

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 5th April 2006

AUTHOR/S: Director of Development Services

**S/0162/06/RM - Girton
Erection of 72 Dwellings at Land off Wellbrook Way
for George Wimpey South Midlands Ltd. & The Town Charity Girton**

**Recommendation: Refusal
Date for Determination: 2nd May 2006 (Major Application)**

Site and Proposal

1. This site measuring 2.347 hectares forms part of the larger residential development at Wellbrook Way, off Girton Road. The land is at the north-western end of the development and lies adjacent to phase 1, which is under construction; the subject of a separate report to this Committee.
2. Thornton Road and Girton Road are to the south-west of the site. Houses on these roads have their rear gardens backing onto the site. Houses developed as part of phase 1 adjoin the site to the south-east. A spine road runs through the centre of the site on a north-west/south-east axis. South of this road, at the north-western end of the site, land has been reserved for community use, which is to be the subject of a separate planning application. North of this road land has been reserved for the development of a 76 bed Care Home and the provision of a balancing pond to serve the site. North-west of this land the remainder of Wimpey's phase 2 development is proposed, adjacent to land north-west of the site which has been given planning permission previously for a commercial development. The A14 lies beyond fields adjoining the site to the north-west.
3. This planning application received on 31st January 2006 seeks permission for reserved matters in respect of siting, design and landscaping of phase 2 of the residential development. It includes proposals for a Super LEAP. The application proposes to increase the number of residential units to a total of 300. The mix of houses proposed for market housing is 5 no. 2-bedroom houses, 15 no. 3-bedroom houses, 30 no. 4-bedroom houses, with a total number of 50 on phase 2. In terms of affordable housing the mix proposed is 10 no. 2-bedroom houses and 22 no. 1-bedroom flats, with a total number of 22 units. In total 72 houses are proposed on phase 2.

Planning History

4. An outline planning application (ref. **S/0175/99/O**) for residential development was considered by Planning Committee on 2nd June 1999 (item 2). Members agreed to grant outline consent subject to the prior signing of a Section 106 Agreement in respect to:
 - a) Provision of Social Housing
 - b) An Education Contribution
 - c) A Community Hall contribution and,
 - d) Maintenance of Public Open Space.

All details required submission of reserved matters.

5. A subsequent outline application (ref. **S/1284/02/O**), submitted by George Wimpey was considered by Committee on 4th September 2002 (item 7). Although the application was in outline, full details were received in respect of layout, siting, means of access and landscaping. Members resolved to refuse this application. These two outline applications were the subject of a call in Public Inquiry held on 10th September 2002. In respect of both applications the Secretary of State agreed with the Inquiry Inspector that the applications were compatible with the Development Plan. This was on the basis of the site accommodating up to 300 dwellings. He noted that the applications were consistent with the objectives of increased sustainability set out in PPG3. A minimum of 30 dwellings per hectare and good design and layout were felt to be the most appropriate way of achieving the Government's objectives of making the best use of developed land. The Inspector's following comments should be noted:
- a) "The illustrated material submitted in respect of application B S/1284/02/O indicated that car parking would be provided as an average ratio of 1.5 car parking spaces per dwelling as recommended in PPG3. This is a matter of design which could be satisfactorily dealt with at the approval of reserved matters stage, taking into account the concerns of GPAG and local residents.
 - b) Although a pedestrian and/or cycle link to the shops in Thornton Way would be desirable, I do not consider it essential.
 - c) Open Space. It was noted that Policy RT2 of the emerging Local Plan requires the development to make a contribution towards local achievement of the minimum NPFA standard for outdoor playing space, where adequate nearby provision does not already exist. The Inspector noted the existing outdoor sports facilities at the village recreation ground and considered them sufficiently close at about a 15-minute walk to provide for adults and older children.
 - d) Whilst the development proposal S/1284/02/O would lead to an overall quantitative shortfall of provision of open space for outdoor sport in the village, the Parish Council understandably prefers to concentrate such facilities at the Recreation Ground.
 - e) It seems to me that the outline nature of the applications and the flexibility reflected in the planning obligations, provide sufficient opportunity to remedy the local deficiencies in the quantity of public open space in Girton. Such provision would comply with the advice in PPG17 (Planning for open Space, Sport and Recreation). However, the evidence indicates that the amount of Public Open Space originally envisaged for the site in the development Brief and Adopted Local Plan, and reflected in the emerging Local Plan, is not now justified in the context of the present provision of facilities for outdoor sport at the recreation ground.
 - f) There does appear to be a justifiable need to remedy the existing shortfall of children's playing space, both in terms of the amount of playing space required and its location in the southern part of the village. Policy RT2 indicates that this contribution should amount to some 0.3ha of such space divided equally between informal and formal facilities. The information in support of the proposed development in S1284/02/O indicates a lesser provision of formal children's playing space, but the provision of informal spaces exceeds the requirement. There is also further potential arising from the possible use of part of the site proposed for community use as a NEAP.
 - g) On balance, I consider there is a more pressing need to remedy the shortfall of children's playing space as part of the development proposals than the shortfall of open space for outdoor sport. Even so, the precise areas, function and

location of open space could be planned as part of the detailed design of the development and implemented through the approval of reserved matters and the Planning Obligations.

- h) There is strong concern from local residents about flooding and the adequacy of the drainage infrastructure in the area to accommodate the proposed development. However, a Flood Risk Assessment has been carried out by the Applicants which has been the subject of consultation with the Environment Agency. The evidence indicates that some local flooding is the result of inadequate maintenance of existing watercourses. The Environment Agency has no objection in principle to the proposed development in both applications. Consequently there is no evidence to support an overriding objection to the proposed development on the basis of flood risk.
 - i) The proposed development would be reasonably well provided by public transport. Even so the development Plan encourages the enhancement of public transport as a means of increasing accessibility. It is concluded the relationship of the proposed development to existing amenities and infrastructure in the area is acceptable in respect of both applications. The undertaking related to the proposal in Application S/1284/02/O provides for an enhancement to the local bus service”.
6. “In respect to the application B (S/1284/02), under which the current reserved matter planning application is made, a Section 106 planning obligation by way of a unilateral undertaking was agreed. This provides contribution for the whole site.
- a) An establishment sum relating to public open space provision and landscaping strip, play area provision and landscaping strip, play area and informal areas).
 - b) Education contribution.
 - c) 60 dwellings or 30% affordable housing.
 - d) Community land and contribution of £100k.
 - e) Bus service contribution.”
7. Outline planning application S/1284/02/O was granted for residential development, including close care flats, community facilities, public open space and associated highway infrastructure and landscaping and included a condition that the reserved matters ‘shall provide for a minimum of 30 dwellings per hectare, but not more than a total of 300 dwellings on the residential land, inclusive of the appropriate public open space, but excluding the land proposed for community use’.
8. Planning application ref. **S/0691/03/RM** subsequently approved reserved matters details of siting, design and landscaping of phase 1 subject to conditions.
9. Recently approved applications **S/2398/05/F** and **S/0061/06/F** vary condition 2 of planning permission S/2184/02/O to allow a further year (S/0061/06/F) and 3 years (S/2398/05/F) in which to submit details of reserved matters of siting, design and landscaping.

Planning Policy

10. The following provides a summary of the main plan policies relevant to this planning application.

Cambridgeshire and Peterborough Structure Plan, 2003

11. **Policy P1/1** ‘Approach to development’ requires development to be located where travel distances by car can be minimised, walking and cycling encouraged and where good access to public transport exists.

12. **Policy P1/3** 'Sustainable Design in Built Development' states that a high standard of design and sustainability must be achieved for all new forms of development.
13. **Policy P5/3** 'Density' requires developments to achieve a density appropriate to the area, with a minimum requirement of 30 dwellings per hectare.
14. **Policy P5/4** 'Meeting Locally Identified Housing Needs' requires local plans to make provision for housing needs including for affordable and one and two bedroom homes.
15. **Policy P6/1** 'Development-related Provision' restricts development unless additional infrastructure and community requirements generated by the proposals can be secured.
16. **Policy P6/3** 'Flood Defence' requires measures and design features to be included to give sufficient protection against flooding on site or elsewhere locally.
17. **Policy P6/4** 'Drainage' All new development should avoid exacerbating flood risk locally by utilising water retention systems.
18. **Policy P7/2** 'Biodiversity' seeks to conserve and enhance biodiversity.
19. **Policies P8/1** 'Sustainable Development – Links Between Land Use and Transport', **P8/8** 'Encouraging Walking and Cycling' and **P8/9** 'Provision of Public Rights of Way' seek to ensure that new developments are located where they are highly accessible by public transport, cycle and on foot; reduce travel by car; cater for all users and; provide opportunities for travel choice; and do not compromise safety.
20. **Policy P8/5** 'Provision of Parking' requires car parking standards to be maximums, in accordance with PPG13.

South Cambridgeshire Local Plan, 2004

- a) **SE3** 'Dwellings in Limited Rural Growth Settlements' limits developments up to 30 dwellings on unallocated land. Developments should provide an appropriate mix of dwellings in terms of size, type and affordability and should achieve a minimum density of 30 dwellings per hectare.
- b) **HG7** 'Affordable Housing on Sites Within Village Frameworks' defines the Council's requirements for meeting locally identified housing needs and requires 30% of dwellings provided to be affordable in villages with a population of more than 3000.
- c) **HG10** 'Housing Mix and Design' requires residential developments to contain a mix of units providing a range of types, sizes (including 1 and 2 bedroom dwellings) and affordability, making best use of the site and that promotes a sense of community which reflects local needs. Design should be informed by the wider character and context, avoid inflexibility and promote energy efficiency.
- d) **TP1** and **TP2** 'Planning For More Sustainable Travel' seek to promote sustainable transport choices and provide appropriate car and cycle parking levels, and to secure appropriate traffic management measures in the village environment.
- e) **TP5** 'People With Disabilities and Limited Mobility' requires developments to include safe and convenient access for people with limited mobility.
- f) **CS1** 'Planning Obligations' – The Council will seek to secure through section 106 agreements or Grampian conditions infrastructure or other forms of development that are necessary as a result of the development proposed.
- g) **CS2** 'Public Utilities' – Planning permission will not be granted where there are inadequate water supply, sewerage or land drainage systems.
- h) **CS5** 'Flood Protection' restricts development where flood risk will be increased.
- i) **CS7** 'Underground Pipes, Fibres, Wires and Cables' are sought in order to reduce the visual impact of utilities, provided it would not damage ecology or archaeology.

- j) **CS10** 'Education' seeks financial contributions towards the provision of education where the development would cause the capacity of local schools to be exceeded.
- k) **CS13** 'Community Safety' seeks to minimise opportunities for crime within housing layouts, with subsequent reduction of the fear of crime.
- l) **RT2** 'The Provision of Public Open Space in New Development' sets out the standards for recreational space within developments.
- m) **EN5** 'The Landscaping of New Development' requires trees, hedges and woodland wherever possible to be retained within proposals for new development and landscaping schemes will be secured through appropriate conditions.
- n) **EN12** 'Nature Conservation: Unidentified Sites' seeks wherever possible to retain features and habitat types of nature conservation value where they occur. Where the need for development outweighs the need to retain such features appropriate mitigation measures will be required.
- o) **EN15** 'Development Affecting Ancient Monuments or Other Archaeological Sites' and **EN16** 'Public Access to Archaeological Sites and Records' seek to protect, preserve and enhance known archaeological sites and to require developers to provide access to any records arising from excavations for the public.
- p) **ES2** 'Road and Footway Lighting' requires new lighting not to have light spillage above the horizontal.
- q) **ES5** 'Recycling/Waste Minimisation' seeks to encourage recycling and waste minimisation within new developments.
- r) **ES7** 'Noise from Road Traffic' seeks to minimise the impact of road traffic noise through planning conditions.

Consultations

Girton Parish Council – Recommend refusal unless a Grampian condition can be added requiring the developer to provide an access route for cycles and pedestrians at the south-east end of the site into Thornton Road/Thornton Way in order to encourage walking and cycling, increase integration of the site with the village and encourage use of local shops. Otherwise no objection subject to safety precautions to the balancing pond, adequate provision of public open space within the development, further discussion with the developers over play equipment and the hedge by the balancing does not appear on the drawings and was to be preserved.

Head of Housing Strategic Services – See Appendix 1 for a copy of the comments in full. To summarise the issues raised:

- a) Affordable houses are proposed in groups of more than eight dwellings. This will result in poor integration and dispersal across the development contrary the section 106.
- b) The inclusion of flats and the numbers proposed are not supported in terms of housing need.
- c) There is no evidence of demand for one bedroom flats for shared ownership.
- d) A range of housing types would provide a better mix.
- e) 4 of the proposed 22 affordable units are to be provided in fulfilment of a land exchange between the Council and Girton Town Charity.
- f) At least 4 social rented 2/3 bedroom houses to be provided and at least 50% of the 18 affordable units to be social rented (as required by the section 106).
- g) The proposed tenure split of 6 social rented and 16 shared ownership is not supported based on local and district need.
- h) Most of the dwellings fall below RSL minimum space standards, would score poorly in terms of Housing Quality Indicators (HQIs) and a flat of 30m² is unlikely to meet Housing Corporation's 'Scheme Development Standards' (SDS) – this

will make grant funding difficult to secure and is contrary to the Section 106 which states that 'affordable units will be constructed to the 'the Council's standard which is based closely upon the Housing Corporations SDS)'.

- i) The Council would prefer the RSL to be the same as phase 1, although no indication has been given as to who the RSL is to be.
 - j) The section 106 specifies 60 units or 30% affordable homes should be provided on the development whichever is the lesser of the two measures. Since the application proposes an increase in house numbers provision would only be 27% if limited to 60 dwellings. The section 106 should be re-negotiated.
21. **Cambridgeshire Fire & Rescue** – Require a section 106 or planning condition securing the provision of fire hydrants.
 22. **Cambridgeshire County Council, Countryside Access Team** – Has no objection to the development however a public footpath runs through the middle of the site and along the proposed spine road. The plans submitted with the application when compared with the Definitive Map show that the spine road does not follow the exact line of the public footpath. The footpath begins on what would be the south side of the road and runs in a south-easterly direction, crossing the proposed road at a shallow angle to end up running along the north side of the road. It is not clear whether the angle of the public footpath would mean a continuing divergence from the proposed spine road in the area of the site immediately to the south of the this one. This may cause serious problems for that area, with the potential for buildings and/or gardens to be constructed on the definitive line of the public footpath. This is a serious issue and one that should be addressed before detailed plans for the whole area are approved. It recommends informatives to draw the applicant's attention to points of law.
 23. **Environment Agency** – The site falls within flood zone 1 and is a development of land over 1 hectares. The Local Planning Authority is required to respond on the Agency's behalf.
 24. **Local Highways Authority** – The layout requires amendments to be made before it is to an adoptable standard. Amendments are to include a fully dimensioned layout plan showing carriageway and footpath widths, junction and turning head radii. Turning head facilities are required for roads serving plots 1-11 and 21-27. If the road serving plots 6-72 is proposed to be a shared surface road the overall minimum width must be 5.5m with 0.5m maintenance strip each side (which is not metalled except at the point of accesses). The junction with the main estate road should comprise a ramp/rumble strip commencing at the tangent point of the radius within the access road. The footway of the main estate road is to continue past the ramp for a minimum distance of 1.8m. Alternatively, it is not to be a shared surface domain then a footway should be provided to the developed side of the carriageway and 0.5m maintenance strip provided on the landscaped side.
 25. **Trees and Landscape Officer** – Notes the retention of the hedge on the northern side of the site and a fruit tree adjacent to plot 50. He would anticipate the Ecology Officer commenting on the desirability of retaining/removal of the area of scrub where housing and community uses are proposed. Conditions requiring tree protection during development, as referred to in the Arboricultural Assessment. The content of the Arboricultural Assessment is acceptable. The detailed landscaping scheme has been forwarded to the Landscape Design Consultant for comment.
 26. **Ecology Officer** – There is not a lot of ecology detail to comment on, however notes the requirement for dropped kerbs on as much of the site as possible, not just the

spine road, and details of ecological enhancements associated with the developed areas i.e. fence lifting to allow toads to move across the site, nest and bat box provision and the use of climbing and nectar rich plants in landscaping. No removal of vegetation in the bird breeding season. A site inspection for newts in the pond is required. Details of how toads are to be protected during construction.

27. **Environmental Health Officer** – Requires a conditions that before development commences a scheme for protecting proposed houses from noise from the road (A14) shall be submitted to and approved in writing by the Local Planning Authority in accordance with policy ES7 and PPG24.
28. At the time of writing written comments were awaited from:
 - a. Conservation Officer
 - b. General Works Manager
 - c. Landscape Design Consultant
 - d. Drainage Manager
 - e. Cultural Officer
 - f. Cambridgeshire County Council, Chief Financial Officer
 - g. The Wildlife Trust
 - h. Anglian Water Services Ltd.
29. Comments received will be reported verbally to the Committee.

Representations

30. The owner of adjoining land to the north-west and their solicitors object to the proposals on grounds that the means of access shown by the applicants is incorrect.
31. The occupier of 74 Girton Road, Girton objects to the loss of trees in the western corner of the site with subsequent loss of outlook for residents and wildlife habitat. The trees provide a barrier to wind and noise. In addition objects to the increase in traffic and single access point.

Planning Comments – Key Issues

32. At the time of writing the four main issues in relation to these proposals are road layout and design, public rights of way, affordable housing provision and housing mix.

Highways

33. Some Members of the Committee may recall that there has been a long-running dispute between the landowners of this site and the neighbouring landowners in relation to the provision of access to the development. The access was approved at the outline planning application stage and has not been reserved. The principal area of concern is where the road passes the frontage of the adjacent commercial site in terms of how the two meet up satisfactorily. This is matter that is being dealt with under the outline permission in conjunction with the Local Highway Authority and affected landowners.
34. It is likely that the issues raised by the Local Highways Authority, in terms of the layout proposed, could be addressed through amended layout plans.

35. The issues raised by the Countryside Access Team require clarification by the applicants.

Affordable Housing Provision

36. Phase two proposals will result in 33.78% affordable housing to be provided across the entire site. This is in accordance with policy HG7, however the mix, type, size, siting, tenures and Section 106 are of concern, as identified by the Council's Housing Development Manager.

Housing Mix

37. Structure Plan policy P5/4 and Local Plan policy HG10 (and the emerging Local Development Framework) all seek the provision of a suitable mix of dwelling types and sizes. This is to include a significant number of smaller (1 and 2 bedroom units) to accommodate a growing number of small households. The mix proposed within the proposals for phase 2 equate to only 10% of the dwellings provided being smaller (2-bedroom) units with the remaining 90% being larger house types. Across the two phases the mix within the private housing would equate to 16.3% as smaller units (2-bedroom units), with the remaining 83.7% being larger units.

Other Matters

38. Other matters may result in response to consultations, however in light of the considerations above the application is recommended for refusal.

Recommendation

Refusal on grounds of:

1. The application fails to provide a suitable layout and design for the roads serving the site and as such is contrary to the proper planning of the area.
2. The application fails to include appropriate provision towards the identified local housing needs.

Additional reasons for refusal may be required in response to consultations not received at the time of writing. The Committee will be updated verbally.

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
- Planning file Ref. S/0162/06/RM, S/1284/02/O, S/0691/03/RM, S/0175/99/O, S/2398/05/F and S/0061/06/F

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