

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 2nd February 2005
AUTHOR/S: Director of Development Services

S/2504/04/F - Impington
Erection of 11 Houses, 2 Flats and Garages Following Demolition of Existing Dwellings (15-17 Mill Road), 15-17 Mill Road, Land R/O 13-23 Mill Road and R/O 17-23 Highfield Road for Hogger Homes Ltd

Recommendation: Delegated Approval
Date for Determination: 11 March 2005

Site and Proposal

1. An irregular shaped site of 0.5ha comprising numbers 15-17 Mill Road, a pair of semi-detached properties with gardens, which widens out to the rear comprising a block of land which were the former rear gardens of numbers 17-23 Highfield Road to the south. The site is surrounded on three sides by existing residential development with the fourth/west boundary being arable land/green belt.
2. The full application, received 10th December, proposes the demolition of numbers 15-17 Mill Road and the construction of a cul-de-sac to serve two 1-bedroomed flats and one 2-bedroomed house (affordable housing) on the Mill Road frontage adjacent to number 13 Mill Road. Further into the site it is proposed to build four 3-bedroomed semi-detached houses, two 4-bedroomed detached houses and four 5-bedroomed detached houses.

Planning History

3. Two similar applications were appealed in 2003 against a refusal and a non-determination - the reasons for refusal being:-
4. The site forms part of an established residential area characterised by its linear form and generally long and open rear gardens. It lies on the edge of the built-up part of the village of Impington and adjoining open countryside and the Cambridge Green Belt.
5. The proposed development of this site would not be sensitive to the character of the village and local features of landscape importance. It is therefore contrary to **Policy H15** of the Adopted South Cambridgeshire Local Plan 1993 and **Policy SE3** of the Local Plan No. 2 Proposed Modifications October 2002.
6. The development is not of an appropriate layout which offers sufficient opportunities for landscaping on this edge of village site to minimise its impact on the adjoining countryside. It is therefore contrary to **Policy H6** of the Adopted South Cambridgeshire Local Plan 1993 and **Policy SE14** of Local Plan No. 2 Proposed Modifications October 2002.

7. The development fails to reflect the wider character and context of the surrounding townscape and landscape and does not achieve high quality design and local distinctiveness. It is therefore contrary to **Policy 12/10** of the Approved Cambridgeshire Structure Plan 1993 and **Policies HG15** and **HG16A(4)** of Local Plan No. 2 Proposed Modifications October 2002.
8. In detail the proposed layout fails to accord with Policy SP12/10 of the Approved Structure Plan 1995 which seeks to incorporate high standards of design of layout and design. In particular the proposal will have a detrimental impact on:-
 - The amenity currently enjoyed by the occupier of no. 19 Mill Road through the creation of a vehicular access that will run immediately adjacent to the side garden of that property causing noise and disturbance.
 - The amenity currently enjoyed by existing residents that abut the site in that the proposed houses have short gardens of in places only 5 metres causing intense overlooking of the rear gardens.
 - The short rear gardens of some of the proposed properties will put pressure in the future for the removal of the proposed outer landscape buffer. This is contrary to **Policy SE14** of the Local Plan No. 2 Proposed Modifications October 2002.
 - The proposed carriage way does not fully meet requirements of the Local Highway Authority to the potential detriment of highway safety.
9. Both appeals were dismissed, but only on the one issue of the effect of the proposal on the living conditions of nearby residents in terms of noise disturbance and privacy. It follows that the other issues raised by the Council could not now be supported.
10. At the September 2004 Committee (item 11) a similar scheme was deferred in light of local concern regarding blocked sewers. Anglian Water Services Ltd., which had previously raised no objections to an earlier application, was written to raising three specific questions:-
 - a. Is there capacity in the system for these additional properties?
 - b. Is there a problem with the existing system i.e. blockage, and if so, in what location?
 - c. Would connection to Cambridge Road, with or without a pumping main, be a possibility?
11. In anticipation of confirmation of “no objections”, the matter was reported back to the October 2004 Committee (Item 11). Although officers of Anglian Water Services Ltd had advised officers verbally that, whilst there were no objections, problems did arise when surface water, after periods of significant rainfall, found its way into the foul system, written confirmation was not received in time for the October 2004 Committee.
12. The matter was again deferred and reported back to the November 2004 Committee (Item 43). Although recommended for approval, on the basis of Anglian Water Services Ltd having no objections, the matter was refused for the reason:

1. Whilst Anglian Water Services Ltd, has confirmed that it has no objections to this housing scheme as the foul discharge from the proposed development can be accommodated within the public sewers, it is apparent from local knowledge, confirmed by Anglian Water Services Ltd that there are capacity problems after periods of significant rainfall with surface water finding its way into the foul sewer.
2. No evidence has been submitted to show how this problem can be overcome and the Local Planning Authority therefore considered the proposal to be premature in advance of satisfactory mitigation procedures to overcome the drainage problems of this area.

Planning Policy

Cambridgeshire and Peterborough Structure Plan (2003)

13. **Policy P1/3** includes a requirement for a high standard of design and sustainability, minimising the need to travel through, among other things, the promotion of higher densities. It also requires proposals to respond to local character and to preserve **important** environmental assets. **SP Policy P5/3** indicates that new housing development should be at the highest possible density compatible with local character. It provides that densities of less than 20 dwellings per hectare (dph) will not be acceptable and 40 should be sought in locations close to a good range of services and facilities. **SP Policy P5/4** includes an indication that local plans should provide for affordable housing and 1 and 2-bedroom homes and **SP Policy P6/1** requires that additional infrastructure and community requirements generated by proposals should be met and secured by condition or planning obligation. **SP Policies P6/3** and **P6/4** seek to ensure that unacceptable flood risks are not incurred or exacerbated.

South Cambridgeshire Local Plan (2004)

14. **Policy SE2** identifies Histon and Impington as a Rural Growth Settlement where residential development on unallocated land will be permitted if the following provisos are met. The retention of the site in its present form must not be essential to the character of the village. The development must be sensitive to that character, local features of landscape or ecological importance and the amenities of neighbours. The village must have the necessary infrastructure capacity and residential development must not conflict with another policy in the plan. In any case, development should provide an appropriate mix of dwellings in terms of size, type and affordability and a minimum density of 30 dph, unless there are strong grounds for not doing so. **LP Policy SE8** creates a presumption in favour of residential development within village frameworks provided other policies, including SSE2, are satisfied.
15. **Policy SE9** provides that development on the edges of villages should be sympathetically designed and landscaped to minimise the impact on the countryside. **LP Policy HG7** sets out the Council's requirements for affordable housing provision, based on a survey of housing need. Among other things, **LP Policy HG10** also requires a suitable mix of dwelling types, sizes and affordability and indicates that the wider character of the local townscape and landscape should inform design and layout. **LP Policy HG11** indicates that development to the rear of existing properties will not be allowed if it would have certain results. These include: (1) overbearing, overlooking or overshadowing of existing residential properties; (2) noise and disturbance to such properties through the use of its access; (3) highway dangers

through the use of its access; or (4) if it would be out of character with development in the vicinity.

16. **Policy CS1** indicates when the Council will seek to negotiate planning obligations or impose Grampian-style conditions and **LP Policy CS5** concerns flooding and is broadly similar in effect to **SP Policies P6/3** and **P6/4**. **LP Policy CS2** also requires the adequate provision of water supply, sewerage and land drainage systems. Under **LP Policy CS10**, developments of 4 or more dwellings will give rise to a requirement for financial contributions towards the provision of additional accommodation, if they would cause the capacity of schools to be exceeded.
17. Also of relevance are **Planning Policy Guidance (PPG) Note 1** (General Policy and Principles), **PPG 3** (Housing) and **PPG25** (Development and Flood Risk). Together, **PPGs 1 and 3 encourage** the efficient use of land, especially previously developed land and **PPG25** provides advice regarding the assessment of flood risk.

Consultation

18. The **Planning Committee of Impington Parish Council continue** to believe:
 - The flats at the front are completely out of character with Mill Road and they should be moved inside the development. Whole development should be more in style and character with area
 - No footpath is of safety concern. At least required on one side of the development
 - In the light of the proposals for the Local Development Framework, Committee believe this would not get through on the basis of affordable housing ratios. Housing mix not consistent with need
 - Drainage is still a concern. No response from Anglian Water has been seen to show mitigation
19. **The Environmental Agency** has asked that a condition be imposed on any approval asking that a scheme for the provision of surface water drainage works be submitted to and approved by the Local Planning Authority before the commencement of development.

(NB - such scheme would be submitted to the Environmental Agency and the Council's Drainage Manager, Pat Matthews, for agreement before the discharge of the condition).
20. **South Cambridgeshire District Council's Drainage Manager** - endorses such a condition **being** imposed.
21. **Anglian Water Services Ltd** has confirmed that there is capacity in the existing sewerage system to accommodate the foul water from the proposed development. There are, however, occasions after periods of significant rainfall when surface water is finding its way into the foul sewer which can result in localised flooding. If constructed correctly there would be no surface water from this development entering the foul sewer.
22. **Cambridgeshire Fire and Rescue Service** asks that adequate provision be made for fire hydrants.
23. **The Police Architectural Liaison Officer** comments:-

- Entrance to the flat on Plot 2 poorly overlooked
- Parking for Plots 1-3 rather remote and does not have natural surveillance. This increases the vulnerability to parked vehicles
- The “communal landscaped area” for Plots 1-3, without any enclosure, could be used by others. Any subsequent fencing should not impinge on natural surveillance

24. **The Chief Financial Planning Officer** of the County Council has previously asked for a contribution of £20,000.00 to fund two Secondary School places at Impington Village Collage.

Representations

25. As stated above, and on previous Agendas, the appeal was dismissed on one ground only, namely the close proximity of the proposed access road to number 19 Mill Road. That has now been overcome. Nevertheless residents have still repeated all their earlier objections which were submitted and considered by the Inspector at the appeal and also subsequently by Members at previous committees.

Such points include:-

- Drastic change to a relatively rural, quiet and safe neighbourhood.
- The demolition of the 2 houses is vandalism and the development would be destructive to the edge of the village and neighbourhood.
- Out of character with village edge.
- Contrary to Policies of Local Plan and would create a horrendous precedent.
- Histon/Impington has had enough development already and more is planned nearby with Arbury Camp, Northstowe and the NIAB land.
- Increased noise and disturbance to both Mill Road and Highfield Road. Mill Road can barely cope with existing traffic levels nor can the Cambridge Road/B1040.
- Local infrastructure cannot cope.
- Overlooking of gardens in Highfield Road; no details of boundary treatment.
- The widening of the landscaped area to 3.5m in width does not overcome the Inspector’s objection (NB - adjacent the rear garden of no. 19 Mill Road the strip will vary between 5.0m - 7.0m in width).
- Car parking for Plots 1-3 too far away for convenience.
- Inadequate Affordable Housing.
- No footpath on access road.

26. Additional matters pertinent to the re-submission:-

- Surprised the Council is considering an identical application that is unchanged. The drainage issues justify another refusal. The Flood Risk Assessment cannot be deemed objective as the Consultant is employed by the Developer.
- The additional loading will compound the drainage problem.
- The flood map from the Environmental Agency shows that flooding in the Mill Road area will be more likely.
- Gardens in Highfield Road and flooded for up to six months of the year.
- The Council should not be swayed by the “implied threat of financial repercussions” or the “bullying tactics of this financially driven developer”.

Planning Comments - Key Issues

27. With the Inspector overturning all the previous concerns raised by the Council, the Parish Council and neighbours, with the exception of the relationship of the road to no. 19 Mill Road (which has now been overcome), the only issue of relevance now is that of foul drainage - the sole reason of the last refusal.
28. Anglian Water has confirmed that the sewerage system has capacity for these additional houses. Although it has no immediate plans as to how to resolve the problem of surface water getting into the foul sewer, which I understand is a national problem, not just local to Impington, a new drainage scheme for any development would be so designed and constructed so that surface water does not enter the foul sewer. Such a scheme would be inspected either by the Council's Building Control officers or the NHBC inspectors.
29. Along the Western boundary of the site there is an historic water drainage route which, halfway along South Road, turns west to a Public Drain a field away. It would appear that there are local problems of inadequate land drainage/soil water logging because of a dilapidated section of the water drainage route mentioned above. In addition one section appears to have been removed.

The options available would be:-

- a) Re-open the historic water drainage route.
- b) Discharge surface water to shallow "blanket soakaways" that closely replicate the existing discharge from the undeveloped area.
- c) Combined sewers to the public sewer.
- d) Surface water drainage to link to the existing Public Drain to the west.

Of the above a), even if supported by the various Agencies, is likely to be "time-costly". Option b) would require the making up of ground levels by 300mm plus which would be undesirable. Anglian Water Services Ltd has made it clear that it would not support c), i.e. surface water into the foul sewer.

Solution d) is the best and, at the time of writing this Report, I am negotiating with the Agent and others as to the possibility of such a scheme being resolved to everyone's satisfaction. From letters of objection, and photographs of standing water in rear gardens, this area does suffer water logging. If the development proposed results in a satisfactory solution it is likely to have notable drainage betterments to adjoining properties.

30. The site is not within the Environmental Agency's indicative flood plain being 240m from the edge of the Medium Risk and 365m from the High Risk Areas.

Recommendation

31. Delegated powers of approval be granted subject to the prior signing of a Section 106 Agreement and subject to normal safeguarding conditions, including that for the submission and agreement of a scheme for surface water drainage.

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:

P1/3 (Sustainable design in built development) and
P7/6 (Historic Built Environment)

South Cambridgeshire Local Plan 2004:

SE2 (Development in Rural Growth Settlements)

HG10 (Housing Mix and Design) and

EN30 (Development in/adjacent to Conservation Areas)

2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
- Residential amenity including noise disturbance and overlooking issues
 - Highway safety
 - Visual impact on the locality
 - Impact upon setting of adjacent Conservation Area

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

- **South Cambridgeshire Local Plan 2004**
- **Cambridgeshire and Peterborough Structure Plan 2003**
- **Planning file Ref. S1188/04/F**

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