

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

3 August 2011

AUTHOR/S: Executive Director (Operational Services)/
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S/2079/10 - LONGSTANTON

**Erection of 5 affordable dwellings including one bungalow following demolition
of two existing dwellings and garage blocks - Garages & 18 &19 Haddows
Close, Longstanton
for Bedfordshire Pilgrims Housing Association**

Recommendation: Approve Conditionally

Date for Determination: 17 January 2011

**This Application has been reported to the Planning Committee for
determination because the land is owned by South Cambridgeshire District
Council.**

Site and Proposal

1. Members will recall an application for 8 dwellings following the demolition of 2 Airey dwellings was heard at Planning Committee on 2nd March 2011. Given the recommendation of refusal, members deferred the decision to allow further time for negotiations between the applicant and the Environment Agency given the concerns regarding flood risk and the risk of contamination to groundwaters. Talks were held and concluded that the site did not have the capacity for the 8 dwellings as originally proposed. The application was left "open" and a revised scheme for 5 dwellings has now amended the originally submitted plans. This relates to a terrace of 4 dwellings to be located on the site of the Airey homes, with a single plot for a bungalow to the rear of 20 Haddows Close. The previous scheme sought 4 flats and 2 dwellings in this location.
2. The application site is located within the designated Longstanton village framework. The two Airey houses have now been removed and the front site is open with temporary fencing around the boundary. The site is located partially within flood zones 1, 2 and 3a given the proximity of the Awarded drain to the south. The existing track leads to 21 garages and an area of hardstanding. The proposal seeks the removal of these garages.
3. The full application was originally validated on 22nd October 2010. It was accompanied by a Design and Access Statement, a Flood Risk Assessment, an Ecological Appraisal, and a Landscape Strategy. The amendment of the scheme was dated 10th June 2011, and included a revised Design and Access Statement and Flood Risk Assessment to cover the changes to the design.

Planning History

4. A parking area for residents of 22-25 Haddows Close was granted planning permission through application **S/1010/05/F**, extending the cul-de-sac to allow vehicle access.
5. Parking bays between 27 and 28 Haddows Close were granted consent through application **S/1411/97/F**.
6. An application for a residents parking bay to the south of 13-16 Haddows Close (**S/1703/94/F**) was withdrawn.

Planning Policy

7. **South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007: ST/6 Group Villages**
8. **Local Development Framework Development Control Policies (LDF DCP) 2007:** DP/1 Sustainable Development, DP/2 Design of New Development, DP/3 Development Criteria, DP/4 Infrastructure and New Development, HG/3 Affordable Housing, SF/10 Outdoor Playspace, Informal Open Space, and New Developments, SF/11 Open Space Standards, NE/1 Energy Efficiency, NE/6 Biodiversity, NE/11 Flood Risk, NE/15 Noise Pollution & TR/2 Car and Cycle Parking Standards.
9. **Open Space in New Developments SPD** – adopted January 2009, **Affordable Housing SPD** – adopted March 2010, **Trees and Development Sites SPD** – adopted January 2009 & **District Design Guide SPD** – adopted March 2010.
10. **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.
11. **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 (Original Application)

12. **Longstanton Parish Council** recommends approval subject to attention paid to flooding potential and the effect of flooding on the foul drainage system. Off street parking is considered essential for 30 Haddows Close.
13. The **Environment Agency** objects to the proposal as submitted on grounds of flood risk and the risk of contamination to groundwaters. The first objection is based on the flood risk assessment not complying with the requirements of Planning Policy Statement 25. The proposal does not have a safe means of access during floods, is not currently defended to appropriate standards, would impede flood flow and reduce storage capacity, and is inappropriate in a flood risk vulnerability category. With regards to groundwaters, the Environment Agency object as inadequate information has been provided to demonstrate that risks posed to groundwater can be satisfactorily managed.

14. The **Council's Trees Officer** notes the trees are already compromised by the hardstanding on the site, and the area that would become garden. There would be potential pressure on the trees from shading, but the trees are not considered of a quality worthy of a Tree Preservation Order.
15. The **Local Highways Authority** note they would not adopt the road as it does not serve five or more individual dwellings. Conditions are requested seeking a traffic management plan for the demolition and construction phase, pedestrian visibility splays to be retained, materials to be used for the access, and drainage mechanisms for the access. An informative regarding works to the public highway is also proposed.
16. The **Council's Housing Strategy Assistant** notes the site has funding secured from the Homes and Communities Agency. It has the full support of the Team, and would not be an exceptions site so there is no requirement for the dwellings to be made available for people with a connection with the village.
17. Comments have been received from the **Council's Landscape Officer**, who has requested landscape conditions are added if the scheme is approved.
18. The **Council's Environmental Health Officer** notes concerns regarding noise and therefore suggests conditions regarding timings for the use of power-operated machinery, use of drive pile foundations. He also requests a condition regarding external lighting and informatics regarding bonfires and burning of waste and a Demolition Notice.

Consultations (Amended Application)

19. **Longstanton Parish Council** retain their recommendation of approval, and make no further comment.
20. The **Environment Agency** have confirmed the additional detail submitted regarding ground water contamination is considered acceptable, and the objection is withdrawn subject to a comprehensive condition which would include intrusive ground investigation and remediation works. Following a meeting on site on 13th July 2011, the Environment Agency have also verbally confirmed that design of the bungalow and land is considered acceptable with regards to flood risk.

21. The **Council's Housing Strategy Assistant** continues to support the scheme. No tenure mix is provided but the majority of the units should be rented.

Representations (Original Application)

22. Letters of objection have been received from occupiers of 16 dwellings on Haddows Close. The objections are based on the following:

- Flood risk
- Proposed drainage and waste disposal methods
- Design of the dwellings
- Impact upon the character and appearance of the area

- Impact upon the trees along the southern boundary
- The proposed tenure mix
- Parking provision in Haddows Close
- Highway safety along Haddows Close and High Street
- Lack of public consultation

Representations (Amended Application)

23. No further correspondence was received.

Planning Comments

24. The key issues for the determination of this application are the principle of development, whether the revised layout overcomes previous concerns regarding flood risk and pollution to groundwaters, and the impact upon the street scene, impact upon the amenity of occupiers of adjacent properties, open space provision, and highway safety and parking provision.

The Principle of Development

25. The application site lies within the Longstanton village framework. The village is classified as a Group Village under Policy ST/6 of the Core Strategy 2007, where residential development or redevelopment up to a maximum scheme size of eight dwellings will be permitted within village frameworks, subject to site-specific issues. The proposal is for 100% affordable housing but given Policy ST/6 of the Core Strategy, the proposal is not an exceptions site.

26. The site has an area of approximately 0.198 hectares. Policy HG/1 of the LDF DCP 2009 seeks residential developments to make best use of a site by achieving average net densities of at least 30 dwellings per hectare unless there are exceptional local circumstances that require a different treatment, and higher densities of 40 dwellings per hectare should be achieved in more sustainable locations close to services. The development provides 25 dwellings per hectare. Given the location of the flood zone (see below), such a lower density is considered acceptable in this instance.

27. The Housing Team are fully in support of the scheme. Clarification is being sought as to the new proposed tenure mix. The bungalow will be rented to a local family in need. Members will be updated on any tenure confirmation received.

Flood Risk and Groundwater Pollution

28. The south boundary of the site is adjacent to an Awarded watercourse, the flood zone to which runs northwards into the application site. The original scheme was recommended for refusal on the advice of the Environment Agency given the location of a significant amount of built form in this area. The terrace of four dwellings on the amended scheme are located inside flood zone 1, and are therefore not considered to increase flood risk. The concern regarding the amended plan is the location of the bungalow, which is within flood zone 3a.

29. Negotiations have taken place between the applicant and the Environment Agency on this matter. A site meeting took place on 13th July 2011 and

concluded the details of the amended plan showing levels and the relationship with the watercourse are acceptable, subject to conditions. The Environment Agency will supply some draft conditions, and Members will be updated on these when received. The Environment Agency have also withdrawn their objection on the risk to groundwater pollution, and again a condition is likely.

Impact upon the Street Scene

30. The large difference to the scheme is the creation of a terrace of four properties along Haddows Close, which will be visible from High Street given their location. This is the location of the now demolished Airey homes, and the original application sought an attached two-storey property and bungalow. The terrace would create more bulk in this area, and would also require a more visible parking layout as the dwellings are pushed deeper into the plot. However, the area is characterised by parking areas given pressures in the area. There are terraces of three in the area although these are single storey units. The terrace would be a new feature, but is considered acceptable in this location. There is an opportunity for landscaping to the front, and a condition can ensure some greenery is provided to soften the impact.
31. The bungalow would be visible from the Haddows Close. However, it would be more visually appealing than the garage blocks currently on site.

Impact upon the Amenity of Occupiers of Adjacent Properties

32. The previous scheme was considered acceptable from a neighbour amenity perspective. The revised scheme does require a re-assessment of some of the relationships. 17 Haddows Close is a two-storey dwelling with a garage to its western side. The Airey dwelling was located in line with this dwelling. The proposed two-storey dwelling would now be located closer to the shared boundary and would also extend beyond the rear building line of 17 Haddows Close. However, given the orientation and location of the garage, no serious loss of light or overbearing impact would result. A condition would be required to prevent any side window at first floor level to plot 5. A condition would also be required to prevent windows in the side of plot 2, which could overlook 20 Haddows Close. The relationship with this neighbouring property is otherwise satisfactory.
33. The rear facing first floor windows of plot 5 would be within 10m of the shared boundary with 16 Haddows Close. This is 3m closer than the Airey house. This would increase potential overlooking from the window serving bedroom 1. However, the single storey rear range would allow retention of a private area. Given the previous situation, the relationship is considered acceptable. The occupiers of this property will benefit from the removal of the garage and will be offered this additional garden land for themselves.
34. The occupier of 20 Haddows Close would lose half of the rear garden to allow for the turning and parking area to the rear. The dwelling would still have a rear garden approximately 12m in length although this would include the newly created parking space. The location of a bungalow to the south would remove potential overlooking, and the low height would not cause any serious loss of light.

35. As a whole, the proposal is considered to be acceptable in relation to the neighbouring properties.

Open Space Provision

36. The applicant is aware of the need to provide contributions towards open space provision in the village. The required amount has altered given the reduced number of properties within the consent, and the figure would be £6,734.70, Members will be updated as to whether the applicant is willing to make such a contribution. The pre-application advice prior to submission did not make reference to community facility provision, or the Section 106 monitoring and waste receptacle provision. It is considered unreasonable to now add these requirements.

Highway Safety and Parking Provision

37. The revised scheme with only the bungalow set back from the road has created a new road layout. The access to this bungalow has been reduced in width to 2.5m given it now serves a single dwelling. This is the width of the existing road that serves 21 garages. Given the significant reduction in intensity of use of the access, there would be no serious harm to highway safety, and the situation is likely to improve. It is noted the Local Highways Authority have chosen not to comment on the amended plans.

38. The proposal does remove the existing garages from the area. The occupiers of neighbouring properties note the garages and hardstanding area are regularly used as an overflow area given parking pressures in the vicinity. It is however noted that the garages are not specifically let to occupiers of Haddows Close. The applicant states that of the 21 garages, two are let to residents of Haddows Close, one is let to another Longstanton resident, two are let to occupiers of other villages, whilst the remaining are vacant. Whilst the loss of the hardstanding itself may reduce parking options, I do not consider the loss of this area in itself would cause any serious parking issues in the local vicinity.

Other Matters

39. The trees along the southern boundary are considered important in the street scene. The revised layout brings development significantly further away from the boundary, and therefore reduces any pressure on these trees.

Recommendation

40. Approve the application (as amended by plans HCL-PL-01-RevII, HCL-PL-06, HCL-PL-07 & HCL-PL-08 date stamped 10th June 2011), subject to the following 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: HCL-PL-01-RevII, HCL-PL-06, HCL-PL-07 & HCL-PL-08 date stamped 10th June 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 dwellings 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 power operated machinery (or other specified machinery) shall be operated on the premises before 08.00 am on weekdays and 08.00 am on Saturdays nor after 18.00 pm on weekdays and 13.00 pm on Saturdays (nor at any time on Sundays or Bank Holidays), unless otherwise previously agreed in writing by 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 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. 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 windows, doors or openings of any kind, other than those expressly authorised by this permission, shall be constructed in the west side elevation of plot 2 and the east side elevation of plot 5 at and above first floor level unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.

(Reason - To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

8. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme. The scheme shall include:

- i. The type of the affordable housing provision to be made;
- ii. The arrangements to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing; and
- iii. The occupancy criteria to be used for determining the identity of prospective and successive occupiers of the affordable housing, and the means by which such occupancy shall be enforced.

(Reason - To ensure the provision of an agreed mix of affordable housing in accordance with Policy HG/3 of the adopted Local Development Framework 2007.)

9. No development shall begin until details of a scheme for the provision of open space 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 open space infrastructure in accordance with the above-mentioned Policy SF/10 and Policy DP/4 of the adopted Local Development Framework 2007.)

10. The dwellings, hereby permitted, shall not be occupied until the areas reserved for car parking has been laid out as per approved site plan HCL-PL-01-RevII date stamped 10th June 2011, and the spaces shall thereafter be retained for such use.

(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

11. Visibility splays shall be provided on both sides of the parking spaces to the front of plots 2-5 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.)

AND – Conditions agreed with the Environment Agency regarding flooding and the risk of groundwater pollution

Informatics

The granting of planning permission does not constitute a permission or license to a developer to carry out works within, or disturbance of, or interference with, the Public

Highway, and a separate permission must be sought from the Local Highways Authority for such works.

Should driven pile foundations be proposed, then before works commence, a statement of the method of 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.

The development results in infrastructure requirements to meet the needs of the development in accordance with Policies DP/4 and SF/10 of the adopted South Cambridgeshire Local Development Framework 2007 and Open Space in New Developments SPD. Should financial contributions be proposed, this would total contributions of £6,734.70 towards the off-site provision and maintenance of open space, £69.50 towards the provision of household waste receptacles and £250 towards Section 106 monitoring. These figures are as calculated on the date of the decision and are index linked so may be subject to change when any payment is made. These contributions would be secured through a scheme (Section 106 Agreement). The applicant has confirmed the client's acceptance to these requirements.

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

- **South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007**
 - **Local Development Framework
Development Control Policies 2007**
- **Open Space in New Developments SPD, Affordable Housing SPD, Trees and Development Sites SPD & District Design Guide SPD.**
 - **Circular 11/95 – The Use of Conditions in Planning Permissions**
 - **Circular 05/2005 - Planning Obligations**
 - **Planning Ref Files: S/2079/10,
S/1010/05/F, S/1411/97/F, and S/1703/94/F**

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