

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

11 May 2011

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

S/1778/10 - GIRTON
12 Extra Care Apartments at Gretton Court, High Street, Girton for Barton
Housing Association
Recommendation: Approve Conditionally

Date for Determination: 17 December 2010

Site and Proposal

1. The site is located in the Parish of Girton inside the designated village framework. The site is located outside the Green Belt and not in a Conservation Area. The existing property comprises approximately 59 individual apartments with various internal and external communal areas. The use is residential and owned by Barton Housing Association. It houses various elderly people privately. The building is set in a large 0.2-hectare plot with surrounding private gardens for use by the residents.
2. The proposed scheme is for 12 new single occupancy extra care flats for the elderly. These are to be made available to those who need ongoing supervision and care more regularly than those residing in the existing building. The proposed unit is attached to the existing building via a glazed ground floor link. The new build is a 3 storey flat roofed building to be located in the grounds of Gretton Court. At ground and first floor are the 12 extra living units (6 on each floor). These are all self contained. On the second floor is an activities room and roof terrace. The ground level of the ground floor is significantly lower than the existing buildings ground floor and the overall height of the new build, although 3 storeys is lower than that of the existing building. Proposed units 1, 2, 7 and 8 have terraces overlooking the existing garden area.
3. The application dated 18th October 2010 is accompanied by a Design and Access statement and a Flood Risk Assessment

Planning History

4. S/1763/09 - 16 x 1 bed Extra care units - Withdrawn
S/1988/04 - Erection of 4 garages and provision of 3 parking spaces - approved.
S/1166/95 - 18 Garages, potting sheds, workshop and cycle store following demolition of existing garages - approved
S/0840/95 - Staff car park and refuse store - approved
S/1042/84 - Gretton Court - Approved
C/0183/70 - Housing for the Elderly - approved
C/0563/69 - Residential Development for Old People - Withdrawn

Planning Policies

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

ST/6 – Group Villages
 6. 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
GB/3 - Mitigating Development in the Green Belt
NE/6 – Biodiversity
TR/1 – Planning for More Sustainable Travel
TR/2 – Car and Cycle Parking Standards
 7. South Cambridgeshire LDF Supplementary Planning Documents:

Trees and Development Sites – Adopted January 2009.
District Design Guide – Adopted March 2010.
Landscape in New Developments – Adopted March 2010.
 8. **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.
 9. **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.
- ## **Consultation**
10. **Girton Parish Council** – recommends refusal for the following reasons:
 - The Council found the FRA inadequate in that proper estimation of potential flooding tolerability's has not been made
 - Lack of provision for the disposal of solid waste
 - Arrangements for parking sketchily considered
 11. **Local Highway Authority** – Raise no objections to the proposed development and state that no significant adverse effect upon the Public Highway should result from this proposal should it gain the benefit of planning permission.
 12. **Environment Agency** - The Environment Agency is now able to withdraw its objection to S/1778/10, the proposed extension to an extra care facility at Gretton Court, Girton. We have been in consultation with the consultant, Alan Rich of AE Designs Ltd, and have now agreed that his current watercourse modelling work is fit for purpose.

- 13 Mr. Rich has also sent us a revised Flood Risk Assessment (FRA) reference 1193/2009-3 FRA dated March 2011 (copied to you under separate cover). This document should be recognised as being part of the formal application and should therefore supersede and replace the former FRA reference 1193/2010-2 FRA dated October 2010 currently on your website. We have reconsidered the above in context with the recent discussion meetings, site meetings and consultations.

I can therefore confirm that the Environment Agency is now able to withdraw its Objection to the proposed development on flood risk grounds.

The site is shown to be in Flood Zone 3 according to the Environment Agency's Flood Maps.

The watercourse modelling work undertaken by the consultant has confirmed that the bank will overtop during a 1 in 100 year flood event in the Washpit Brook and therefore the site must be considered to be within Flood Zone 3a.

14. As we have stated previously; built development, or the raising of ground levels within any defined 1 in 100 year floodplain, without adequate compensatory works or suitable mitigating measures, will increase the risk of flooding to other land/properties due to the impedance of flood flows and/or the reduction of flood storage capacity. To date, we have not received any details of where the compensatory works are proposed. This may have a bearing on your determination as it may impact upon any landscaping proposals and the physical and visual amenity of the site. The Agency would be happy for this matter to be dealt with by condition, in terms of flood risk, if you are in agreement.
15. Although we are satisfied at this stage that the proposed development could be allowed in principle, the applicant will need to provide further information demonstrating that the proposed development can proceed without posing an unacceptable flood risk. As the matters referred to in the suggested planning conditions are not "reserved matters" as defined in the Town and Country Planning Act, 1990, it will be necessary to impose a separate condition for each issue to ensure that these matters are addressed by the future developers.
16. We consider that planning permission should only be granted to the proposed development if the following planning conditions are appended to any approvals given.
- Condition 1. Unless otherwise approved in writing, Finished Floor Levels shall be set no lower than 10.65 metres above Ordnance Datum Newlyn.
- Reason. To protect the development and its occupants from flooding in extreme circumstances.
17. Condition 2. Development shall not begin until a scheme for the provision of flood risk mitigation measures and compensatory flood storage on, or in the vicinity of the site, shall be submitted to and approved in writing by the local planning authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed in writing by the local planning authority.

The submitted information shall include a detailed topographical survey of existing and proposed ground levels and full calculations for any level for level, volume for volume compensatory ground works. The scheme shall also include details of how ground levels shall be maintained and managed after completion.

Reason. To prevent the increased risk of flooding elsewhere.

18. Condition 3. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed in writing by the local planning authority.

Reason. To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the system.

19. **Ecology** - Previous comments apply. Please secure new orchard planting through suitable scheme of planting. The FRA suggests that surface water discharge is to be attenuated by a tank or pond, a pond is preferable.
20. **Trees and Landscape Officer** - No objection. Landscape conditions should be included if minded to approve.
21. **Drainage Manager** - No objection subject to comments from the EA.

Representations

22. There have been 3 letters of objection received regarding this development. The following concerns are raised:

FRA not adequate. Surface water run off a huge problem - where will it go?

No ecology survey submitted. Habitat mitigation is required

No tree survey submitted - Loss of trees is unacceptable

Information missing from the file yet referenced to in the application makes submission very unclear

Noise from new residents, air con units, ventilation, television sets, doors and windows, shouting from residents who are hard of hearing

What is the link with Affordable housing here?

The properties in Woodland Drive are at the same ground level as the proposed building therefore making 3 storey very overbearing

The elevation facing woodland Drive is blank, unattractive and oppressive

Policy states that new sheltered housing should be permitted in built up areas of the village framework - this is on the edge of the framework

Out of character with the area as apart form Gretton Court all surrounding properties are single or two storey units. The development is entirely out of character with the area by virtue of its height, mass and location. The flat roofs will present a totally incongruous appearance. The scheme does not respect the purposes of the Green Belt, which is located to the west of the application site.

Windows in the north elevation will overlook my private rear garden

New development will dominate and overshadow the garden of No 24 Woodlands Park

The housing need is on a commercial basis and not a local need basis

The increase of users of the building has not been accounted for by either a Transport Assessment or travel plan. Additional vehicular movements not accounted for. Potential increase of 4 staff and twice as many people.

The extension would be better suited located to the south of the existing building or at least moved 15 to 20 metres further south away from the properties in Woodlands Park.

Yew Cottage shares a substantial boundary with the car park at Gretton Court and whilst there is no concern about the position of the existing car park it has been raised that officers should restrict vehicles over 1.8 metres parking along the shared boundary as it diminishes the seclusion and amenity of the garden

Planning Comments – Key Issues

23. The key issues to consider in the determination of this application are the principle of development, the impact that the proposed development would have upon the character and appearance of the area, highway safety and car parking provision, residential amenity and flood risk.

Principle of Development

24. In terms of planning policy the proposed development is located inside the designated village framework. Whilst it is close to the edge of the framework the proposal is not considered to be contrary to DP/7 'Development Frameworks' of the Development Control Policies adopted 2007. Additionally, the site is not in the Cambridge Green Belt, although its boundary runs along the same line as that of the village framework. The boundary of Gretton Court to the neighbouring green belt is one of mature tree screening, both inside and outside of the application site. The proposed development is considered to be well screened and mitigated well by the

existing boundary treatment from the surrounding Green Belt. There is no policy objection to the proposed development and therefore the principle of development acceptable.

25. The application benefitted from pre-application advice and considerable officer time prior to the submission of an application. Both the Tree officer and Ecology officer visited the site to assess the loss of trees and habitat that would be involved in the process of the application. Comment has been received based on the visits made to the property and have been included as part of this report.
26. The application under planning reference S/1763/09/F was withdrawn based on overlooking of the first floor onto the occupiers of Woodlands Park and the submission of an inadequate FRA. Discussion has taken place between officers and the applicants to rectify this and the scheme before us is a result of this.

Character and Appearance of the Area

27. The existing building is located within the village framework and in close proximity to other residential units in the surrounding High Street and Woodlands Park. The site comprises 0.2ha and the access is located off the High Street between two residential sites known as 1 and 7 High Street. The existing building benefits from being set within well maintained and mature gardens with its own off road parking provision for residents, visitors and employees located to the east of the main building. This building is read in context with a number of neighbouring properties, the garden area surrounds the west and south elevations that are adjacent the village framework boundaries and neighbouring green belt. The existing character is predominately residential although it benefits from having a softer edge to the neighbouring green belt and wider countryside due to its vast garden area. This garden area is to be retained and improved.
28. The existing unit is a building of little architectural merit with a mansard roof and tile hanging, though appropriate in its time it would not be of any merit to replicate the same style and design on a building that has very few similarities in terms of its size and scale. The proposed extension aims to retain as much garden area as possible whilst still benefitting from utilising existing space. This particular area within the plot is considered low enough to allow the bulk of the development to be at the same level as that of the ground floor of the existing building. This has proved difficult to achieve due to the flood risk complications, but still allows the overall bulk of the building to be significantly reduced. The design is subjective, however it is considered to be of its time and designed to address material planning considerations that were raised during the earlier submission.
29. Additionally the siting is located between an existing 3-storey unit to the east and a significant level of mature screening to the west. It has been designed to minimise the overbearing impact on the occupiers to the north and still allow a pleasant vista to the south with limited impact on the wider countryside and neighbouring Green Belt. It is considered that the impact on character and appearance of the surrounding area is minimal and in accordance with the requirements of the Local Development Framework policies adopted 2007.

Highway Safety and Parking Provision

30. Comments from the Local Highway Authority are noted. The provision for parking on site is considered adequate for the proposed scheme and the existing building. There are 22 garages on site together with 30 parking spaces, residents use 18 garages and 6 spaces maximum are used at any one time by staff. This leaves 28 spaces in total that can be used by visitors and trade delivery vehicles. The additional 12 units are unlikely to generate a significant amount of additional parking provision to be required. As a C2 use the Local Development policies request a maximum of 1 space per residential staff plus 1 space per 3 bed spaces. For the existing use a maximum of 19 spaces are required for residents. It is unknown how many staff reside here, however it is not considered likely that it will use the remaining spaces. Therefore it is not considered necessary to provide any further provision through this application given the way the existing parking provision is currently utilised.

Residential Amenity

31. The proposal's closest properties, not within the grounds are those at Woodlands Park. No. 24 Woodlands Park is considered to be the most vulnerable in this instance due to being a single storey bungalow due north of the proposed 3-storey extension. The earlier scheme had openings at first floor along the elevation that looked towards Woodlands Park. This scheme has aimed to rectify this in that the windows are now for the kitchen areas only with opening fanlights. These can be conditioned to be fixed and fitted with obscure glazing to overcome overlooking. At ground floor boundary treatment will overcome any overlooking concerns and can be secured by condition.
32. With regard to the proximity of the new build to the shared boundary, this equates to approximately 10.5 metres. There is an additional 5/6 metres from the boundary to the property itself. The second floor of the proposed building is predominately flat roof space and the bulk of volume for the activities room is located in the middle of the proposed building, away from No. 24 Woodlands, by as close as approximately 6.6 metres to 15 metres.
33. With the windows obscure glazed and the bulk of the volume removed from close proximity the architect has tried to design the additional units in such a way that the volume will have minimal impact on its neighboring residents, including those who already reside at Gretton Court. The ground floor is lowered quite significantly into the ground to help reduce the overall height of the building. The flat roof approach is not always welcomed, however it is a modern design that has aimed at considering all close residents. The quality of the finished design is subjective. With the roof being flat it may be possible to improve the north facing elevation with planting or the like.
34. It is considered that the impact on neighbour amenity is acceptable and in accordance with the policy requirements.

Flood Risk

35. The originally submitted flood risk assessment was not supported, however ongoing discussion with the EA and the Councils Drainage Manager has resulted in the EA withdrawing their objection based on the resubmitted scheme. The EA comments are noted and recommended conditions are included as part of the recommendation.

Planning Obligations

36. The early stages of this application considered that the requirement for housing for the elderly did not require a contribution towards affordable housing or public open space as the site provides its own public space for its residents and there is no policy requirement that suggest schemes such as these should contribute towards affordable housing. No S106 agreement has been requested.

Other Matters

37. The matter raised regarding the parking of vehicles over 1.8 metres is not something that can be controlled, but is not considered to be necessary in any event.

Recommendation

Approve

Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
2. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Numbers 10/105/10 –17 franked 19 October 2011.
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
3. No development shall take place until details of the materials to be used in the construction of the external surfaces of the buildings 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.)
4. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected.

The boundary treatment shall be completed before the dwelling is first occupied in accordance with the approved details and shall thereafter be retained.

(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

5. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

6. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

7. Apart from any top hung vent, the proposed first floor windows in the north elevation of the building, hereby permitted, shall be fitted and permanently glazed with obscure glass.

(Reason - To prevent overlooking of the adjoining properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

8. Unless otherwise approved in writing, Finished Floor Levels shall be set no lower than 10.65 metres above Ordnance Datum Newlyn.

(Reason. To protect the development and its occupants from flooding in extreme circumstances and in accordance with the requirements of Policy NE/11 of the Development Control Policies adopted 2007).

9. Development shall not begin until a scheme for the provision of flood risk mitigation measures and compensatory flood storage on, or in the vicinity of the site, has been submitted to and approved in writing by the local planning authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed in writing by the local planning authority. The submitted information shall include a detailed topographical survey of existing and proposed ground levels and full calculations for any level for level, volume for volume compensatory ground works. The scheme shall also include details of how ground levels shall be maintained and managed after completion.

(Reason. To prevent the increased risk of flooding elsewhere and in

accordance with the requirements of Policy NE/11 of the Development Control Policies adopted 2007).

10. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed in writing by the local planning authority.

(Reason. To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the system and in accordance with the requirements of Policy NE/11 and NE/12 of the Development Control Policies adopted 2007).

11. During the period of construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.

(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

Informatives

The granting of planning permission does not constitute a permission or license to a developer to carry out any works within, or disturbance of, or interference with, the public highway, and a separate permission must be sought from the Highway Authority for such works.

Should driven pile foundations be proposed, then before works commence, a statement of the method for construction of these foundations shall be submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.

During construction there shall be no bonfires or burning of waste on site except with the prior permission of the Environmental Health Officer in accordance with best practice and existing waste management legislation.

All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used.

All drainage systems must be adopted or demonstrate that their maintenance is established in perpetuity with the development.

On uncontaminated land, soakaways for clean surface water drainage would be permissible at this location to a maximum depth of 2m below ground level if proved adequate to the satisfaction of the Building Control Section of the Local Council and designed and constructed in accordance with BRE Digest 365 or CIRIA Report 156.

Under the terms of the Water Resources Act 1991 and our Land Drainage

Byelaws, the prior written Consent of the Environment Agency is required for any proposed works or structures in, under, over, or within 9 metres of the top of the bank of the designated main river, Washpit Brook.

The granting of planning approval must not be taken to imply that consent has been given in respect of the above.

An acceptable method of foul drainage disposal would be connection to the public foul sewer.

Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.

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

- a. **South Cambridgeshire Local Development Framework Core Strategy.**
- b. **Local Development Framework Development Control Policies 2007.**
- c. **Trees and Development Sites SPD, District Design Guide SPD**
- d. **Circular 11/95 – The Use of Conditions in Planning Permissions.**
- e. **Circular 05/2005 - Planning Obligations.**
- f. **Planning File ref: S/1763/09/F and S/1778/10**

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