

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

14th January 2009

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

S/1688/08/RM - PAPWORTH EVERARD
Approval of Appearance, Landscaping, Layout and Scale
for the erection of 150 Dwellings
(Reserved Matters Pursuant to Outline Planning Permission Ref S/2476/03/O)
Land South of Church Lane and West of Ermine Street South
For David Wilson Homes South Midlands

Recommendation: Delegated Approval

Date for Determination: 23rd December 2008
(Major Application)

Notes:

This Application has been reported to the Planning Committee for determination because the recommendation of delegated approval by Officers is likely to conflict with the views from Papworth Everard Parish Council.

Site and Proposal

1. The site forms the southern 'half' of a larger site of 21.63 ha site that lies on the south western side of the village and is fringed with a ribbon of housing on the eastern Ermine Street boundary. To the south and west is open countryside; Cow Brook forms the south-western boundary with the newly completed bypass beyond.
2. Running north-west/south-east across the centre of the site at its highest point is a plantation of young trees. To the west of the belt, the site slopes sharply down into the valley of Cow Brook. The site is overgrown former agricultural land and there are few trees on site other than the plantation and adjacent to Cow Brook.
3. The reserved matters application received on 23rd September 2008 proposes to address the siting, design and external appearance of 150 dwellings as well as the landscaping of part of the overall site. The application is supported by a planning statement, a foul sewerage and utilities assessment, a lighting assessment, a health impact assessment, a site waste management plan and policy document, a sustainability plan, a boundary treatments plan, a materials plan, a storey heights plan, a visibility splays and tracking plan, a tree protection plan, a tree and landscape protection plan and method statement and a Design and Access statement.
4. The 150 dwellings comprise 7 one bedroom flats, 28 two bedroom flats, 0 two bed houses, 57 three bedroom houses, 40 four bedroom houses and 18 five bedroom houses. Excluding the garages, 63% of the dwellings are two storey and 37% are two and a half storey.
5. The design approach is traditional with more contemporary design incorporated into other parts of the overall site.



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Scale 1/2500 Date 9/12/2008

Centre = 528742 E 262271 N

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6. The numbers of dwellings has not changed from that already approved on this part of the site. The overall density of housing on the overall site is approximately 30 dwellings per ha.
7. The southern portion of the overall site (16 dwellings) is to be developed in accordance with the reserved matters consent granted in December 2007 under planning reference S/2476/03/O. This includes the main contemporary building lying at the gateway to the southern entrance. The applicants refer to this portion of the site as Phase 1. The remainder that is the consideration of this application, is broken down, by the applicants, into two further phases – phases 2 and 3.
8. The layout of the streets largely follows that already approved which follows the basic principles laid down in the Council's Development Brief with, in relation to the overall site, the residential development confined to the allocated area on the eastern side of the existing plantation. To the west of the plantation an extensive area of public open space (7.6 ha) sloping down to Cow Brook.
9. The approved overall scheme includes a central landscaped spine road that runs through the housing area linking the northern and southern vehicular access points to Ermine Street South. This proposal retains this.
10. A number of small open spaces are proposed within the residential area including two Local Areas of Play and the central Local Equipped Area of Play.
11. **The Planning Statement** sets out the background with regard to the Outline Planning Permission and identifies the relevant local and national policies.
12. In relation to landscaping the Design and Access statement indicates that the landscaping is fundamentally the same as for the already approved Reserved Matters scheme with a few listed changes.
13. **The Design and Access Statement** indicates that 18 of the proposed 150 dwellings (12%) will be constructed with solar panels on south facing roofslopes. This compares to 11% that were to be provided in the overall approved scheme.

Planning History

14. In 2003 the Council published a residential development brief for the site which was adopted as supplementary planning guidance.
15. In 2005 Outline Planning Permission was granted for residential development on the site, including public open space, vehicular accesses together with the demolition of 3 blocks of semi-detached housing.
16. In 2006 a reserved matters application for 397 dwellings and public open space was submitted and withdrawn later that year.
17. In December 2007 Reserved Matters for 365 dwellings was approved.
18. Since the 2007 approval the overall site has undergone transfers in ownership. This has resulted in the need for the new developers to revise the details of the scheme by the submission of further reserved matters applications.
19. All reserved matters pursuant to the Outline Planning Permission ref. **S/2476/03/O** had to be submitted by 30th September 2008. As a result no further such reserved matters applications can now be submitted.

Planning Policy

20. **Local Plan 2004 Policy Papworth Everard 3(c), LDF Core Strategy 2007 Policy ST/5, Local Development Framework Development Control DPD 2007 Policy, DP/1 – Sustainable Development, DP/2 – Design of New Development, DP/3 – Development Criteria, DP/6 – Construction Methods, HG/1 – Housing Density, HG/2 – Housing Mix, SF/6 – Public Art and New Development, SF/10 – Outdoor Playspace, Informal Open Space and New Developments, SF/11 – Open Space Standards, NE/1 – Energy Efficiency, NE/3 – Renewable Energy Technologies in New Development, NE/6 – Biodiversity, CH/2 – Archaeological Sites, CH/4 – Development within the Curtilage or Setting of a Listed Building, TR/2 – Car and Cycle Parking Standards.**

Development Brief

21. The site is subject to a Development Brief commissioned by the Council and adopted as supplementary planning guidance in September 2003.
22. A Statutory Press Notice was published on 21st October 2008. A Site Notice was posted on 5th November 2008, when all consultees had been consulted. The statutory consultation period has therefore expired.

Consultations

23. **Papworth Everard Parish Council** comments are awaited. It states that it was not consulted. Investigation has revealed that the Council did send, in October 2008, an entire paper set of application forms, plans and supporting documents by post to the Parish Council shortly after the application was submitted. Notwithstanding this the Parish Council hopes to have its comments submitted prior to the meeting. Members will be updated at the meeting.
24. **The Council's Chief Building Control Officer** has assessed the submitted foul sewerage and utilities assessment and comments: "The proposed drainage layout for foul and surface water layout, as provided is satisfactory."
25. **Environment Agency** confirms that outstanding surface water drainage details may be dealt with, prior to commencement of development, under Condition 17 of the outline approval and has no objections.
26. **Local Highway Authority** makes the following comments:

Given the size and nature of the development the Highway Authority will seek to adopt those roads and paths etc. that serve a highway function.

The applicant should show on the submitted drawings the proposed widths of the carriageways (5.5 minimum), footways (2m minimum), areas of shared use (7m minimum), including specifically the initial access route into the site at 'Summer Hill Drive'.

The applicant should show the vehicle to vehicle visibility splays at the entrance to the site onto Ermine Street, these should be 2.4m x 70m in both directions.

Visibility splays should be fully dimensioned, these must accord with the proposed design speed for the road. The required dimensions can be found in table 7.1 in Manual for Streets.

The applicant should define the nature of the feature north of 'Summersfield Green' and plots 336-339 as this appears to represent another ramp, which would be impractical.

The remaining comments relate to conditions to control visibility and informatives to indicate that any tree planting within areas of proposed adopted public highway will require a licence under Section 142 of the Highways Act and that the granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within the public highway.

27. **Conservation Manager** comments are awaited
28. **Anglian Water** comments are awaited
29. **English Heritage** comments are awaited
30. **Cambridgeshire Fire and Rescue** comments are awaited.
31. **Council appointed Urban Design Consultant** comments are awaited :
32. **The Definitive Map Officer (County Council)** comments are awaited
33. **Cambridgeshire Archaeology** comments are awaited.
34. **The Council's Ecology Officer** comments are awaited.
35. **Natural England** comments are awaited.
36. **The Architectural Liaison Officer (Cambridgeshire Constabulary)** comments are awaited
37. **Hilton Parish Council** comments are awaited.
38. **EDF Energy** comments are awaited.
39. **Trees and Landscape Officer** comments are awaited.
40. **Environmental Protection Team Leader** comments are awaited.
41. **Housing Development and Enabling Managers** comments are awaited.
42. **Cultural Services Manager** comments are awaited.
43. **Arts Development Officer** comments are awaited.
44. **Environment Operations Manager** comments are awaited.

Representations

45. **None** received

Planning Comments – Key Issues

- (a) The siting of the buildings
- (b) Design and external appearance of the buildings
- (c) The landscaping of the site

Background

46. As stated above this application considers revisions to the details on the southern 'half' of the approved scheme for 365 dwellings (the approved scheme). The site has been transferred in ownership resulting in this revised application for Reserved Matters Consent.
47. The site has an extensive history of pre application negotiation with the Council going back several years as well as the formal planning submissions. For more detail on this history and for a general background to the proposal please refer to the August 2007 report to Planning Committee in relation to the approved scheme for 365 dwellings under reference S/0093/07/F, attached as appendix 1.

Siting of the buildings

48. The developers have largely retained the approved internal road layout and location of areas of open space. What is altered is the design of the dwellings, the mix and their siting. I consider the layout of the site to be generally satisfactory. As in the approved scheme there is a deliberate distribution of density and heights of buildings to take account of the desire to concentrate a more dense urban and enclosed feel to the central spine road. Dwellings along this road are therefore closer to the road with less front garden with detailing such as railings. The additional location here of the mainly 2½ storey dwellings adds to this more urban feel. A row of trees along this road will add a pleasant element of greenery and the regular placement will further add to the formality of the street scene. The density and heights of dwellings is reduced to the east and west and the arrangement largely follows the sweep of the roads in a more organic and less formal arrangement.
49. Visually this approach will also help to protect views of the site from its surroundings by concentrating the main bulk at its centre.
50. The scheme compares well to the approved scheme in relation to car parking with only 4 fewer spaces in total but with 3 more disables spaces.

Design and external appearance

51. The central spine road in the approved scheme included some more contemporary buildings. Whilst this scheme has some buildings that are different from the rest of the scheme in massing and detailing the contemporary approach has not been as fully adopted. This is a subjective matter but I would have preferred to retain the more contemporary approach.
52. The design of the dwellings is, in general, traditional and has been considered at pre application stage. However, picking up one of the Parish Council's concerns, it is important that elements of the detailed design do not include features that are not traditionally found in the village of Papworth. Such matters need further consideration and Members will be updated at the meeting.

Landscaping

53. The landscaping broadly follows that already approved in the approved scheme with a few alterations that the Landscape Officer feels need further alterations. Members will be updated at the meeting.

General issues

54. The Council has, in its determination of the approved scheme employed the services of an Urban Design Consultant. For continuity reasons his services have also been employed to assist the Council with its consideration of this application.
55. The applicant approached the Council at an early stage with its proposals. It was established that the proposed changes were too extensive to be considered as minor amendments and that Planning Permission or revised Reserved Matters Consent needed to be sought.
56. Following a series of meetings involving the Case Officer, the Urban Design Consultant, the Local Highway Authority and representatives from Papworth Everard Parish Council, this application was submitted. No overall consensus was reached at the various meetings with the Parish Council in particular raising several concerns. However, the applicant through this process has made many revisions to try and address all of the concerns. These include:
 - (a) Minor changes to the road layouts and detailing.
 - (b) Redesigning of some hard engineered highways features.
 - (c) Reduction in excessive bulk of dwellings – particularly along the spine road.
 - (d) Removal of 3 storey elements from the scheme.
 - (e) Reduction to 2 storey from 2½ storey for dwellings along the eastern edge.
 - (f) General repositioning of plots to provide better layouts.
 - (g) Increase variation and definition of character zones.
 - (h) Changes to the siting of dwellings to take account of the flow of the road network.
 - (i) Consideration of house types and design issues.
 - (j) Consideration of views through green areas within the site.
57. The resultant scheme was in my opinion a significant enhancement over the first sketch proposals.
58. I am still awaiting the formal comments from the Council's Landscape Officer although I understand that the scheme has been considered and is largely satisfactory subject to some revisions.
59. Since the application has been submitted the Case Officer has met again with the Urban Design Officer and the Landscape Officer and, despite the lack of any formal comments, a number of further issues were identified. These include
 - (a) Reducing the impact of Plot 120 on existing properties.
 - (b) Resolving the issue of the impact the 2½ storey property on plot 66 would have on the entrance into the site and views from the southern approach to the village.
 - (c) The realignment of part of an internal footpath to provide a more organic solution to a particular layout issue.
60. The applicants have also met with the Parish Council. It has, amongst other concerns, indicated that it did not like the design of the dwelling to be inserted into the existing frontage development along the main road into the village. It is understood that the Parish Council would like a more contemporary approach, similar to the block of 16 flats in phase 1.

61. In addition I do not have the comments of the Council's Conservation Manager but yet a further recent meeting with him, the Urban Design Officer, the Landscape Officer and the Parish Council has taken place at which a number of issues were identified, mainly regarding the northern scheme that are relevant to this proposal. These relate to the need for more detailed information on materials and boundary treatments on a plot by plot basis prior to the granting of any consent.
62. The applicants for this application have agreed to provide this further detail and all of the above issues should be addressed before the Committee Meeting. Members will be updated verbally.
63. Although I do not have the formal comments from any of the main consultees regarding the design, layout and landscaping of the site I am nevertheless confident that such comments will be available for the meeting. Due to the extensive pre-application considerations I am hopeful that I will be in a position to recommend approval of the scheme at the meeting.
64. Whilst this approach is far from ideal the applicant has made every attempt to follow the pre-application process and I do not wish to further delay the consideration of the application.
65. Another potential point of concern is that this application is being put to Members before the consideration of the northern 'half' of the site. I regret this approach and would have preferred all three applications (the northern half has been submitted as two applications) to be considered together. However, these other applications were not subject to the same level of pre-application consideration and there are more fundamental concerns regarding design, siting and landscaping that need further negotiation. I do not feel I can justify delaying the consideration of this application while these matters are resolved (assuming that they can be).
66. I therefore invite Members to consider this proposal having regard to how it would sit with the existing approved scheme. Later consideration of the northern 'half' would need to take account of this current application, if approved. In this regard I note that this scheme has good natural enclosure and surveillance of/with the central open space area and the two halves of the site are separated by a road whose position will not change. Houses along this road are front facing and it is expected that the northern 'half' will similarly face the road and contribute to the enclosure of the central open space, as the approved scheme does such that I do not consider it necessary to consider all of the applications together. The landscaping detail of the site can similarly be considered in this way such that approval of this application may dictate elements of the treatment of the northern 'half'. The design of the dwellings on the northern 'half' of the site that directly abut the southern 'half' will need to be carefully considered should Members approve this application.
67. With regard to highways issues in relation to the layout, the Local Highway Authority has no objections but raises a question that I have put to the applicants. Members will be updated at the meeting.

Other matters

Foul and surface water drainage

68. Condition 17 of Outline Planning Permission ref. S/2476/03/O requires the submission of a drainage strategy prior to development commencing. All concerns regarding drainage can be addressed in the consideration of such a scheme.

Renewable Energy

69. Condition 5 of Outline Planning Permission ref. S/2476/03/O states that no reserved matters on any phase of development shall be submitted unless a sustainability appraisal (and a design and landscape statement) has also been submitted. It further states that the development shall be carried out in accordance with the approved documents.
70. The submitted Design and Access Statement addresses the need for renewable energy sources to be in line with the scheme as approved. It may be necessary for the applicants to submit this detail again in a document entitled Sustainability Appraisal in order to satisfy the condition referred to above. Such detail contained within it will be required to be carried out.

Ecology

71. Conditions 21 and 22 of Outline Planning Permission ref. S/2476/03/O require an assessment of all semi-natural habitats to be carried out and surveys and schemes of mitigation for protected species and species of importance to local biodiversity, including habitat creation and enhancement. The conditions require the schemes to be implemented in accordance with the approved details.
72. The application contains some details of proposed siting of bird and bat boxes but a more comprehensive scheme will need to be submitted separately to comply with these conditions.

Public Art

73. Public Art is encouraged to ensure the scheme is of high quality. I consider it to be an important part of the consideration of the overall design of the scheme. A draft brief had been discussed and agreed with the Council's Arts Development Officer prior to the approval of the earlier Reserved Matters consent. A condition can ensure that this or any revised brief is in place prior to development commencing and that the art will come forward in accordance with it.

Mix

74. The dwellings are generally larger than in the approved scheme with less 2-bedroomed dwellings and more larger dwellings. This proposal breaks down to: 5% 1-bed, 19% 2-bed 37% 3-bed, 27% 4-bed and 12% 5-bed.

The comparable area of the approved scheme contained:

3% 1-bed, 23% 2-bed 57% 3-bed, 15% 4-bed and 2% 5-bed.

The previous approved scheme overall contained:

3% 1-bed, 31% 2-bed 47% 3-bed, 18% 4-bed and 1% 5-bed (including 1 6-bed)

75. Whilst the mix has altered, this was not a matter controlled at the outline planning permission stage and this scheme is considering the detailed Reserved Matters only. Members should therefore consider the design implications for the change in mix rather than the principle of the change itself.

Conclusions

76. This scheme represents revisions to house design, siting and landscaping that are not sufficiently minor to be considered as amendments to the approved scheme yet do not fundamentally alter the design philosophy of the scheme, its road layout, areas of open space etc.

Previous Reserved Matters Consent

77. Papworth Everard Parish Council has, with regard to other parts of the site, wished to see all the previous conditions from S/0093/07/RM to be attached to any Reserved Matters consent granted. However, I have carefully considered these conditions and concluded that a number of them do not pass the tests laid down in planning legislation. Some, for example, are unnecessary as they concern matters already controlled by the Outline Planning Permission. Circular 11/95, "The Use of Conditions in Planning Permissions", makes it clear in Paragraph 45 that:
- "Once outline planning permission has been granted, it cannot be withdrawn except by a revocation order under Section 97 of the Act, and any subsequent approval of reserved matters does not constitute the granting of a further planning permission. Any conditions relating to anything other than the reserved matters should be imposed when outline permission is granted. The only conditions which can be imposed when the reserved matters are approved are conditions which directly relate to those matters".
78. I understand that this raises concerns within the Parish Council about the status of its involvement in the consideration of matters that are the subject of conditions. I have therefore agreed that should Reserved Matters Consent be granted that a letter confirming that the Parish Council will be involved in all of the matters previously outlined in the conditions for their direct involvement will be sent and that the views of the Parish Council in all of these matters will be taken into consideration.
79. Attached as Appendix 3 is the Decision Notice for the Reserved Matters consent reference S/0093/07/RM.
80. Members are invited to consider my assessment of the previous conditions.
1. This should be an informative since the means of access for all construction vehicles is controlled by Condition No. 10 of planning permission reference S/2476/03/O (the Outline Permission). Further control extends beyond the consideration of the Reserved Matters.
 2. Materials for the external surfaces of the dwellings, walls and all hard surfaces. As stated above materials for the external surfaces of the dwelling is to be considered prior to the granting of any consent. However, it may be necessary to control the precise details such as manufacturer, brick texture etc and the condition should therefore be repeated but omitting the words "following consultation with the Parish Council" as third parties should not be referenced in conditions.
 3. Window detail pertaining to the new designs – acceptable.
 4. Specific design exclusion – no longer necessary if this is resolved prior to the meeting.
 5. Specific design issue – no longer necessary.
 6. Solar panels. The development has to be carried out in accordance with the sustainability appraisal required by Condition No. 5 of the Outline Permission. It is therefore unnecessary to repeat this requirement and goes beyond the consideration of the Reserved Matters.
 7. Details of cycle storage – acceptable.

8. Temporary parking for the Bernard Sunley Centre goes beyond the consideration of the Reserved Matters and should not be imposed.
9. Provision of footpaths goes beyond the consideration of the Reserved Matters and is in any case controlled by Condition No. 10 of the Outline Permission and is therefore unnecessary.
10. Boundary treatments for each plot is unnecessary as this is specifically required by Condition No. 9 of the Outline Permission and as stated above is to be considered prior to any consent being granted.
11. Parking court lighting in the interest of highway safety goes beyond the consideration of the Reserved Matters. Street lighting is controlled by Condition No. 10 of the Outline Permission and should be sufficient.
12. This relates to the detail required to satisfy Condition No. 17 of the Outline Permission and is therefore unnecessary. It can be an explanatory informative.
13. Provision of bird and bat boxes can be an informative as this is controlled through Condition No. 22 of the Outline Permission.
14. Public art can be regarded as part of the design and hard landscaping of the site and can therefore be required. It has been identified as being necessary in order to ensure the detail of the development is of a high quality.
15. This trigger condition does not relate to the consideration of the Reserved Matters and should not be imposed.
- 16, 17, 18, 19, 20, 21 and 22 relate to landscape matters and may need to be revised. The elements of these conditions relating to implementation may already be covered by Condition No. 7 of the Outline Permission. To be advised by the Landscape Officer.
23. Relates to the monitoring of the landscape scheme. It is unnecessary as the requirement to ensure the planting is successful is already contained within the landscape implementation Condition No. 7 of the Outline Permission.
24. This is imprecise and does not relate to the consideration of the Reserved Matters.
25. Detail of play equipment etc in so far as it relates to the hard landscaping of the site can be required but omit the words "following consultation with the Parish Council" as above.
26. Drainage detail of the kickabout area is not relevant to the consideration of the Reserved Matters. Drainage is already considered by the Outline Permission at Condition No. 17.
27. No youth shelter is proposed. The condition is therefore unnecessary.
28. Scheme for the protection of all grass verges and landscape areas adjacent to road edges consisting of extra high conservation kerbs. This may be necessary in relation to the landscaping detail of the site but omit the words "following consultation with the Parish Council" as above.

29. Conditions should not require covenants. Any additional legal controls, where necessary, should be made under planning legislation e.g. S106.
30. As 29.
31. As 29.

Recommendation

Delegated approval of the reserved matters subject to satisfaction of the Local Highway Authority and further revisions following negotiations between the Council, the developers and the Papworth Everard Parish Council, without the need for further consultation, for the siting, design and external appearance of the buildings, and the landscaping of the site in accordance with the outline planning permission ref: S/2476/03/O subject to the conditions listed below.

1. Materials for all external surfaces of the buildings, free standing walls and hard surfaces.
2. Window details on specific plots
3. Cycle and bin storage detail
4. Exclusion of plot 160 (if necessary)
5. Public art provision
6. Details of play equipment
7. Any detailed landscape requirement following the comments of the Landscape Officer

Informatives

1. Hall road and means of access for construction vehicles located at and via the southern entrance at Stirling Way only.
2. Bird and bat boxes will be required in accordance with ecology conditions on the Outline Permission.
3. Parish Council to be consulted on Public Art.
4. Solar Panels to be erected in accordance with the Sustainability Appraisal
5. The drainage strategy referred to in Condition No. 17 of planning permission reference S/2476/03/O shall include details of the design, including sections, of the proposed balancing pond. These details, to include the detailed design and 'furnishing' of the area immediately surrounding the pond, shall be agreed in writing by the Local Planning Authority, following consultation with the Parish Council, and the works shall be carried out in accordance with the approved details.

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

- South Cambridgeshire Local Development Framework - 2007 (Core Strategy / Development Control Policies)
- South Cambridgeshire Local Plan 2004
- Planning Files Ref: S/1688/08/RM and S/0093/07/RM
- Documents referred to in the report including appendices on the website only and reports to previous meetings

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