

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

3 November 2010

AUTHOR/S: Executive Director (Operational Services)/
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S/1679/09/F – THRILOW

**Two Dwellings and Detached Garage at Land to the South-West of 8 Woburn Mews &
54 Woburn Place for Landmark Real Estate**

Recommendation: Approval

Date for Determination: 26 January 2010

Notes:

This application has been reported to the Planning Committee for determination as the Officer recommendation is contrary to the recommendation of the Parish Council, and at the request of District Councillor Topping.

Members of Committee will visit the site on Wednesday 3 November 2010.

Site and Proposal

1. The application site lies within the settlement of Heathfield on the north-west side of the A505, adjacent to its junction with Heathfield Way. The site comprises a grassed strip of land that rises from north-west to south-east and is elevated above the level of the adjoining two-storey dwellings and communal parking area to the north-east. On the opposite/south-west side of the road, there is a similar sized grass strip beyond which is a service station/garage building. On the opposite side of the A505 to the site are the grounds of the Imperial War Museum, which are located within the Conservation Area.
2. The full application, registered on 1 December 2009, and amended on 17 August 2010, seeks to erect two detached two-storey dwellings and garaging on the site. Plot 1 would be a four-bedroom market dwelling located at the southern end of the site adjacent to the A505. It would comprise red brick walls under a tiled roof. Plot 2 would be a two-bedroom affordable dwelling comprising brick/rendered walls and a tiled roof. A shared point of access would be provided to serve both properties and a detached garage erected adjacent to the turning area for the dwelling on Plot 1. It is proposed to reduce the ground levels across the site, as a result of which the dwelling at the southern end would be set down approximately 1.4 metres lower than the existing ground level. The density of the development equates to approximately 30 dwellings per hectare.

Planning History

3. **S/2013/08/F** – An application to erect a single contemporary dwelling on the southern part of the site was refused for the following reasons:
 - (a) The buildings on the north side of the A505 predominantly comprise houses with traditional small-scale forms. Due to the prominent corner location of the site, its elevated position and the design of the dwelling (notably its span, bulk, monopitch roof form, form of fenestration and erection of wall

along the boundary), the development was considered to be harmful to the street scene and to the character and appearance of the Conservation Area.

- (b) The site is part of a larger parcel of land that has the potential to accommodate two smaller properties. This would provide a visually more balanced form of development and result in the provision of an affordable dwelling. The development therefore contravened Policy DP/5 of the Local Development Framework.
- (c) The development would not provide adequate facilities for turning of vehicles and would therefore compromise highway safety.

Planning Policy

- 4. South Cambridgeshire Local Development Framework Core Strategy Development Plan Document, adopted January 2007:

ST/7 – Infill Villages

- 5. South Cambridgeshire Local Development Framework Development Control Policies DPD, 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

CH/5 – Conservation Areas

NE/10 – Foul Drainage – Alternative Drainage Systems

NE/15 – Noise Pollution

SF/10 - Outdoor Play Space, Informal Open Space and New Developments

SF/11 – Open Space Standards

TR/1 – Planning for More Sustainable Travel

TR/2 – Car and Cycle Parking Standards

- 6. Supplementary Planning Documents:

Open Space in New Developments – Adopted January 2009.

Development Affecting Conservation Areas – Adopted January 2009.

District Design Guide – Adopted March 2010.

Landscape in New Developments – Adopted March 2010.

- 7. **Circular 11/95 (The Use of Conditions in Planning Permissions)** - Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.
- 8. **Circular 05/2005 (Planning Obligations)** - Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.

Consultations

9. **Thriplow Parish Council** recommended refusal of the initial application, stating:

“All Thriplow Parish Councillors object to this application for two new houses in Heathfield Way. Please note the proposed development is in Heathfield Way, not off Woburn Place as stated in the design and access statement. (The street name of Heathfield Way was approved many months ago but there is no road name sign as yet because SCDC have said that there are no funds to provide one!)

The reasons for objection are:-

- (a) The development would involve the creation of a dangerous access onto an already busy road, very near to a roundabout and a traffic light controlled junction.
- (b) A shared driveway is proposed but visitors to either house would not be able to park in the driveway as this would block it for the other house. Parking on the road would be dangerous.
- (c) No bin storage facilities are proposed. In such a prominent position it is important that bins are kept out of sight except for collection days.
- (d) No cycle storage facilities are provided.
- (e) There is no indication of how the houses will be heated, there is no natural gas supply to the estate and unless electric or geo-thermal heating systems are to be used then oil storage tanks will be needed but no provision has been made for these.
- (f) There are numerous discrepancies between the application form, design and access statement and the plans provided.
- (g) In Q.5 the applicant states that no new or altered vehicle access is proposed to or from the public highway. The plans clearly show a new access which is also mentioned in the design & access statement.
- (h) Q.8 states that neighbours or the local community have been consulted about the proposals. There was an initial discussion with 3 parish councillors. The design & access statement would appear to claim that these discussions were helpful in forming the planning submission, however, the proposals do not relate in any way to previous discussions with parish councillors.
- (i) Q.11 states that 4 cycle spaces are provided – the plans do not show any. It also states that 2 car parking spaces are provided but 4 are shown on the plans plus a garage.
- (j) Q12 states that it is proposed to connect foul swage into the existing drainage system. The application form asks that details of the existing system be included on the application drawings, however the proposed site plan drawing 993/SK20 states that the “drainage has not been surveyed and all pipe locations and below ground drainage runs are indicative”. The question of drainage needs to be addressed before any decision can be made on this application because the drainage system in Queens Row is privately owned and permission to connect into it will be needed from the owners, the Heathfield Residents Association.
- (k) The design & access statement refers to a planning consent S/1891/90/F given to Copywrite which included car parking on the application site. To our knowledge this site was never used by Copywrite for car parking. The parish council have always hoped this site would become a landscaped approach to Heathfield.
- (l) The design & access statement says that there was a bus shelter on the site which has subsequently been removed. This is correct, Copywrite gave the Parish Council permission to erect the shelter several years ago, however the current owner gave the Parish Council one months notice to remove the

shelter, with a warning that if it was still in place after one month then a charge of £100 per week would be made until it was removed!. It is now noted that the proposed site plan drawing shows a “possible location for future bus stop shelter”. This cannot be correct.

- (m) Thriplow Parish Council strongly objects to this application and recommends that the application be refused.”

The Parish Council has reiterated its objections in response to the amended plans, stating:

“All Councillors object to the application. It is generally felt that the proposed amendments are minor and do not address councillors original objections. One councillor has provided a detailed series of objections. These are attached.”

The objections referred to in the above response are attached as an appendix.

10. **Duxford Parish Council** makes no recommendation.
11. **The Landscape Design Officer** raised no in-principle objections to the original plans, stating that a landscaping plan would be required for the front gardens, the areas outside the garden walls and along the inside of the garden walls. Climbing plants and mixed shrubs would help to soften the impact of the boundary walls.
12. **The Trees Officer** raises no objections.
13. **The Conservation and Urban Design Officers** provided advice at the design surgery in respect of the initial plans, commenting that the site would be capable of accommodating two dwellings, in principle, subject to the dwelling on the southernmost plot being set down to the same ground level as the adjacent houses in Woburn Mews, and to development being set further away from the road in order to provide a more open, softer buffer to the edge of the site. The span of the dwellings is considered to overcome the design issues with the previously refused scheme
14. **The Environmental Health Officer** states that no assessment has been made for traffic noise from the A505, nor any mitigation measures proposed to reduce noise levels to both the inside and outside of the proposed dwellings. What provision is to be made for this? This could be controlled by condition to include noise barrier/glazing thickness/permanent ventilation/orientation etc.
15. **The Environmental Health Officer (Contaminated Land)** has not commented on the current application. However, in response to the previous application, it was noted that the site comprises former military land and is adjacent to a petrol station known to have previously had fuel leaks. Therefore, no development should commence until the site has been subject to contamination investigation.
16. **The Housing (Affordable Homes) Officer** states that the applicant will need to liaise independently with at least three Registered Social Landlords to establish whether or not they would be interested in acquiring this one unit. If the applicant is able to adequately demonstrate that no RSL's would be willing to take on the unit, the Council may consider a commuted sum in lieu of on-site provision.
17. **The Local Highways Authority** stated, in respect of the original plans, that the applicant should provide a traffic count of the existing use of Woburn Place, in order to ascertain the potential impact of the development on the road. Sufficient space should be provided within the site to enable vehicles to enter, turn and leave in forward gear, and to park clear of the public highway. 2m x 2m visibility splays should be provided within the curtilage of the new dwellings and no unbound

material used in the surface finish within 6 metres of the highway boundary. In addition, details of surface water drainage, space for construction vehicles, and the provision of the access before occupation of the development should be required by condition.

Representations

18. Letters of objection have been received from the occupiers of: Nos. 60, 64, 73, 75, 78, 79, 84, 86, 91, 98, 100, 101a, 102 and 108 Kingsway; 1a, 8, 13, 48 and 49 Woburn Place, 3 Queens Row; 17, 31, and 35 Hurdles Way; 1 Churchill Cottages; 22, 28, and 36 Whitehall Gardens; 13, 19, 22, 49, 55, and 61 Ringstone. In addition a further unaddressed objection has been received. The main points raised are:
- (a) The site is too small to accommodate two dwellings.
 - (b) The site is located at a busy junction and the development would add to traffic flows in an already busy area.
 - (c) The development would exacerbate existing parking problems.
 - (d) The site does not include enough parking spaces for the two dwellings. 4 spaces is insufficient.
 - (e) There are no on-street parking restrictions so anybody would be able to park on the road.
 - (f) The development would be visually intrusive given the scale of the dwellings compared to adjoining properties, the site level differences and the extent/height of the proposed wall. To be acceptable, the development would have to be dug down to match the road level of Woburn Mews.
 - (g) The landscaping would result in restricted visibility from the access.
 - (h) The northernmost property and wall would obstruct visibility for drivers and pedestrians.
 - (i) The position of the proposed access would cause a problem. Buses are often parked along this side of the road, leading to cars waiting behind and then pulling out into oncoming traffic to pass the buses and go through the lights. The development would add to these congestion problems.
 - (j) The Heathfield residents would like this land to be used as a bus layby.
 - (k) The development would result in a loss of light and loss of outlook to No.8 Woburn Mews.
 - (l) The site is not brownfield land as suggested in the application.
 - (m) The dwellings would obstruct the view from No.49 Woburn Place's bedroom window.
 - (n) The dwelling would harm the character of the area.
 - (o) The proposed wall would have a negative visual impact.
 - (p) The house would put additional strain on the foul water system.
 - (q) There is an inconsistency in the description of the application between the forms and supporting statement, with the former referring to 1 dwelling and the latter to 2.
 - (r) The form states that there will be 4 cycle spaces but none are actually provided.
 - (s) The form incorrectly states that no new access is proposed.
 - (t) The current developers made the Parish Council remove the bus shelter from the land. This was sited there 8 years ago with the consent of the previous owners, Copywrite.
 - (u) No provision appears to have been made for wheelie bins.
 - (v) Occupants of both properties would suffer from noise pollution.
 - (w) There would be significant disturbance during the construction period.
 - (x) No open space contributions are proposed.
 - (y) The development fails to comply with the housing mix policy. There is a shortage of affordable accommodation in the area.

19. Following consultation on the amended plans, objections have been reiterated by a number of the above local residents. It is stressed in the additional responses that the revisions to the plans fail to overcome the above issues. In particular, concerns relating to the principle of the developing the site and to the highway safety implications of the development have been re-expressed.
20. District Councillor Topping states that there is a strong local feeling about the issue of overdevelopment and road safety. If Officers are minded to support the application, it should be referred to full Planning Committee with a site visit.

Planning Comments – Key Issues

Principle of the Development

21. Heathfield is identified as an Infill Village under Policy ST/7 of the Local Development Framework 2007. In such locations, development is restricted to a maximum of two dwellings. The proposal therefore complies in principle with the restrictions within this policy. The applicant's agent has sought to argue within the supporting design and access statement that, in 1990, the land was approved as car parking in connection with the former Copywrite site and therefore constitutes brownfield land, upon which a greater number of dwellings may be possible. This is not the case. This land was shown as parking within a 1990 decision but this parking area has never been implemented, and the site cannot therefore be classified as previously developed land. This argument is superfluous in any case, as the relaxation in the settlement policy allowances on brownfield sites no longer apply following the Government's revisions to PPS3.
22. The erection of two dwellings on the land equates to a density of approximately 30 dwellings per hectare, in compliance with Policy HG/1 of the Local Development Framework.
23. The erection of two dwellings on the entire parcel of land would overcome the piecemeal development issues set out within the second reason for refusal of the previous application (see paragraph 3).

Impact on the Character of the Area

24. Strong concerns have been raised by the Parish Council and local residents regarding the impact of the development upon the character of the area. In particular, the majority of the responses state that the principle of any development on the site would be unacceptable and that the site should be retained as an open space at the entrance to the estate.
25. The site lies in a very prominent position on the corner of the Heathfield Estate and the A505. The land rises from north to south and is situated above the level of the adjoining dwellings to the east. These dwellings are modest in scale and have quite narrow gables. The previous proposal sought to erect a contemporary style dwelling on the site, with the ground level being reduced by around 0.6 metres. However, it still towered over the adjacent properties. The scale and form of the dwelling were considered to be alien to the character of adjacent domestic properties and, given the prominent elevated position of the site, to result in harm to the character of the area.
26. In the current application, Officers considered that the originally submitted plans failed to overcome the above issues. The proposed dwellings were more traditional in appearance but were still taller than the adjacent properties in Woburn Mews, with the ground levels still being reduced by the same 0.6 metres proposed within

the previous scheme. Officers were further concerned by the proximity of the dwelling on plot 1 to the roadside boundary of the site and the lack of space provided for sufficient boundary treatments and screening to soften the impact of the development. In the amended plans, the ground levels of the site have been lowered substantially, with the four-bedroom house on plot 1 lowered by a maximum of 1.4 metres such that its floor level and ridge height is similar to that of the immediately adjacent property. In addition, this dwelling has been moved against the north boundary wall and reduced in size, thereby enabling a wider landscaped area adjacent to the curved garden wall and roadside boundary of the site. These revisions to the scheme are considered to overcome the harm caused by the previously proposed dwelling and to result in a form of development that would be in keeping with character of the area whilst responding to the specific constraints and characteristics of the site.

Highway Safety

27. The principal concern expressed by the Parish Council and local residents relates to the proximity of the site to a busy junction, the increased traffic generation, and the consequent highway safety implications of the development. The Local Highways Authority objected to the original plans on the basis of the sub-standard vehicle-vehicle visibility splays on the site. Following this objection, traffic volume and speed surveys were undertaken on behalf of the applicants. These revealed that the 85thile dry weather speed of south-eastbound traffic passing the site was 19.1mph, and that the equivalent figure for north-westbound traffic was 20.7mph. As a result of these figures, together with recorded peak hour flows, the Highways Authority advised the applicant that visibility splays of 2.4m x 23m would suffice. These splays have been indicated on the revised plans, and the Local Highways Authority has subsequently removed its previous objections to the application.
28. The previous application, which proposed the erection of one dwelling on the site, was refused partly for highway safety reasons as the scheme failed to provide adequate space within the curtilage of the property for vehicles to turn, thereby resulting in cars backing into the road in close proximity to a signalled junction. This issue has been addressed within the current scheme which shows adequate on-site turning for both dwellings. The provision and permanent retention of the parking and turning areas shown within the plans would need to be secured by way of condition in the event that planning permission is granted for the proposal.
29. Many of the objections received from the Parish Council and local residents comment that the amount of parking provision indicated within the plans is insufficient to serve the needs of two detached properties. The scheme proposes the provision of two parking spaces per property together with the provision of garaging for the dwelling on Plot 1. The Council's parking standards, set out in the adopted Local Development Framework 2007, require the provision of a maximum average of 1.5 spaces per dwelling. The proposed development is therefore in compliance with the relevant policy requirements.

Residential Amenity

30. Concerns have been raised in respect of the impact of the development upon the amenities of adjoining residents. The Plot 1 dwelling doesn't extend significantly beyond No.8's front and rear elevations and would not be harmful to the outlook from this neighbouring property, nor would it cut out light to the windows/private garden area. No.8 does have a first floor window in its side elevation facing the site, but this serves a bathroom. The dwelling has been designed such that the first floor window facing towards No.8 serves a bathroom. I am also satisfied that first floor windows in this gable would not result in a serious level of overlooking of No.54 Woburn Mews, as there is at least 25 metres between the rear elevation of this

neighbouring property and the proposed dwelling. I initially had some concerns about the proposed garage and its impact upon the outlook from the sole window serving the kitchen in the front/north facing outlook from No.8's kitchen window, particularly due to the elevated position of the site above No.8's ground level. However, the nearest point of the garage would be 8.5 metres away from the front wall of No.8. The entire building sits within a 45 degree line taken from the centre point of the window. However, taking a 25 degree projection from the sill level of the kitchen window (from approximately 1.2 metres in height) results in a height of approximately 5 metres at the 8.5m distance, and clears the ridge height of the proposed garage, even taking into account the difference in levels. As such, whilst the garage would be very prominent in views from No.8, I do not consider it to be so dominant as to substantiate a refusal on such grounds. An objection has also been received from No.49 Woburn Mews on the basis that the dwelling would result in a loss of outlook from this property. No.49 is at least 30 metres away from the boundary of the site and, whilst I accept that the new dwelling on plot 1 would be visible from No.49, it would be sited far enough away to avoid harm to the amenities of occupiers of this property.

Drainage

31. Policy NE/10 states that alternative drainage schemes should be proposed where drainage to a public sewer is not feasible. The application indicates that the dwelling would connect into a road sewer, although local residents and the Parish Council have stated that this is privately owned. If the application were to be supported, a suitable foul drainage scheme would need to be agreed prior to commencement of development. This could be dealt with as a condition of any planning permission and should not therefore form part of the reason for refusing the application.

Infrastructure Requirements

32. In accordance with the requirements of Policies DP/4 and SF/10, as well as the Supplementary Planning Document on Open Space, all residential developments are expected to contribute towards the off-site provision and maintenance of open space. For the dwellings proposed, this results in a requirement for a contribution of £6,503.80. I am presently awaiting confirmation from the applicant's agent that the applicant is in agreement to the payment of this contribution.
33. Policy DP/4 also requires contributions to be made towards community facilities, household waste receptacles, and Section 106 monitoring. However, these contributions have only been required by this Authority for applications received after 1 January 2010. Given that this application was submitted last year, it is considered that such requirements cannot retrospectively be imposed.

Affordable Housing

34. Following the response received from the Council's Affordable Homes Officer, the applicant's agent has been requested to contact three RSL's in order to establish whether there would be any interest in taking on the proposed affordable unit of accommodation. The applicant's agent stated that the applicant would not be prepared to carry this out, in advance of any decision being made, and requested that the provision of affordable housing be secured by condition instead. This should suffice to secure a payment in the event of failure to find an RSL to take on the unit. The resolution of affordable housing issues can be resolved by condition. However, in the event that on-site provision of an affordable unit cannot be achieved, the end result would be the provision of two market dwellings, with a financial contribution being made towards the off-site provision of affordable housing. To accord with the requirements of Policy HG/2 of the Local Development

Framework, one of the two dwellings would then need to be a one or two bedroom property. In the amended scheme, the indicated affordable unit has therefore been altered from a three-bedroom to a two-bedroom property.

Recommendation

35. Approval, as amended by drawings date stamped 17 August 2010:

1. SC1 – Full planning permission, time limit (3 years).
2. No development shall take place until details of the materials to be used for the walls and roofs of the dwellings and garaging, and for the hard surfaced areas, hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (Reason – To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
3. Sc5 – Landscaping (Rc5)
4. Sc6 – Implementation of landscaping (Rc6)
5. Sc12 – Boundary treatment details (Rc12)
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no development within Classes A and E of Part 1 of Schedule 2 of the Order shall take place within the curtilages of the dwellings, hereby permitted, unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf. (Reason – To ensure that development that would not otherwise require planning permission is not carried out with consequent potential harm to the character of the area or to the amenities of occupiers of adjoining residents, in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
7. Sc23 – Foul water drainage (Rc23)
8. Sc27 – Contamination (Rc27a)
9. No development shall take place until a scheme for protecting the proposed dwellings from noise from the A505 has been submitted to and approved in writing by the Local Planning Authority. All works that form part of the scheme shall be completed before the first occupation of any of the dwellings. (Rc37)
10. No power operated machinery shall be operated on the premises during the period of construction, before 0800 hours on weekdays and 0800 hours on Saturdays nor after 1800 hours on weekdays and 1300 hours on Saturdays (nor at any time on Sundays or Bank Holidays) unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions. (Reason – To minimise noise disturbance to adjoining residents in accordance with Policy NE/15 of the Local Development Framework 2007.)
11. Sc92 – Contractors (Rc92)
12. The vehicular access, visibility splays, and areas to be set aside for parking and turning, shall be provided in accordance with drawing number 993-SK20 Rev E before the occupation of either of the dwellings, hereby permitted, and thereafter retained as such. (In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
13. Visibility splays shall be provided on both sides of the access and shall be maintained free from any obstruction over a height of 600mm within an area

of 2m x 2m measured from and along respectively the highway boundary.
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

14. Sc62 – Affordable dwellings (Rc62)
15. No development shall begin until details of a scheme for the provision of recreational infrastructure to meet the needs of the development in accordance with adopted Local Development Framework Policy SF/10 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details. (Reason - To ensure that the development contributes towards recreational infrastructure in accordance with the above-mentioned Policy SF/10 and Policy DP/4 of the adopted Local Development Framework 2007 and to the Supplementary Planning Document, Open Space in New Developments, adopted January 2009.)

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

- South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007
- South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007
- Supplementary Planning Documents: Open Space in New Developments; Conservation Areas; District Design Guide; Landscape in New Development.
- Circular 11/95 and 05/2005
- Planning Files Reference: S/1679/09/F and S/2013/08/F

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