

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

3rd October 2007

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

S/0093/07/RM - PAPWORTH EVERARD
Erection of 365 Dwellings with Associated Open Space and Landscaping
(Reserved Matters Pursuant to Outline Planning Permission Ref S/2476/03/O)
Land South of Church Lane and West of Ermine Street South
For Barratt, East Anglia/Kingsoak

Recommendation: Delegated Approval

Date for Determination: 31st August 2007
(Major Application)

Notes:

This Application was deferred at the 1st August 2007 meeting. The recommendation of approval by Officers is still likely to conflict with objections anticipated from Papworth Everard Parish Council.

Update

1. The Report to Committee in August 2007 (Item 7) is attached as an electronic appendix. A decision on the application was deferred to allow Members to fully consider the objections of the Parish Council received just prior to the meeting (and circulated to Members) in response to the applicants' amended plans dated 17th July 2007.

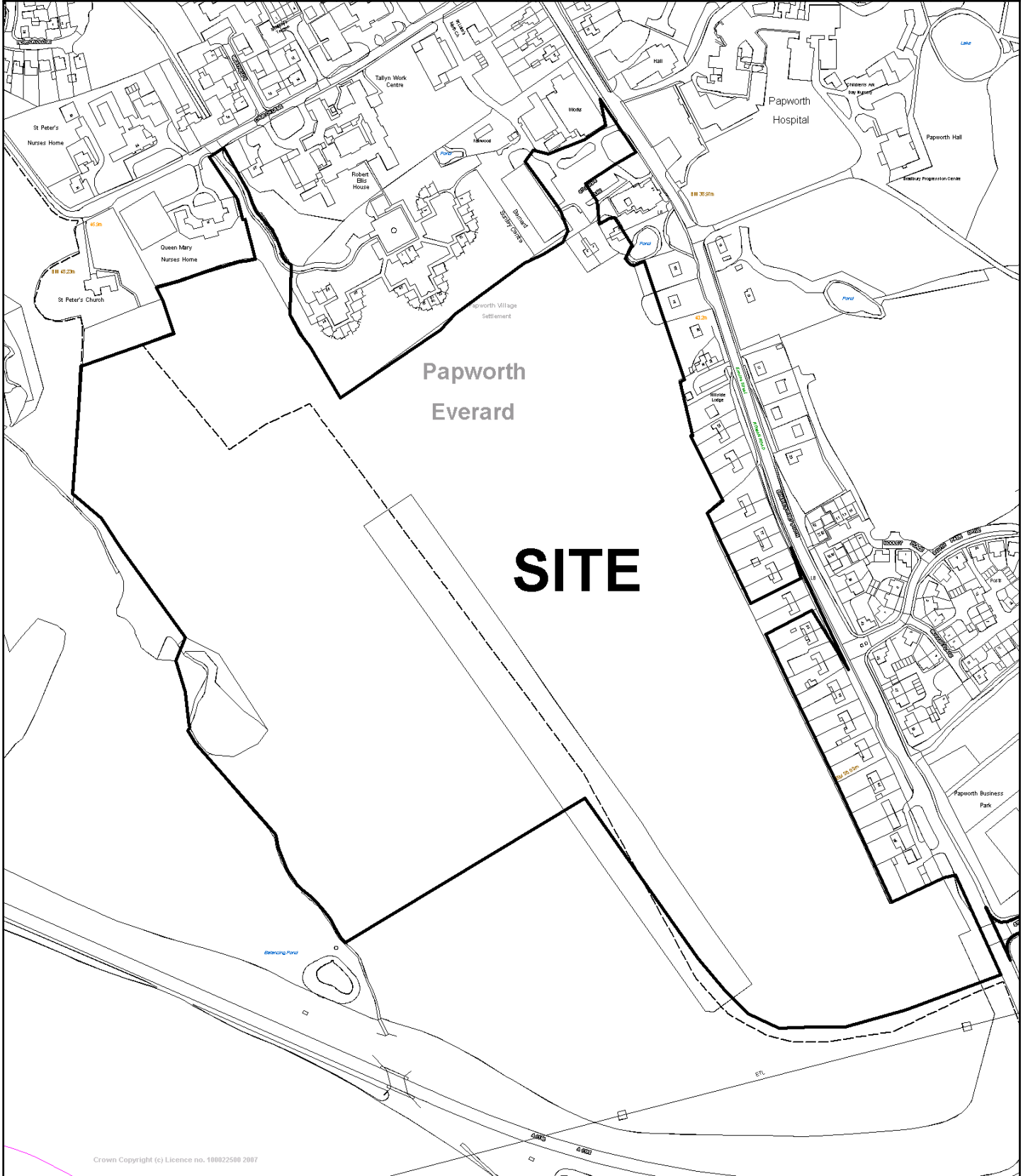
The following is the **Parish Council's** introduction and summary of key objections:

Introduction

2. PEPC welcomes the completion of this final segment of the 1000-dwelling village expansion that was agreed in the 1989 Structure Plan as a way of improving its previously skewed social and economic structure, securing a bypass for the village delivering, and delivering (more than) its fair share of new housing required in Cambridgeshire. In 1986 there were only 360 dwellings in the village.
3. To date 873 new dwellings have been completed or are under construction, so it is important to stress the approval of this 365 dwelling application would bring the total of new dwellings in Papworth to 1238, 23.8% above the planned for 1000.
4. The applicants have gone a long way towards improving their proposals, but there is still considerable detail which needs to be resolved.

Summary of Key Objection

1. Inadequate parking provision, contrary to Council Local Plan and LDF policies.
2. Cycle Parking Provision does not meet the Council's Local Plan and LDF policy requirements.



Reproduced from the 2007 Ordnance Survey mapping with the permission of the controller of Her Majesty's stationary office (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Scale 1/4000 Date 13/9/2007

Centre = 528574 E 262417 N

October 2007 Planning Committee

3. Siting, layout and massing contrary to Structure Plan, Local Plan, LDF policies and the Government guidance in PPS1, PPG3, PPS3 and PPS7.
4. The proposed haul road does not respect the existing neighbouring properties or the 7.5 tonne weight limit. It is both feasible and preferred that the haul road be provided in the vicinity of the southern entrance of the site, south of the 7.5 tonne weight limit, to avoid/mitigate these issues.
5. The general lack of, and conflicting, detail on which it is possible to make an informed decision on the application (which is a full reserved matter application.)

5. **The applicant** has subsequently submitted further amended plans franked 6th September 2007 and an amendment letter dated 18th September 2007, and enclosed comments on the Parish Council's objections. On the main objections:

1. Parking Provision

The discrepancies identified in paragraphs 2.8 and 2.9 have now been addressed.

The Parish Council refer to both the 2004 Local Plan and the more recently adopted Development Control Policies DPD. Policy TR/2 of the latter states that the parking standards set out at Appendix 1 of the DPD are maxima. In this regard it cross-references Structure Plan Policy P8/5 and PPG 13: both require the setting of maximum parking standards. The standard provides for an average of 1.5 spaces subject to a maximum of 2 spaces for properties with 3 bedrooms or more.

The application layout provides for approximately two spaces for each dwelling with three or more bedrooms and at least one space for the one and two bed properties. The policy does not provide maximum or minimum requirements in respect of those dwellings with less than two bedrooms. Additional visitor parking has now been provided for with a total of 694 allocated spaces and 42 visitor spaces at an average of approximately two spaces per dwelling across the site.

The introduction to Appendix 1 of the DPD explains that the standards cover the needs of residents, visitors, employees and customers but does not make provision for the delivery and collection of goods. Clearly, in solely residential development, the need to provide parking for the delivery and collection of goods will be limited given the absence of commercial and/or employment uses. The specific standard in respect of residential use suggests that there will need to be short-term provision for service vehicles, salesmen and some visitors, but no specific levels are set down, each case being dealt with on its own merits. As a 'general guide' the provision should not fall below 0.25 spaces per dwelling with 2 spaces.

Again, this provision is not prescriptive. In this context the overall provision of 736 parking spaces is entirely appropriate and in accordance with policy.

The 2001 census returns show that car and van ownership for South Cambridgeshire runs at an average of 1.5 per household. The specific ownership figures for Papworth Everard are also 1.5 vehicles per household. Again, the provision in this context is entirely appropriate.

Provision of disabled spaces are again dealt with in the introduction to the LDF parking standards which suggests a provision of 5% of the total number of spaces. The provision of disabled spaces would need to be appropriately marked, monitored and retained for disabled use. Such an approach is more appropriate where the development relates to a public building or a use that is likely to attract casual visitors. In this instance, disabled residents will park in their designated space or driveway and disabled visitors are likely to park on the driveway of the person they are visiting. Where potential purchasers express a need for disabled parking, the appropriate provision can be made. To assist, however, larger visitor spaces will be provided wherever practicable.

Paragraph 51 of PPG 13 emphasise that in implementing policies, local authorities should:

'not require developers to provide more spaces than they themselves wish, other than in exceptional circumstances which might include for example where there are significant implications for road safety which cannot be resolved through the introduction or enforcement of on-street parking controls'.

The provision of a large number of unallocated spaces could simply serve to increase the number of vehicles on the site with residents taking advantage of visitor spaces for their own needs. Parking spaces will be allocated to properties and residents will therefore be aware, at the outset, of any restrictions.

The proximity of parking spaces to the dwelling they serve, is entirely appropriate and is a matter for purchasers to reconcile with the developer (Paragraph 2.10).

All of the parking courts have been 'tracked' to ensure that vehicles have sufficient space to manoeuvre. Parking spaces 21 and 24 have been addressed. (Paragraph 2.11).

Reversing out on to the Boulevard would not offend highway safety. The Boulevard has been designed as a 20mph road with integral traffic calming features. Neither the Highway Authority, nor the District Council, has identified this as an issue (Paragraph 2.12).

The paths leading from parking areas to dwellings will be secured by locked gates with access restricted to the appropriate residents. Parking courts contain dwellings and/or are directly overlooked from surrounding dwellings to provide surveillance. (Paragraph 2.13).

The trees and parking spaces can be comfortably accommodated. The trees specified will be maintained to provide a clear stem of 2.1m below the canopy to maintain highway visibility. This is as discussed and agreed with the District Council and the Highway Authority. Appropriate tree protection and tree pit detailing will prevent damage to the trees. High kerbs will be provided to prevent cars over-running the planted verges and the urban design statement has been amended to reflect this. (Paragraph 2.14).

The Boulevard verge will be protected by high kerbs to prevent cars parking on the grass verge. This detail could be secured by way of condition (Paragraph 2.15).

2. Cycle Parking

A secure cycle store has now been provided in respect of block Z1. The vast majority of the remaining dwellings are provided with either a garage or car port within which cycles can be securely stored. Those dwellings without a garage or car port, have adequate space available in their gardens to accommodate a shed. LDF policy TR/2 requires the provision of only one secure space, per dwelling, within the curtilage 'where possible'. I would contend that the current provision is entirely appropriate and accords with the most recently adopted policy.

3. Siting, Layout and Massing

Much of the content of this section of the Parish Council's response seeks to revisit matters of principle that were addressed at the outline stage. This is particularly disappointing given the extensive discussions that have taken place in this regard, culminating in both SCDC and my client taking advice from leading Counsel. For the purposes of clarity, I will once again, set out the scope of the current application and the outline planning permission.

The outline planning permission grants consent for residential development on a site of 21.63ha. The permission provides for the demolition of six existing dwellings and the formation of up to four vehicular access points. The permission makes no reference to dwelling numbers in the description of development and there are no conditions that limit numbers. The consent is 'tied' to the Council's development brief for the site by Condition 4.

The reserved matters application is specific and does not include any matters not so specified. They are:

1. The siting of buildings;
2. Design and external appearance of the buildings; and
3. The landscaping of the site.

The siting of buildings is their siting within the site. It does not include dwelling numbers save as far as acceptable siting may indirectly affect overall numbers. The same is true of building design and appearance and landscaping. Counsel for SCDC, Charles Bourne QC, agreed with this assessment, he concluded that '*....a limitation on that number (of dwellings) which was not connected with these matters would not be acceptable*'.

References to density and site area/developable area are similarly inappropriate. Were it the Council's intention to limit dwelling numbers or developable area, this should have been expressly included in the terms of the outline planning permission. Insofar as it is applicable, the development brief provides an illustrative layout plan showing the disposition of developable areas and open space/play areas. The current layout plan is, I would contend, in accordance with this plan.

The Parish Council's extensive arguments in this regard are, therefore, entirely inappropriate and irrelevant to the determination of this reserved matters application. Paragraph 4.11 makes reference to the terms of the outline planning permission but is, at best, misleading. It appears to suggest that the application identified a smaller area of land for development and specifies a number of dwellings; it did not. The supporting statement that accompanied the outline application made reference to the allocation of the site for residential development

and quotes Policy Papworth Everard 3 of the then draft local plan (Paragraph 2). By way of clarification, Paragraph 4 of the supporting statement states that *'...the application site takes in more land than was depicted in the original Local Plan or is set to be depicted in Local Plan Number 2'*.

The planting adjacent to the School Walk link is detailed in Liz Lake drawing 924 A2/01 (F). The surface finish will be the same as that for the other 'major' footpaths throughout the site (Brand Leonard drawing No. 10342-C-03). Details of the surface materials are contained in the Urban Design Study.

Condition 10 of the outline planning permission requires that details of street lighting are agreed with the Highway Authority prior to the commencement of development. Both the District Council and the Highway Authority have indicated that they are happy with this approach (Paragraph 4.28).

Planting in the parking courts is shown on the latest Liz Lake Strategic Landscape Proposals drawing (924 A2/01 (F)). Lighting will be addressed by way of outline permission Condition 10 (Paragraph 4.29).

The proposed dwellings achieve adequate back-to-back separation distances with the existing properties. The minimum in respect of Southbrook Field is 51m and that in respect of Ermine Street is 24m. In the majority of instances, the separation from the Ermine Street properties exceeds 30m. The minimum standard set out in the SCDCs Design Guide is 18m (Paragraph 4.30).

4. The Haul Road

Details of access were granted planning permission at the outline stage and do not therefore form part of the current reserved matters submission. Detail of access for construction vehicles is addressed by Condition 10 of the outline permission, with approval of details required prior to commencement.

5. Sustainability

The Section 106 Agreement attached to the outline planning permission ensures that the development will be required to address all potential impact on community facilities. It includes a £4million contribution to affordable housing and/or community facilities and a £1.35million education contribution agreed with District and County Councils. The sewage treatment works has recently been expanded and improved. Anglian Water has allowed sufficient capacity to accommodate an additional 500 dwellings on the Summersfield site.

On-site production of energy from renewable sources is a matter of principle which falls without the scope of this reserved matters application. If there was an express requirement in this regard it should have been secured by way of a condition attached to the outline planning permission. This said, the reserved matters scheme will deliver a 14% reduction in CO₂ emissions when compared with the minimum requirements of the Building Regulations. This exceeds the requirements of LDF Policy NE/1. In addition, 40 properties (9%) will be provided with solar collectors. Solar collectors will also be offered as a purchaser upgrade on all other appropriate dwellings. These measures are outlined in the Sustainability Appraisal that accompanied the application (Paragraph 7.2.)

6. **The Amended Plans** franked 6th September 2007 involve minor changes to the layout, highways, parking, house types and revisions to the Management Plan for the Areas of Public Open Space. The changes reflect some of the points of detail raised by the Parish Council, the Local Highway Authority, the Architectural Liaison Officer, the

Council's Ecologist, as well as the comments of the Council's Urban Design and Landscape Consultants.

The Amendment Letter dated 18th September gives more details of the management of the public open space and the village pond.

An update of the responses to the Consultations undertaken on the amended plans will be given at the meeting.

Further Planning Comments

7. Members are asked to refer to the "Planning Comments" in the August Agenda (Item 7). There is very little I can add to the applicant's comments on the Parish Council's objection. The Parish Council continues to have concerns about the numbers of dwellings proposed and query the density calculation of 30 dwellings per ha. I have looked at this again and it does depend to a certain extent on the boundaries taken and what areas of open space are included or excluded. Perhaps it would be more accurate to say that the density is in the range 30-35 dwellings per ha (i.e. reflecting policy requirements). I would remind Members that the outline planning permission includes a large area of public open spaces (7.6ha) which was not allocated in the 1994 Local Plan and is excluded from the calculation. All the housing development is confined to the area to the east of The Plantation and is broadly laid out as illustrated in the Council's Development Brief.
8. I am satisfied that the level of car parking now proposed, with increased visitor parking, complies with the Council's standards.

Recommendation

9. Subject to the nature of responses from consultees upon the amended plans of 6th September 2007, Delegated Approval of reserved matters for the siting, design and external appearance of 365 dwellings and the landscaping of the site at land south of Church Lane and West of Ermine Street South, Papworth Everard (for Barratt East Anglia/Kingsoak.

In accordance with your application dated 16th January (as amended by plans and documents franked 1st June, 17th July, 6th September and letter dated 18th September 2007) and the plans, drawings and documents which form part of the application and in accordance with outline planning permission dated 30th September 2005, reference S/2476/03/O.

All of the conditions, including standard Condition B, contained in the above mentioned outline planning permission, continue to apply so far as the same are capable of taking effect but subject to the additional conditions set out below.

ADDITIONAL CONDITIONS

1. No development shall commence until details of the materials to be used for the external walls and roofs of the dwellings and free standing walls have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. (Reason - To ensure the details of the development are satisfactory)
2. Temporary Parking for the Bernard Sunley Centre shall be provided prior to the construction of the northern access road from Ermine Street South and maintained until such time as a permanent, alternative car park is provided. (Reason - To ensure adequate parking is available for the Bernard Sunley Centre during the development of the site.)

3. Public Art shall be provided in accordance with the approved brief, and a detailed timetable for design and implementation shall be agreed in writing by the Local Planning Authority once the appointment of an artist has been confirmed.
(Reason - To ensure the details of the provision of public art are acceptable.)
4. Before development commences, a scheme for the provision of solar panels on 40 dwellings shall be submitted to and agreed in writing by the Local Planning Authority. The panels shall be installed in accordance with the approved scheme.
(Reason - To ensure the details of the development are satisfactory and in accordance with Policy NE/3 of South Cambridgeshire Local Development Framework (Development Control Policies) 2007.)
5. Before development commences, a scheme for the provision of bird and bat boxes shall be submitted to and agreed in writing by the Local Planning Authority. The boxes shall be installed in accordance with the approved scheme.
(Reason - To enhance the biodiversity of the site in accordance with Policy NE/6 of the South Cambridgeshire Local Development Framework (Development Control Policies) 2007.)
6. Precise details of the window designs with the following house types shall be submitted to and agreed in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details:

House Type	Style
E5 V2	11
E6	11
H2	3
H2	6
K1s	11
K1v3	11
M2	1
M2	11
-	-

House Type	Style
N1	3
N1	4
N1	4 - Terrace
N2v1 and M3	3/8
T3	3
T3	5
T3	6
T3	11
X1	-

(Reason - To ensure authentic sash windows with traditional glazing bars with the proposed small paned window types on important terraces and feature buildings, in order to enhance the character of the development in accordance with Policy DP2 of the South Cambridgeshire Local Development Framework (Development Control Policies) 2007.)

7. No development shall commence until details of the proposed Refuse and Cycle Stores for flats have been submitted to and approved in writing by the Local Planning Authority. The Stores shall be constructed in accordance with the approved plans.
(Reason - To ensure the details of the development are satisfactory.)
8. Within 12 months of the date of this permission, the location and design and timetable of the Youth Shelter shall be submitted to and approved in writing by the Local Planning Authority. The Shelter shall be constructed in accordance with the approved plans and with the approved timescale.
(Reason - To ensure the details of the development are satisfactory.)

9. Before development commences, a site meeting shall be attended by the Council's Landscape/Trees Representative, the Applicant's Landscape/Trees Representative and the Site Manager to agree and mark on site the line of protection on the eastern side of the plantation belt. Any trees to be retained within rear gardens will be marked.
(Reason - To ensure the details of the trimming of the plantation belt are satisfactory.)
10. Following the site meeting described in Condition 9, a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority indicating the line of tree protection to be erected and the trees to be retained. The fencing approved shall be in accordance with BS 5837 (2005) and shall remain in situ until replaced by permanent fencing.
(Reason - To ensure the details of the trimming of the plantation belt are satisfactory.)
11. No services or storage of materials shall be placed within the area of the plantation to be retained.
(Reason - To ensure the existing trees are not damaged.)
12. Trees in the plantation shown for retention shall not be lopped, topped or removed without the written approval of the Local Planning Authority and any tree surgery works shall be carried out in accordance with BS3998.
(Reason - To ensure the tree belt is protected throughout the course of the development.)
13. The strategic landscaping to the POS areas, namely Summersfield Green and the LAPS, the Balancing Pond and the Boundary Planting indicated on drawing 924 A2/01 - Revision D shall be carried out in the first planting season following the commencement of development. These planting/seeding areas shall be fully protected, managed, and maintained during the construction phases.
(Reason - To ensure that the landscape character of the site is established as quickly as practicable.)
14. The planting adjacent to individual residential units shall be implemented in the first planting season following the completion of the unit.
(Reason - To ensure the landscaping character of the site is established as quickly as practicable.)
15. Nine months prior to the hand-over of the landscaping/public open space to the adoptive body, the site shall be inspected by the Council's landscape/tree representative, the Developer's landscape/tree representative, the adopting body's landscape/tree representative and the Site Manager, at which time all planting/seeding defects will be listed, including causational factors. All issues raised will be fully addressed prior to handover.
(Reason - To ensure the landscaping is satisfactory.)
16. The LAPs, Equipped Play Areas, and Kick-about Area shall be implemented in accordance with the approved drawings within 3 months of the completion of the neighbouring residential development.
(Reason - To ensure adequate play provision throughout the scheme.)
17. Precise details of the play equipment and associated benches and bins shall be submitted to and agreed in writing by the Local Planning Authority before the play areas are laid out. The work shall be carried out in accordance with the approved plans.
(Reason - To ensure the details of the development are satisfactory.)

18. Before the development of Plot 306 the design of the “feature gates” shall be submitted to and agreed in writing by the Local Planning Authority. The gates shall be installed in accordance with the approved scheme.
(Reason - To ensure the gates are appropriate to the prominent location and its surroundings.)
19. Before development commences, a scheme for the lighting in parking courts shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved scheme.
(Reason - In the interests of highway and pedestrian safety.)
20. Before development commences a scheme for the protection of the grass verges in the Boulevard from car parking, involving bollards and high kerbs, shall be submitted to and agreed in writing by the Local Planning Authority. The work shall be carried out in accordance with the approved plans.
(Reason - To ensure the verges retain an amenity function.)
21. Before development commences, a scheme for the drainage of the kickabout area shall be submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the approved plans.
(Reason - To ensure the area can be used throughout the year.)

Informatives

1. Anglian Water has commented:

“Foul flows from the development must be directed to the new foul water sewer, constructed for the site by Anglian Water via Requisition under Section 98 of the Water Industry Act 1991. Under no circumstances should foul flows be directed to the sewer in Ermine Street.

There are no public surface water sewers and therefore alternative methods of surface water disposal will be required for the site, i.e. soakaways or direct to watercourses with the necessary consents. No discharge of surface water should be made to the foul system.”
2. The Council's Ecology Officer comments:

“I accept that no bats are likely to be disturbed during building demolition. However, 2 years have passed from the initial survey and the potential for decolonisation exists - resurvey of all issues relating to protected species should be conducted where there remains potential for new colonisation and conflict with the proposed development (i.e. survey of boundary feature for badgers not required). I accept that the trees with potential for bat roosts are best protected through further planting, particularly in light of the occurrence of barbastelle bats.

Issues relating to water voles should be re-surveyed given that two years have passed and vole populations can fluctuate. This survey information must feed into the drainage proposals given that it is a protected species. If parts of the Cow Brook are to receive greater fluctuations in water levels this impact will need to be evaluated. Measures should be incorporated specifically for the water vole as this will meet the aspirations of the SCDC Biodiversity Strategy (BAP rw/13).

As the Northern pond is proposed to be enlarged it would be prudent to re-survey it and to use torch light as well as bottle trapping (I realise that net sweeping would be too dangerous).

I accept that no further work on reptiles is required unless new information comes to light.

I accept that no Schedule 1 bird species are believed to be within the development site. A standard approach to the clearance of nesting habitat and ground nesting birds such as sky lark will be required by condition. In line with Council policy 50% of the dwellings should have an association with a bird or bat box of a high quality design. Furthermore, can any habitat be provided for farmland birds such as the skylark and grey partridge, can scrub areas be created/enhanced for bullfinches? Measures should be incorporated specifically for the house sparrow as this will meet the aspirations of the SCDC Biodiversity Strategy (BAP urb/17). Measures should be incorporated specifically for barn owls such as the erection of boxes on trees in edge of the POS as this will also meet the aspirations of the SCDC Biodiversity Strategy”.

3. Papworth Everard Parish Council has specifically requested to be involved in the decision on the form and location of the proposed Public Art.
4. The Drainage Strategy to be submitted in compliance with Condition 17 of the outline planning permission (S/2476/03/O) shall include details of the design, including sections, of the proposed balancing pond.

Reasons for Approval:

1. The approved development is considered generally to accord with the Development Plan and particularly the following policies:
 - a) **Cambridgeshire and Peterborough Structure Plan 2003:**
 - P1/3** - Sustainable Design in Built Development
 - P5/3** - Density
 - P7/2** - Biodiversity
 - P7/6** - Historic Built Environment
 - b) **South Cambridgeshire Local Plan 2004:**
 - Policy Papworth Everard 2** - Density
 - Policy Papworth Everard 3 (c)** - Allocation of Housing Area
 - c) **South Cambridgeshire Local Development Framework (LDF) 2007:**
 - (1) **Core Strategy**
 - PST/5** - Minor Rural Centres
 - (2) **Development Control Policies**
 - 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 and New Development
 - 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

2. The reserved matters conditionally approved are not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:

- Impact on the Existing Character of the Village and the Surrounding Countryside
- Impact on Neighbouring Residential Properties

General

1. All new buildings that are to be used by the public must, where reasonable and practicable, be accessible to disabled persons and provide facilities for them.

The applicant's attention is therefore drawn to the requirements of Section 76 of the Town and Country Planning Act 1990 and the Building Regulations 2000 (as amended) with respect to access for disabled people.

2. The approved plans for this application are as originally submitted unless otherwise specified in this Decision Notice. The development should be completed strictly in accordance with these plans. Any amendments to these Approved plans must be first agreed in writing by the Local Planning Authority.

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

- South Cambridgeshire Local Development Framework Core Strategy/Development Control Policies
- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning File Ref: S/0093/07/RM
- Documents referred to in the report including appendices on the website only and reports to previous meetings

Contact Officer: Bob Morgan - Majors Champion
Telephone: (01954) 713395