

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

7 November 2012

**AUTHOR/S:** Planning and New Communities Director

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**S/1509/12/VC – PAPWORTH EVERARD**  
**Variation of Condition 23 of S/2167/11 at Summersfield, Ermine Street South for**  
**Patrick MacCarthy (David Wilson Homes)**

**Recommendation: Delegated Approval/Refusal**

**Date for Determination: 23 October 2012**

**Notes:**

**This Application has been reported to the Planning Committee for determination because the Parish Council's recommendation of refusal conflicts with Officers' recommendation.**

**To be presented to the Committee by Andrew Phillips**

**Site and Proposal**

1. The application site measures approximately 2.73 hectares. The site is located within the village framework. There is a Grade II Listed Building (28 and 30 Ermine Street) approximately 45m to the northeast of the site edge.
2. To the south of the site is the currently approved development (planning application S/1101/10) being carried out. To the north of the site is grassland that forms the next phase of construction. To the east are existing residential properties that face onto Ermine Street South that are now within a Conservation Area and to the west is a tree belt and an open field.
3. The application, validated on the 24 July 2012, is to vary condition 23 in planning permission S/2167/11 in order to change the approved plans. The developer requested an extension of time in the determination of the application until the 30 November 2012. The developer has submitted a new set of plans on the 18 October 2012, these at the time of writing are being considered by consultees.

**Planning History**

4. **S/2476/03/O** – The proposal for Residential Development including Public Open Space, Vehicular Access together with Demolition of 18, 20, 52, & 54 Ermine Street South and 1&3 St John's Lane was conditionally approved.
5. **S/0097/06/RM** – The proposal for the Erection of 397 Dwellings with Associated Open Space (The First Reserved Matters Application) Pursuant to Outline Planning Permission Ref: S/2476/03/O was withdrawn.
6. **S/0093/07/RM** – The proposal for the Erection of 365 Dwellings with Associated Open Space and Landscaping (Reserved Matters Pursuant to Outline Planning Permission Ref. **S/2476/03/O**) was conditionally approved.

7. **S/1688/08/RM** – The proposal for the Siting design and external appearance of 166 dwellings was conditionally approved.
8. **S/1424/08/RM** – The proposal for the Approval of appearance, landscaping, layout & scale for the erection of 81 dwellings was conditionally approved.
9. **S/1624/08/RM** – The proposal for Details of reserved matters for the siting, design and external appearance of 118 dwellings, associated works, garaging and car parking, and landscaping for the northern phase 2 (amended scheme to part of reserved matters **S/0093/07/RM**) was conditionally approved.
10. **S/1101/10** – The proposal for the Variation of Conditions 12 & 26 of Planning Permission S/1688/08/RM was approved.
11. **S/2288/10** – Extension of time for implementation of **S/2476/03/O** for reserved matters consents **S/0093/07/RM** (excluding the area defined by planning applications **S/1688/08/RM** and **S/1101/10**), **S/1424/08/RM** and **S/1624/08/RM** was approved.
12. **S/2167/11** – Variation of Conditions 11, 12, 14 and 23 of planning application S/1624/08/RM was approved.

#### **Planning Policy**

13. **South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007**

**ST/ 5** – Minor Rural Centres

14. **South Cambridgeshire Local Development Framework (LDF) Development Control Policies, 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

**NE/1** – Energy Efficiency

**NE/6** – Biodiversity

**NE/12** – Water Conservation

**NE/15** – Noise Pollution

**SF/10** - Outdoor Playspace, 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

15. **Supplementary Planning Documents**

**Public Art SPD**, adopted January 2009

**Open Space in New Developments SPD**, adopted January 2009

**Trees and Development Sites SPD**, adopted January 2009

**Biodiversity SPD**, adopted July 2009

**District Design Guide SPD**, adopted March 2010

## **Consultation by South Cambridgeshire District Council as Local Planning Authority**

16. **Papworth Everard Parish Council** – (21 August 2012) The Parish Council recommendation is that the Local Planning Authority refuses this application, largely on the grounds that the details of the proposed house designs, which, because they result from the developer's wish to provide a 'traditional premium product', do not reflect Papworth Everard's true background as largely Twentieth Century conception. Please see **appendix 1** for full details.
17. **Urban Design** – (22 August 2012) The Urban Designer concludes that the proposed scheme is contrary to policy DP/2 of the Development Control Policies, which states that all new developments must be of high quality design and should include variety and interest within a coherent design that is legible and respond to the local context. It is recommended that permission be refused on grounds of poor design.
18. **Landscape** – (21 August 2012) The Landscape Officer has some concerns over the proposal and recommends a landscape condition.
19. **Local Highways Authority** – (16 August 2012) The Local Highways Authority recommends refusal due to significant risk of harm to the highway users of Road 9. The Local Highways Authority also make several other suggestions in order to improve highway safety on the development.
20. **Environment Agency** – (31 July 2012) Insufficient information has been submitted to allow the Agency to consider the proposed variation. It will be necessary for the applicant to demonstrate that the proposed variation to the approved scheme has fully considered surface water drainage, and that any increase in impermeable footprint (m<sup>2</sup>) can be accommodated in the agreed drainage scheme. An updated FRA/drainage statement should be submitted.
21. **Ecology** – (29 August 2012) States that the submitted drawing showing the bird and bat box locations, the chosen locations are completely unsuitable for the boxes proposed. The Ecology Officer recommends a better scheme in-line with earlier discussions is submitted.
22. **Sustainable Communities Team Leader** – (3 September 2012) It is stated that the solar panels are located on those properties with optimal roof orientations and are sized to meet the domestic hot-water needs that would be anticipated for the size of the property.
23. All installed systems should be MCS accredited so that they can claim Renewable Heat Incentive income, which should be in place when the dwellings are constructed.
24. It is also stated that wiring and plumbing in all properties should be designed to ensure that installation can be readily achieved as late as possible in the construction process – allowing potential purchasers the longest time window possible to choose the option.
25. The solar panels should still work with the roof-scape of the development.
26. **Cambridgeshire County Council (Historic Environment Team)** – With the new application relating to changes in housing numbers and styles, there is no objection to the proposal.

## **Representations by members of the public**

27. No representations currently received.

## **Material Planning Considerations**

28. The key issues to consider in this instance are:

- Principle of Development
- Visual Impact
- Residential Amenity
- Highway Safety
- Legal Agreement
- Other Matters

## **Principle of Development**

29. The principle of development was considered in planning applications S/2476/03/O (now outdated by S/2288/10) and S/1624/08/RM. This application does not raise any new concerns over the principle of the proposal.

## **Historic Environment**

30. Since the approval of S/1624/08/RM the Papworth Everard Conservation Area has been increased in size and now defines the eastern boundary of the site. The Conservation Area Appraisal took into account the Summersfield Development and it is considered that the current proposed development will have no greater impact on the Conservation Area than if planning application S/1624/08/RM was implemented.

## **Visual Impact**

31. It was made known to the developers at an early stage that the Local Planning Authority was not just seeking to provide small amendments in order for David Wilson Homes and Barratts to both put their own house types next to each other. The Local Planning Authority was seeking significant improvements to the design of both the layout and individual house types in order to meet the ever greater commitment that "all new development must be of high quality design" (Policy DP/2).

32. The developer David Wilson Homes has made it clear during the planning process for this application that it would not build custom housing or make significant changes to its standard house types. David Wilson Homes has also confirmed that its building philosophy for this site will be to build large dwellings, with Barratts building the smaller properties.

33. This design principle of David Wilson Homes has led to the house types along Road 8 and 9 dramatically changing. Road 8 has been given a sub-urban appearance, with large detached dwellings that are spaced out. The spacing of the dwellings is helped by the width of the public highway (8.5 metres), the road being fairly straight and the dwellings being set back from the road. These elements will ensure that the layout of this road is of good quality.

34. Road 9 is defined by mainly large dwellings on both sides of the road. The road is a shared surface that measures 5 metres in width, which brings these dwellings significantly closer together. This will make the dwellings along this road look cramped. It would be significantly more appropriate for smaller, possibly cottage style,

dwellings to be placed along this road or to give it a much stronger mews style. Road 9 detrimentally harms the quality of this development.

35. The link between Road 9 and Road 11 has been well designed in order to ensure that dwellings are well spaced and to ensure that there is good surveillance of the public footpath.
36. The link between Road 1 and Road 11 has been well thought out in order to give the appearance of a Georgian Market Square. In particular the positives to this element of the development are the raised road that will make the square look twice the size that it is and the design of Plots B266 – B272. It is noticed on the latest plans relating to kerbing that the market square area will no longer have conservation kerbs, this will need to be conditioned in order to ensure conservation kerbs in this location.
37. Plot D187 is located at the end of Road 8 and adjacent the public open space. The design of the dwelling is considered to be of an elaborate but very good quality. The developer and the Local Planning Authority are working together to ensure that its positioning on the plot strengthens the visual relationship between the development and its main public open space, as well as one of the main public footpaths through the development. The orientation of this dwelling will be dealt with by condition. In addition this dwelling will provide a good visual link between the development and the Grade II\* Listed Church in the distance on Church Lane. The developer is suggesting UPVC sash windows for this plot but with this building being a key landmark fenestration details will need to be dealt with by condition in order to give them due consideration. It is also considered reasonable to ensure that the agreed upon the details are maintained, due to the key importance of this plot. This plot overall is to the significant merit of the development.
38. The developer has also stated that real sash windows (though UPVC) will be used for key plots, though the Local Planning Authority is still awaiting plans to show the details of this. The developer is also providing conservation style rooflights on several house types. The use of these fenestration details are to the merit of the application.
39. The elevations on the proposed house types are on the whole considered to be acceptable. The proposal has been amended in order to ensure a high quality of design faces the main public realms/long distance views. The materials plan still involves some work and will need to be conditioned but the developer has shown clear intent to ensure key plots are constructed with high quality materials.
40. It should be noted that due to the transfer of public land to private residential land, front gardens have become significantly more important to the visual character of the local area. On this basis it is considered appropriate to remove permitted development rights relating to hard surfacing between the dwelling and public domain in order to have greater control over the long term landscaping of this area. With boundary treatment being more tightly controlled adjacent public highways, it is not considered to be reasonable to remove this right.
41. It is considered that the amended plans received on 18 October have improved the quality of the scheme. On balance, the strengths and weaknesses of the application with regard to visual impact are now equal. With the Local Planning Authority having a responsibility to facilitate appropriate development, it is considered that the development is acceptable in regards to visual impact.

### **Residential Amenity**

42. Due to its layout and design, the proposed development is not considered to have any greater impact upon residential amenity of existing adjacent occupants to the site.
43. Within the site there is some concern over privacy that the future occupants of Road 9 will enjoy, due to the closeness (approximately 10 metres) of the proposed dwellings on each side of the road. There is also some concern that not all the properties have practical/useable garden spaces. However, it is considered that on the whole the future residents of Summersfield will have an acceptable residential amenity standard.

### **Highway Safety**

44. The further comments of the Local Highways Authority will be provided in an update to Planning Committee. However, the developer has provided a ramp in order to reduce the average speed along Road 8. In addition Road 9 has become a dead end road in order to prevent it being a shared surface and through road and the road width to Road 11 has been improved. These changes improve highway safety.

### **Legal Agreement**

45. The Legal Agreement is still being considered between the developer and Local Planning Authority. The application cannot be determined until this legal agreement is completed, as it seeks to remove the developers' right to build other proposals on this site.

### **Other Matters**

46. All relevant conditions on the previous consent (S/2167/11) will be duly added. It should be noted that some of these conditions may need to be varied, due to consultation responses.
47. Condition 14 and 19 in planning permission S/2288/10 requires the developer to submit a drainage strategy and ecology mitigation scheme. These two conditions cover the concerns raised by the Ecology Officer and the Environment Agency.

### **Conclusion**

48. The proposal at the time of writing is considered to be acceptable. However, this view may change in the light of further consultation responses and members will be updated accordingly.
49. The final schedule of approved plans has yet to be submitted, so the condition relating to approved plans will have to remain blank at the current time.

### **Recommendation**

50. Delegated approval/refusal be granted subject to the outcome of further consultation responses. If Planning Committee should approve the application, it should be subject to the following conditions:
  1. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any

order revoking and re-enacting that Order with or without modification), no development within Class F of Part 1 of Schedule 2 of the Order shall take place in so far as it relates to development between the wall forming the principal elevation of each dwelling and the highway (including public footpath) unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.

(Reason - In the interests of visual appearance, in particular preserving the soft areas of landscaping of the development, in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

2. Notwithstanding the indicative architectural detailing on front, side and rear elevation drawings, no development shall commence until drawings of at least 1:20 scale, of the following detailing elements, have been submitted to and approved in writing by the Local Planning Authority:

- Chimney construction, including materials
- Porches, bay window and dormer construction and materials
- Window and door heads and sills on front, rear and side elevations
- Cladding and boarding materials, construction including junctions with adjacent materials
- Eaves and verge construction, including dentil courses where proposed

Development shall commence in accordance with the agreed details.

(Reason – To ensure the visual quality and compatibility between all phases of the development and the existing village built form and its landscape setting and to assure the long term character and appearance of the development.)

3. No development shall commence until details (including colour schemes) of the following have been submitted to and approved in writing by the Local Planning Authority:
  - Roof materials and methods of fixing
  - All bricks and render
  - Horizontal wood and/or wood effect boarding, wooden cladding and/or other cladding materials
  - Garage and dwelling doors
  - Colour of fascia boards, porches and bargeboards

Development shall commence in accordance with the agreed details.

(Reason – To ensure visual quality and compatibility between all phases of the development and the existing village built form and its landscape setting and to assure the long term character and appearance of the development.)

4. The window colour of plots D235 to D238 and D167 to D168 shall match plots D119 0123, 104 – 106 and 141 – 147 of planning permission S/1101/10, unless otherwise agreed in writing with the Local Planning Authority.

(Reason – To ensure visual quality and compatibility between all phases of the development and the existing village built form and its landscape setting and to assure the long term character and appearance of the development.)

5. No development shall commence until the developer has erected on site, sample panels, of a size to be agreed to allow the Local Planning Authority to undertake a detailed assessment of construction and material combinations in relation to brick, cladding and roof materials that were not agreed in planning permission S/1101/10. The development shall be carried out in accordance

with the Local Planning Authority's written approval and only after such approval is given.

(Reason – To ensure that each proposed individual building material and the proposed combinations can be properly and objectively assessed in the context of the existing village and landscape forms.)

6. No development shall commence until details of the free-standing walls, fences, other means of enclosure, street furniture and all hard surfaces have been submitted to and approved in writing by the Local Planning Authority. Development shall commence in accordance with the agreed details. The development shall be carried out in accordance with the approved details. (Reason – To ensure the details of the development are satisfactory.)
7. No development shall commence until boundary treatments for each plot of that phase have been submitted to and agreed in writing by the Local Planning Authority. Development shall commence in accordance with the agreed details. (Reason – To ensure details of the development are satisfactory and supplement with more details than the information already supplied.)
8. No development shall commence until precise details of the type and design of the solar panels to be erected on at least 22 dwellings has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. (Reason – To ensure the details of the development are satisfactory.)
9. A scheme for the lighting of each parking court shall be submitted to and approved in writing by the Local Planning Authority before occupation commences on the residential development to which it relates. The work shall be carried out in accordance with the approved scheme. (Reason – To ensure the details of the development are satisfactory.)
10. No development shall commence until a detailed timetable for the design and implementation for the provision of public art, has been submitted to and agreed in writing by the Local Planning Authority. The public art shall be installed in accordance with the approved scheme and within the time periods specified within that scheme unless otherwise agreed by the Local Planning Authority. (Reason - To ensure the design of the development reaches a high standard.)
11. No services or storage of materials shall be placed within the area of the Plantations to be retained. (Reason – To ensure the existing trees are not damaged.)
12. 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.)



13. No development shall commence until a timetable for the provision of the strategic landscaping to the public open space areas (including any boundary planting) has been submitted to and approved in writing by the Local Planning Authority. The planting shall take place in the agreed planting seasons unless otherwise agreed by the Local Planning Authority.  
(Reason – To ensure that the landscape character of the site is established as quickly as practicable.)
14. Prior to any planting place within the site, in each and every planting season during the course of construction of the development, details of the progress of the development indicating where dwellings have been completed and planting could at that time be implemented, shall be submitted to and agreed in writing by the Local Planning Authority. Planting adjacent to individual completed residential units shall be implemented in the first planting season following the completion of those units in accordance with the approved details unless the Local Planning Authority gives written consent to any variation.  
(Reason – To ensure the landscape character of the site is established as quickly as practicable.)
15. Nine months prior to the projected hand-over of the landscaping/public open space to the adoptive body, or any other period agreed in writing by the Local Authority, arrangements shall be made for a site to be inspected by representatives of the Local Planning Authority, the developer and the adoptive body. At the site meeting all planting/seeding defects shall be identified in writing. The said defects shall be rectified, to the satisfaction of the Local Planning Authority, prior to the hand-over.  
(Reason – To ensure the implementation of landscaping is satisfactory.)
16. All areas of land to be landscaped shall be fenced off with heras fencing and fully protected from damage and compaction prior to and during construction, unless otherwise agreed in writing by the Local Planning Authority.  
(Reason – To maintain the soil structure and to ensure the trees and shrubs thrive.)
17. The precise details of the play equipment and associated benches and bins shall be submitted to and agreed in writing by the Local Planning Authority before the play areas are laid out. The work shall be carried out in accordance with the approved details.  
(Reason – To ensure the details of the development are satisfactory.)
18. Before first occupation a scheme shall be submitted to and approved in writing with the Local Planning Authority to discourage vehicles parking on grass verges and public footpaths. This scheme shall also include the location of conservation kerbs. Development shall commence in accordance with the agreed details.  
(Reason – In order to ensure the details of the development are satisfactory and to discourage vehicles parking on grass verges and public footpaths while making a positive impact on the visual appearance of the local area.)
19. No demolition, site clearance or building operations shall commence until all trees to be retained have been identified to, and agreed in writing by, the Local Planning Authority and until tree protection comprising weldmesh secured to standard scaffold poles driven into the ground to a height not less than 2.3 metres shall have been erected around trees to be retained on site at

a distance agreed with the Local Planning Authority following B2 5873. Such fencing shall be maintained to the satisfaction of the Local Planning Authority during the course of development operations. Trees shown and agreed for retention shall not be lopped, topped or removed without the prior written approval of the Local Planning Authority and any tree surgery works shall be carried out in accordance with BS 3998. Any tree(s) removed without consent or dying or being severely damaged or becoming seriously diseased during the period of development operations shall be replaced in the next planting season with tree(s) of such size and species as shall have been previously agreed in writing with the Local Planning Authority.

(Reason – To protect trees which are to be retained in order to enhance the development biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)

20. No development shall commence on plot D187 (Gothic Style Dwelling), until precise details of dwelling orientation on plot, fenestration (including front door materials) and bargeboard materials including colour have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. These details will be permanently maintained, unless otherwise agreed in writing with the Local Planning Authority.

(Reason – The plot lies in a prominent position within the development and requires special treatment consistent with its prominence and importance, this shall include the use of traditional materials, as defined in Policy DP/2 of the South Cambridgeshire Local Development Framework Development Control Policies 2007.)

21. No Development shall commence until a Public Open Space Area Specification has been submitted to the Local Planning Authority as defined in the Agreement under Section 106 of the Town and Country Planning Act 1990 dated 29th September 2005.

(Reason – To ensure the detail and management of all areas of open space is adequately controlled.)

22. The development hereby permitted shall be carried out in accordance with the Schedule of Approved Plans labelled...

(Reason – To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

23. This application should be read in conjunction with the Legal Agreement dated...

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

- **Local Development Framework Core Strategy and Development Control Policies DPD**
- **National Planning Policy Framework**
- **Planning Applications S/1509/12/VC, S2167/11 and S/2288/10**

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