

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

5<sup>th</sup> December 2007

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

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### **S/1903/07/RM - HARSTON**

**Approval of Layout, Scale, Appearance, Access and Landscaping for 14 Dwellings and Garages – Land at 18 High Street (Accessed from Orchard Close) for Ashwell Homes**

**Recommendation: Delegated Approval**

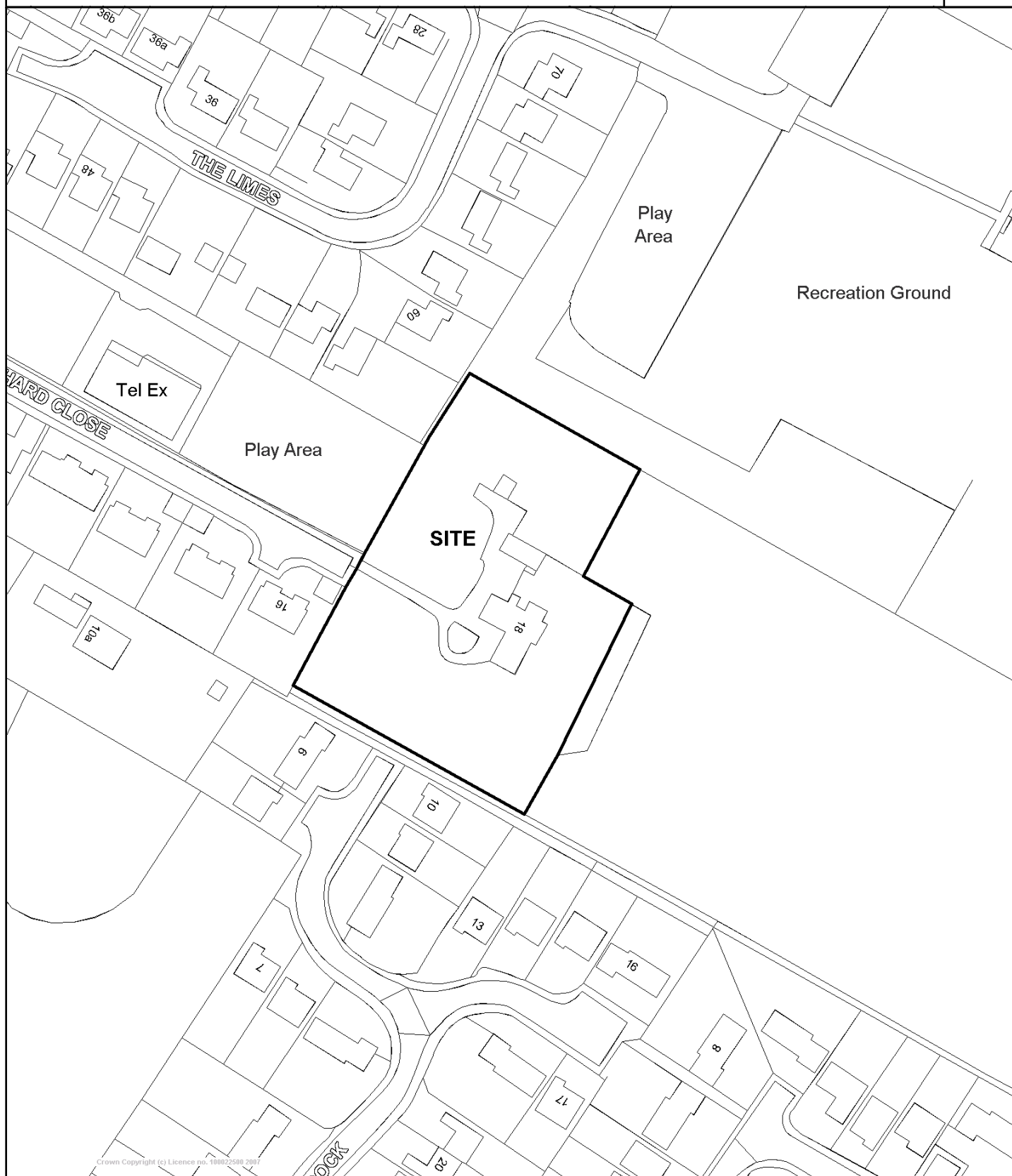
**Date for Determination: 3<sup>rd</sup> January 2008 (Major Application)**

#### **Notes:**

**This Application has been reported to the Planning Committee for determination because the Officer recommendation does not accord with all the recommendations set out in the Parish Council's response.**

#### **Site and Proposal**

1. The application site is a 0.46 hectare plot of land occupied by a detached dwelling and a range of outbuildings. The site is located at the eastern end of Orchard Close, a residential cul-de-sac that currently serves 8 dwellings. To the north-east of the site, beyond a belt of mature trees, is the village recreation ground, whilst to the west are two storey detached dwellings situated within Orchard Close. There are also two storey properties beyond the site to the south-west (The Paddock) and north-west (The Limes). A hedge forms the south-eastern boundary of the site, beyond which is open countryside and then Green Belt land. Access to the site is via Orchard Close.
2. The reserved matters application, submitted on 4<sup>th</sup> October 2007, seeks consent for the erection of 14 dwellings on the site (layout, scale, appearance, access and landscaping) following the demolition of the existing property. The density of the development equates to 30 dwellings per hectare. 7 of the proposed dwellings are affordable properties, comprising the following mix: 2 x two-bed apartments, 1 x one-bed apartment, 2 x two-bed semi-detached houses and 2 x three-bed semi-detached houses (plots 5, 6, 10, 11 and 12-14). The market element also amounts to 7 houses and comprises a mix of 2 x three-bed link detached houses and 5 x four-bed detached houses (plots 1, 2, 3, 4, 7, 8 and 9).
3. The proposed dwellings are a mix of 2 and 2½ storey properties, ranging in height from 9.7 metres to 8 metres, with the higher dwellings sited towards the Orchard Close/western end of the site and the lowest properties positioned adjacent to the countryside/eastern boundary. The materials proposed for the properties are buff bricks for the walls and a mixture of red pan/plain tile and slate for the roofs.
4. The application has been accompanied by the following documents:
  - a) Sustainability, planning and design statements;
  - b) Statement of community engagement;
  - c) Landscaping and biodiversity statement;



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- d) Tree survey and arboricultural implications assessment;
- e) Transport/highway feasibility statement;
- f) Flood risk assessment.

### **Planning History**

- 5. **S/1740/04/O** – Outline planning permission was granted for residential development on the site at the Planning Committee meeting held in November 2004. All matters were reserved for further consideration. The approval was subject to a Section 106 Agreement requiring up to 50 % of development to be affordable housing and, in part, to a condition requiring a feasibility study to be undertaken to explore the possibility of implementing a traffic calming scheme within Orchard Close.

### **Planning Policy**

- 6. **Policy P1/3** of the Cambridgeshire and Peterborough Structure Plan 2003 stresses the need for a high standard of design and a sense of place which corresponds to the local character of the built environment.
- 7. Harston is identified within **Policy ST/6** of the South Cambridgeshire Local Development Framework Core Strategy 2007 as a Group Village. This policy states that residential development and redevelopment up to an indicative maximum size of 8 dwellings will be permitted within the village frameworks of Group Villages. Development may exceptionally consist of up to 15 dwellings where this would make the best use of a single brownfield site.
- 8. **Policy DP/2** of the Local Development Framework Development Control Policies 2007 requires all new development to be of high quality design and to provide higher residential densities and a mix of housing types.
- 9. **Policy DP/3** states that permission will not be granted for proposals that would have an unacceptable adverse impact on (amongst other issues): residential amenity; from traffic generated; on village character; on the countryside and landscape character; from undue environmental disturbance; on ecological, wildlife and archaeological interests; and on flooding and flood risk.
- 10. **Policy GB/3** requires development on the edges of settlements which are surrounded by Green Belt to include careful landscaping and design measures to protect the purposes of the Green Belt.
- 11. **Policy HG/1** requires residential developments to make best use of sites by achieving average net densities of at least 30 dwellings per hectare unless there are exceptional local circumstances that require a different treatment.
- 12. **Policy HG/2** requires residential developments to contain a mix of units, providing accommodation in a range of types, sizes and affordability, to meet local needs.
- 13. Within **Policy HG/3**, a minimum of 40% affordable housing is required in all new developments.

## Consultations

14. **Harston Parish Council** recommends approval subject to the following conditions:

### *“Landscaping Condition*

To landscape the north/east boundaries adjoining the recreation ground with evergreen species, or an evergreen hedge, of at least 6ft height at time of planting. The species could be *Thuya plicata atrovirens*, or *Cupressus Leylandii* ‘Olives Green’, or *Prunus laurocerasus* (common laurel). Note: The trees illustrated by Ashwells (the applicant) are in fact deciduous trees belonging to the recreation ground. When the leaves are down, the proposed development will be fully visible for at least 6 months a year, unlike the illustration.

### *Storage Condition*

All of the dwellings should have garages, or at least well designed and secure storage accommodation adjacent to the houses, sufficient in size and design to obscure and store dustbins, bicycles, garden maintenance equipment, etc. If secure storage enclosures are not provided, these items will necessarily be kept out in the open, will be visible from the road, will be unsightly, and will be vulnerable to theft. Ideally the storage should be garages so that cars also may be stored safely.

### *Contractors, Sub-contractors, Suppliers condition*

- 1 Hours of work, including delivery of materials: 8am-6pm Mon-Fri; 8am-12noon Sat; No work or deliveries on Sundays or Bank Holidays.
- 2 No access for articulated lorries into Orchard Close. This is an important point that must be observed. If it is not observed, any arriving articulated lorries will block the A10, which will cause chaos and congestion on a major road. Subcontractors and suppliers must be informed in advance by developer of this requirement.
- 3 All construction and other materials to be stored securely on the site, away from the existing properties, and out of site.
- 4 Mud to be cleansed from vehicle tyres before leaving development site; any residual mud on Orchard Close road to be cleansed daily.
- 5 The site is not to be used by workers for overnight accommodation.

### *Change of address name*

‘18 High Street’ is now redundant and misleading as an address for the above site. It will certainly mislead contractors, sub-contractors and deliveries. ‘18 High Street’ refers to a former single dwelling house, whose land bordered on the High Street, hence ‘18 High Street’. However, in 1973, the land between the house and the A10 was sold for development of an estate of houses. The driveway was upgraded to a (dead-end) road, named ‘Orchard Close’, by which it has been known for nearly 35 years! The name of the access to the site should certainly be ‘Orchard Close’ for practical reasons, and the name of the site certainly should no longer be called ‘18 High Street’.”

15. **The Local Highways Authority** objects to the application as it stands on the basis that the proposed isolated speed hump is inappropriate and dangerous, as there is no speed reducing feature to prevent vehicles encountering the hump at an unsafe speed. A speed-reducing feature would need to be positioned within ten metres of the junction with High Street, with appropriate signage. A further hump should be placed

approximately 60 to 70 metres beyond, with the final hump as shown. An Order would need to be advertised and endorsed prior to implementation of any traffic calming scheme.

16. **The Trees and Landscape Officer** advises that the plan of the root protection area and no dig areas is adequate. No objections are raised to the removal of the horse chestnut. This will be replaced with a significant specimen tree – details of species and stock size need to be submitted. The recommendations for tree works are poor in definition and any works to be carried out on site will require a full work specification. The tree and landscaping proposals are disappointing. A site meeting was held before the submission of the application at which improvement of the existing tree stock was discussed. There is a prominent but poor quality belt of poplar trees on the south western boundary. These should be replaced with specimen trees, with a view to serving a TPO on them for longevity.
17. **The Landscape Design Officer** states that the pollarded poplars on the south west side will never make satisfactory trees having been pollarded at such an advanced age. They need to be removed before the houses are built and the boundary replanted with suitable long term trees. The trees on the north-east boundary will drop debris on the adjacent parked cars and it would therefore be prudent to include a simple roofed structure to shelter them. There is little opportunity for planting within the front gardens of the development. The brick wall along part of Plot 8's side boundary should be extended to the corner and preferably set back 1 metre from the kerb so that some planting can be incorporated. Details of materials for the large circulation space near to the north-eastern boundary should be submitted. This area could be reduced slightly by including a planting area outside the wall. This would increase the rooting area available for the tree in plot 8. Also, could some of the footway at the side of plot 8 be devoted to garden? Could the house on plot 9 be moved back slightly in order to create a deeper front garden within which a tree like shrub could be accommodated. A more detailed landscape plan should be submitted.
18. The comments of the **Ecology Officer** will be reported verbally at the Committee meeting.
19. **The Corporate Manager (Health and Environmental Sciences)** raises no objections to the implications of the proposal in terms of noise and environmental pollution.
20. **The Housing Development and Enabling Manager** advises that the scheme provides for 3 rented and 4 shared ownership properties which will meet existing housing need. The unit size and proposed mix are satisfactory. If planning permission is granted before April 2008, it is hoped that the Housing Corporation will fund the units.
21. The comments of the **Environment Operations Manager** will be reported verbally at the Committee meeting.
22. The comments of the **Building Inspector** will be reported verbally at the Committee meeting.
23. The comments of the **Drainage Manager** will be reported verbally at the Committee meeting.

24. **The Environment Agency** raises no objections, but states that the Council's Drainage Manager should be consulted in respect of drainage discharge rates, maintenance and adoption.
25. **Anglian Water** advises that there are no public surface water facilities in the vicinity of the proposed development. The developer has suggested alternative methods of surface water drainage disposal that are outside the responsibility of Anglian Water, namely disposal via a drain at the rear of the development. Approval will need to be sought from the Environment Agency or relevant Internal Drainage Board. Surface water will not, in any circumstances, be permitted to discharge to the foul sewer. It is envisaged the existing network would be able to accommodate foul flows arising from the development with a connection point made to the public foul sewer to the front of the property. A condition requiring details of foul and surface water drainage should be added to any permission.
26. **The Cambridgeshire Fire and Rescue Service** raises no objections, stating that additional water supplies for firefighting are not required (contrary to his view at the outline stage when a condition was imposed).
27. **The Police Architectural Liaison Officer** recommends that the road through the development and the communal parking area for the flats are lit by means of column mounted white down lighters.
28. **The County Archaeologist** raises no objections, stating that no archaeological investigation is required.

### **Representations**

29. No. 10 The Paddock, a dwelling sited beyond the south western boundary, objects for the following reasons:
  - a) The height of the proposed buildings are not in keeping with a rural setting. The new dwellings should not exceed the height of the neighbouring houses – ie – those in The Paddock and on The Limes;
  - b) The development immediately adjacent to No.10 The Paddock will eclipse it;
  - c) To ensure privacy of neighbouring properties that will be overlooked by the proposed new dwellings, can it be stated in the planning agreement that no further windows can be constructed in the roof space and preventing obscure glazed windows being fitted with clear glass at a later date;
  - d) Some trees between the site and No.10 The Paddock have already been felled. These should be replaced with suitable mature trees, which should then have preservation restrictions placed on them.

### **Planning Comments – Key Issues**

30. The key issues to consider in the determination of this application are:
  - a) Impact upon character and appearance of area;
  - b) Trees/landscaping;
  - c) Residential amenity;
  - d) Highway safety;
  - e) Flood risk/drainage.

### ***Impact upon character of area***

31. The site lies on the edge of the village and is bounded on two sides by residential development. The nearest property in Orchard Close is approximately 9 metres high, whilst the properties in The Limes and The Paddock are, I would estimate, 7.5 - 8 metres high. The dwelling on plot 1 would be approximately 0.7 metres higher than No.16 Orchard Close, but the style of the proposed dwellings is in keeping with the character of surrounding properties and I do not consider this difference in height between the existing and proposed dwellings to be harmful to the appearance of the area. To minimise the impact of the development upon the surrounding countryside, the height of the dwellings generally steps down from west to east, so that the lowest properties are on the most sensitive eastern portion of the site, whilst still retaining sufficient space to ensure the retention of existing hedges and trees.

### ***Trees/landscaping***

32. Concerns have been raised by both the Trees and Landscape Design Officers in respect of the submitted landscaping scheme and, in particular, to the proposed retention of the row of pollarded poplars along the south-western boundary of the site. Both officers have advised that these trees should be removed and replaced with more suitable mature trees, which would then be protected with a preservation order. Although the application initially sought approval for the landscaping of the site, the applicant has agreed to the addition of a landscaping condition to any consent, so that issues and concerns relating to the tree specification works and landscaping scheme can be discussed more fully at a later date.
33. The Parish Council has requested that the boundaries adjoining the recreation ground be planted with evergreen trees/hedge. I have discussed this verbally with the Landscape Design Officer who has advised that the planting of evergreen species in this location would not be appropriate.

### ***Residential amenity***

34. The scheme has been designed such that it avoids seriously harming the amenities of occupiers of adjoining dwellings. Openings in the upper storey of the 2½ storey dwellings have either been positioned at high level or are opaque glazed, in order to ensure an appropriate amenity relationship with neighbouring properties. The dwelling on plot 1 is 18 metres away from the side wall of the garage of the adjacent property to the south-west, No.9 The Paddock. The house on plot 4 is only 12 metres away from the boundary with No.10 The Paddocks. To avoid serious overlooking problems of the neighbouring garden area, this dwelling has been designed with no first floor habitable windows in its rear elevation. There is just one bathroom window which would be obscure glazed. This could be secured by condition, whilst a further condition would also be necessary to prevent the insertion of further windows at a later date without planning permission. Finally, the apartments on plots 12-14 in the north-western corner of the site have been designed such that the highest element is positioned as far away as possible from neighbouring dwellings in The Limes (this element is around 25 metres away from No.58 The Limes). In addition, there are no first floor windows in the north side of this building, with first and second floor openings restricted to the elevation facing the communal car park and to the south-western elevation, which faces the open land on the north side of Orchard Close.
35. Concerns have been expressed by the Parish Council and local residents regarding noise and disturbance that would arise during the construction period. The applicants

have pointed out that they only use contractors who sign up to the Considerate Contractors Scheme, and assurance has been given that contractor's vehicles will park on site at all times. A condition should be added to any permission requiring details of where vehicles will park/manoeuvre and where materials will be stored during the construction period. The aim of this condition would be to ensure that there is sufficient space on site for materials/vehicles in order to minimise the risk of obstruction within Orchard Close.

36. The Parish Council has requested that a condition be applied to any consent restricting working hours, and preventing any development being carried out (including delivery of materials) after 6pm on weekdays, 12pm on Saturdays and on Sundays and Bank Holidays. Such a condition would be unduly restrictive and would not be reasonable. However, there is condition on the outline permission preventing the use of power operated machinery during these hours, and this would need to be complied with during the construction period. In addition, a condition preventing articulated lorries from accessing the site cannot reasonably be imposed.

### ***Highway safety***

37. In its response to the outline application, the Local Highways Authority considered Orchard Close to be acceptable to cater for the additional vehicular and pedestrian traffic likely to be generated by the development. It did, however, state that due to the alignment of Orchard Close, intensification of vehicular use is likely to result in vehicle speed becoming an issue and suggested that traffic calming be considered following consultation with existing residents. The submitted transport statement explains that this issue was discussed during the pre-application consultation with the local community, as a result of which a speed hump has been proposed within the development site.
38. The Local Highways Authority has objected to the proposed speed hump, which it states is unsafe in the absence of any other speed reducing features within Orchard Close. During a discussion with a resident of Orchard Close, it was made clear that there would be strong objections from existing residents to any further speed bumps within the road. Given that traffic calming features can only be introduced with the full support of all residents and that the LHA initially asked for the possibility of traffic calming to be explored, I have requested that this feature be removed from the scheme altogether.

### ***Flood risk/drainage***

39. The application seeks to discharge surface water to a Council maintained ditch along the south west boundary of the site and the comments of the Drainage Manager in respect of this issue are awaited.

### ***Other matters***

40. The Parish Council has requested that garaging and secure storage be provided for all houses, including the affordable dwellings. I have discussed this point, as well as the concerns raised by the Landscape Design Officer regarding the uncovered parking spaces, with the applicant. In initial pre-application discussions, Ashwell Homes had proposed the provision of covered parking/bin stores for the affordable properties but the Housing Association (Granta) specifically requested that these elements be removed. There is no planning requirement for bin storage or parking spaces to be covered and the application could not therefore be justifiably refused on this basis.



41. The Parish Council's concerns regarding mud being cleansed from vehicles before they leave the site, and residual mud being cleaned from Orchard Close daily cannot be conditioned. I understand these matters are covered under the Considerate Contractors scheme, but will ensure these concerns are relayed to the applicants through informatives on any planning permission.
42. With regards to the Parish Council's concerns about the address of the site, the property is registered as '18 High Street' and we are unable to change this. However, with the applicant's agreement and for the sake of clarification, the site address has been altered to read '18 High Street (Accessed from Orchard Close).' This is not a planning matter.
43. The application does not accord with current policies relating to housing mix and open space. However, as this is a reserved matters application and, given that there have been pre-application discussions over the last year or so, Officers consider that it would be unreasonable to apply these policies in this instance.

### **Recommendation**

44. Subject to the receipt of amended plans to show the deletion of the traffic calming and to no new material objections being raised by outstanding consultees, delegated powers are sought to approve the layout, scale, appearance and access subject to the conditions of the outline planning permission S/1740/04/O dated 30<sup>th</sup> August 2005 and to the following additional conditions:
  1. Sc5a – Details of materials for external walls and roofs of the dwellings and garages (Rc5aii);
  2. Sc5 – Details of materials to be used for the access and for all areas of hardstanding (Rc5aii)
  3. Sc60 – Boundary treatment details (Rc60)
  4. Sc52 – Implementation of landscaping (Rc52)
  5. The following windows shall be fixed and fitted and permanently maintained with obscured glass:
    - a) The first floor landing window in the rear elevation of plot 1;
    - b) The 2<sup>nd</sup> floor ensuite window in the rear elevation of plot 2;
    - c) The 1<sup>st</sup> floor bathroom window in the rear elevation of plot 4.(Reason – To safeguard the privacies of occupiers of adjoining properties)
  6. No further windows, doors or openings of any kind shall be inserted in the following elevations unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf:
    - a) At 2<sup>nd</sup> floor level (including the roofspace) of the rear elevation of plot 1, and at 1<sup>st</sup> and 2<sup>nd</sup> floor levels in the north-west side elevation of plot 1;
    - b) At 2<sup>nd</sup> floor level, including the roofspace, of the rear elevation of plot 2;
    - c) At 1<sup>st</sup> floor level, including the roofspace, of the rear elevation of plot 4;
    - d) At 1<sup>st</sup> or 2<sup>nd</sup> floor level of the north elevation of plots 12-14.(Reason – To safeguard the privacy of occupiers of adjoining properties);

7. The communal parking area serving units 12-14 inclusive shall be lit before the units are occupied in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. (Reason - To provide a safe environment for the residents).
8. Before development commences, a plan specifying the area and siting of land to be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction, and for the siting of all construction materials, shall be submitted to and approved in writing by the Local Planning Authority; such space shall be maintained for that purpose during the period of demolition and construction (Reason – To minimise obstruction of Orchard Close and subsequent disturbance to existing residents).

## **Informatives**

### **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 2007:**  
**ST/6** (Group Villages)  
**DP/2** (Design of New Development)  
**DP/3** (Development Criteria)  
**GB/3** (Mitigating the Impact of Development Adjoining the Green Belt)  
**HG/1** (Housing Density)  
**HG/3** (Affordable Housing)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
  - Residential amenity;
  - Impact on trees;
  - Impact on character of area.

## **General**

1. With regards to condition 7 of this permission, the Architectural Liaison Officer at Cambridgeshire Constabulary has recommended that the road through the development and the communal parking area for the flats be lit by means of column mounted white down lighters to BS 5489: Code of practice for outdoor lighting.
2. Harston Parish Council has requested that, during the construction period, mud be cleansed from vehicle tyres before leaving the development site, and that any residual mud on Orchard Close be cleansed daily. In addition, it states that the site should not be used by workers for overnight accommodation.

3. The granting of planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and a separate permission must be sought from the Highway Authority for such works.
4. The developer should contact the Highway Authority, or its Agent, to arrange construction of any works within, or disturbance of, or interference with, the public highway, and all costs associated with such works shall be borne by the developer. The developer will neither be permitted to drain roof water over the public highway, nor access it in a surface channel, but must make arrangements to install a piped drainage connexion. No window or door will be allowed to open over a highway, and no foundation nor footing for the structure will be allowed to encroach under the public highway.
5. The Developer is reminded that no development should commence until conditions 2(d) landscaping, 3 surface water drainage and 5 fire hydrants of the outline planning permission, reference S/1740/04/O, dated 30<sup>th</sup> August 2005, have been discharged.
6. The application site subject to a Planning Obligation under Section 106 of the Town and Country Planning Act, 1990, dated 12<sup>th</sup> August 2005.

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

- South Cambridgeshire Local Development Framework (LDF) 2007;
- Cambridgeshire and Peterborough Structure Plan 2003;
- Planning application references: S/1903/07/RM and S/1740/04/O

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