

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

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**S/2394/03/O - Coton**  
**Erection of 4 Dwellings at the Rear of 79 and 81 Whitwell Way, Coton for Mr and Mrs C. Phillips, Dr S. Julian, Dr N. Graham and Mr and Mrs J. Sadler**

**Recommendation: Delegated Approval**

**Departure Application**

**Site and Proposal**

1. The irregular shaped site measuring 0.21 hectares (0.4 acres) is situated in part of the former rear garden of 79 and 81 Whitwell Way, in addition to an open field squeezed between the rear gardens of the above two properties and the Silverdale Close housing estate comprising of 12 affordable dwellings. The site has a 17m wide road frontage along Silverdale Close.
2. The northern 30m length section of the site is situated on the southern edge of, but within the village framework of Coton as defined in the Local Plan, with the remaining southern portion of land ranging in depth from approximately 4m to 26m, situated outside the Coton village framework in the Cambridge Green Belt.
3. This outline planning application, received on the 24 November 2003, proposed the erection of five detached dwellings and garages with vehicular access off Silverdale Close, with all matters left reserved. The initial indicative sketch scheme illustrated one of the houses as being sited within the Green Belt.
4. An amendment to the application was received on the 16 September 2004, which reduced the number of proposed dwellings to four, by deleting the proposed dwelling within the Green Belt. The indicative layout plan illustrates four detached dwellings with linked garages sited within the northern portion of the site within the Coton village framework boundary, with a detached garage and access road sited on the southern portion of the site within the Green Belt. The proposed vehicular access is illustrated as having a width of 4.5m at its junction with Silverdale Close, with turning areas for the proposed dwellings. The proposed density equates to 25 dwellings per hectare.
5. In support of the application, the agent has stated in a letter dated 6 October 2004, that "I confirm that my clients would be willing to enter into a Section 106 Agreement for the provision of two dwellings as affordable housing."

**Planning History**

6. Land to the east of 12 Silverdale Close was included within the site area for the approved planning application for 12 affordable dwellings on land outside the Coton village framework, within the Green Belt, proposed by the Granta Housing Association (Ref: **S/1425/97/F**).

7. It is noted that reserved matters approval has been granted for two houses and garages at the rear of 89-95 Whitwell Way, Coton in June 2002 (Ref: **S/0718/2002/RM**), with outline planning permission previously granted in May 2001 (Ref: **S/0531/01/O**).
8. Planning permission for residential development on this land was refused in 1973 (Ref: **C/517/73/O**).

### **Planning Policy**

9. **Policy P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003 (“The County Structure Plan”) states that development will be restricted in the countryside unless the proposals can be demonstrated to be essential in a particular rural location.
10. **Policy 5/3** of the County Structure Plan states that densities of less than 30 dwellings per hectare will not be acceptable and that Local Planning Authorities should seek to maximise the use of land by applying the highest density possible which is compatible with maintaining local character.
11. **Policy P5/5** of the County Structure Plan states that small-scale housing developments will be permitted in villages only where appropriate, taking into account the need for affordable rural housing, the character of the village and its setting, and the level of jobs, services, infrastructure and passenger transport provision in the immediate area.
12. **Policy P9/2a** of the County Structure Plan outlines the purpose of the Green Belt and specifies that new development, including change of use, will be limited to that required for agriculture and forestry, outdoor sport, cemeteries or other uses appropriate to a rural area.
13. **Policy SE4** of the South Cambridgeshire Local Plan 2004 (“The Local Plan”) identifies Coton as a Group Village. This policy states that residential development up to a maximum scheme of 8 dwellings will be permitted within the village framework provided that the retention of the site in its present form is not essential to the character of the village; and the development would be sensitive to the character of the village and the amenities of neighbours.
14. **Policy SE8** of the Local Plan states that residential development outside of the village frameworks will not be permitted.
15. **Policy SE9** of the Local Plan specifies “development on the edges of villages should be sympathetically designed and landscaped to minimise the impact of development on the Countryside.”
16. **Policy GB2** of the Local Plan precludes inappropriate development within the Green Belt unless very special circumstances can be demonstrated and adds that any development considered appropriate within the Green Belt must be located and designed so that it does not have an adverse effect on the rural character and openness of the Green Belt.
17. **Policy HG7** of the Local Plan, as if would relate to Coton, indicates that if four dwellings were permitted on a single plot, two of them should be affordable provided there was a clearly identified local need and subject to factors such as proximity to

local services; access to public transport; the particular costs associated with the development; and whether or not the provision of affordable housing would prejudice other planning objectives warranting greater priority in the particular case.

18. **Policy HG10** of the Local Plan states that residential developments will be required to contain a mix of units providing accommodation in a range of types, sizes and affordability, making the best use of the site and promoting a sense of community which reflects local needs.
19. **Policy HG11** of the Local Plan states that “development to the rear of the existing properties will only be permitted where the development would not:
  1. Result in overbearing, overlooking or overshadowing of the existing residential properties;
  2. Result in noise and disturbance to existing residential properties through the use of its access;
  3. Result in highway dangers through the use of its access; and
  4. Be out of character with the pattern of development in the vicinity.”

### **Consultation**

20. **Coton Parish Council** - In response to the original planning application, the Parish Council did not object to the above application, but raised the following concerns:
  - “Is there enough room for adequate access from Silverdale Close;
  - House No. 1 seems to be too large for the area left beside access road and boundary hedge; and
  - More traffic will be generated through the village”.
21. In response to the amendment, the Parish Council has recommended the refusal of the planning application on the “basis of overcrowding and congestion by cars which is already apparent.”
22. **Local Highway Authority** - In response to the original planning application, commented that in order to cater for the vehicular and pedestrian traffic likely to be generated by this proposal, the access road should be a minimum of 4.5m wide for a minimum distance of 15m from the channel line of Silverdale Close and comprise vehicle to vehicle visibility splays of 2.4m x 33.0m, together with pedestrian visibility splays of 2.0m x 2.0m.

In response to the amendment, it adds that the existing property at 12 Silverdale Close, currently has the benefit of a pedestrian visibility splay to the north of the existing access. Clearly this should not be lost by the erection of boundary fencing as part of the new development.

23. **Shire Homes** - No objection. It adds that I cannot see how these proposals will have any detrimental effect on the surrounding owned Council flats and housing.
24. **Housing Development Manager** - No objection to the application, but points out that applications for new housing would normally require a 50% affordable housing contribution. Two of the proposed dwellings should be affordable.

### **Representations**

25. The application has been advertised as a Departure from the Development Plan.

Letters have been received from the occupants of 83 and 85 Whitwell Way and 80 High Street, Coton.

26. Landowners of 83 and 85 Whitwell Way raise no in-principle objection to the application, but wish to ensure that the proposal does not prejudice the potential residential development of land to the rear of their existing dwellings. It is suggested that the access road be constructed to Local Authority standards, so that it is capable of extension to serve additional development at the rear of adjacent properties.
27. A lengthy letter of objection has been received from the occupant of No. 80 High Street to both the original and amended applications. A brief summary of relevant matters raised are listed below:
  - Objection to the proposal for a few more houses on back gardens;
  - Objection to back land development and loss of large gardens;
  - Objection to continued infilling in the village of Coton;
  - Concern about the lack of planning policy regarding infilling; and
  - Objection to other infilling developments approved in Coton.

### **Planning Comments - Key Issues**

28. The main issues to be considered are whether the principle of development in this position is acceptable and if so, whether the density of dwellings is appropriate on this site, in addition to highway impacts.

### ***Suitability of Site for Residential Development***

29. The majority of the site is situated within the Coton village framework and the illustrative sketch layout illustrates four detached dwellings fully contained within the village framework boundary, with only a detached single garage and access track located within the Green Belt. The proposal will not result in the location of new residential dwellings within the Green Belt. I am of the view that the use of Green Belt land for a detached garage and access track is acceptable in this case, given the site's proximity to existing residential development on three sides and the open character of the proposed site adjacent the junction with Silverdale Close.
30. I am also of the view that the proposal satisfies the criteria for both backland development and new residential development contained within the Local Plan. The site is setback 34m from No. 79 and 81 Whitwell Way and 21m from 55-58 Silverdale Avenue. The illustrative sketch scheme also illustrates new dwellings setback 23m from 50 Silverdale Avenue and over 21m from 9-12 Silverdale Close. This setback will allow for the erection of four dwellings, which are not overbearing, overlooking or overshadowing to existing residential properties.
31. The principle of backland development within the rear garden of properties along Whitwell Way, has been previously accepted by the granting of outline and reserved matters planning approval for the erection of two two-storey detached dwellings and garages at the rear of 89-95 Whitwell Way in 2001 and 2002 respectively.

### ***Density of Dwellings***

32. The proposal equates to a density of 25 dwellings per hectare, which is lower than the density for new dwellings advocated by **Policy P5/3** of the County Structure Plan and national planning guidance contained in **Planning Policy Guidance Note No. 3** Housing. I am of the view that the density of development proposed will not result in cramped development and will be compatible with the density of development for

nearby dwellings along Silverdale Close and Silverdale Avenue. A density of below 30 dwellings per hectare is considered appropriate in this case, given that part of the site is situated outside of the village framework of Coton.

33. I am also of the view that the proposed number of dwellings can be satisfactorily accommodated on the site in an arrangement that will not have an adverse impact on the character and appearance of surrounding land in the Green Belt and countryside.

### ***Highway Safety***

34. I am of the view that there is sufficient scope for the creation of a new vehicular access off Silverdale Close which allows for adequate pedestrian and vehicle-to-vehicle visibility splays and off-road parking provision. Traffic generated by the proposed number of dwellings is not expected to result in a loss of highway safety for Silverdale Avenue or other roads in the village. It is noted that the Local Highways Authority have not objected to this application.

### ***Affordable Dwellings***

35. The proposal would bring forward two affordable dwellings in accordance with **Policy HG7** of the Local Plan.

### **Recommendation**

36. A. In view of the need to access the site from Silverdale Close over land outside the village framework and within the Green Belt, it is recommended that the application be referred to the Secretary of State as a Departure.
- B. If the application is not called in by the Secretary of State, it is recommended that the application be approved subject to the prior signing of a Section 106 legal agreement regarding the provision of affordable housing.

### **Conditions of Consent**

1. SCB - Time limited permission for the submission of reserved matters (RcA);
2. SC1 - Reserved Matters (Rc1);
3. SC60 - Details of Boundary Treatment (Rc60).

### **Informatives**

### **Reasons for Approval**

1. Although the development is not in accordance with **Policy P9/2a** of the County Structure Plan and South Cambridgeshire Local Plan 2004 **Policy GB2**, it is considered to be acceptable as a departure from the development plan for the following reasons: the proposal brings forward appropriate residential development within the village framework, incorporates two affordable dwellings on a 50% provision and the proposal is not considered to adversely affect the openness of the Green Belt, having regard to the character of the locality.
2. The development is considered to generally accord with the Development Plan in all other respects and particularly the following policies:
  - **Cambridgeshire and Peterborough Structure Plan 2003:**

- **Policy P1/2** (Environmental Restrictions on Development), **Policy 5/3** (Density), and **Policy P5/5** (Homes in Rural Areas).
  - **South Cambridgeshire Local Plan 2004:**
    - SE4** (Development in Group Villages, **SE8** (Village Frameworks), **SE9** (Village Edges), **HG7** (Affordable Housing), **HG10** (Housing Mix and Design) and **HG11** (Backland Development).
3. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
- Highway safety
  - Visual impact on the locality
  - Impact on the character and appearance of the village
  - Residential amenity

### Other

1. Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management. This approach involves using a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands to reduce flood risk by attenuating the rate and quantity of surface water run-off from a site. This approach can also offer other benefits in terms of promoting groundwater recharge, water quality improvement and amenity enhancements. Approved Document Part H of the Building Regulations 2000 sets out a hierarchy for surface water disposal which encourages a SUDS approach.
2. In accordance with Approved Document Part H of the Building Regulations 2000, the first option for surface water disposal should be the use of sustainable drainage methods (SUDS) which limit flows through infiltration e.g. soakaways or infiltration trenches, subject to establishing that these are feasible, can be adopted and properly maintained and would not lead to any other environmental problems. For example, using soakaways or other infiltration methods on contaminated land carries ground water pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under BRE Digest 365.
3. Flow balancing SUDS methods which involve the retention and controlled release of surface water from a site may be an option for some developments at this scale where uncontrolled surface water flows would otherwise exceed the local greenfield run off rate. Flow balancing should seek to achieve water quality and amenity benefits as well as managing flood risk
4. Further information on SUDS can be found in PPG25 paragraphs 40-42, PPG25 appendix E, in the CIRIA C522 document Sustainable Urban Drainage Systems-design manual for England and Wales and the Interim Code of Practice for Sustainable Drainage Systems. The Interim Code of Practice provides advice on design, adoption and maintenance issues and a full overview of other technical guidance on SUDs. The Interim Code of Practice will be made available electronically on both the Environment Agency's web site at: Environment Agency's website and CIRIA's web site at: CIRIA's website.

5. Where it is intended that disposal be made to public sewer, the Water Company or its agents should confirm that there is adequate spare capacity in the existing system taking future development requirements into account

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

- Cambridgeshire and Peterborough Structure Plan 2003
- South Cambridgeshire Local Plan 2004
- Planning File Refs: S/2394/03/F, S/0718/2002/RM, S/0531/01/O, S/1425/97/F and S/517/73/O

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