

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7th November 2007

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

S/0476/07/O - COTTENHAM

Two Bungalows at Land adj. 39a Victory Way for A. Dean

Recommendation: Approval

Date for Determination: 8th May 2007

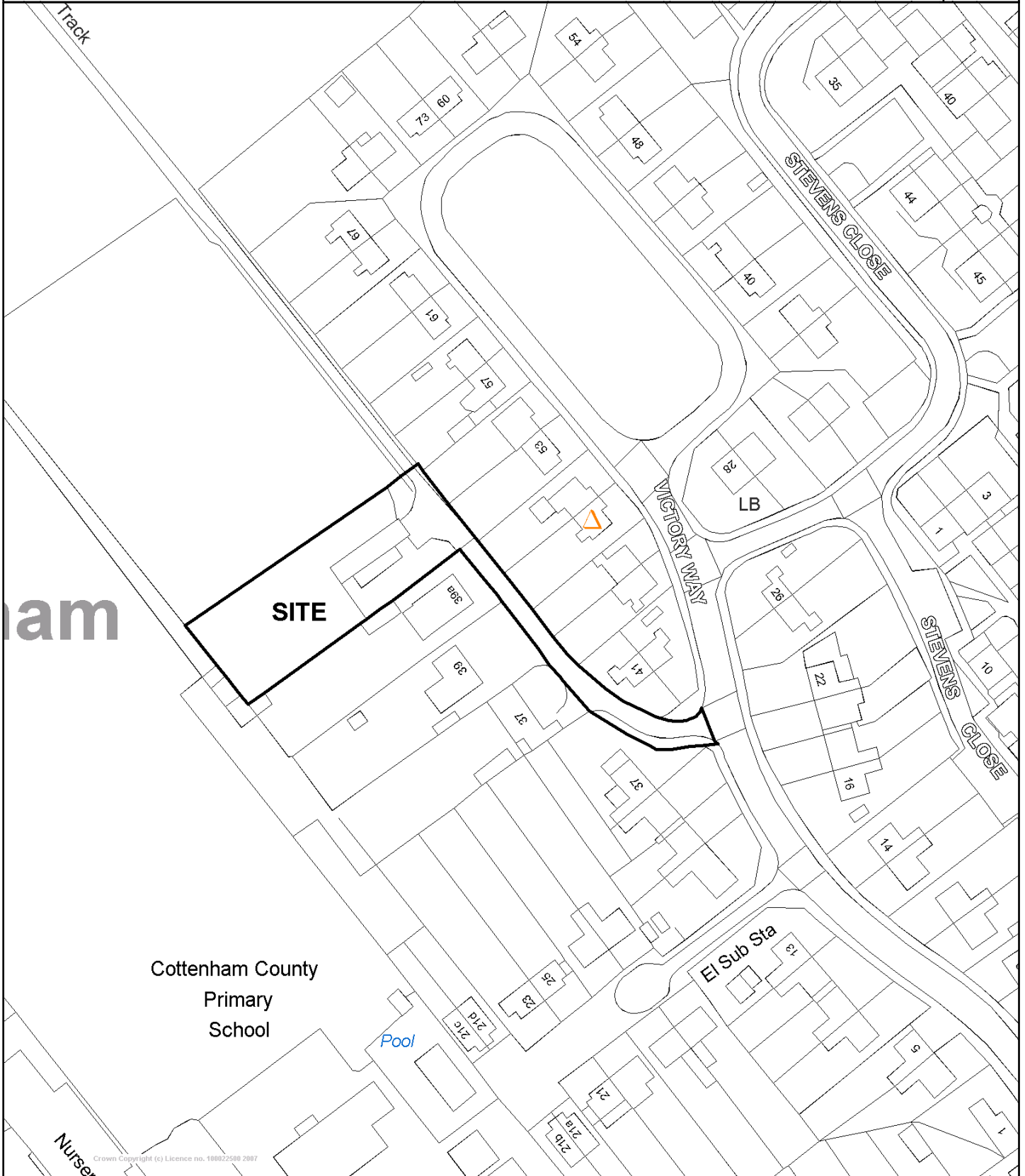
Notes:

This Application has been reported to the Planning Committee for determination because it is a departure from the Development Plan to which objections on material planning grounds have been raised through representations.

Departure Application

Site and Proposal

1. The site, measuring 0.15 hectares (ha), comprises a rectangular field containing a large timber shed raised off the ground on brick supports. There are two trees on the site, one at the front of the shed and one adjacent to the field access. It is located at the northwestern side of Cottenham, off Victory Way. It lies to the north of 39a Victory Way, a 1970s bungalow and its garden, with Cottenham County Primary School's playing field to the southwest and the rear gardens of houses fronting Victory Way to the northeast. The northwestern boundary of the site falls along the line of the village framework beyond which is open fields.
2. The site is accessed via an unmade track off the main part of Victory Way, serving as a private drive to nos. 37-39a Victory Way. This access is single track at present. Although used by the public, largely a dog-walking route, the access is private with no public rights of way across it.
3. This outline planning application seeks permission for two dwellings on land adjacent to 39a Victory Way, Cottenham at a density of 13.3 dwellings per hectare (dph). The scale and access are to be determined, with all other matters to be reserved. The scale of development is indicated as a pair of detached bungalows, while the access is via the existing private access. The track is to be widened to 4.1m on land that will have to be acquired from neighbours to achieve this. A turning head would be provided to the front of the proposed dwellings. Two options are indicated for turning areas at the front of the site, one being outside of the village framework. All affected landowners, including South Cambridgeshire District Council, have agreed to enter into a section 106 legal agreement to ensure that the access widening can be achieved.



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Scale 1/1250 Date 22/10/2007

Centre = 544636 E 267727 N

November Planning Committee

Planning History

4. **S/1189/76/O** for the erection of a dwelling and garage on the front half of the site that is was refused on grounds of consolidating and extending a small group of bungalows in a location where existing dwellings are badly related to other properties in the area and served by a sub-standard access incapable of accommodating any extra traffic. An appeal was dismissed, the Inspector upholding both reasons for refusal.
5. **S/0104/88/O**, also for the erection of a dwelling and garage on the front half of the site, was refused for being outside of the village framework and again on the poor access being inadequate to cater for any increase in traffic. The site included the wider field, totalling 0.65 ha. The Inspector concentrated his comments on the impact on the rural character of the area and agricultural use of the site.

Planning Policy

Cambridgeshire and Peterborough Structure Plan, 2003

6. **P1/3 Sustainable Design in Built Development** of the Cambridgeshire and Peterborough Structure Plan, 2003, requires a high standard of design and sustainability for all new development, providing a sense of place appropriate to the location, efficient use of energy and resources and account to be taken of community requirements.

South Cambridgeshire Core Strategy DPD, 2007

7. **ST/5 Minor Rural Centres** includes Cottenham. Development or re-development up to a maximum scheme size of thirty dwellings is allowed within frameworks.

South Cambridgeshire Development Control Policies DPD, 2007

8. **DP/1 Sustainable Development** only permits development where it is demonstrated that it is consistent with the principles of sustainable development. The policy lists the main considerations in assessing whether development meets this requirement.
9. **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.
10. **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.
11. **DP/4 Infrastructure and New Developments** requires that development proposals should include suitable arrangements for the improvement or provision of infrastructure necessary to make the scheme acceptable in planning terms. It identifies circumstances where contributions may be required e.g. affordable housing and education.
12. **DP/7 Development Frameworks** permits development within village frameworks provided that retention of the site in its present state does not form an essential part of the local character; it would be sensitive to the character of the location, local features of landscape, ecological or historic importance, and the amenities of neighbours; there is the necessary infrastructure capacity to support the development; and it would not result in the loss of local employment, or a local service or facility.

13. **HG/1 Housing Density** is set at a minimum of 30 dph unless there are exceptional local circumstances that require a different treatment in order to make best use of land. Higher densities of 40 dph will be sought in the most sustainable locations.
14. **HG/2 Housing Mix** sets a mix of at least 40% of homes with 1 or 2 bedrooms, approximately 25% 3 bedrooms and approximately 25% 4 or more bedrooms for housing developments of less than 10 dwellings. Accommodation should also provide a range of types, sizes and affordability to meet local needs.
15. **HG/3 Affordable Housing** at a level of 40% of all new dwellings on developments on two or more units is required to meet housing need. The exact proportion, type and mix will be subject to the individual location and the subject of negotiation. Affordable housing should be distributed in small groups or clusters. Financial contributions will be accepted in exceptional circumstances.
16. **SF/10 Outdoor Play Space**, Informal Open Space and New Development requires that all new residential development contribute towards outdoor space. The policy states the specific requirements, including that for small developments (less than ten units) it is expected that only informal open space be provided within the site. Contributions to off-site provision and maintenance of other types of open space will be expected in addition to this.
17. **SF/11 Open Space Standards** sets out minimum space requirements as follows: 2.8ha per 1000 people comprising 1) 1.6ha per 1000 people outdoor sport; 2) 0.8ha per 1000 people children's play space; and 3) 0.4ha per 1000 people informal open space.
18. **NE/1 Energy Efficiency** requires development to demonstrate that it would achieve a high degree of measures to increase the energy efficiency of new and converted buildings. Developers are encouraged to reduce the amount of CO₂ m³/ year emitted by 10%.
19. **NE/9 Water and Drainage** Infrastructure indicates that planning permission will not be granted where there are inadequate water supply, sewerage or land drainage systems to meet the demands of the development unless there is an agreed phasing agreement between the developer and the relevant service provider to ensure the provision of necessary infrastructure.
20. **NE/17 Protecting High Quality Agricultural Land** restricts development that will result in the irreversible loss of Grades 1,2 or 3a agricultural land unless land is allocated for development within the Local Development Framework or sustainability considerations and need for the development are sufficient to override the need to protect the agricultural value of land.
21. **TR/1 Planning for More Sustainable Travel** states that planning permission will not be granted for developments likely to give rise to a material increase in travel demands unless the site has (or will attain) a sufficient standard of accessibility to offer an appropriate choice of travel by public transport or other non-car travel mode(s). Opportunities to increase integration of travel modes and accessibility to non-motorised modes by appropriate measures will be taken into consideration. The Local Transport Plan road user hierarchy will also be taken into account in the determination of planning applications to ensure adequate emphasis has been placed on the relevant modes, although no modes should be promoted to the exclusion of others.

22. **TR/2 Car and Cycle Parking Standards** identifies maximum parking standards to reduce over-reliance of the car and to promote more sustainable forms of transport. Cycle parking should be provided in accordance with minimum standards.

Consultation

23. **Cottenham Parish Council** – Recommend that the application be approved, commenting that the turning circle should be within the village framework.
24. **Old West Internal Drainage Board** – State that there is no residual capacity within the Board's system therefore surface water drainage must be to soakaways.
25. **Corporate Manager (Health and Environmental Services)** – Recommends planning conditions to include construction hours using power operated machinery and piled foundations; and an informative regarding bonfires.
26. **Local Highways Authority** – Turning proposed is inadequate for a refuse vehicle and car to pass, the turning is not adequate for a refuse vehicle, cars parked in the access would block service or emergency service vehicles, 80m distance is too far for a refuse truck to reverse, bins would have to be wheeled more than the max of 50m for collection, the road would not be adopted and is not being made up to an adoptable standard.
27. **Building Control** – Written comments awaited, however it has been confirmed verbally that the access is suitable for fire vehicles.
28. **Environment Operations Manager** – No comments received.

Representations

29. Written objections have been received from occupiers of nos. 49, 51 and 57 Victory Way concerns raised include:
- (a) Existing problems with blockages in sewers could be exacerbated;
 - (b) An almost identical proposal for one dwelling on this site was refused and dismissed at appeal in 1977 on grounds that it would further consolidate the group of bungalows which are badly related to surrounding development and the sub-standard, narrow access; this application is for two dwellings on the same site area;
 - (c) Increase in traffic resulting in potential hazard to local residents, especially children, using the public highway;
 - (d) Encroachment into open countryside that would adversely affect the rural appearance and character of this part of Cottenham.
30. Cottenham Village Design Group comment that if turning can be overcome, the number and style appears appropriate subject to landscaping on the village edge.
31. The applicant has written stating that proposal is to connect to the public foul drain that runs to the rear of the site.
32. South Cambridgeshire District Council Housing and occupiers of nos. 37a, 39 and 39a have all confirmed in writing that they are willing to allow their land to be used to widen the access road and that they are willing to enter into a Section 106 agreement to secure this.

Planning Comments – Key Issues

33. The key issues to be considered in determining this planning application are density, character of the area, access, drainage and that the proposals are a departure from the development plan.
34. A density of 13.3dph is proposed, well below the standard usually required, however having had regard to the character of the area, existing form of development and limitations on development it is considered that a greater density on this site could not be achieved without subsequent harm to character of the area or the highway. Policy HG/1 does allow for densities below 30dph where there are exceptional local circumstances to require different treatment.
35. The site is on the village edge, however it is within the village framework, where development is permitted. The loss of grade 1 agricultural land is balanced against the benefit of providing two new residential units in a sustainable location. The area lost is very modest in size and will not significantly harm the objective of retaining, where possible, high quality agricultural land.
36. It is noted that previous decisions have refused development on this site on grounds that the character of the area would be harmed. This character has not significantly altered in the intervening period, however pressure for development and the availability of suitable sites has. While it is acknowledged that this site is not ideally suited for development a pair of modest bungalows, when seen against the backdrop of existing single storey development, will not significantly alter the character the area. It is also noted that any public views of the site are long distance.
37. The proposed widening of the access is acceptable to serve the number of dwellings. The main issues with it that has been raised by the Highway Authority is the practicality of using this access for refuse collections. It seems likely from subsequent discussions that a suitable turning area can be achieved and it would be appropriate therefore to require by planning condition a detailed design, including a vehicle tracking diagram.
38. Drainage can be achieved by connection to the existing foul drain and soakaways. These matters can be conditioned as such are not considered to be of significant concern as a consequence.
39. This application fails to provide provision for affordable housing or public open space, however the application followed pre-application advice from Officers, and was received on the 13th March 2007, prior to the adoption of the Development Control Policies DPD in July 2007. Negotiations have centred on securing the agreement of neighbours to the access widening and therefore it would be unreasonable to now require such contributions. The application is not of a sufficient scale or nature, or in allocation that would result in significant prejudice to the implementation of the development plan as such it is not required to be referred to the Secretary of State for determination.

Recommendation

40. Approve, subject to the conditions below:
1. SC1 a) siting of buildings, b) design and external appearance & d) the landscaping of the site - RC1
 2. SCB – RCB
 3. SCA Time limited permission – RCA
 4. Prior to the commencement of development a scheme for the means of provision of access widening proposals will be submitted to the Local Planning Authority. (Reason: to ensure that the necessary measures are in place that will enable the access widening to be provided, without which the scheme would not be acceptable)
 5. SC5a – Details of
 - a) materials for external walls and roofs (Rc5ai);
 - c) refuse storage accommodation (RC5c);
 - j) car parking (RC5j)add:
cycle storage (Reason: to ensure that adequate cycle storage is provided on site).
detailed layout of the turning facility, including a tracking diagram for refuse vehicles (Reason: to ensure that the turning facility is suitable for the turning of refuse vehicle and that it is provided within the village framework)
 6. Surface water drainage shall be to soakaways and foul drainage by connection to the public foul drain unless otherwise agreed in writing by the Local Planning Authority following submission of details of an alternative scheme. (Reason: To ensure the satisfactory drainage and disposal of foul water from the site)
 7. The two dwellings to be provided shall be in accordance with the mix set out in policy HG/2 of the South Cambridgeshire Development Control Policies DPD, 2007 (Reason: To ensure that balanced communities are achieved in accordance with the objectives of policy HG/2)
 8. Sc52 – Implementation of landscaping (Rc52)
 9. Sc60 – Details of boundary treatment (Rc60)
 10. Restriction of hours of use of power operated machinery

Informatives

1. In relation to condition 4 above, this scheme may be in the form of a Section 106 legal agreement involving all affected land owners.
2. See attached Environment Agency advice regarding soakaways.
3. Pile driven foundations.
4. Bonfires.

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:**
P1/3 Sustainable Design in Built Development
 - **South Cambridgeshire Local Development Framework Development Control Policies 2007:**
ST/5 Minor Rural Centres
DP/1 Sustainable Development
DP/2 Design of New
DP/3 Development Criteria
DP/4 Infrastructure and New
DP/7 Development Frameworks
HG/1 Housing Density
HG/2 Housing Mix
HG/3 Affordable Housing
SF/10 Outdoor Play Space, Informal Open Space and New Development
SF/11 Open Space
NE/1 Energy
NE/9 Water and Drainage
NE/17 Protecting High Quality Agricultural
TR/1 Planning for More Sustainable Travel
TR/2 Car and Cycle Parking Standards
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Drainage, traffic, character of the area and access.

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

- South Cambridgeshire Local Development Framework 2007
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning File Refs: S/1189/76/O, S/0104/88/O and S/0476/07/O
- Documents referred to in the report including appendices on the website only and reports to previous meetings

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