

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2 October 2013

AUTHOR/S: Planning and New Communities Director

S/1179/13/RM – ORCHARD PARK

7 Affordable Dwellings following granting of outline planning permission S/2559/11 at Parcel B4, Land off Chieftain Way for JJ Gallagher Ltd

Recommendation: Approval

Date for Determination: 2 October 2013

Notes:

This Application has been reported to the Planning Committee for determination because the recommendation of the Parish Council differs to the Officers.

To be presented to the Committee by Andrew Phillips

Site and Proposal

1. The site is within the village framework and is located on the outline part of the hybrid planning permission S/2559/11.
2. To the north of the site is the A14, to the east is the Travel Lodge, existing residential flats are located 52 metres to the south and to the west is the approved mix use development (28 residential flats and 7 shops approved in full under S/2559/11).
3. The proposal for 7 affordable flats was revalidated on the 7th August 2013 following an amended red line in order to include a footpath that runs along the rear boundary of the dwellings.

Planning History

4. S/2559/11 – Mixed use (residential/retail) hybrid application for the erection of 112 dwellings (16, 2 bedroom flats and 96 3 bedroom houses) including vehicular access (outline) and construction of a mixed use building involving 7 retail units (840sqm) and 28 flats, (2, 1 bedroom and 26, 2 bedroom) including landscaping and open spaces (full).

Planning Policy

5. **National Planning Policy Framework, March 2012**
6. **South Cambridgeshire Development Control Policies DPD 2007:**
 - DP/1 Sustainable Development
 - DP/2 Design of New Development
 - DP/3 Development Criteria
 - DP/7 Development Frameworks
 - HG/3 – Affordable Housing

NE/15 Noise Pollution
TR/1 Planning for More Sustainable Travel
TR/2 Car and Cycle Parking Standards

Consultation Responses

7. **Orchard Park Community Council** –(4th July 2013) The Community Council makes no recommendation but does express concern that the location of these homes offers limited amenities to the residents particularly the windows to the habitable rooms, they offer limited facilities for children even though they are family homes. The elevations are bland and unimaginative and the external space very small. Plans indicate a security risk in the parking area. They believed that the design of the small LAP in front of the houses should be included in the planning application and the application should be dependent on those facilities proposed.
8. (5th September 2013) The Community Council recommends refusal. Members acknowledge the boundary change to incorporate the path to rectify the waste collection issue and the stepping of the roof which is not easily seen on the drawing. However, they still require clarity on the landscaping for the LAP and lighting in the car park before they withdraw their recommendation for refusal.
9. **Architectural Liaison Officer** – (20th June 2013) States he was consulted at pre-application stage by the architects for the scheme. It is anticipated that as the scheme moves forwards it will achieve the requirements of Secured by Design. No comments or recommendations to make regarding the design layout of the proposal.
10. **Highways Agency** – (9th July 2013) The application will not adversely affect the A14 Trunk Road at this location, the Highways Agency does not intend to issue a direction.
11. (21st August 2013) No further comments.
12. **Local Highways Authority** – (2nd September 2013) The applicant must show the dimensions for the proposed car parking spaces, which should be 2.5 metres x 5 metres, with a 6 metre reversing space.
13. Please request that the applicant show pedestrian visibility splays on the submitted drawings.
14. If the following above are provided, the Highways Authority are satisfied that the proposal will have no significant adverse effect upon the public highway please add conditions to ensure no unbound material is used on the driveways, that no gates shall be erected without prior planning permission, that vehicular accesses are built to County Council specification, pedestrian visibility splays are provided and that the driveways remain free of obstruction.
15. **Landscape** – (10th July 2013) The Landscape Officer provides advice stating the developer needs to provide planting details, that planting must be co-ordinated with the planting schemes in the wider area, tree planting should be as far away from the housing as possible without interfering with the roadway, all frontage plots are treated in the same way with raised beds in paving (like plots 4 – 6) rather than having small areas of grass, the eastern lawn area at plot 7 is acceptable, the area of garden south west of plot 7 parking spaces is converted to a communal planting area by shifting the garden fence to the north, the bin collection space for plots 1 -4 along side the car parking should also be planted (currently the space is 14 metres long and only needs

to accommodate 4 bins), access to the bin area for plots 1 -3 should also be improved, the 3 metre high wall proposed to the west of plot 1 may look out of scale and planting beds should be provided to the south of the rear fences to allow climbing plants or other planting to reduce the impact on the public open space.

16. **Environmental Health** – (2nd August 2013) Notes that construction noise and dust is covered by the outline consent conditions 11 to 15.
17. The noise assessment methodology used in the WSP report (Noise Mitigation Report, Orchard Park: Parcel A Residential Development, Client: Gallagher Estates, Date: 4th April 2012 (Project No. 21872), Issue/Revision 2 dated 5th April 2012) for predicting noise levels to assess impact and the noise mitigation measures proposed to avoid and reduce any adverse noise impact was comprehensive and entirely acceptable. It should also be noted that detailed pre-application discussions regarding Parcel B resulted in careful consideration of overall design of internal room configuration and layout principles to ensure no habitable room directly overlooks/front onto the A14, therefore designing out and avoiding/mitigating direct exposure to high levels of A14 road traffic noise.
18. The propose noise mitigation measures including careful internal orientation of habitable rooms away from the A14 are consistent with the WSP report and should provide an adequate level of protection internally and externally from A14 traffic noise.
19. In terms of specific noise insulation measures/specifications for the residential premises plots 1 to 7 proposed (in addition to any internal layout of habitable rooms), to achieve acceptable internal noise levels in this location, the proposed units (location plots 56 – 61 as detailed in the WSP noise report and outline application) were identified as requiring standard thermal double-glazing comprised of a 4mm glass/12mm air gap/6mm glass and any variety of trickle/slot type ventilator(s), in order to meet SCDC's internal noise criteria (35dB within living rooms during the day and 30dB within bedrooms at night).
20. To achieve acceptable external noise levels in private amenity areas providing the areas are on the side of the buildings away from A14, a barrier between the south-west corner of Plot 55 and the north-east corner of Plot 30 of at least 3m high was recommended. The location of the proposed barrier is shown in Figure B2 of Appendix B of WSP report. The barrier should be constructed from brick or timber as long as it possesses a surface density of at least 10kg/m² and no holes or gaps (including at the base).
21. In this case a 3m high buff facing brickwork wall will be built between Plot 1 and the mixed uses adjacent to the west.
22. The Environmental Health Officer requests a condition to ensure that these measures are put in place.
23. There is concern that no consideration appears to have been given to the impact of artificial lighting. It is understood that the artificial lighting condition 21(b) attached to the outline permission remains applicable and will need to be discharged accordingly, prior to commencement of development.
24. The Environmental Health Officer confirms that this land was subject to previous site investigation in accordance with Condition 21 of the outline consent. No issue relating

to contamination was identified and as such no further work was required. This land is considered suitable for a proposed residential use.

25. The Environmental Health Officer points out the requirements of the Cambridge and Peterborough RECAP Partnership "Waste Management Design, Guide Supplementary Planning Document (RECAP Design Guide) and raises the concern of how access to the rear gardens will be achieved, as well as the creation of the roadways.
26. It is also important that the bin collection areas are retained as common shared land and not under the single household ownership.
27. Alternatively, it is understood that the operational waste related conditions 23 to 26 attached to the outline permission remain applicable and will need to be discharged accordingly, prior to commencement of development.
28. (12th August 2013) No adverse comments to make in respect of the amended site plan.
29. **Principal Urban Designer** – (14th August 2013) Welcomes the amendments made by the architects to the affordable housing block since pre-application advice was given. The amendments have improved the massing, form and elevations of the block, which have resulted in an acceptable design.

Representations by members of the public

30. No representations were received.

Planning Considerations

31. The main considerations are:
 - Principle
 - Sustainability
 - Waste
 - Visual Impact
 - Residential Amenity
 - Impact on Health and Safety
 - Highway Safety and Car/Cycle Provision

Principle

32. The principle of the development has been defined within the outline consent (S/2559/11) and this proposal accords with the approved indicative layout for these 7 3 bed dwellings.
33. The indicative layout shows that a Local Area of Play (LAP) will be located to the south of these 7 dwellings. It is considered more practical for the details of this LAP to come forward with the application covering the dwellings facing this public open space.

Sustainability

34. Condition 27(C) of the outline consent states that no development can commence until the developer proves that 10% of its predicted energy requirements are coming from renewable on site sources. This will require later discharge.
35. Condition 44 requires the developer to demonstrate that all reasonable measure have been taken to conserve water. The developer should note that the starting point is 80 litres per day per person and should firstly incorporate built in measures, such as water harvesting. This will require later discharge and a note to this effect will be included as an informative.
36. Condition 46 of the outline consent requires the developer to demonstrate that the site will enhance ecology. This will require later discharge.

Waste

37. The developer amended the site location plan in order to accommodate a pedestrian link between the mix use element on Unwin Square and the existing road leading to the car park of Travel Lodge. This will allow all the future residents of these proposed dwellings to have access to their rear gardens in order to move their waste receptacles to and from the bin collection areas. The details of this path will need to be covered under a condition.

Visual Impact

38. It should be appreciated that the site for these 7 affordable dwellings has the constraint of being adjacent the A14 (noise pollution), this has impacted on where private amenity space can go and effects the internal layout of the dwellings. The Principal Urban Designers comments are noted and accepted, as these dwellings have been designed in order to prevent bland elevations. The elevation have stepped back wings (plots 1-2 and 6-7), projecting 1st floor oriel windows and a mix of high quality materials. These materials include grey uPVC, zinc cladded bay windows and red cedar cladding. The Local Planning Authority will be expecting a natural slate roof with flush solar panels (if solar is to be used to meet 10% renewable energy).
39. The existing proposed soft and hard landscaping is not detailed, this will need further clarification. This can be dealt with by condition.
40. There is some concern that the bin collection areas are significantly oversized. The developer will need to consider changing part of these areas into landscaping or providing additional information with their landscape scheme in order to demonstrate why this size bin collection provision is required. This can be dealt with under the soft and hard landscaping condition. The Landscape Officer raised concern regarding the 3 metre high wall. However, in this case the 3 metre high wall is required to protect the future residents from noise pollution and for this reason must stay.

Residential Amenity

41. The proposal does not raise any concerns in regards to the residential amenity of any surrounding property.

Impact on Health and Safety

42. The construction noise and dust for this reserved matters consent is still covered under the outline conditions (11-15).
43. The requested condition from the Environmental Health Officer is considered reasonable in order to ensure that the future residents of these dwellings have an acceptable quality of life.
44. The street lighting has been agreed under the discharge of condition application S/0296/13/DC. The details of porch lighting can be controlled by a condition, in order to ensure a safe and attractive area.

Highway Safety and Car/Cycle Provision

45. The proposal has two parking spaces per dwelling; this is considered to be adequate parking provision as it exceeds the parking standard of 1.5 spaces per dwelling. It has been noted previously that under providing parking provision does not reduce car ownership. The parking space dimensions meet the requirement of 2.5 metres x 5 metres and have a reversing space of 6 metres. While no pedestrian visibility splays are shown, due to the location of footpaths and indicative planting scheme it is very likely that all the driveways have 2 metre x 2 metre visibility splays.
46. Conditions will be added to a) prevent gates being erected across the driveways, b) to prevent water draining onto the public highway, c) that the parking spaces remain for parking and d) the agreed upon material (shown as block paving) is not changed to an unbound material at a later date. These conditions are in the interests of highway safety and to maintain parking provision. The access construction to County Council specification will be added as an informative.
47. The outline consent does not require the provision of any secure cycle spaces. The developer is showing that sheds will be provided in the rear garden, which could be used for cycle storage. A condition will be added to ensure that the secure cycle spaces are implemented.

Recommendation

48. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should be granted in this instance subject to the conditions outlined below.

Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans: GE-596-PO2 Rev C and GE-596-PO1 Rev A. (Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
2. 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.)

3. No development shall take place until full details of both hard (including details of public footpaths and bin collection areas) 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.)

4. 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.)

5. To protect occupants from A14 traffic noise, the approved development shall be constructed and maintained in accordance with the approved Design Partnership Drawing Titled "Floor Plans and Elevations, Drawing no. GE-596-P01 Dated April 13" and the noise mitigation / insulation scheme measures detailed in the WSP Environmental Ltd "Noise Mitigation Report, Orchard Park: Parcel A Residential Development, Client: Gallagher Estates, Date: 4th April 2012 (Project No. 21872), Issue / Revision 2 dated 5th April 2012" submitted under outline approval S/2559/11, and specifically:

- thermal double-glazing comprised of a 4mm glass/12mm air gap/6mm glass (4/12/6 configuration or similar)
- any variety of trickle/slot type ventilator(s)
- a imperforate continuous 3m high buff facing brickwork wall built between Plot 1 and the mixed uses unit adjacent to the west

The scheme as approved shall be fully implemented prior to occupation of the residential units and shall be retained thereafter and not altered without prior approval.

(Reason: To ensure that sufficient noise attenuation is provided to all residential properties to protect residents from the impact of A14 traffic noise and safeguard the amenity and health of future residents in accordance with Policy NE/15 of the adopted LDF 2007.)

6. No development shall commence until domestic external lighting has been submitted to and agreed in writing with the Local Planning Authority. Development shall commence in accordance with the agreed details.

(Reason -To ensure an attractive and safe area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

7. The agreed upon bound material for the driveways, hereby approved, shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.
(Reason - In the interests of highway safety.)
8. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking, amending or re-enacting that order) no gates shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.
(Reason - In the interests of highway safety.)
9. The accesses shall be constructed with adequate drainage measures to prevent surface water run-off onto the proposed adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority.
(Reason - To prevent surface water discharging to the highway.)
10. The parking spaces to be provided on or near each dwelling for parking and turning of vehicles shall be provided before the respective dwellings are occupied, and those spaces shall not thereafter be used for any purpose other than for the parking and turning of vehicles.
(Reason - In the interests of highway safety and in accordance with Policy TR/2 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007.)
11. The dwellings, hereby approved, shall not be occupied until covered and secure cycle parking has been provided within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.
(Reason - To ensure the provision of covered and secure cycle parking in accordance with Policy TR/2 of the adopted Local Development Framework 2007.)

Informatives

- The vehicular access where they cross the proposed public highway shall be laid out and constructed in accordance with Cambridgeshire County Council construction specification.
- It is the developer's responsibility to ensure that all relevant outline conditions (S/2559/11) are duly discharged/complied with.

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

- National Planning Policy Framework
- South Cambridgeshire Development Control Policies DPD 2007
- South Cambridgeshire Site Specific Policies DPD 2010

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