

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

5 February 2014

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

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<b>Application Number:</b>	S/1808/13/OL
<b>Parish(es):</b>	Harston
<b>Proposal:</b>	Outline application (with all matters reserved except for means of access) for residential development following the demolition of Nos. 98, 100 and 102 High Street
<b>Site address:</b>	98-102 High Street, Harston
<b>Applicant(s):</b>	Brigadier William Hurrell
<b>Recommendation:</b>	Delegated Approval
<b>Key material considerations:</b>	Principle of development, visual impact, highway safety, impact on trees, ecology, affordable housing and infrastructure requirements
<b>Committee Site Visit:</b>	None
<b>Departure Application:</b>	No
<b>Presenting Officer:</b>	Dylan Jones
<b>Application brought to Committee because:</b>	The Officer recommendation is contrary to the recommendation of Harston Parish Council
<b>Date by which decision due:</b>	27 August 2013

### Executive Summary

1. The application is an outline proposal (with all matters other than the means of access reserved) for residential development following the demolition of the two existing dwellings/structures on the site. The existing site has three access points onto the High Street. The proposal seeks to close all three existing accesses and to provide a single access point at the southern end of the site. Following the submission of an amended plan demonstrating that appropriate vehicle visibility splays can be achieved onto the High Street, the Local Highways Authority has raised no objections to the proposal. In a number of responses, including from the Parish Council, a preference has been expressed for access to the site being obtained from High Meadow instead of from the High Street. The applicant's agent has explored this

option but has established this is not feasible for land ownership reasons. The application must be assessed as submitted and there is no highway safety objection to the proposed access from the High Street.

2. Issues relating to the number of dwellings, the design and impact on the character of the area, and effect on the amenities of neighbours are detailed issues that would be the subject of any subsequent reserved matters application.
3. The recommendation is one of approval subject to the prior signing of a Section 106 Agreement.

### **Site and Proposal**

4. The application site lies within the Harston village framework on the east side of the High Street and on the south side of High Meadow. It is occupied by a pair of two-storey cottages (Nos. 100 & 102), a redundant telephone exchange building (No.98) and an electricity sub-station. These buildings are served by three existing accesses – one serving the cottages, one to the front of the telephone exchange, and one to the south-west corner. The site is generally overgrown in appearance and comprises a number of mature trees. The site frontage is bounded by a drainage ditch.
5. The application is an outline proposal (with all matters other than the means of access reserved) for residential development following the demolition of the two existing dwellings/structures on the site. Approval is only sought for the means of access at this stage, so the exact layout, number and type of dwellings would be the subject of a reserved matters application. Whilst the application does not specify the number of proposed dwellings, illustrative drawings have been submitted showing an indicative capacity of five dwellings. The proposed means of access to the site would be obtained at the south-west boundary of the site.

### **Planning History**

6. S/1230/10 – Demolition of Nos. 98, 100 and 102 High Street and the erection of 5 dwellings with associated infrastructure (extension to time limit for implementation of planning application S/1147/08/O) – approved.
7. S/1147/08/O – Outline planning permission, with all matters other than access reserved, granted for the demolition of Nos. 98, 100 and 102 High Street and the erection of five dwellings (two replacement and three additional).
8. S/2059/07/O – Outline application for five dwellings following the demolition of the existing buildings was withdrawn. An objection was received from the Ecology Officer on the grounds of insufficient investigation into bat issues.

### **Planning Policies**

9. *National Planning Policy Framework 2012*
10. *Local Development Framework 2007*

ST/6: Group Villages  
DP/1: Sustainable Development  
DP/2: Design of New Development  
DP/3: Development Criteria  
DP/4: Infrastructure and New Developments

HG/1: Housing Density  
HG/2: Housing Mix  
HG/3: Affordable Housing  
NE/1: Energy Efficiency  
NE/6: Biodiversity  
NE/15: Noise Pollution  
CH/2: Archaeological Sites  
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  
Open Space in New Developments SPD  
Trees and Development Sites SPD  
Biodiversity SPD  
District Design Guide SPD  
Landscape in New Developments SPD  
Affordable Housing SPD

11. *Draft Local Plan 2013*

S/1: Vision  
S/2: Objectives of the Local Plan  
S/3: Presumption in Favour of Sustainable Development  
S/5: Provision of New Jobs and Homes  
S/7: Development Frameworks  
S/10: Group Villages  
H/7: Housing Density  
H/8: Housing Mix  
H/9: Affordable Housing  
HQ/1: Design Principles  
NH/4: Biodiversity  
SC/6: Indoor Community Facilities  
SC/7: Outdoor Play space, Informal Open Space and New Developments  
SC/8: Open Space Standards  
SC/11: Noise Pollution  
TI/2: Planning for Sustainable Travel  
TI/3: Parking Provision

**Consultations**

12. *Harston Parish Council* – “The application is recommended as approved but subject to the following caveats:

- The main vehicle access is from the High Meadows side street and not from Harston High Street [A10]. Harston Parish Council wishes to have an on-site meeting with Highways to discuss safety aspects of this caveat.
- The existing access to the paddock at the rear of the development site must remain for agricultural use only.”

In response to further information provided by the applicant’s agent, which explains that High Meadow cannot be used to access the site for ownership reasons, the Parish Council has re-confirmed its position that it is not in favour of the site being accessed from the High Street. This is on the basis that the traffic conditions make this a potentially more hazardous entrance and exit for the residential development.

The Parish has requested that the landowner considers acquiring the strip of land between the proposed site and High Meadow so that an entrance can be made onto High Meadow. If entrance were to be provided exclusively off High Meadow, the Parish Council would be in favour of the development.

13. *The Trees Officer* – States that a TPO was served on the site in 2007 in response to neighbour concerns regarding development of the site and the fact there was no protection afforded to trees on the boundaries. Considering the arboricultural report submitted in respect of the current application, whilst in previous applications the retention of the walnut and other trees was considered desirable, the trees on the site are of poor quality and their condition will be an issue for the development. Providing a well-designed and robust landscaping scheme is submitted that provides screening and trees along the rear boundary, and a feature tree provided in the street scene, it is considered that a better quality of development could be achieved on the site.
14. *The Landscape Design Officer* – Raises no in-principle objections but comments on the illustrative layout are:
  - The buildings should be set further back from the High Street to reflect the character of other dwellings in the High Street.
  - The willow tree has a high visual value within the street. It should either be protected or a replacement tree provided.
  - The existing open ditch should be retained.
  - Hedge and tree planting should be required to the rear boundary.
15. *The Ecology Officer* – Accepts the findings of the bat report, namely that no bats are believed to be roosting at the property. However, a number of bat species were recorded flying over and around the site. As such, it is considered that the site has some value for bats either for feeding or commuting. The report sets out a number of recommendations that are relevant to bat conservation at the site. A condition requiring development to take place in accordance with the report should be added to any permission. The survey was conducted in September 2012. If a lengthy period passes, there is a chance bats will colonise the buildings and a condition to require further survey work if the development does not commence before August 2015 should be added to any permission.
16. *Affordable Homes* – States that, based on 5 dwellings, there would be a net gain of 2 dwellings of which one property should be affordable. It is noted that the developer would be happy to discuss the size and type of dwellings with the affordable housing team. The developer first needs to establish whether a Registered Provider would be interested in acquiring one unit from them on either an affordable rented or shared ownership basis. As a last resort, the Council would be prepared to negotiate a commuted sum in lieu of on-site provision.
17. *The Environmental Health Officer* – Raises no objections subject to conditions of the previous decision being reapplied, namely to control hours of power-operated machinery during the construction period, and to require details of any external lighting.
18. *The Drainage Manager* – No comments received. No objections were raised in respect of previous applications on this site subject to conditions requiring foul and surface water drainage details being added to any permission.
19. *The Local Highways Authority* – Requests the provision of 2.4m x 43m visibility splays and that the access be taken from High Meadow rather than the High Street. The

LHA would not seek to adopt the development due to the proposed narrowing of the footway from 1.8m to 1.5m at the entrance. The access road should be narrowed to a width of 5m for a distance of 10m back and then reduced to 4.2m.

The LHA has since clarified that it would not object to the creation of an access off the High Street but, given the low numbers involved, it would still be preferable to use High Meadow.

Following the submission of further information demonstrating that access cannot be achieved from High Meadow due to land ownership issues, the LHA has re-confirmed its stance, namely that there would be no highway safety objections to access being taken directly from the High Street as proposed.

20. *County Education* – States that the proposed development is within the catchment area of Harston and Newton Primary School for which there is no existing capacity. Based on an assumed net gain of 3 dwellings, the development would result in a demand for 1.05 extra primary school places for which an overall contribution of £8,820 would be required. A contribution of £190 per net additional dwelling would also be required in respect of waste provision.
21. *County Archaeology* – Raises no objections subject to an archaeological investigation condition being added to any consent.

### **Representations**

22. Representations have been received from four local residents – Nos. 92, 94 and 106 High Street, as well as one representation with no address supplied. The main concerns raised are:
  - The site does not appear to comfortably support the number of dwellings proposed. The proposal has changed substantially since the previous submission and should be reviewed in light of the new indicative layout. The dwelling immediately to the side of High Meadow appears cramped and sits directly under one of the few trees to be retained.
  - The access road appears insufficient to accommodate the number of potential vehicles for the site and to allow sufficient space for two vehicles to pass on entry/exit. This would present a hazard particularly during peak hours. A traffic analysis and safety study should be completed.
  - The proposed means of access onto the A10 would be dangerous. A High Meadow access point would give improved visibility and wider access onto the A10 itself.
  - There should be pavements on both sides of the access into the site.
  - The mature trees on the site act as a noise barrier against the very busy High Street.
  - Council should ensure construction methods that would avoid damage to the walnut, ash and sycamore trees. Willow tree contributes significantly to the street scene – any replacement should be of comparable stature – eg - substantial native species such as oak, hornbeam, beech, alder etc should be planted in this location, and should be of a substantial size (5m+) at the time of planting.

- As much land as possible should be landscaped rather than tarmaced.
- Loss of privacy to No.92 High Street. Property no. 5 on the indicative drawings would have a direct view into the living and bedroom windows and the garden.
- Demolition and construction could result in disturbance to surrounding residents in the form of noise and vibration. What restrictions would be imposed during the construction period?
- The bat survey is almost a year out of date. Up to 5 species use the area as a commuting path and there is a likely bat roost nearby. The darkness of the site contributes to this and the removal of tree cover could seriously impact this by allowing higher light pollution. The recommendations in the bat survey, that perimeter trees be replaced with native species, should be a specific requirement of any consent.

## **Planning Comments**

### ***Principle of development***

23. The site lies inside the defined village framework. Harston is identified as a Group Village where development of up to 8 dwellings is acceptable in principle.
24. In 2008, outline planning permission was granted for the erection of five dwellings on the site following the demolition of the existing structures. This permission was renewed in 2010, and this later consent expired in September 2013. Whilst the previous permission has now lapsed, there has been no material change in circumstances in the intervening period to suggest that a different view should now be taken to the principle of developing the site.
25. The previously approved schemes proposed the erection of five dwellings on the site. The current application does not specify the number of dwellings although does give an indicative number of five properties. The supporting information supplied by the applicant's agent explains that the indicative layout submitted in respect of the previously approved application was considered to be overly prescriptive, as it included details on scale, layout and landscaping which it is felt would be more appropriately dealt with through a separate application. The maximum number of dwellings that could be erected on the site would, in any case, be restricted by the terms of the settlement policy (ie – no more than 8).
26. In accordance with Policy HG/3 of the Local Development Framework, any proposal involving a net gain of two or more dwellings would result in the requirement to bring forward affordable housing on the site at a ratio of 40% of the net gain. A scheme proposing 5 houses would need to provide 1 affordable dwelling, whilst any development of 6-8 houses would result in a need for 2 affordable houses on site. This requirement would need to be secured by way of a Section 106 legal agreement.

### ***Highway safety***

27. The application only seeks approval for the means of access to the site. The proposal involves closing off the three existing accesses to the site and forming a single enlarged access at the southern end adjacent to No.94 High Street. A preference has been expressed in responses from the Parish Council, local residents and initially

from the Local Highways Authority, for the access to be obtained via High Meadow rather than from the High Street.

28. In response to these concerns, the applicant's agent has met with, and written to, the Parish Council. The agent's letter explains that there are concerns about bringing the access onto High Meadow due to restricted visibility in both directions arising from the proximity to the bend in the road and the High Street junction. The letter also explains that, in addition to safety concerns, it would not be within the applicant's control to provide such access as a third party owns land between the site and highway. Additionally, No.10 High Meadow has a legal right of way across the site.
29. The Parish Council has considered this information but has maintained its in-principle objection to access being obtained from the High Street, stating that attempts should be made to acquire this land. The Local Highways Authority has advised, following the submission of an amended plan to demonstrate that the required visibility splays of 2.4m x 43m can be achieved, that it has no highway safety objections to the proposed High Street access.

### ***Visual impact***

30. Concerns have been raised in respect of the impact of any development upon the character of the area. The site lies in the centre of the village, and the principle of redeveloping the land at a higher density has previously been established. As the current application is only seeking approval for the access at this stage, detailed consideration of the impact of the number and design of dwellings on the character of the area would need to be considered as part of any reserved matters application.
31. There are a number of mature trees on the site that were previously protected. The Trees Officer has advised, after considering the arboricultural report, that the trees are not of sufficient quality to require their retention. There would therefore be no objections to their removal providing a robust landscaping scheme is submitted that provides a good level of screening along the rear boundary as well as an appropriate replacement tree for the willow in the event this is proposed for removal. These are detailed matters that would be considered further as part of any reserved matters application.

### ***Residential amenity***

32. Concerns have been raised regarding the impact of any development on the amenities of nearby residents. This is also a detailed matter that would be considered as part of any further application.

### ***Ecology issues***

33. The application has been accompanied by a bat report which concludes that no bats are believed to be roosting in the existing properties. This is consistent with previous surveys that have been carried out on the site. However, the site is considered to be of some value to bats using the site for feeding or commuting and the report sets out a number of recommendations to ensure the impact on bats would be minimised. The Ecology Officer has raised no objections to the proposal subject to the imposition of conditions to ensure compliance with the findings of the report and also a resurvey in the event the consent is not implemented by the end of August 2015.

## **S106 / affordable housing/infrastructure requirements**

34. All residential developments are required to contribute to the off-site provision and maintenance of open space, to the off-site provision of indoor community facilities, and towards the provision of household waste receptacles. In this instance, the level of contributions would be based on the net impact, so the number of bedrooms in the existing dwellings to be demolished would be deducted from the total.
35. Cambridgeshire County Council has advised that contributions would also be required towards primary school education provision as well as towards County waste requirements. The education contributions would also be based on the net impact. As the number of dwellings is not known at this stage and, unlike the open space and community facilities contributions, there is no set amount based on the number of bedrooms, a formula will need to be incorporated into the S106 that would enable the precise amount to be calculated as part of any reserved matters application.

### **Recommendation**

36. Delegated Approval

### **S106 requirements**

- Affordable housing – 40% of the net gain in the number of dwellings
- Contributions towards education, open space, community facilities, household waste receptacles, S106 monitoring (all based on the net gain)

### **Conditions**

1. Approval of the details of the layout of the site, the scale and appearance of buildings, and landscaping (hereinafter called “the reserved matters”) shall be obtained from the Local Planning Authority in writing before any development is commenced. (Reason – The application is in outline only)
2. Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.  
(Reason - The application is in outline only.)
3. The development hereby permitted shall begin not later than the expiration of two years from the date of approval of the last of the reserved matters to be approved.  
(Reason - The application is in outline only.)
4. The development hereby permitted shall be carried out in accordance with the following approved plans: 1:1250 site location plan, and drawing number TR008 date stamped 15 November 2013.  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
5. 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.)

6. Visibility splays shall be provided on either side of the junction of the proposed access road with the public highway. The minimum dimensions to provide the required splay lines shall be 2.4 metres measured along the centre line of the proposed access road from its junction with the channel line of the public highway, and 43 metres measured along the nearside edge of the carriageway from the centre line of the proposed access road, as shown on drawing number TR008.  
(Reason – In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007)
7. Visibility splays shall be provided on both sides of the access 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)
8. The existing accesses to the site shall be permanently and effectively closed, in accordance with details that shall have been previously submitted to and approved in writing by the Local Planning Authority, prior to bringing into use of the new access, hereby permitted.  
(Reason – In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007)
9. The access road shall be a minimum width of 5 metres for a distance of 10 metres from the highway boundary.  
(Reason – In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007)
10. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme that shall be submitted to and approved in writing by the Local Planning Authority.  
(Reason – In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
11. No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.  
(Reason – To avoid displacement of loose material onto the highway in the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
12. No development shall take place until details of the following have been submitted to and approved in writing by the Local Planning Authority:
  - i) Contractors' access arrangements for vehicles, plant and personnel;
  - ii) Contractors' site storage area(s) and compounds(s);
  - iii) Parking for contractors' vehicles and contractors' personnel vehicles;Development shall not be carried out other than in accordance with the approved details.

(Reason - In the interests of residential amenity in accordance with Policies DP/3 and DP/6 of the adopted Local Development Framework 2007.)

13. Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.  
(Reason - To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policy NE/10 of the adopted Local Development Framework 2007.)
14. Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.  
(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)
15. The development shall be carried out in accordance with the recommendations contained within the 'Nocturnal bat survey report by MKA Ecology Ltd dated September 2012'. If development does not commence prior to 31 August 2015, a further assessment of the buildings and trees for roosting bats shall be undertaken and submitted to and agreed in writing with the Local Planning Authority, and the development implemented in accordance with the revised approved details.  
(Reason – To ensure bat conservation measures are incorporated within the development in accordance with Policy NE/6 of the adopted Local Development Framework 2007.)
16. No external lighting shall be provided or installed within the site other than in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.  
(Reason – To minimise the effects of light pollution on the surrounding area and to minimise disturbance to bats in accordance with Policies NE/6 and NE/14 of the adopted Local Development Framework 2007)
17. No development shall take place on the application site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.  
(Reason - To secure the provision of archaeological excavation and the subsequent recording of the remains in accordance with Policy CH/2 of the adopted Local Development Framework 2007.)

### **Informatives**

1. During the period of demolition and 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.

2. 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.
3. During demolition and 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.
4. Before the existing property is demolished, a Demolition Notice will be required from the Building Control section of the council's planning department establishing the way in which the property will be dismantled, including any asbestos present, the removal of waste, minimisation of dust, capping of drains and establishing hours of working operation.
5. The granting of planning permission does not constitute a permission or licence 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.

### **Background Papers**

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- Planning File Ref: S/1808/13/OL
- Documents referred to in the report including appendices on the website only and reports to previous meetings

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