

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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

S/1946/04/O - Foxton Erection of 13 Houses and 1 Bungalow, Land at Moores Farm, Fowlmere Road, for Mr P Mead

**Recommendation: Delegated Approval
Date for Determination: 17th December 2004**

Site and Proposal

1. This application, registered on 17th September 2004, seeks outline consent for the erection of 13 houses and 1 bungalow on a 0.8215ha area of land at Moores Farm, to the rear (east) of existing properties in Fowlmere Road, Foxton.
2. The site is a former farmyard and comprises a collection of agricultural buildings and hardstandings located mainly in the northern part of the site. The southern part of the site contains more open grassed areas and a swimming pool belonging to No 49 Fowlmere Road.
3. To the north of the site are the rear gardens of properties in Fowlmere Road. There is existing planting on this boundary. To the south the site abuts the rear boundary of a property in Fowlmere Road and again there is planting on the boundary. To the rear the site is bordered by hedgerow planting beyond which is open countryside.
4. All matters are reserved. However an indicative layout suggests how 14 units could be accommodated on the site. The proposal includes extending the gardens of two existing bungalows in Fowlmere Road, which currently have gardens that are only 6m deep. The scheme includes 7 affordable dwellings.
5. Vehicular access to the site is proposed between existing dwellings at No 45 and No 49 Fowlmere Road
6. The site is within the village framework, which runs along the north-east boundary. This boundary also represents the edge of the Cambridge Green Belt.
7. The density of the scheme, using the site area quoted in the application, is 17 dph. However I have queried the site area quoted as I calculate it to be smaller and will update Members verbally.

Planning History

8. In 2001 outline consent was refused for residential development on the northern part of the site on the grounds that it was contrary to settlement policies of the Deposit Local Plan 1999 in that it comprised part of a larger area of land which would result in a scale of development in excess of the eight dwellings permitted, and that the site was in an Area of Restraint.

Planning Policy

9. **Policy SE4** of the South Cambridgeshire Local Plan 2004 (“The Local Plan”) identifies Foxton as a group village where residential development and redevelopment up to a maximum scheme size of 8 dwellings will be permitted within the village framework provided that:
 - (a) The retention of the site in its present form is not essential to the character of the village;
 - (b) The development would be sensitive to the character of the village, local features of landscape or ecological importance, and the amenities of neighbours;
 - (c) The village has the necessary infrastructure capacity; and
 - (d) Residential development would not conflict with another policy of the Plan, particularly policy EM8
10. Development may exceptionally consist of up to 15 dwelling, if this would make the best use of a brownfield site.
11. All development should provide an appropriate mix of dwelling size, type and affordability.
12. **Policy SE6** of the Local Plan defines the Area of Restraint South of Cambridge. This precludes housing allocations outside the built up areas of villages.
13. **Policy SE9** of the Local Plan states that development on the edges of villages should be sympathetically designed and landscaped to minimise the impact of development in the countryside.
14. **Policy HG7** of the Local Plan sets out the District Councils policy in respect of affordable housing on sites within village frameworks. In villages such as Foxton, where the population is below 3000, such provision should represent up to 50% of the total number of dwellings for which planning permission may be given, dependant upon the level of clearly identified local need, although higher or lower percentages may be agreed in the light of such factors 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.
15. **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.
16. **Policy P5/5** of the Cambridgeshire and Peterborough Structure Plan 2003 (“The County Structure Plan”) permits small scale housing developments in villages taking into account: the need for affordable rural housing; character of the village and its setting; and the level of jobs, services, infrastructure and passenger transport provision in the immediate area.

Consultations

17. **Foxton Parish Council** recommends approval “The Council agrees in principle providing that there is proper planning for vehicular access and drainage/sewage.

18. The **Chief Environmental Health Officer** requests conditions restricting the hours of operation of power driven machinery during the period of construction and requiring an investigation of the site for possible contamination. He also comments in respect of the use of driven pile foundations and the burning of waste. He also points out that a Demolition Notice will be required in respect of the existing properties
19. The **Environment Agency** originally objected to the application on the grounds that inadequate information had been submitted in respect of foul and surface water drainage to allow a full assessment of the application to be made.
20. The applicant has now undertaken a flood risk assessment and the Environment Agency has withdrawn its objection although it still requests that a condition is attached to any consent requiring the submission of a scheme for surface water drainage, along with a number of informatives.
21. The **Local Highway Authority** has no objections to the granting of outline consent, subject to conditions, but recommends that the indicative layout be excluded from any consent as the internal arrangement is not of a standard that would be considered for adoption.
22. The **Architectural Liaison Officer, Cambridgeshire Constabulary** makes several comments in respect of the indicative layout.
23. The **Development Manager** confirms that there is a clearly identified local need to support the affordable housing proposed.

Representations

24. The occupier of 37 Fowlmere Road, objects to the application on the grounds of loss of privacy from overlooking and inevitable noise from additional development and traffic. There is also concern about the effects of so many houses being crammed in to the space available and the effect on sewage, water etc. There is a big concern about the siting of another access road between Hillfield and Illingworth Way which it is believed will be potentially dangerous given the amount and speed of traffic along Fowlmere Road.
25. The occupier of 39 Fowlmere Road is concerned that the drawings do not show an existing conservatory which would be close to the proposed bungalow and that trees are shown on the other side of the wall, which could block light or damage foundations on either side. There is concern that an established rear boundary wall, which supports mature shrubs, might be removed or changed. There would be strong reservations should a two storey dwelling be built close to the boundary rather than the bungalow currently shown.
26. The occupiers of 43 Fowlmere Road state that as relatives of the applicant they are well aware of the proposal to develop Moores Farm. The letter points out that the plan shows the existing shallow rear gardens of 43 and 45 Fowlmere Road are to be extended by 10 metres. Provided this forms part of the approval it should negate any problems of overlooking from the proposed development. It is believed that the visibility splay for the proposed access will include a small strip of land at the front of No 45, which would be provided to satisfy the requirements of the Local Highways Authority. The letter states that it would be the intention to occupy one of the new properties and therefore the application is supported.

Applicant's Representations

27. In a supporting statement submitted with the application the applicant's agent puts forward the view that owing to the location of the site behind existing residential properties on the edge of the village, together with the existence of derelict farm buildings, the site is not thought to significantly contribute in any way to the character of the village. The application proposes the use of a former pig farm and farmyard which was clearly undesirable in such close proximity to existing residential properties and the re-establishment of this use would clearly be undesirable. It is argued therefore that the site is a previously developed site to which Policy SE4 refers as an exception site.
28. It is acknowledged that 50% of the proposed dwellings should be affordable units and the applicant is prepared to enter into a Section 106 Agreement to that effect. The County Archaeological Office was consulted prior to the submission of the application and it has been confirmed that no investigation work is required.
29. The indicative layout has been prepared to take into account planning policies, identified features on the site and the characteristics of the surrounding area, together with the requirements of the application.
30. The applicant owns No 49 Fowlmere Road and the remainder of the development site. Until his recent death his father lived at No 49. The applicant's sister currently lives in No 43 and owns No 45 Fowlmere Road. These personal circumstances are considered relevant to the planning submission. Both the applicant and his sister wish to relocate to the proposed housing plots to the rear on No 49, hence the two slightly larger plots shown in that location. This will lead to both Nos 43 and 45 Fowlmere Road being marketed.

Planning Comments – Key Issues

31. The key issues to consider with this outline application are whether development of this site complies with the criteria set out in Policies SE4 and HG7 of the Local Plan.
32. The site is a former farmyard set behind existing dwellings in Fowlmere Road. It is within the village framework. I do not consider that the retention of the site in its present form is essential to the character of the village.
33. The application is submitted in outline only with all matters reserved. I am of the view that the illustrative plan demonstrates that 14 dwellings could be accommodated on this site in a manner which is sensitive to the character of the village, local features of landscape and the amenities of neighbours. There are a number of issues with the existing layout that would need to be adjusted at the reserved matters stage in order to ensure that these objectives are met, in particular to ensure a satisfactory relationship with adjacent properties and to minimise the impact on the adjacent countryside. The illustrative drawing does not comprise part of the application. Therefore these reservations can be highlighted by an Informative on the Decision Notice.
34. Although agricultural land is not brownfield by definition I am of the view that this site is one where development of up to 15 dwellings under Policy SE4 can be considered. Given the location of the site close to the rear and side boundaries of existing properties in Fowlmere Road, and at the edge of the village framework and Cambridge Green Belt, and the limitation on numbers of dwellings in a group village

a density 30 dph will not be achieved, although this is not a direct requirement of Policy SE4.

35. The applicant has addressed issues raised by the Environment Agency. The Local Highway Authority has confirmed that a safe and satisfactory vehicular access to the site can be achieved in principle. Visibility splays are required over third party land and should be secured through a Section 106 Agreement.
36. The Development Manage has supported the provision of 7 affordable dwellings, which should be secured by a Section 106 Agreement in the usual way.
37. Matters raised by neighbours and the Architectural Liaison Officer concerning the illustrative layout are not directly relevant to the consideration of this outline application but can be incorporated in the Informative.

Recommendation

38. That the applicant be invited to enter into a Section 106 Agreement securing the provision of affordable housing and visibility splays. Subject to the prior signing of this agreement that delegated powers be granted to issue outline consent with all matters reserved.

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **County Structure Plan 2003: P5/5**
 - **South Cambridgeshire Local Plan 2004: SE4; SE9; HG7**
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
 - Highway safety
 - Drainage issue

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 files Ref. S/1946/04/O & S/0551/01/O

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