

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7th October 2009

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

S/0745/09/F - LONGSTANTON

**Erection of Convenience Store and 3 Retail Units with 6 Flats Above,
Erection of 4 New Dwellings with Associated Stores, Garages and Parking Areas
and Formation of Access, Land to North of Nelson Crescent, High Street, Longstanton,
for CPP (Stortford) Ltd**

Recommendation: Delegated Approval

Date for Determination: 16th October 2009

Notes:

This Application has been reported to the Planning Committee for determination the officer recommendation is contrary to that of Longstanton Parish Council and local residents

Members will visit this site on Wednesday 7th October

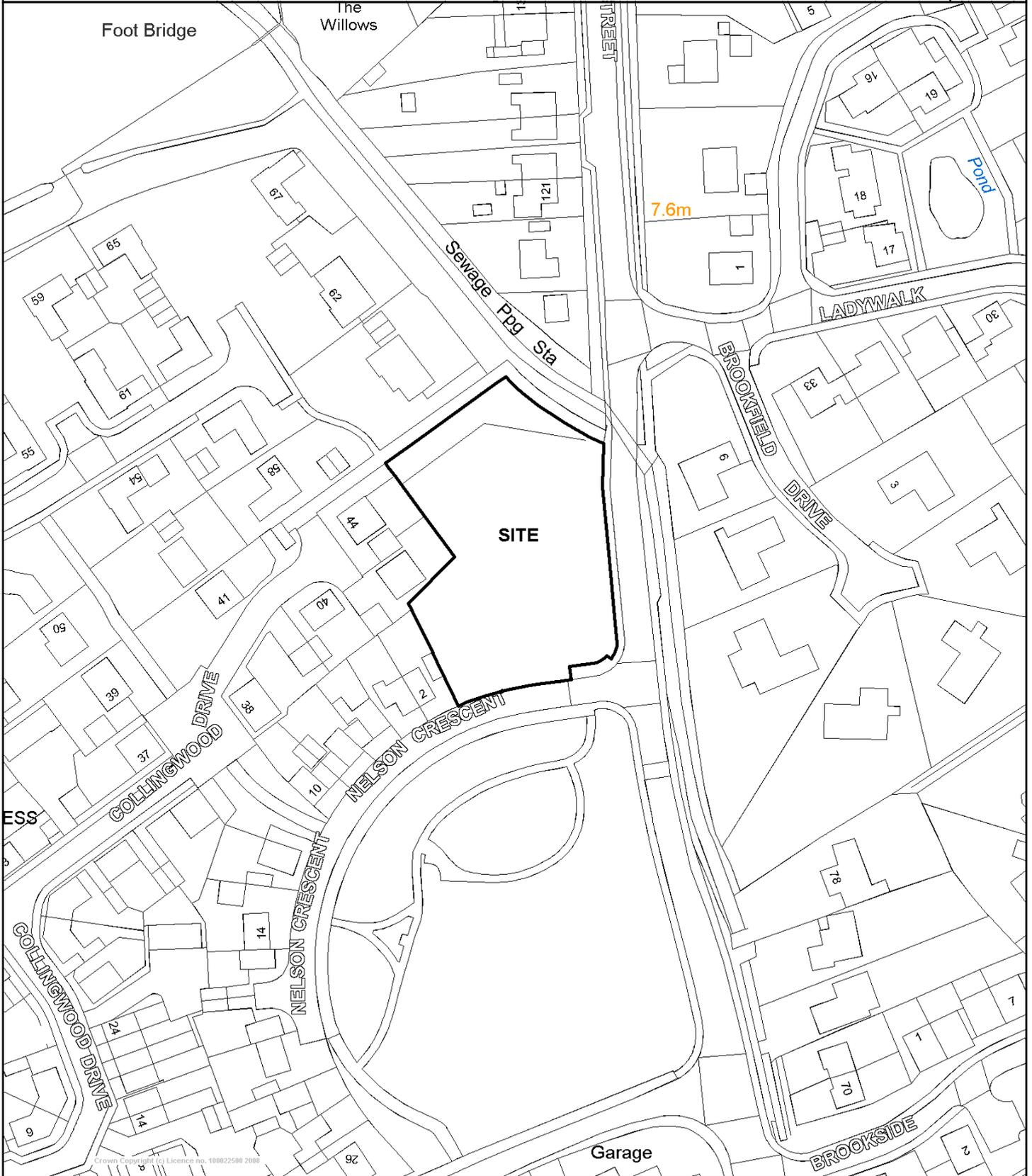
Major Development

Departure Application

Site and Proposal

1. This full application, received on 17th July 2009, proposes the erection of a convenience store and three retail units with six flats above, the erection of 4 new dwellings with associated stores, garages and parking areas, and the formation of an access, on a 0.265ha area of disused grassland to the west of High Street, Longstanton, immediately to the north of Nelson Crescent.
2. To the west of the site are the side and rear gardens of existing houses in Nelson Crescent and Collingwood Drive. To the north the site abuts a surfaced public footpath, which links High Street to the Home Farm development to the west, beyond which are the gardens of houses in Collingwood Drive and High Street, and a pumping station. To the south of the site, on the other side of the entrance to Nelson Crescent, is a large area of public open space, provided as part of the Home Farm development. To the east of the site, on the other side of High Street, is a planted boundary which forms the rear gardens of properties in Brookfield Road.
3. The development comprises a 267m² convenience store on the corner of High Street and Nelson Crescent, with smaller retail units, each with a floor area of 72m² fronting High Street linked to the convenience store but in a staggered form, tapering back from High Street, allowing for the provision of a car parking area for 8 cars, including one space for disabled use, in front of the units, which will be accessed direct from High Street. A total of 8 cycle parking spaces are provided at the front of the site.

S-0745-09-F Longstanton



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Scale 1/1250 Date 17/9/2009

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4. 6 flats are provided above the commercial floorspace, 5 of which will be two bedroom units and the other a three bedroom unit. The building has a maximum ridge height of 11.3m.
5. A new access roadway will be formed to the rear of the commercial units from Nelson Crescent. This roadway will provide access to the rear of the units and the car parking area for the flats. A total of 9 car parking spaces are provided for the flats. 3 solar panels are provided in the roof of this building.
6. The application also proposes a pair of two and a half storey, 4 bedroom houses adjacent the end of the line of existing houses in Nelson Crescent. A pair of garages, with parking spaces in front, is provided to the rear of the dwellings, and is accessed from the new roadway to the rear of the commercial units. These dwellings have a ridge height of 10.5m. Solar panels are provided in the south facing roofs fronting Nelson Crescent.
7. In addition, the application also proposes two detached 4 bedroom houses to the north of the commercial units, fronting the footpath which leads from High Street to the Home Farm development. Pedestrian access to these properties will be from the footpath, with garages (including a storage area over), provided at the rear, accessed by the new roadway to the rear of the commercial units. These dwellings have a ridge height of 10.5m. Solar panels are provided in the rear facing roofs of these dwellings.
8. The applicant is seeking a mixture of uses for the commercial space which would fall within classes A1, A2, A3, A5 or D1 of the Use Classes Order 1987, as amended.
9. No affordable housing is provided under Policy HG/3, and the applicant has commented that the development would not be viable if affordable housing is included in the scheme. A detailed appraisal has been submitted to support this case.
10. The site is within the village framework. The density of the housing scheme is 37dph.
11. The site is within Flood Zones 2 and 3.
12. The application is accompanied by a Design and Access Statement, Flood Risk Assessment, Energy Statement, Lighting Assessment, Utilities Assessment, Drainage Disposal Statement, Water Conservation Statement, and an Affordable Housing Statement

Planning History

13. Outline planning consent was granted on 16th October 2000 for a 'Comprehensive phased development to provide B1050 Bypass for Longstanton and related road works together with housing (21ha), Business Park (6.3ha), extension to village recreation area (2.8ha), village green including land for local shop and surgery, open space, landscaping and related infrastructure, on land described as being to the west of Longstanton.
14. Condition 29 of that consent requires that 'for a period of 10 years from the commencement of development on any part of the site the Community Site specified on drawing no. E0459/1/K shall not be used or developed for any purpose other than uses falling within classes A1, A3 or D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to those Classes

in any Statutory Instrument revoking or re-enacting that order.’ The reason for the condition was ‘to safeguard land in the centre of the village for essential village services and to reduce the number of journeys out of the village’.

15. Applications for reserved matters were to be submitted within 7 years of the date of approval (October 2000). That period has now lapsed.
16. The current application relates to the ‘Community Site’.

Planning Policy

17. **South Cambridgeshire Local Development Framework – Core Strategy – adopted January 2007:**

ST/6 – Group Villages

18. **South Cambridgeshire District Council – Development Control Policies – adopted July 2007:**

DP/1 – Sustainable Development

DP/2 – Design of New Development

DP/3 – Development Criteria

DP/4 – Infrastructure and New Development

DP/7 – Development Frameworks

HG/1 – Housing Density

HG/3 – Affordable Housing

ET/4 – New Employment Development in Villages

SF/2 – Applications for New Retail Development

SF/4 – Retailing in Villages

SF/6 – Public Art in New Development

SF/10 – Outdoor Playspace, Informal Open Space, and New Developments

SF/11 – Open Space Standards

NE/1 – Energy Efficiency

NE/2 – Renewable Energy

NE/6 – Biodiversity

NE/9 – Water and Drainage Infrastructure

NE/14 – Lighting Proposals

NE/15 – Noise Pollution

NE/16 – Emissions

Appendix 1 – Car Parking

Consultation

19. **Longstanton Parish Council** recommends refusal.

“Context within the Home Farm development

The land is designated as a ‘Community Site’. It has also been referred to subsequently as the ‘Amenity Use Area’. The outline application called for this land to be used for ‘Local Shop and Surgery’ (see paragraph one of the Outline Consent). Section 29 of the outline consent of 16 October 2000 required that this land be used solely for class A1, A3 and D1 development for 10 years from the commencement of development on any part of the site (which was roughly 2004, not 2000). These classes cover shops, cafes, and non-residential institutions. They do not include

residences. The reason for this clause was to ensure that there was sufficient infrastructure to support the additional homes.

The application therefore is manifestly contrary to the outline consent, making the lack of engagement with the Parish Council even more perplexing. In order to justify the deviation from the plan, there must be a compelling benefit to the community. It is reasonable that any 'extra' space on the site is put to good use, and it is therefore reasonable to consider flats atop commercial units. These will provide greater security for the area, as noted in the application.

It is much harder to justify the two detached and two semi-detached dwellings. Design and Access Statement section 2.0 indicates that the use classes may be extended to include A2 and A5 (professional services and take-aways). The basis of this statement from SCDC is unclear, given the very explicit designations in the outline consent. Certainly professional services would need to be examined carefully. The purpose was to provide an amenity to the village, not to provide employment or to provide amenity to the larger surrounding area. Estate agents and the like would provide none of the amenity that is required in the village. Take-aways, while amenities, have their own concerns and would need to be agreed rather than imposed upon the village given the clear outline consent limitations. Take-aways would create a nuisance not conducive to the quiet enjoyment of the surrounding residences.

We therefore object to broadening of the classification beyond that in the Outline Consent.

In this same section, there is reference to providing residences to make the site 'viable'. The entity of Home Farm must be considered in viability; the fact that it has been sold in parcels rather than developed as one unit is not of material consideration to planning. While it may well be true that earlier involvement of the Urban Design Team may have sped the process, it is a curious complaint for an application on which the Parish Council was never consulted.

In fact, based purely on what is written in section 3.1, it would appear that the initial application had more amenity facilities and therefore may have had more advantages, with SCDC concerns possibly being overcome with means other than discarding the initial Outline Consent. We cannot, for example, see any justification for a mandate for more houses to 'continue the development line along Nelson Crescent.' That is completely contrary to the outline consent.

We do not support the principle that any dwellings are justified for viability or aesthetic reasons.

Village Status

Longstanton is classified as a Rural Growth village, which generally restricts new development to infill not exceeding 8 dwellings. The current application calls for 10 dwellings contrary to the village classification. Again early engagement with the village would have helped uncover concerns in this area.

We do not support 10 dwellings on this site regardless for this reason alone, aside from any factors favouring or disfavouring residences at all.

Parking and Access

It is reasonable to assume that many people visiting the shops will do so on foot. However, elderly residents may be expected to drive and it is quite possible that workers might drive as well. Eight parking spaces, therefore, seem to be too few. The result will be parking along existing residences in Nelson Crescent and along the High Street, blocking the pavement. Vehicles parking along Nelson Crescent will not be able to turn without encroaching on private property due to the narrowness of the road.

There is not any meaningful 'alternative transport' as suggested in section 4.1 of the Design and Access Statement. Therefore, while it may be true more people might walk to this area than would if it were a commercial unit many miles from any residence, a) very few people will be able to use public transport to the site and b) it is not clear to us if the suggested 30 spaces applied to rural settings or was an average accounting for city and town environments as well (in which case reducing below 30 would be double counting).

The garages for the semi-detached units will not house cars due to their size and the lack of storage space within the dwellings. It is clear that the drive for those units is too small to support the two cars per unit that 4-bed units are likely to have. The result, again, will be more parking along Nelson Crescent. Ample empirical evidence at Home Farm backs up this statement. On Nelson Crescent, 9 of the 13 homes have two cars and none of them use the garages. (This is less an issue for the detached homes' garages, since they are wider and there is additional storage above them).

Delivery areas are likely to be at the rear of the shops, adjacent to the play area. Given that the flats have no gardens, it is likely that children will frequently be crossing from the proposed dwellings to the play area. Coupled with the narrowness of the road, there is a significant safety issue for the delivery of goods.

More parking is required and any goods access must be from High Street (with building design not facilitating or encouraging delivery at the rear).

Affect on Village Life

A new convenience store will certainly affect the viability of the existing shop in Longstanton. While the Parish Council cannot consider competition as a negative thing in the village, it can consider the adverse effect that any new units may have on the post office. The Post Office acts as a cohesive element in any community and a lifeline for the many elderly residents that live in close proximity to it. Any development that would put its viability at risk must be considered in that light.

The village is certainly in need of more amenities such as cafés, pubs, and the like. The current application does not provide the scope for such amenities. On the contrary, it precludes them by using the last space specifically designated for such purposes for units unsuitable for cafés and pubs due to their size.

There has been concern from nearby residents that an off licence (or sales from the convenience store) would encourage loitering, noise, and littering later in the evening. We would expect that any licence would have restrictions against the sale of alcohol into the evening. However the Parish Council would submit specific comments and suggested remedies in light of particular applications for the use of the commercial units.

Finally, there is concern that there will be too much noise from extractors and air conditioning units at the rear of the commercial units, affecting both existing and proposed residences.

There is insufficient space for the types of amenities needed in the village. There must be some form of restriction that will ensure that Longstanton is not left without a post office.

Affordable Housing

It appears that there is currently no specific statement on the amount of affordable housing that will be present. In particular, the applicant's letter of 15 July indicates that they are unhappy to proceed with 40% affordable housing. Since the amount of affordable housing may have an effect on the optimal design for the site, it indicates that the application may be somewhat premature.

Style

On the whole, the style of the units appears complementary to the local amenity, with one exception: The porches and dormer windows have flat roofs, which would not be in keeping with the pitched roofs of the existing housing in Nelson Crescent. Given that any new housing would be at the very entrance to the road, it is important that their design is in keeping with the existing dwellings. That said the new units benefit from solar panels that would be difficult to fit in with pitched dormers.

The current detached house design affords views into the gardens and windows of several homes in Stevensons Road (Nos 60, 62, 64).

The solar panel benefit outweighs any detriment with flat dormer roofs, but pitched front porches should be provided. The orientation of the dwellings must not be such as to provide direct views into existing gardens and windows. There is also concern that the shop is abutted right against the High Street pavement, which makes its aspect out of keeping with existing residences and other commercial properties in the village.

Drainage

Anglian Water has recently written to the Parish Council to state that they can (and will) do nothing to remedy the existing sewage flooding. They state that they cannot cope with high volumes of surface water entering the drains, and offered no plans for remedy. Any further impervious surfaces will only exacerbate the problem. Current year-on-year evidence is that current sewage flooding is intolerable let alone any further increase.

The Drainage Disposal Statement seems to have been written without any knowledge of the continuing sewage problems in the village as noted above. *It is completely unacceptable to drain further surface water into the sewage system as proposed, especially given Anglian Waters' clear statement that they could do nothing to prevent future flooding from surface drainage.*

No construction can be permitted until Anglian Water has improved the infrastructure to cater for the surface run-off that the sewers receive.

Site/Setting and Environmental Considerations

We assume that the applicant intends to provide a suitable walkway along the stream encouraging people walking to the site from within Home farm. This should be made more explicit.

The lighting statement needs sharpening. Wording that no adverse lighting “is currently planned” leave open the possibility for such lighting later. Use of solar panels is welcome.

Timing

All commercial space must be constructed first. Reason: to ensure that it is completed in a timely manner rather than being held hostage to the fortunes of the housing market.

Conclusion

Being contrary to section 29 of the Outline Consent for the Home Farm development and being contrary to the infill guidelines for Rural Growth villages, the applicant must provide added benefit. The current application provides insufficient scope for the types of amenities needed within the village. The additional housing is therefore not justified, *and the Parish Council recommends refusal.*

The Parish Council welcomes a revised application that is developed through a meaningful consultation with the village.

20. The **Local Highway Authority** comments that although it is not the parking authority it would not accept the proposed 13-14 car parking spaces due to the inclusion of the on street parking. It confirms that on street parking in the vicinity of the proposed site would not be objected to as it is publicly maintainable highway and therefore the Highway Authority cannot prevent vehicles from parking upon it. The application site will therefore only provide 8 customer parking spaces for the development, which is substantially below the Local Planning Authority’s standards, not the County Council standards as stated in the Design and Access Statement.

It requests that the applicant submits, as part of the application, data to justify the use of Manual for Streets at this location. This information has previously been provided to the Highway Authority.

Dimensions for car parking and reversing spaces should be shown on the submitted drawing.

Conditions should be attached to any consent ensuring that, prior to the first use of the site, the access is laid out to County Council construction specification where it crosses the public highway; that the access is constructed with adequate drainage measures to prevent surface water run-off onto the public highway in accordance with an approved scheme and; preventing the use of unbound material in the surface finish of the driveway within 6 metres of the highway boundary.

Informatives should be attached to any consent pointing out that any development requiring work to the public highway will require the prior approval of the County Council and that if public utility apparatus is affected the appropriate utility service should be approached by the applicant.

21. The **Housing Development and Enabling Manager** comments that a financial appraisal has been submitted, which demonstrates that with the provision of 4 affordable dwellings there is a negative land value for the developer. A further financial appraisal has been requested on the basis of providing a lesser number of affordable units.
22. The **Corporate Manager (Health and Environmental Services)** notes that the proposals may include uses within Classes A1, A2, A3, A5 and D1, which may include food premises such as a takeaway and or restaurant, and that the proposed development will be in close proximity to existing residential property. On balance there is no objection in principle to the application but there are a number of environmental health issues which need to be carefully considered and appropriately controlled to protect the amenity and health of the proposed and existing residential units and other premises.

It is therefore recommended that a series of conditions are attached to any consent controlling noise and dust during the construction phase; noise impact of retail/commercial premises on proposed and existing residential premises; operational odour generation and impact and; artificial lighting.

It is suggested that a number of informatives are attached to any consent giving guidance on what will be required to satisfy the various conditions.

In respect of comments raised by Anglian Water in respect of the proximity of its pumping station to the new development (see below), it is noted that there are existing residential properties as close or closer than the proposed development and there are no records of any complaints. It is felt that the pumping station is unlikely to have an impact on amenity and/or cause statutory nuisance in terms of odour and noise.

23. **Anglian Water** comments that the site is within an area where there are no public foul sewers within the vicinity of the development. However there is a private foul sewer currently under a Section 104 adoption agreement that may be able to accommodate the foul flows from the development. The owners therefore need to be approached for comments on available capacity.

The foul drainage from the development will be treated at Over Sewage Treatment Works that at present has available capacity for these flows.

It points out that the development site is within the 15 metre cordon sanitaire of a pumping station. Whilst it takes all reasonable practicable steps to prevent any nuisance arising from the site, it is nevertheless prudent that there should be no new development within 15 metres if the development is potentially sensitive to odour or other nuisance, or which might give rise to complaints from the occupiers regarding the location of the pumping station.

24. The **Environment Agency** comments that it has been previously consulted with the submitted Flood Risk Assessment at the pre-application stage and found it to be acceptable and therefore has no objection to the proposed development subject to a number of conditions and informatives being included in any consent.
25. The **Urban Design Team** comments that whilst the proposed layout largely complies with the illustrative layout suggested by the Urban Design Team there are a number of minor issues which should be resolved before the application can be deemed acceptable in design terms.

Planting area D should be incorporated into the garden of Unit No.9 with an appropriate boundary treatment created along the boundary with the retail parking area. Planting could be introduced to this boundary to soften the edge and create a more robust boundary. The proposed trees should be relocated to the area next to cycle stands closest to Unit No.9 to more effectively 'green' the frontage and break up the massing of the proposals. At present there are considerable areas of hard landscaping on the frontage of the development due to the car park and retail unit thresholds. The paving adjacent to the proposed houses on this frontage could be reduced with additional planting and grass verges incorporated to soften the frontage and integrate it better with the village character.

Railings of the 'estate fence' type or similar appropriate to a more rural village setting combined with planting could be used to more effectively to demarcate the front boundaries of Units No.9 & 10.

In respect of the proposed bin stores, no clear details of the bin stores appear to have been provided with the application and there are some apparent discrepancies between the plans and elevations. It is recommended that gates are introduced to better secure the bin enclosure. In addition the commercial and domestic waste streams should be separated and more clearly identified on the drawing. It would appear that the extent of the bin enclosure could be reduced significantly from that shown on Drawing 57 and an area of planting introduced at the western end to help soften and green the mews area. The height of the wall around the bin store should be increased to more effectively screen the bins within and provide improved security to these areas.

Throughout the scheme, proposed boundary fences seem to be too low to create an effective and robust boundary to ensure the privacy of occupants. Rear boundary fences should be increased to 1.8m in height from the 1.65m indicated on the drawings. The screen wall to the eastern boundary of Plot No.2 should be increased to 1.8m for the garden but left at 1.125m adjacent to the house. 'Greening' the walls and fences through introducing climbing plants, particularly on Plot No. 2, should be incorporated to again help soften the character of the mews.

During the pre-application process the Urban Design Team commented about the proposed elevations and particularly those on the proposed houses. The concerns were that they were poorly composed and unbalanced. To this end detailed sketches were provided illustrating some suggested amendments. The submitted scheme has attempted to better balance some of the elevation and composition of the retail units. For example, the corner of the convenience store on the scheme is now symmetrical with the first floor aligning with the ground floor aperture, which creates a better-resolved corner treatment.

The Urban Design Team is of the view however that the houses are less successful. It was previously suggested that the design of the houses fronting onto Nelson Crescent needed to match the design of the existing dwellings to complete the street scene in a co-ordinated and rhythmical way. Unfortunately, the scheme has not chosen to pick up on the detailing of the existing dwellings resulting in the rhythm of the existing crescent being diminished. Whilst a condition placed on any approval, could ensure that the materials are the same as the existing dwellings, and this would go some way to help tie the proposed and existing developments together, the arrangement of the window apertures and the design of the dormer windows would still mean that these dwellings would read separately from the existing.

It is therefore suggested that the ground floor window be made into a more conventional 'bay' and that the first floor windows to 'Bedroom 1' be combined to form a single void aligned centrally to the bay below and to the dormer above. These suggestions were made at the pre-application stage but have not been incorporated into the submitted scheme. Similarly the front elevation of the detached house would benefit from the better composition of the first floor 'Bedroom 4' windows to achieve a single void centrally aligned on the aperture below.

These comments have been forwarded to the applicant.

26. The **Landscapes Officer** comments that the development requires some additional planting to help to integrate it into its surroundings. Comments are made on the details submitted with the application and various revisions have been suggested. These comments have been forwarded to the applicant.
27. The **Ecology Officer** has no objection to the application and has agreed that a Biodiversity Assessment is not required in this case.
28. The **Architectural Liaison Officer, Cambridgeshire Constabulary** has made detailed comments on the layout of the scheme, which have been forwarded to the applicant.
29. The comments of **Cambridge Water Company**, and the **Environment and Operations Manager**, will be reported at the meeting.

Representations

30. 18 letters have been received from 15 households in Nelson Crescent, Collingwood Drive and Stevensons Road, objecting/commenting on the proposal as follows:
 - (a) Two letters welcome the development in principle but believe that the two houses in Nelson Crescent should be built to match the design of the existing houses in order to maintain the visual harmony that is currently so attractive. Restrictions should be placed on delivery times. There is a lack of continuity.
 - (b) Over development of the site at an excessive density which would be out of character with the surrounding area. The position, size, design and external appearance would be intrusive development, out of scale with surrounding development in the locality and harmful to the appearance of the surrounding street scene.
 - (c) Insufficient provision has been made for quality amenity space on the site and this would be detrimental to the quality of open space enjoyed.
 - (d) The development proposed is inappropriate for this site with unacceptable consequences on the local infrastructure i.e. character, noise, traffic, pollution, open space, loss of light, wildlife, safety, transport, loss of privacy and, parking.
 - (e) Insufficient car parking spaces have been provided for new residents and potential shoppers and staff which will mean cars will be obstructing the man road which is used by many children from the surrounding area to catch buses for secondary school and others that use this route to the primary school. The use of the nearby school crossing will become dangerous.

- (f) The entrance to Nelson Crescent will be blighted by traffic making it both unsafe and unpleasant.
- (g) There are existing examples in the new development in Longstanton where lack of parking causes a problem.
- (h) The recently opened bypass has meant that the village is much quieter with considerably less through traffic. The proposed development will result in more traffic which defeats having the bypass.
- (i) Noise pollution is a concern. It is not known what will be in the units and opening times could result in late closing and delivery lorries at all times.
- (j) Insufficient space has been provided for delivery lorries. Without the residential development this would be more easy to provide and the retail units could have their own access from High Street with sufficient space for all vehicles visiting the site, which would help minimise the risks that could be associated with commercial traffic in what is currently a part residential area and partly an area specifically designed to provide leisure for families.
- (k) It is understood that the site cannot be used for residential development for a period of 10 years. Has this expired?
- (l) It is understood that the village green was to include a play area near the entrance to Nelson Crescent – the place where all the traffic will be generated.
- (m) Willingham has one Co-operative convenience store, which has 29 off road parking spaces and at times, particularly over the weekend, the spaces are fully utilised. It is therefore incomprehensible that there are only 8 spaces provided here. As a result parking will take place on the High Street and Nelson Crescent reducing visibility at the junction. The only way for vehicles to exit Nelson Crescent would be by reversing onto High Street or turning round in a residents driveway.
- (n) It is most likely that the occupiers of the smaller units will be a hairdresser, a takeaway food establishment and a pharmacy. Longstanton already has a hair and beauty salon, and a takeaway less than 100 yards from the site. The former uses two car parking spaces and the takeaway frequently has three or more customers at a time. A pharmacy would use the other three spaces available.
- (o) The new commercial units may ruin the business of existing enterprises in the village.
- (p) Late night noise, smells and litter pollution from the takeaway would be a probable disturbance to existing residents in this quiet area.
- (q) Although flats above the commercial units seem sensible parking is limited and therefore two larger flats might be more appropriate.
- (r) Concern that an off licence or sales from the convenience store would encourage loitering, disruptive behaviour, noise and littering late in the evening, especially around the Nelson Crescent play area. This may lead to an increase in public use of the private 'maintenance strip' that runs along the

back of Nos 60, 62 and 67 Stevensons Road, which runs within 3 feet of houses.

- (s) The need for any additional convenience store or retail units is questioned given that there is already a store in the village that has stood disused for many years. There is a large superstore in Bar Hill as well as a Co-operative store in Willingham, and there is concern that the new units will become disused and neglected in the years to come. Empty retail premises have existed in all 3 surrounding villages for a number of years. It is hard to believe that anyone will be interested in the smaller units.
- (t) Any new development will potentially exacerbate the existing flooding problems.
- (u) There is concern that there has been insufficient consultation with local residents and the Parish Council.
- (v) This application should be refused and a revised one submitted which takes onboard consultation with both local residents and the Parish Council.
- (w) The existing bedroom of 44 Collingwood Drive will be overlooked accessing the stores, which is inappropriate. In general the proposed houses and flats will overlook the property and affect privacy, especially when eating in the garden.
- (x) The occupiers of 62 and 63 Stevensons Road are concerned that there will be overlooking from the detached houses. The occupier of 60 Stevensons Road is concerned about loss of light or overshadowing due to the proximity of the proposed buildings.
- (y) The sewerage system is not coping with the extra properties which have already been built. The proposal will only make this worse.
- (z) The garages for the semi-detached houses will not accommodate cars due to their size and lack of storage space within the dwellings. The drive for these houses is too small to support the two cars which these dwellings are likely to have, resulting in more parking in Nelson Crescent.
- (aa) There is likely to be too much noise from extractors and air conditioning units at the rear of the commercial units, which will affect both existing and proposed residences.
- (bb) The design of the shops is out of character with existing houses and other commercial properties in the village, which are typically set back from the road and pavements.
- (cc) May result in adverse lighting.
- (dd) The land was specified for use as an amenity area. It is not understood how 6 flats and 4 dwellings can be classed as an amenity that will bring benefits to the occupiers of nearby dwellings.
- (ee) No visitor parking provided.

- (ff) Impact of use of Nelson Crescent by delivery vehicles and on the safe use of the adjacent area of open space by children.
- (gg) Loss of value to existing houses.
- (hh) There is a covenant on the houses in Nelson Crescent which prohibits the parking of any commercial vehicle, caravan or boat on the properties on the estate roads. It would be sensible to include this covenant on the new development.

Planning Comments – Key Issues Planning Comments – Key Issues

- 31. The outline planning consent for the Home Farm development, granted in 2000, accepted that this area of land would be developed for the uses specified in Condition 29 of that consent. In assessing the current application the key issues for Members to consider are land use; scale of development; visual impact on the character of the area; access and car parking; affordable housing; neighbour amenity; drainage and; open space.

Land Use

- 32. This application is submitted as a full application and should be considered on its merits. As a full application it is not bound by the conditions attached to the outline consent. Whilst the time limit to submit reserved matters has expired, Condition 29 of the outline consent restricting the uses on the site remains extant, however the condition is only effective for a period of 10 years from the commencement of any part of the development on the whole site. From information supplied by the Building Control Section it would appear that work on Stage 1 of the Home Farm development commenced in July 2005.
- 33. The application contends that in order to provide a viable scheme for the commercial development of the site the provision of residential accommodation is required. A financial appraisal of the development has been supplied to officers to support this position.
- 34. There is no requirement within the existing outline planning consent for the community site to be developed, and there is therefore a possibility that the site could remain in its current undeveloped state, if a viable scheme for development is not supported. After the expiry of the 10 year period, which officers accept is not imminent, any future application for development of the site would have to be judged against relevant policy at that time, but would not be necessarily obliged to provide any of the uses for which the land was reserved in the outline consent.
- 35. I am therefore of the view that if the introduction of some residential development on the site will help to bring forward a viable scheme, which will include some, or all of the uses originally envisaged, it should be considered as an appropriate way forward.
- 36. There has been local concern about the possibility of a takeaway being introduced into the commercial units (Class A5). Members should note however that when outline planning consent was granted in 2000 the definition of an A3 use at that time, permitted as one of the possible uses, was 'the sale of food or drink for consumption on the premises or of hot food for consumption off the premises'. A separate use class for takeaways was introduced when the Use Classes Order was amended in 2005. As such the potential for a takeaway use was accepted at the time of granting the original outline consent. The introduction of an A2 use is new and I have written

to the applicant pointing out the Parish Councils' concern that such uses may be of limited direct benefit to the village.

Scale of Development

37. The application proposes the erection of ten dwellings as part of the mixed use scheme. Policy ST/5 of the Local Development Framework Core Strategy identifies Longstanton as a Group Village which states that within village frameworks schemes for residential developments up to an indicative maximum size of 8 dwellings may be permitted, although exceptionally development of up to about 15 dwellings may be permitted, where this would make best use of a single brownfield site.
38. The site cannot be considered as brownfield and therefore the application has been advertised as a departure from the Development Plan. The applicant argues that the number of dwellings proposed is required in order to bring forward a viable mixed-use development, and given the potential benefits to the village in bringing forward the proposed commercial element of the scheme I do not object to the additional two dwellings as a matter of principle. I am of the view that the application would not need to be referred to Go-East.

Visual Impact on the Character of the Area

39. The design of the submitted scheme has been influenced by the input from the Council's Urban Design Team. The general form of the development proposed will sit well in the street scene, although the height of the buildings, which rise to just over 11m for a section of the buildings fronting High Street will be above that of the existing development in the surrounding residential developments.
40. I have passed on the local comments received in respect of the design of the two new houses adjacent to the existing development in Nelson Crescent in particular to the applicant, along with the detailed comments of the Urban Design Team and the Architectural Liaison Officer. Although the Urban Design Team has not objected to the two new houses adjacent to the existing properties Nelson Crescent, requesting only minor revisions to the front elevation, I recognise the concerns expressed by local residents and whilst I have no objection to the principle of a pair of dwellings in this location it is important that the design and scale is sympathetic to the existing dwellings. I have suggested that a street elevation is provided so this relationship can be assessed in more detail.

Access and Car Parking

41. The Local Highway Authority has not objected to the application, although it has pointed out that only the number of car parking spaces that can be provided within the site itself should be included as part of the formal parking provision, and therefore it does not accept the figure of 13-14 spaces supplied by the applicant as parking provision for the commercial units, as that figure includes on-street parking spaces. It is not however saying that on-street parking is unacceptable in highway safety terms in this case. The fact that the High Street now caters for a lower number of traffic movements since the opening of the Bypass is a material consideration.
42. The Councils' adopted car parking standards would indicate that the maximum level of car parking that should be provided on the site to serve the commercial uses proposed is 34 (based on all units being food shops). The amount of parking available on site for parking for the commercial uses is 8 spaces and is therefore significantly below the maximum requirement.

43. In negotiations over the design and scale of the scheme the Urban Design Team has sought to reduce the number of car parking spaces provided within the site, in an attempt to avoid a layout which would otherwise be potentially visually dominated by such provision.
44. The applicant has argued that the commercial uses envisaged for the site will predominately serve the immediate community and therefore many people will be able to walk or cycle to the site, thereby reducing the need for on-site parking provision. 8 cycle parking spaces are provided on the site to encourage people to travel to the site by methods other than the car.
45. In my view the level of car parking provided is at the absolute minimum that should be considered, however it is difficult to see how additional on-site parking could be provided without a reduction in the amount of commercial floorspace provided, or a reduction in the number of residential units, both of which may affect the viability of the scheme as a whole.
46. I have asked the applicant to comment on the issue of staff parking provision.
47. There is concern that the lack of parking will lead to additional parking in Nelson Crescent, and that delivery vehicles will cause traffic problems in Nelson Crescent and be a potential danger to children using the adjacent open space.
48. There is no formal area for turning within Nelson Crescent however the applicant has provided a drawing to the Local Highway Authority demonstrating that a delivery vehicle using the parking area provided within the new development will be able to turn out of the site into Nelson Crescent and leave in forward gear. A condition can be attached to any consent restricting the hours of deliveries.
49. The application envisages that only deliveries to the convenience store will be via the rear access and that these should probably be no more than two a week.

Affordable Housing

50. Policy HG/3 seeks to secure 40% or more of the total number of dwellings provided as affordable housing, although it states that within individual developments the proportion and type of affordable housing will be the subject of negotiation with applicants and that account will be taken of any particular costs associated with the development and other viability considerations. In this case the applicant has stated that the scheme is not viable if the scheme provides the 4 affordable units as required under Policy HG/3, and a detailed financial appraisal has been submitted to support this claim.
51. The Councils' Housing Development and Enabling Manager has accepted that the provision of 4 affordable units will result in a negative land value for the developer and has asked for a further appraisal to be submitted for a scheme providing a reduced percentage of affordable dwellings on the site. The further findings will be reported at the meeting.
52. The text of Policy HG/3 indicates that it would not be appropriate to look for a financial contribution towards affordable housing in lieu of built provision in major developments.

Neighbour Amenity

53. The issues of the impact of the development on neighbour impact should be assessed both in terms of the impact from the residential development and commercial units.
54. In terms of the impact of the residential elements of the scheme concern has been expressed about the potential overlooking of properties in Collinwood Drive and Stevensons Road and their gardens. The proposed flats above the commercial units are between 13m and 20m from the rear boundary of the gardens with Nos 42 and 44 Collingwood Drive, with a distance of between 21m and 30m from building to building.
55. The first floor windows in the rear elevation of Flat 8, which look towards the rear of the houses in Collingwood Drive, serve a kitchen and bedroom. These windows are a minimum of 16m from the boundary.
56. The first floor windows in Flat 7 which look towards the rear of the houses in Collingwood Drive, also serve a kitchen and bedroom. The kitchen window is one of two serving that room and be required to be obscure glazed by condition. The bedroom window will be 14m from the boundary.
57. A landing window in the access stairway which serves Flats 8 and 9 may have the potential to overlook the rear of the properties in Collingwood Close, but this window can be obscured glazed by condition.
58. I am of the view that the distance from the rear first floor windows of the proposed detached house on Plot 10 (15m) to the gardens of houses in Stevensons Close, and the relative positions of the dwellings, is sufficient to prevent any unreasonable loss of amenity to the occupiers of these properties from overlooking.
59. I do not consider that the proposed development will have an unreasonable impact on light to adjacent properties.
60. Regarding the impact of the commercial units I have commented earlier on the possible use of one of the units as a takeaway and that such a use would have been permitted under the terms of the original outline consent. The Corporate Manager (Health and Environmental Services) does not object to such a use in principle but requires conditions to be included in any consent to secure odour and noise control. Conditions controlling opening hours and delivery hours are also suggested, and should be included in any consent.

Drainage

61. The Environment Agency has agreed the Flood Risk Assessment submitted by the applicant. As conditions of any consent it suggests minimum finished floor levels and I have asked the applicant to confirm that the finished floor levels shown on the submitted drawing comply with the requirement of the Environment Agency. I have also requested that a drawing is submitted showing existing ground levels across the site.
62. Anglian Water has not objected to the application, commenting that there is sufficient capacity at the Over Sewage Treatment Works. I have passed on its comment that the site currently lies in an area where there are no public foul sewers available to the applicant and will report the response.

63. Conditions can be attached to any consent requiring the submission of a scheme for foul and surface water drainage for approval.

Open Space

64. An area of informal space in has not been provided within the site, however given the mixed nature of the development and its location immediately to the north of an existing area of open space, I am of the view that a contribution towards off-site provision is appropriate in this case. The applicant has indicated the willingness to provide a contribution towards open space.

Other Matters

65. The impact of the proposed development on the viability of existing commercial enterprises in the vicinity is not a material planning consideration in considering a development of the scale proposed.
66. The applicant has submitted an Energy Statement, which concludes that a scheme for solar water heating can best meet the objectives of Policy NE/3 in this case. Details of the scheme can be secured by condition.
67. The Ecology Officer does not require a biodiversity assessment in this case.
68. I agree with the Parish Councils comment that a condition should be included in any consent regarding the timing of development to ensure that the commercial units are brought forward at the same time as the residential development.
69. I will update Members at the meeting on the response of the applicant to the points raised and any amended drawings received. I will also report the further findings of the Housing Development and Enabling Manager in respect of the justification for not including an element of affordable housing as part of the scheme.
70. If the above matters can be satisfactorily resolved I will seek delegated powers of approval.

Recommendation

71. That delegated powers of approval be granted subject to the receipt of satisfactory amended plans and safeguarding conditions including the following

Time limit

Detail of materials

Landscaping scheme

Surface and foul water drainage schemes

Hours of construction work

Noise levels and sound insulation

Restriction on opening hours, hours of delivery, and hours for commercial refuse/recyclates collection

Details of equipment for extraction of fumes/odours

Scheme for lighting

Highway requirements

Renewable energy scheme

Timing/phasing of development

Open space contribution.

Obscure glazing to specified openings

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- Planning File Ref: S/0745/09/F and S/0682/95/O

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