

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

S/0710/04/O - Willingham
Erection of five dwellings at land to the rear of 17-19A Green Street for E.Garner & Sons
Recommendation: Delegated Approval

Site and Proposal

1. The land forms part of an operating farmyard to the rear of three two-storey houses that front onto Green Street. The site has an area of 0.20 ha. There is an existing vehicular access onto Green Street that serves both the farmyard and the dwellings, and there is a collection of farm buildings on the site. To the north, the site is adjoined by the rear garden area of 15 Green Street, and to the south by a single storey range comprised in the working farmyard at 21 Green Street. The remaining area of land and buildings of the farmyard adjoin to the east of the site.
2. This application for outline planning permission was received on 2nd April 2004 and has been amended by drawings received 5th October and 27th October. The application is supported by drawings to show the proposed siting of dwellings and the means of vehicular access, which are matters to be determined at this stage. The application as originally submitted showed 8 dwellings and associated garaging. The application as amended proposes 5 detached dwellings and 5 garages, which also provide parking for the existing frontage dwellings. Vehicular access through the site to the remaining farmyard has been retained. Existing farm buildings on the site are to be demolished.
3. The proposal includes footway widening and kerb realignment on Green Street. With these works, vehicle-to-vehicle visibility splays of 70m and 76m from the junction can be achieved along Green Street to the north and south respectively. The application has been supported by traffic data to demonstrate no net increase in traffic generated compared with the farmyard use.
4. The development represents a density of 25 dwellings per hectare.

Planning History

5. Planning permission to erect a house on the frontage of the site (No.19A) was granted in 1989 and 1990 (S/1033/04/O, S/0559/90/RM). Permission to house cattle in an existing agricultural building to east of the site was granted in 2003 (S/2362/03/F).
6. Planning permission for the erection of six dwellings on land at 23 Green Street was approved by Members at the meeting on 3rd November (S/1266/04/RM). This proposal also included widening of the footway in Green Street.

Planning Policy

7. Cambridgeshire and Peterborough Structure Plan 2003: Policy P1/3 (Sustainable Design in Built Development) a high standard of design and sustainability for all new

development will be required which provides a sense of place and 1) responds to the local character of the built environment; 2) is integrated with adjoining landscapes and 3) pays attention to the detail of forms, massing, textures, colours and landscaping.

South Cambridgeshire Local Plan 2004:

Policy SE2 (Rural Growth Settlements) – residential development will be permitted provided that the retention of the site is not essential to the character of the village, the development would be sensitive to the character of the village and the amenity of neighbours; and the village has the necessary infrastructure capacity. Development should achieve a minimum density of 30 dwellings per hectare unless there are strong design grounds for not doing so.

SE9 (Village Edges)- development on the edge of villages should be sympathetically designed and landscaped to minimise the impact of development on the countryside.

Policy HG10 (Housing Mix and Design) requires residential developments to have a mix of units making the best use of the site. The design and layout of schemes should be informed by the wider character and context of the local townscape.

Policy HG11 (Backland Development) – Development to the rear of existing properties will not be permitted where development would: 1) be overbearing, overlooking or overshadowing of an existing residential property, 2) be noisy or disturbing to an existing residential property through use of its access, 3) give rise to highway dangers through use of its access, 4) be out of character with the pattern of development in the vicinity.

Supporting text paragraph 8.16- Minor residential developments of 8 dwellings or less will not attract a requirement for a contribution towards likely unmet need for services and facilities unless, taking a broader view, the Council considers that it would be reasonable to conclude that the relevant site is part of a larger area with realistic potential for similar development, or where housing group development is resulting in a strategically significant level of development in the Rural Growth Settlement.

Inset Map No.100 (part 4)- the eastern boundary of the application site coincides with the framework boundary for this part of the village.

Consultation

8. **Willingham Parish Council-** recommends refusal of the application. The Parish Council believes that:

- the narrowing of Green Street as shown is unacceptable and is strongly opposed;
- the access is inadequate to cope with the traffic as it has a blind spot to the right when exiting from the site;
- there are already too many access points onto this busy street;
- if planning permission were granted, the PC would like to see a S106 Agreement to require the developer to contribute to facilities in the village. If taken with recent and proposed development in Green Street, the proposal represents a major scheme;

- the PC is opposed to the piecemeal development of the area.

The PC has requested an urgent meeting with the Highway Authority to discuss these matters. I will present a verbal report to Members of the outcome to this request.

9. **Highway Authority** – the HA has expressed reservations about the proposals from first submission of the application. The applicant has produced amended access designs and traffic reports in order to address the HA’s concerns. The HA’s expressed doubt about the claim that traffic volumes using the access drive will reduce as a result of the development have been overcome. The HA’s comments on the latest amendments concerning the design of works in Green Street are as follows:

“The access and kerb realignment shown on the plan are now acceptable from the highway point of view.

I note the agent’s comment relating to the works being compatible with the works associated with No. 23 but not being dependent upon them. Clearly, it would be of benefit to all the works in Green Street could be undertaken at the same time as one project. Hence why the developers of both sites need to talk to each other.

I also note the comments of the Parish Council. As you know the CC role in applications is generally a reactive one; the proposed alteration to the kerb line of Green Street has been presented by the applicants as a solution to overcome the visibility difficulties at the site access. From the highway point of view this seems to be an acceptable solution - the carriageway is to remain at a minimum of 6.3m (adequate to cater for the passing of large vehicles with ease). I could not object on highway safety grounds.”

10. **Environment Agency**- no objection in principle subject to submission of details of foul and surface water drainage, and contamination investigation.
11. **The Chief Environmental Health Officer** – recommends conditions to be attached to minimise disturbance to residents during the period of demolition and construction, and for an investigation into possible contamination of the site. There is no record of complaint concerning noise or odour at the working farmyard at 21 Green Street.
12. **Trees and Landscape Officer** – no objection.
13. **County Council Chief Financial Planning Officer**- recommends a financial contribution of £13,750 towards educational provision and community facilities in the village.

Representations

Application agent

14. The application should be understood in the context of the applicants wishing to relocate the farming enterprise to a site elsewhere close to the village. The applicants are willing to rescind planning permission S/2362/03/F for an expansion of the adjacent cattle yard in order to facilitate the planning application, and to retain this land for horse paddocks only.
15. Existing windows in the side elevations of the applicants’ dwellings facing on to the access drive are to be treated by means of triple glazing or obscure glazing so as to minimise disturbance to the occupiers.

16. The applicants are unwilling to make a dedicated financial contribution to the Parish Council for facilities as the development falls below the threshold for so doing. The agent has drawn attention to the arrangement operated by the County Council to provide part of the educational contribution to the Parish Council for this purpose.
17. The applicant's highways advisor has explained that the existing driveway is to be narrowed to 4.5m width, which is still wide enough to allow two cars to pass. This will enable improved vehicle-to-pedestrian visibility splays to be achieved at the junction with Green Street. Vehicle-to-vehicle splays of 70m to the north and 76m to the south are achievable following kerb re-alignment in Green Street.

Nearby residents

18. The occupier of 21 Green Street adjoining the southern boundary of the site has written to express concern at the continued use of the site to service the applicants' remaining agricultural buildings to the east, and the difficulties that this would entail. He is also concerned that traffic waiting to turn right into Short Lane will block the access for this development, and may cause passing traffic to veer close to the access when manoeuvring past these vehicles. He considers that the proposed narrowing of the carriageway in Green Street will make manoeuvring by lorries and farm vehicles more difficult, particularly if cars continue to park on the carriageway. He asks planners to note that his is a working farmyard that may give rise to noise disturbance at unsocial hours.
19. The occupiers of 15 Green Street adjoining to the north have written to say that the area between Priests Lane and Schole Road (that includes this site) should be considered as one and not in a piecemeal way. The writers are concerned at the prospect of additional on-street car parking on Green Street if there is not sufficient provision as part of the application. They draw attention to a Birch tree in their own garden which they consider may be threatened by the development. They believe that the density is out of keeping with adjoining development. They are concerned that their first floor living room will be overlooked by the development.

Planning Comments – Key Issues

20. The main considerations are: whether residential development should be allowed in this location; whether the proposed layout is acceptable; issues of residential amenity, and highway safety.

Principle of development

21. The site lies wholly within the village framework boundary, to the rear of frontage dwellings. Policy SE2 encourages such development, although the density is below the recommended minimum. One constraint to achieving a higher density is the access onto Green Street which, after proposed improvements, is only suitable to serve the existing dwellings and five more. The character of adjacent land is of garden areas and farm buildings, which also fits with a lower density on design grounds. Policy HG11 sets out criteria for assessing the proposed siting. The pattern of development on the eastern side of Green Street is of frontage dwellings interspersed with development in depth, as at Belsars Close and Rampton End, and in recently approved development at 23 Green Street. The proposal continues this pattern and so complies with part (4) of the policy. Other parts are considered below. The Parish Council and a resident have objected to the proposal as being piecemeal development. I agree that a comprehensive scheme could have resulted from the amalgamation of this site with the land at 23 Green Street, but as these are in different ownerships and are separated by a working farm, I believe that the current application should be considered on its own merits as an independent site.

Proposed layout of dwellings

22. The layout shows three dwellings fronting the driveway and a pair occupying land at the end of the driveway, adjacent to the remaining farm buildings. This arrangement achieves adequate separation between the dwellings and reasonable private garden areas. Distances of 16m and 20m between existing and proposed dwellings are also achieved, which I consider to be satisfactory.

Residential amenity

23. The amended layout plan received 5th October 2004 shows measures to prevent overlooking of adjacent garden area from first floor windows in the proposed dwellings, although this is an aspect to be considered more fully at reserved matters stage. Similarly, the concerns of the occupiers of 15 Green Street about overlooking into windows to habitable rooms in their property can be examined carefully at reserved matters stage. The peaceful amenity of residents in the 19 and 19A adjoining the access drive can be protected by treatment to windows in the side elevations of those dwellings, as they are within the ownership of the applicants. The development will not be unduly overbearing or cause overshadowing of existing dwellings/garden areas and I consider that it complies with parts (1) and (2) of policy HG11.

Highway safety

24. The Highway Authority accepts the last amended plans for the access and works to Green Street. Parking provision is 2 spaces per dwelling, which conforms to adopted maximum standards. The outcome of discussions between the Parish Council and the HA will be reported verbally to Members, if received.

Other matters

25. The Parish Council has requested a dedicated payment towards provision of additional facilities in the village. The application falls beneath the threshold for such payments as indicated Paragraph 8.16 of the Local Plan, and the educational contribution includes an element for this purpose under an arrangement with the County Council. In order to ensure that the use of the remaining farmyard ceases for the keeping of cattle I recommend that the applicants be required to rescind planning permission S/2362/03/F which relates to this use.

Recommendation

26. Subject to the applicant entering into an legal agreement under s106 of the Town and Country Planning Act 1990 for the payment of an appropriate contribution for local education provision, and to rescind planning permission reference S/2362/03/F, and subject to conformity with submitted plans as amended by plans date-franked 5th October 2004 and 27th October 2004, Delegated Approval.

Conditions of Consent

1. Standard Condition B – Time limited permission (Reason A);
2. Standard Condition 1 Reserved matters parts (b) (design and appearance of buildings) and (c) (landscaping) (RC1);
3. Sc52 – Implementation of landscaping (Rc52);
4. Sc60 – Details of boundary treatment (Rc60);
5. Details of treatment to windows in existing dwellings 19 and 19A Green Street;

6. Foul and surface water drainage details;
7. Restriction of hours of use of power operated machinery during the period of construction;
8. Investigation of site contamination
 - + any conditions required by the Local Highways Authority
 - + Chief Environmental Health Officer informatives

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003: Policy P1/3** (Sustainable Design in Built Development);
 - **South Cambridgeshire Local Plan 2004: SE2** (Development in Rural Growth Settlements), **SE9** (Village Edges); **Policy HG10** (Housing Mix and Design); and **Policy HG11** (Backland Development);
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Acceptability of residential development;
 - Residential amenity including noise disturbance and overlooking issues;
 - Highway safety;
 - Visual impact on the locality

Background Papers: the following background papers were used in the preparation of this report: Planning applications S/2362/03/F, S/0710/04/O, Cambridgeshire and Peterborough Structure Plan 2003; South Cambridgeshire Local Plan 2004.

Contact Officer: Ray McMurray – Senior Planning Assistant
Telephone: (01954) 713259