedestrian route can be provided that links to the existing footpath to the east of the site. Although the previous planning consent for 4 dwellings did not contain such a requirement the justification for a link to the existing footpath will increase if the number of dwellings is to increase. I have passed the comments of the Local Highways Authority to the applicants' agent and will report any response.

30. The Environment Agency has pointed out that the site is adjacent to a non-inert landfill site and has requested that the applicant commissions a landfill gas investigation of the western most plots with monitoring taking place for a minimum of 4 weeks. I have passed these comments to the applicants' agent but have requested that if such work has to be carried out in advance of the determination of the planning application then it should be withdrawn at this stage and resubmitted once any investigative work is complete. Given that the application is in outline with all matters reserved I have also asked the Environment Agency whether this matter could be dealt with by condition.
31. Conditions can be imposed on any consent requiring the submission of schemes for the disposal of foul and surface water drainage.

Recommendation

32. That, subject to confirmation from the Environment Agency that the matter of site investigation can be dealt with by condition, and the further comments of the applicant/Local Highways Authority on the ability/need to provide a satisfactory pedestrian link to the existing footpath to the east of the site, outline consent be granted subject to the following conditions;
1. Standard Condition B - Time limited permission (RCB)
 2. SC1 - Reserved Matters a), b), c) & d) (RC1 Outline only)
 3. SC5 - Details a), e), & j) (RC5)
 4. SC52 - Implementation of Landscaping (RC52)
 5. SC60 - Boundary Treatment – all boundaries (RC60)
 6. Scheme for foul water drainage
 7. Scheme for surface water drainage
 8. SC26 - During the period of construction. (08.00hrs, 08.00hrs, 18.00 hrs & 13.00hrs (RC26)
 9. CS Para A2(a)(c) - Details of highway layout
 10. CS Para C2 - Temporary Parking
 11. CS Para D1 - Visibility 2.4m x 70.0m south
 12. CS Para D3 - Visibility
 13. CS Para E1 - Kerb Radii 7.5m
 14. Requirement for a scheme of affordable housing should number of houses built on the site exceed 10
- + Any conditions required by the Environment Agency

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - Cambridgeshire and Peterborough Structure Plan 2003: **P5/3 (Density)**
 - South Cambridgeshire Local Plan 2004: **SE3 (Development in Limited Rural Growth Settlements)**
 - **SE9 (Village Edges)**
 - **HG7 (Affordable Housing on Sites Within Village Frameworks)**
 - **HG10 (Housing Mix and Design)**
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Highway safety

- Residential amenity
- Drainage issues
- Affordable housing

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Local Development Framework Submission Draft 2006
- Planning File Refs: S/0034/06/O; S/0266/04/F; S/2229/00/F

Contact Officer: Paul Sexton – Area Planning Officer
Telephone: (01954) 713255