

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	1 st September 2004
AUTHOR/S:	Director of Development Services	

S/1188/04/F - Impington **Erection of Eleven Houses, Two Flats and Garages following Demolition of Existing Dwellings (15-17 Mill Road), 15-17 Mill Road and Land Rear of 13-23 Mill Road and Rear of 17-23 Highfield Road for Hogger Homes Ltd**

Recommendation: Approval

Site and Proposal

1. An irregular shaped site of 0.5ha comprising numbers 15-17 Mill Road, a pair of semi-detached properties with gardens, which widens out to the rear comprising a block of land which were the former rear gardens of numbers 17-23 Highfield Road to the south. The site is surrounded on three sides by existing residential development with the fourth/west boundary being arable land/green belt.
2. The full application, originally received on 8th June, proposed the demolition of numbers 15-17 Mill Road and the construction of a cul-de-sac to serve 4 x 1-bedroom flats (affordable housing) and a 2-bedroom house on that part of the site occupied by numbers 15-17 Mill Road, together with ten houses to the rear. These would comprise 4 x 3-bedroom houses, 2 x 4-bedroom houses and 4 x 5-bedroom houses.
3. Following objections to the original scheme, that section occupied by numbers 15-17 Mill Road has been re-designed whereby the block fronting Mill Road now comprises 2 x 1-bedroom flats and a 2-bedroom house (affordable housing) with a re-aligned estate road. The second block of flats has been omitted. The remainder of the site remains unchanged.

Planning History

4. Two similar applications were appealed in 2003 against a refusal and a non-determination – the reasons for refusal being:-

The site forms part of an established residential area characterised by its linear form and generally long and open rear gardens. It lies on the edge of the built-up part of the village of Impington and adjoining open countryside and the Cambridge Green Belt.

1. The proposed development of this site would not be sensitive to the character of the village and local features of landscape importance. It is therefore contrary to **Policy H15** of the Adopted South Cambridgeshire Local Plan 1993 and **Policy SE3** of the Local Plan No. 2 Proposed Modifications October 2002.
2. The development is not of an appropriate layout which offers sufficient opportunities for landscaping on this edge of village site to minimise its impact on the adjoining countryside. It is therefore contrary to **Policy H6** of the

Adopted South Cambridgeshire Local Plan 1993 and **Policy SE14** of Local Plan No. 2 Proposed Modifications October 2002.

3. The development fails to reflect the wider character and context of the surrounding townscape and landscape and does not achieve high quality design and local distinctiveness. It is therefore contrary to **Policy 12/10** of the Approved Cambridgeshire Structure Plan 1993 and **Policies HG15** and **HG16A(4)** of Local Plan No. 2 Proposed Modifications October 2002.
4. In detail the proposed layout fails to accord with **Policy SP12/10** of the Approved Structure Plan 1995 which seeks to incorporate high standards of design of layout and design. In particular the proposal will have a detrimental impact on:-
 - The amenity currently enjoyed by the occupier of No. 19 Mill Road through the creation of a vehicular access that will run immediately adjacent to the side garden of that property causing noise and disturbance.
 - The amenity currently enjoyed by existing residents that abut the site in that the proposed houses have short gardens of in places only 5 metres causing intense overlooking of the rear gardens.
 - The short rear gardens of some of the proposed properties will put pressure in the future for the removal of the proposed outer landscape buffer. This is contrary to **Policy SE14** of the Local Plan No. 2 Proposed Modifications October 2002.
 - The proposed carriage way does not fully meet requirements of the Local Highway Authority to the potential detriment of highway safety.
5. Both appeals were dismissed, but only on the **one** issue of the effect of the proposal on the living conditions of nearby residents in terms of noise disturbance and privacy.

Planning Policy

i. Cambridgeshire and Peterborough Structure Plan (2003)

Policy P1/3 includes a requirement for a high standard of design and sustainability, minimising the need to travel through, among other things, the promotion of higher densities. It also requires proposals to respond to local character and to preserve important environmental assets. **SP Policy P5/3** indicates that new housing development should be at the highest possible density compatible with local character. It provides that densities of less than 30 dwellings per hectare (dph) will not be acceptable and 40 should be sought in locations close to a good range of services and facilities. **SP Policy P5/4** includes an indication that local plans should provide for affordable housing and 1 and 2-bedroom homes and **SP Policy P6/1** requires that additional infrastructure and community requirements generated by proposals should be met and secured by condition or planning obligation. **SP Policies P6/3** and **P6/4** seek to ensure that unacceptable flood risks are not incurred or exacerbated.

ii. South Cambridgeshire Local Plan (2004)

Policy SE2 identifies Histon and Impington as a Rural Growth Settlement where residential development on unallocated land will be permitted if the following provisos are met. The retention of the site in its present form must not be essential to the character of the village. The development must be sensitive to that character, local features of landscape or ecological importance and the amenities of neighbours. The village must have the necessary infrastructure capacity and residential development must not conflict with another policy in the plan. In any case, development should provide an appropriate mix of dwellings in terms of size, type and affordability and a minimum density of 30 dph, unless there are strong grounds for not doing so. **LP Policy SE8** creates a presumption in favour of residential development within village frameworks provided other policies, including SE2, are satisfied.

Policy SE9 provides that development on the edges of villages should be sympathetically designed and landscaped to minimise the impact on the countryside. **LP Policy HG7** sets out the Council's requirements for affordable housing provision, based on a survey of housing need. Among other things, **LP Policy HG10** also requires a suitable mix of dwelling types, sizes, and affordability and indicates that the wider character of the local townscape and landscape should inform design and layout. **LP Policy HG11** indicates that development to the rear of existing properties will not be allowed if it would have certain results. These include: (1) overbearing, overlooking or overshadowing of existing residential properties; (2) noise and disturbance to such properties through the use of its access; (3) highway dangers through the use of its access; or (4) if it would be out of character with development in the vicinity.

Policy CS1 indicates when the Council will seek to negotiate planning obligations or impose Grampian-style conditions and **LP Policy CS5** concerns flooding and is broadly similar in effect to **SP Policies P6/3** and **P6/4**. **LP Policy CS2** also requires the adequate provision of water supply, sewerage and land drainage systems. Under **LP Policy CS10**, developments of 4 or more dwellings will give rise to a requirement for financial contributions towards the provision of additional accommodation, if they would cause the capacity of schools to be exceeded.

Also of relevance are **Planning Policy Guidance (PPG) Note 1** (General Policy and Principles), **PPG 3** (Housing) and **PPG25** (Development and Flood Risk). Together, **PPGs 1 and 3** encourage the efficient use of land, especially previously developed land and **PPG25** provides advice regarding the assessment of flood risk.

Consultations

6. Impington Parrish Council objected to the scheme as first submitted for the reasons:-

The Planning Committee feel the new layout is not adequate to alleviate the impact identified by the Inspector at Appeal, the disruption being unacceptable including noise reflected back off P4 and P5 (flats). It is also felt materials to the elevation to Mill Road should be shown in character with the properties proposed for demolition. The Committee cannot help but comment on:

- The primary schools being at capacity
- The doctors surgery being at capacity
- The mix of housing (ref. to South Cambs 2002 Housing Needs Survey on market housing)
- The continuing impact on No. 13 Mill Road.

Comments on the revised plans will be reported verbally.

7. The **Environment Agency** recommends the use of a “Grampian” style condition to cover drainage issues; the application is accompanied by a Flood Risk Assessment.
8. The **Police Architectural Liaison Officer** recommends that the proposed 1.95m high close boarded fencing be changed whereby the top 600mm is trellis. This has the double advantage of a) creating enhanced supervision of the parking area and b) the trellis provides a deterrent to climbing. Any fencing adjacent to the roadway should be a maximum of 900mm high.
9. The **Chief Financial Planning Officer**, Cambridgeshire County Council, requests a developer contribution towards three secondary school places. There is adequate primary school provision in the area.
10. The comments of the **LHA** will be reported verbally; the cul-de-sac having been re-planned. In addition, the County Council is requesting a financial contribution towards the Northern Corridor Area Transport Plan.
11. **Cambridgeshire Fire and Rescue Service** request the provision of fire hydrants in the layout.
12. The **Council’s Drainage Manager** asks for a condition to cover adequate means of surface water disposal. Apparently further information has come to light and a more thorough Flood Risk Assessment (FRA) is required. The Drainage Manager has been in contact with the Consultant direct in this respect.

Representations

13. Eleven letters, one including a petition, have been received objecting to the scheme for the reasons:-
 - i. Increase in traffic on Mill Road by 100%, creating further congestion on A14 junction. Will conflict with the proposed traffic calming scheme on Cambridge Road. The road will become a “rat run”.
 - ii. Inadequate parking provision in the scheme. Any parking overflow on Mill Road would cause serious congestion. The proposed Guided Busway cannot be considered to solve the transport problem for an increase in population.
 - iii. Danger to pedestrians crossing the new estate road, especially elderly residents, and children walking to the nearby play area.
 - iv. The developers should be told that a road between Highfield Road and Mill Road will never be given.
 - v. Little or no reduction in amount of traffic from scheme discussed at Appeal.
 - vi. Development will alter the special character and spaciousness of the area, being close to the Windmill. Loss of 2 soundly built houses. Loss of wildlife. House and styles inappropriate. Impact on countryside and inadequate space for screening. Over-development and overlooking.

- vii. Question need for more houses as 900 are planned at Arbury Camp, 10,000 at Northstone and 500 at Unwins. Local facilities, i.e. schools, doctors, are at capacity. Little contribution to affordable housing.
- viii. The land is saturated in winter. Increase in flooding. Any agreed “solution” may cause increased problems to adjacent land.
- ix. Could lead to future development adjacent.
- x. Light pollution from street lamps.
- xi. A willow tree at 13 Mill Road, which provides some screening, may have to be felled because of subsidence problems.
- xii. Numbers 9-17 Mill Road have to maintain a private sewer. Possible problems of ground disturbance from site clearance/demolition.
- xiii. Two previous appeals rejected because of “increased traffic and noise”.
- xiv. Noise and disturbance to numbers 13 and 19 Mill Road. The Developer has little regard for the local views or those of the Inspector. The revised scheme does **not** solve the problems highlighted by the Inspector.
- xv. The long length of fence proposed will overshadow the garden. Who will maintain it?

Planning Comments – Key Issues

- 14. As can be seen from the number of letters of objection to this proposal, and the points raised, the local community is strongly opposed to development here but the basic and only issue is “has the revised scheme overcome the **one** objection on which the appeals were dismissed, - that is the effect on No. 19 Mill Road adjacent”.
- 15. In discussing the appeals, the Inspector stated:-

“The same main issues arise in both appeals. The first is the affect of the proposal on the living conditions of nearby residents in terms of noise, disturbance and privacy. The second main issue is the affect on the character and appearance of the area”.
- 16. In great detail, and in a well-argued Report, the Inspector carefully considered all the points of policy, security, traffic, housing mix, character of the area, overlooking and loss of privacy, pattern of development, surface water, flooding and contributions for education and transport. In all these matters he was satisfied that the two schemes before his were **acceptable**.
- 17. The appeals failed on **one** matter only and this was with regard to the “unacceptable harm to the living conditions of nearby residential occupiers through increased noise and disturbance”.
- 18. In one appeal the new roadway would have been immediately adjacent to the boundary with No. 19 Mill Road, in the other appeal it was separated by a 1.8m wide footway. “Such close proximity to No. 19’s hitherto quiet rear garden would give rise to an unacceptable increase in the noise and disturbance suffered by the occupiers of that property” said the Inspector. He went on to say that “It would also be

exacerbated by the noise of engines starting, doors slamming, vehicles manoeuvring at the junction with Mill Road, or to and from the nearby parking spaces, as well as pedestrians using the shared surface or footpath”.

19. The Scheme has now been revised whereby:-
 - i. The two 1-bedroom flats and one 2-bedroom house, designed as one building, has been retained at the front of the site adjacent to No. 13 Mill Road.
 - ii. The second block of flats, formerly plots 4 and 5, have been omitted. This has enabled the roadway to be curved towards the centre of the plot of land thereby achieving fully landscaped areas either side of the access road up to 6.0m – 6.5m in width.
20. With such a width for landscaping and fencing, together with the removal of the parking area/double garage which caused the Inspector concern, the amenities of the two neighbours are safeguarded.
21. It should also be remembered that there will be a slight drop in the traffic generated from the site with the deletion of the two flats although I recognise it will not be substantial.
22. As amended, the scheme is recommended for a delegated approval.

Recommendation

That, as amended by letter dated 20 July 2004 and drg nos. EDG/02/138/36 and 40, delegated approval be granted subject to the prior signing of a Section 106 Agreement to cover i) affordable housing, ii) educational contribution and iii) Northern Corridor Area Transport Plan contribution, and normal safeguarding conditions.

Informatives

Reasons for Approval

1. The approved 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) and
P7/6 (Historic Built Environment)
 - **South Cambridgeshire Local Plan 2004:**
SE2 (Development in Rural Growth Settlements)
 - **HG10** (Housing Mix and Design) and
EN30 (Development in/adjacent to Conservation Areas)
2. The proposal conditionally approved is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity including noise disturbance and overlooking issues

- Highway safety
 - Visual impact on the locality
 - Impact upon setting of adjacent Conservation Area
3. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.

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

- **South Cambridgeshire Local Plan 2004**
- **Cambridgeshire and Peterborough Structure Plan 2003**
- **Planning file Ref. S/1188/04F**

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