

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 July 2010

AUTHOR/S: Executive Director (Operational Services)/
Corporate Manager (Planning and New Communities)

S/0234/10/F - WILLINGHAM

Erection of 9 Dwellings following Demolition of Existing Dwelling At 12 Green Street for Relmfield

Recommendation: Delegated Approval

Date for Determination: 12 April 2010

Notes:

This Application has been reported to the Planning Committee for determination because the officers recommendation of delegated approval conflicts with the recommendation of refusal received from Willingham Parish Council.

Members will visit this site on Wednesday 7 July 2010

Site and Proposal

1. This full application, as amended by drawings franked 10 June 2010 proposes the erection of 9 houses and garaging following the demolition of an existing house on a 0.19ha area of land at 12 Green Street, Willingham.
2. No 12 Green Street is a detached nineteenth Century house fronting Green Street, on the corner of Short Lane. The land to the rear of the property comprises garden, yard and associated outbuildings, including an open fronted barn and stable, and extends to the west with an extensive frontage to Short Lane. Short Lane is a narrow lane which is one-way with traffic only being permitted to enter from Green Street.
3. To the west of the site is vacant land and then a detached bungalow in Short Lane. To the south is 14 Green Street, a Grade I Listed building and its rear garden. The boundary is formed by a high brick wall. On the opposite side of Short Lane to the north is a detached house on the corner of Green Street, a line of single storey outbuildings which provide garaging for properties in Green Street, and a detached house and a pair of semi-detached houses, Nos 11,13 and 15 Short Lane which are built adjacent the road. There is a footpath along the north side of Short Lane from its junction with Green Street up to No 15 Short Lane.
4. The application as amended proposes the erection of a pair of 4-bedroom houses fronting Green Street (as a replacement for the existing house), and seven houses fronting onto Short Lane. Three of these (Plots 7-9) are to be affordable dwellings and comprise two 2-bedroom and one 3-bedroom properties in a terrace form. The other four plots are market housing and comprise a staggered terrace with two 2-bedroom properties and two 3-bedroom properties (Plots 3-6).
5. Access and parking to Plots 1, 2, 4 and 5 is obtained from Green Street through an outbuilding car port attached to the side of the new properties fronting Green Street.

S-0234-10-F



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Scale 1/1250 Date 21/6/2010

Centre = 540802 E 270317 N

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Two car parking spaces are provided for each unit. The existing footpath in Green Street is to be realigned by approximately 0.5m in order to provide adequate visibility splays, which results in a narrowing of the existing carriageway at this point.

6. Off-street parking for Plots 3, 6, 7, 8 and 9 is provided to the side of the properties. Two parking spaces are provided for each dwelling, with the exception of Plot 6 which has two spaces and a single garage. A new 2m wide footpath is provided along the south side of Short Lane from Green Street, finishing at a point at the western end of the proposed house on Plot 9. Two visitor parking spaces are provided in Short Lane in the form of parallel parking bays in front of the proposed Plots 3-6.
7. Density of the scheme is 43dph.
8. The application is accompanied by a Design and Access Statement, Planning Statement, Open Space Assessment, Waste Strategy, Arboriculture Constraints Report and Method Statement, Utility Statement, Sustainability Statement, Health Impact Assessment and Energy Assessment, Extended Phase 1 Habitat Survey and Protected Species Assessment, Contaminated Land Assessment, Shadow Path Analysis and Planning Obligations Heads of Terms

Planning History

9. There is no relevant planning history.

Planning Policy

10. **South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007:**

Policy ST/5 – Minor Rural Centres

11. **South Cambridgeshire Local Development Framework 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 Developments

DP/7 – Development Frameworks

HG/1 – Housing Density

HG/2 – Housing Mix

HG/3 – Affordable Housing

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

SF/11 – Open Space Standards

NE/1 – Energy Efficiency

CH/4 – Development within the Curtilage or Setting of a Listed Building

CH/5 – Conservation Areas

TR/2 – Car and Cycle Parking Standards

12. **Open Space in New Developments SPD – adopted January 2009.**
13. **Biodiversity SPD – adopted July 2009.**
14. **Listed Buildings SPD – adopted July 2009.**

15. **District Design Guide SPD** – adopted March 2010.
16. **Affordable Housing SPD** – adopted March 2010.

Consultation

17. **Willingham Parish Council** recommends refusal of the application as originally submitted. ‘Doubts about site contamination requiring further investigation; best use of space with to parking, footpaths and the number of dwellings; shadowing and other impacts on local residents; the impact of construction traffic along a narrow one-way road.’

Comments on the amended scheme will be reported at the meeting.

18. The **Local Highway Authority** commented, in respect of the scheme as originally submitted that its default position for vehicle to vehicle visibility splays is the use of the Design Manual for Road and Bridges, which would require splays of 2.4 x 70m in both directions. However, Green Street could be seen as a lightly trafficked road, and under these circumstances, if the applicant could provide empirical data in the form of speed and traffic flows and subjective observations, these will be considered by the Highway Authority and the use of lower visibility splays, as detailed in Manual for Streets, may be applicable. However as originally submitted splays of 2.4m x 32.5m were shown with no submitted supporting data.

The Highway Authority requests that no ‘cobbled setts’ as shown on the original drawing are to be placed on the public highway and that a 2m minimum width is retained.

Dimensions of parking and reversing spaces should be shown.

19. The **Trees and Landscapes Officer** comments that the Arboricultural Method Statement covers all aspects of accommodating the Sycamore tree on the adjacent property within the proposed development. The method for demolition and removal of the existing outbuilding must be followed and installation of the ‘no-dig’ construction. An arboricultural consultant should be present during these works and the Trees Officer should be informed of the phasing. Details of the foundations of the ‘car port’ to be clarified as the design does not appear to be a lightweight construction to ensure that there is no excavation within the root protection area.
20. The **Conservation Manager** comments, in respect of the original submission, that the site is within the setting of 14 Green Street, a Grade II listed building, and visible within the approach to Willingham Conservation Area. The application follows preliminary discussions although the scheme has been revised and the submitted drawings did not form part of it.

The existing building dates from the nineteenth century and is of historic interest, but its demolition is not controlled as it is outside the boundary of the Conservation Area.

The site is cramped and the increase in span and height of the buildings facing Green Street, from those submitted at the pre-application stage has increased this.

The Green Street street scene shows the proposed buildings would be larger and higher than any of the buildings around them, including the listed building. The span is also contrary to the design basis of a vernacular building as it is significantly deeper

than such buildings in this locality, and the roofs and gables look consequently too large and top-heavy in comparison to the rest of the building.

The garages have roof with ridges along the short direction, contrary to vernacular buildings and making them appear truncated.

One of the previous concerns was the relationship of the proposed buildings to the substantial tree in the garden of the listed building. The heavy weight design of the building nearest the tree, in contrast to the stated lightweight intention, is likely to have a detrimental effect on it.

Refusal of the original scheme is recommended. The revised scheme was submitted following a meeting involving the Principal Conservation Officer. Comments on the revised scheme will be reported at the meeting

21. The **Corporate Manager (Health and Environmental Services)** has considered the implications of the proposal, including the proposals by BRD Environmental for a desk study and subsequent site investigation. The site contains several storage sheds and the applicant has included proposals for site investigation. It is therefore recommended that a condition be included in any consent requiring the investigation of the site for potential contamination and proposals for subsequent remediation works.
22. The **Housing Development and Enabling Manager** comments that the application provides for 3 affordable units, 2x2 bedroom and 1x3 bedroom, and confirms that the mix is satisfactory and in line with the Housing Needs for the District. The developer will need to confirm that the units are HCA compliant if a grant input via a Registered Social Landlord is to be sought.
23. **Cambridgeshire County Council (Education)** comments that it is estimated that the proposed development would generate a need for 2 primary school places and that Willingham currently has no spare capacity. A primary education contribution of £16,800 (£8,400 x 2) is therefore sought.
24. The **County Archaeologist** is of the view that the site should be the subject of a programme of archaeological investigation, which can be secured by condition, as it is located in an area of high archaeological potential in the historic village of Willingham.

Representations

In respect of the original scheme:

25. The occupier of **11 Short Lane** objects on the consideration placed to parking. Short Lane cannot cope with on street parking and on this application there are two on road parking spaces for visitors which will probably be used on a more permanent basis.
26. The two social houses have an allocation of one off road parking space and this is not practical. Willingham is not a village with mass employment so the occupants will probably commute which will mean two cars, with problems of access.
27. 'The Green' complex at the top of Short lane has off road parking and has worked well; these plans will not. Although a pavement has been added to the width of the lane the road area is the same. Recently a delivery van could only get out of the lane by asking for cars to be moved and this will only magnify the problem.

28. The occupier of **19 Rockmill End** objects to the demolition of the existing property, which whilst needing significant renovation, is a period property and a long-standing part of the village. It is pleasing to see these old buildings, which are part of the village's history and appeal. To remove something in order, most probably, to make the proposed housing scheme more commercially viable for the developer, is disgraceful, and it is the responsibility of the Council to protect the look of the village. The house is on one of the main roads through the village and is highly visible, although it is recognised that the land to the rear is extremely suitable for development and could smarten the area up considerably.
29. The occupier of **10 Green Street** objects as there does not appear to be enough land left for parking, which could lead to Short Lane becoming congested. Whilst there is provision for the road to be widened slightly this is very near the entrance to the shared car park, which is used by 10 Green Street, and it would no doubt make it harder to turn into the car park. Access for service and emergency vehicles could be impaired. There is concern as to whether the existing drainage system is adequate to cater for the new development as problems have been experienced with the drains previously.
30. The occupiers of **11, 13 and 15 Short Lane** whilst being entirely sympathetic with the need to provide further housing, wherever possible as infill in existing communities, state that this should not be without due consideration for the impact on the daily lives of the existing residents in the immediate vicinity or on the local environment generally.
31. There is concern about the narrowness of Short Lane where car parking has always been an issue. For a significant amount of its length it is barely wide enough for cars to pass any vehicles parked on it. As existing dwellings possess off street parking, on street parking tends to be limited to temporary visitor parking and does not cause major problems. No 15 is the exception as it has no off road parking available.
32. Given that most households in Willingham possess more than one car the lack of parking provision within the scheme is a major issue and the visitor bays are likely to be used more than on a temporary basis. Once these are occupied other vehicles will be parked alongside the footpath in the carriageway.
33. Short Lane is the 'school run' to the Primary School and therefore experiences peak traffic, both vehicular and pedestrian at least twice a day and any on street parking will impede the flow of traffic. Both delivery and service lorries already have difficulty with the narrow carriageway and this will be further impeded by on street parking.
34. For the occupiers of 13 Short Lane the full width of the existing carriageway is needed to access or egress to and from the driveway in a standard saloon car. With Plots 7/8/9 being directly opposite this driveway any car parked either wholly or partially on the carriageway opposite is likely to negate the ability to use the driveway.
35. Currently occupiers/visitors to 15 Short Lane are obliged to park directly opposite the proposed Plots 6 and 7, creating potential problems for all three parking areas.
36. The value of the 2m wide footpath that is being provided is questioned as it serves a limited number of houses which will have access to the only other stretch of footpath in the lane directly opposite. The width of this footpath is hard to justify when the carriageway is likely to be further narrowed by additional vehicles parking alongside it

37. The shadow drawings indicate that 11, 13 and 15 Short Lane will be seriously affected by the shadow cast by the development during the winter months. There is currently no barrier to available sunlight on the front of the properties which was an important consideration at the time of purchase as light is restricted to the rear of the properties, which face north. The shadowing is described as 'only slightly exacerbated at sun rise and sun set during winter months' but this is disputed.
38. The shadow drawings show that at 9am on 21 December all three properties will lie in shadow from the new development. No 11 will emerge from shadow at some point before midday. Nos 13 and 15 will still be in shadow at midday with No13 only emerging between midday and 3pm. No 15 will still be in shadow at 3pm. Since sun sets at 3.48pm at that time of year it is clear that Nos 13 and 15 will only receive sunlight for a very brief period of the day, if at all. This is not 'slight'. During the weeks which precede and follow that time a significant reduction in sunlight would still be experienced.
39. Suggested improvements to the original scheme include the removal of the footpath to improve the width of the carriageway, allowing better access to driveways and parking areas; the gardens of Plots 7, 8 and 9 could be reduced allowing the houses to be set further back from the road, allowing the provision of additional parking bays; a further benefit of this setting back would be to reduce the shadowing effect to some degree. If this is not possible it is suggested that parking could be provided in a central parking court behind the houses. This has worked to great effect in the recent housing development in Green Street.
40. The occupiers of **14 Green Street** are concerned about the inadequate provision for the boundary between the application site and their property. The application refers to only part of the existing boundary wall from the west edge of Plot 5 to the western site boundary as being retained, and any planning permission should make it clear that the entire wall should be retained for this length. Between Plot 5 and Green Street the existing boundary wall should be rebuilt to the same height (2.4m) in a good and proper manner, using suitable materials reclaimed from or which match the existing wall. This is requested as it is felt that in its present form the application will adversely impact on the character and setting of a listed building.
41. 14 Green Street was originally a farmhouse bounded on both northern and southern boundaries by agricultural buildings. To demolish the outbuildings on the northern boundary, without making suitable provision for the reconstruction of a brick wall, will create a major imbalance in the setting and look of the listed building. If the Local Planning Authority did not impose this requirement it would be inconsistent in its approach as it applied a similar requirement when consent was granted in 2007 for a detached house at 16 Green Street.
42. The lack of a suitable boundary wall will also have a significantly adverse impact on the amenities of the existing property as once the wall is removed the outlook will be onto a parking area. Security and privacy will also be affected and noise will emanate from the new development if there is no wall to prevent it.
43. There is concern about the impact of the development on the Sycamore tree situated within the grounds of 14 Green Street. The Arboricultural Report states that 'as a high quality tree it is vital that this tree is given adequate protection' and the Method Statement points out that failure to comply with appropriate working practices could result in the risk of damage, probably beyond repair, to the root system of the tree. The Local Planning Authority should therefore ensure compliance with these requirements.

44. The Party Wall Act needs to be observed.
45. The occupier of **29 Long Lane** comments that it is essential that all traffic connected with the site is served off the main road and not Short Lane.
46. The occupier of **10c Green Street** is concerned that the development will create a demand for on street parking that the immediate surroundings cannot accept and there will be occasions of inconvenience and even danger arising. Parking in Short Lane has the potential to force traffic to the right hand side of the road where cars emerge.
47. Comments on the amended scheme will be reported at the meeting.

Planning Comments – Key Issues

48. The key issues to be considered in the determination of this application are: the principle of development, density and housing mix, appearance, affordable housing, access and parking, impact on setting of adjacent listed building, impact on street scene, neighbour amenity, open space provision, drainage. contamination and, education provision.

Principle of Development

49. The site is within the village framework. Willingham is identified in Policy ST/5 as a Minor Rural Centre where residential development and redevelopment up to an indicative maximum scheme size of 30 dwellings can be permitted. The scale of the development is therefore acceptable in principle. The existing house is a prominent and attractive building when viewed from Green Street and whilst it is regrettable that it is to be demolished it is not statutorily protected and I cannot object to its demolition.

Density and Housing Mix

50. The density of development is 43dph which complies with the requirements of Policy HG/1 as Willingham is a sustainable settlement. Although the recent changes to Planning Policy Statement 3 have removed the minimum density figure of 30 dph there is still an obligation to make best use of sites and I am therefore of the view that a density of 43dph on this site is acceptable providing the scheme satisfies all other necessary policies and criteria.
51. The scheme provides a housing mix of two 2-bedroom houses, two 3-bedroom houses and two 4-bedroom houses. To fully satisfy the housing mix required by Policy HG/2 would require an additional 2-bedroomed house in lieu of a 4-bedroom one, however the applicant has provided figures on the viability of the scheme which indicate that such a change to the mix would prejudice the ability to bring forward three affordable dwellings as part of the scheme. I am therefore minded to accept the market housing mix as proposed.

Appearance

52. The amended drawings have revised the details of the new houses on Plots 1 and 2 following comments of the Conservation Manager. The span of the houses on Plots 3 – 6 has been reduced. The views of the Conservation Manager on the revised scheme will be reported at the meeting but I am of the view that the appearance of the new properties is now acceptable subject to any further detailed changes required.

Affordable Housing

53. The scheme provides for 3 affordable dwellings units for rent, which equates to 40% of the net increase in the number of dwellings provided as a result of the development. The Housing Development and Enabling Manager confirms that the provision is acceptable.

Access and Parking

54. The revised scheme, showing a realignment of the footpath on Green Street to achieve the required visibility splays has resulted from discussions with the Local Highway Authority. Although the realignment of the footpath will result in a narrowing of the carriageway at this point it will still be a minimum of 6.3m wide, which satisfies the Local Highway Authority requirements.
55. The amended scheme increases the off-street parking provision for the site. Each unit is now provided with a minimum of 2 off-street parking spaces, and in the case of Plot 6 the provision now exceeds the Councils' maximum adopted car parking standards, however given the local concern about the potential increase in car parking on Short Lane as a result of the development I am of the view that this additional provision is acceptable in this instance,
56. There are two visitor parking spaces provided in Short Lane but the submitted drawing indicates that with the provision of these, and the 2m footpath required by the Local Highway Authority, there is still an available width of just over 3.4m in Short Lane. The visitor parking bays are located opposite the garaging rather than existing residential properties.
57. I note the concerns of local residents regarding the narrow nature of Short Lane however as amended adequate off-street parking provision is shown. The Local Highway Authority wishes the new 2m wide footpath to be extended so that it runs the entire length of the site frontage rather than stopping in line with the western edge of the house on Plot 5. I am of the view that stopping the footpath at this point allows the provision of the second off-street car parking spaces for Plots 8 and 9, and that this provision outweighs any gain to highway safety that would arise from the extension of the footpath for what would only be a further 5m.
58. To prevent the potential problems of car parking opposite the existing access to No 13 Short Lane, making using the driveway more difficult, I will suggest to the Local Highway Authority that road markings are introduced at this point as a preventative measure.
59. A condition requiring temporary parking facilities for construction vehicles and a management plan for construction traffic would be appropriate.

Impact on Residential Amenity

60. The occupiers of 11, 13 and 15 Short Lane have objected on the grounds that the proposed dwellings will have an adverse impact in terms of overshadowing. At the present time the existing dwellings benefit from undeveloped land to the south side of Short Lane and therefore the path of the sun at the front of these properties is relatively unimpeded for the majority of the day.
61. The proposed development will result in new buildings sited a minimum of 12 metres from the front walls of Nos 13 and 15 Short Lane. The proposed terrace of properties on Plots 7-9 has a ridge height of 8.4m. The submitted shadow path analyses shows that for the majority of the year there will be no significant impact on loss of light or overshadowing of existing properties, however the impact is increased during the winter months.
62. I am of the view that this additional impact, for a limited period of the year, is not likely to be sufficient to justify a refusal of the scheme, however I have requested that a more comprehensive analysis is provided covering a greater period of the year, either side of the winter period.
63. Prior to the meeting officers will arrange to view the site from inside the houses at 13 and 15 Short Lane, so that any impact can be further assessed.
64. I am of the view that setting the buildings further back into the site is not an option as it would decrease the distance to the rear garden of No 14 Green Street to an unacceptable degree. At the present time a minimum distance of 14m is maintained, which in my opinion is satisfactory.

Impact on the setting of 14 Green Street

65. The Conservation Managers comments on the impact of the new units on Plots 1 and 2 on the setting of the adjacent listed building at 14 Green Street have already been outlined. I am hopeful that the amended scheme will address those concerns.
66. I support the comments from the occupiers of 14 Green Street to ensure appropriate boundary treatment, and that this should be formed by a suitably detailed replacement wall where the existing boundary treatment is to be removed, which matches the existing height, in order to maintain privacy and safeguard the setting of the listed building. This matter can be addressed by a suitably worded condition.

Drainage

67. Anglian Water has not commented on the application. The documentation submitted with the application suggest that the additional foul flow from the development can discharge into the existing sewer network and connect to an existing manhole in Green Street or a new connection in Short Lane. Conditions can be included in any consent requiring detailed scheme for both foul and surface water drainage to be submitted for approval prior to commencement of development.

Open Space Provision

68. No public open space is provided within the site and I am of the view that this is a situation where an off-site contribution is appropriate. The applicant is aware of this requirement and has included this in the draft heads of terms for a legal agreement which will secure the contribution, and can be secured by condition.

Contamination

69. Willingham Parish Council is concerned about the need for further investigation of potential contamination. The applicant has carried out an initial investigation and has suggested the need for further work to be undertaken. The Councils' Scientific Officer is happy with this approach, which is normal procedure, and is content that the matter can be dealt with by a standard condition.

Education

70. The applicant has accepted the request from Cambridgeshire County Council for an education contribution and has included this in the draft heads of terms for a legal agreement, which will secure the contribution and can be secured by condition.

Other matters

71. The Trees and Landscapes Officer, Conservation Officer and occupiers of 14 Green Street have referred to the importance of the Sycamore tree in the front garden of that property, close to the boundary with the application site. The Trees and Landscapes Officer has requested further detail as to the construction of the car port structure attached to plots 1 and 2, which is in close proximity to this tree to ensure that it can be accommodated without prejudice to the retention and well-being of the tree. The applicant is aware of this point, and matter can be controlled by suitably worded conditions.
72. A condition can be attached to any consent securing a scheme of archaeological investigation as required by Cambridgeshire Archaeology.
73. I will report the comments received in respect of the amended scheme and report on any further details submitted in respect of the impact of the houses on Plots 7-9 on Nos 11,13 and 15 Green Street.

Recommendation

74. That subject to satisfactory resolution of the above that delegated powers be given to approve the application

Conditions (to include)

1. 3 year time limit
2. Details of materials
3. Landscaping scheme
4. Boundary Treatment
5. Foul and Surface water drainage scheme
6. Hours of working during construction
7. Contamination assessment/remediation
8. Protection of Sycamore tree/construction details
9. Highway Authority requirements, including provision of parking for construction vehicles and management plan.
10. Provision/maintenance of car parking spaces
11. Scheme for provision of affordable housing, public open space, education and other contribution as required by Policy DP/4
12. Archaeological investigation

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)
- Supplementary Planning documents
- Planning File Refs: S/0234/10/F

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