

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Development and Conservation Control Committee 13<sup>th</sup> May 2005  
**AUTHOR/S:** Director of Development Services

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**S/0520/05/F - Linton**  
**10 Houses and Garages on Land off Fairfield Way/rear of 1 Horseheath Road for Westbury Homes (Holdings) Ltd**

**Recommendation: Approval**  
**Date for determination: 16<sup>th</sup> June 2005 – Major Application**

Members will visit the site on Wednesday 11<sup>th</sup> May 2005.

### Site and Proposal

1. This 0.33 hectare/0.82 acre site currently forms part of the large rear garden of No.1 Horseheath Road, a two-storey detached house. There are a number of trees around the perimeter of the site. Linton Heights Junior School is located to the north, a two-storey house and its garden (No.3 Horseheath Road) is located to the east, No.1 Horseheath Road is situated to the south and the Parsonage Way housing development lies to the west. The site rises by approximately 3 metres from the southwest to the northeast.
2. This full application, registered on the 17<sup>th</sup> March 2005, proposes the erection of 10 houses and garages. Access to the site would be provided by extending Parsonage Way. 6 of the dwellings are 2½-storey, the other 4 are 2-storey. 3no. 2-bedroom dwellings plus first floor living room, 2no. 2-bedroom plus study, 1no. 3-bedroom plus study, 1no. 4 bedroom and 3no. 4-bedroom plus study dwellings are proposed. Each dwelling would have a single or double garage. The 3no. 2-bedroom plus first floor living room dwellings are in a terrace. The remaining 7 dwellings would be detached. Ridge and eaves heights range from 7.4m-10.5m and 4.8m-5.7m respectively. Materials are to be agreed. The proposed density equates to just over 30 dwellings to the hectare.

### Planning History

3. Earlier applications for 10 houses and garages on slightly larger sites were withdrawn prior to determination (**S/1497/04/F** and **S/0051/05/F**).
4. An application to remove the agricultural occupancy condition on No.1 Horseheath Road was approved in 1986 (**S/1395/86/F**).

### Planning Policy

5. Structure Plan 2003 **Policy P1/3** requires a high standard of design for all new development which responds to the local character of the built environment.
6. Structure Plan 2003 **Policy P5/3** states that Local Planning Authorities should seek to maximise the use of land by applying the highest density possible which is compatible with maintaining local character. It also states that, in setting density standards appropriate to their area, Local Planning Authorities should take into account the

following guidelines: densities of at least 40 dwellings per hectare should be sought in locations close to a good range of existing and potential services and facilities and where there is, or there is the potential for, good public transport accessibility; and densities of less than 30 dwellings per hectare will not be acceptable.

7. Local Plan 2004 **Policy SE2** states that residential development will be permitted on unallocated land within Linton provided that (a) the retention of the site in its present form is not essential to the character of the village; (b) the development would be sensitive to the character of the village, local features of landscape or ecological importance, and the amenities of neighbours; (c) the village has the necessary infrastructure capacity; and (d) residential development would not conflict with another policy of the Plan, particularly policy EM8 which relates to the loss of employment sites. It also states that development should provide an appropriate mix of dwellings in terms of size, type and affordability and should achieve a minimum density of 30 dwellings to the hectare unless there are strong design grounds for not doing so.
8. Local Plan 2004 **Policy HG10** states that residential developments will be required to contain a mix of units providing accommodation in a range of types, sizes (including 1 and 2 bedroom dwellings) and affordability, making the best use of the site and promoting a sense of community which reflects local needs. It also states that the design and layout of schemes should be informed by the wider character and context of the local townscape and landscape. Schemes should also achieve high quality design and distinctiveness, avoiding inflexible standards and promoting energy efficiency.
9. Local Plan 2004 **Policy CS10** states that, where permission is granted for residential development of 4 or more dwellings, financial contributions will be sought towards the provision of additional permanent or temporary education accommodation in those cases where the new development would cause the planning capacity of permanent buildings at the local primary or secondary schools to be exceeded during the 5 years following the date of the application.
10. Local Plan 2004 **Policy EN5** states that the District Council will require trees to be retained wherever possible in proposals for new development.

### **Consultation**

11. **Linton Parish Council** recommends refusal stating "Councillors considered a written report from Cllr Unwin noting the differences between this application and the two previous applications from Westbury for this site. (S/0051/05/F and S/1497/04/F). It was noted and agreed that with regard the mix of housing there had been no fundamental change. The overall site was slightly smaller, with 10 dwellings described by Westbury as 4 x 4-bed; 1 x 3-bed and 5 x 2-bed. They were actually 2 x 4 upstairs rooms; 3 x 5 upstairs rooms; and 5 x 3 upstairs rooms. The potential usage and 'flexibility' of the dwellings was discussed, as was the overall site parking area, and the actual design. As a result the following comments were agreed: Councillors remain in objection of the proposal for this site on the grounds of housing mix. The properties proposed are quite clearly capable of being described as 3 x 5-bed; 2 x 4-bed and 5 x 3-bed, which does not follow the requirement for the village, as identified within the Housing Needs Survey. This clearly shows that more 1 and 2 bed properties are priority. Councillors were also concerned at the level of parking available within the site, as a whole, on the grounds that the properties themselves are of more bed capacity than actually described. However, should the development obtain permission to proceed as per the application, councillors would prefer to see

the Leicester type properties altered by removing the second floor, thereby becoming a terrace of actual two-bed properties. Benefits of this alteration would include: a) provides 3 x two-bed properties in perpetuity; b) allows height of terrace to be reduced, minimising what would be a very obtrusive building, viewed from neighbouring properties, due to the extensive slope on the land toward Horseheath Road; c) reduces the car parking requirements. Councillors would also wish any permission given, to condition to withhold permitted development rights, to ensure that the properties were not extended further.”

12. **Trees & Landscape Officer** notes that the footprints have been relocated further away from the northern boundary which will enable the planting of a suitable hedge on this boundary. With regard to the removal of trees along the western boundary, he states that, apart from the trees to be removed for the access, the other trees to be removed should only relate to the diseased Horse Chestnut trees marked on site in his presence. He recommends that a condition detailing ‘no-dig’ construction of the footpath adjacent to the Beech tree bordering plot 2 should be imposed together with conditions relating to tree protection and landscaping.
13. **Chief Environmental Health Officer** recommends conditions are attached to any approval relating to the times during the construction period when no power operated machinery shall be operated except in accordance with agreed noise restrictions and driven pile foundations. He also recommends that an informative relating to bonfires and burning of waste during construction is attached to any approval.
14. **Local Highway Authority** states that the layout reflects that which has been agreed as acceptable in respect of the previous application and it confirms that it is acceptable from a highway point of view.
15. **Environment Agency** states that it is for the District Council to consider the flood risk and drainage implications of the proposal in accordance with standing advice.
16. **County Council Chief Financial Planning Officer** is concerned that adequate secondary school capacity is not available at Linton Village College and asks that a contribution to cover the cost of providing 2 additional places in a total sum of £20,000 be sought.
17. **Police Architectural Liaison Officer** states that it is unclear how the space beyond the turning head would be defined and, consequently, the areas adjacent to the rear of the Dereham (plot 10), the northern side of the Leicester (plot 4) and the sides of the Blacksmith (plot 5) would be presented with exposed elevations. He recommends that these elevations are provided with areas of adjoining clearly identifiable space to protect against risk of graffiti or other damage or the arising of disputes over use of the areas. He also recommends that the area between the Dereham (plot 10) and the Blacksmith (plot 9) should benefit from improved natural surveillance by the provision of windows in the overlooking elevations as at present the only windows facing this area are toilet/bathroom.
18. **Cambs Fire and Rescue Service** asks that adequate provision be made for fire hydrants by way of Section 106 Agreement or planning condition.

### **Representations**

19. Objections have been received from the owners/occupiers of 4 & 8 Fairfield Way and 20 Parsonage Way on the following grounds:

- Removal of boundary screening and the leylandii along northern boundary in particular leading to loss of privacy to 8 Fairfield Way and the Junior School;
- Impact on wildlife, including birds and squirrels;
- Damage, including subsidence, to adjacent properties when trees are removed. Need for guarantees from Westbury Homes that they will be liable for any damage;
- Need for wheel washing facilities for construction vehicles and constant washing down of all access roads;
- More traffic using an already dangerous road;
- More traffic, and construction traffic in particular, would exacerbate the existing traffic problems in the village;
- Priority at junction of Fairfield Way and Parsonage Way needs to be defined by road markings during the construction period and thereafter;
- Lack of adequate provision for parking leading to parking in Parsonage Way and Fairfield Way, congestion, difficulties for residents when trying to get in and out of their drives and difficulties for emergency vehicles to access properties;
- On the applicant's website, the various house types are described as having more bedrooms than the plans indicate e.g. The Bridle is shown as a 3-bedroom as part of this application but classified as a 4-bedroom house on the website and so on. The price will reflect the total number of rooms and floor size rather than a specific number of assigned 'bedrooms'; and
- Do the applicant's plan to contribute anything towards the village transport infrastructure?

20. The Headmaster of Linton Heights Junior School states that he has no problems with the proposal for more local housing but is concerned about the removal of the mature conifers along the boundary between the school and the site which act as a windbreak, shade for pupils and as a natural barrier between what would be private housing and, at times, a lively and noisy school play area.

### **Planning Comments – Key Issues**

21. The key issues in relation to this application are:
- The principle of residential development on the site;
  - The proposed dwelling mix and density;
  - The design and layout of the dwellings;
  - Loss of trees;
  - The impact on neighbours; and
  - Highway and parking matters.
22. The site is within the village framework and the principle of its development for residential purposes is considered to be acceptable.
23. I understand the Parish Council's concerns about the mix of dwellings proposed. Whilst 5no. 2-bedroom dwellings are proposed, they also either have a first floor living room or a small first floor study measuring 2.8m x 2m. As with all developments, it is also true to say that the District Council could not control how future occupiers used, sub-divided or amalgamated rooms. However, whilst requiring a proportion of small units, planning policies also seek to promote and facilitate working from home, which often takes place from small offices/studies. In view of this, and given that half of the proposed dwellings are described as 2-bedroom (a higher proportion than could reasonably be insisted upon), I consider that it would be difficult to substantiate a

refusal based on housing mix alone. However, given these concerns, I think the Parish Council's recommendation to remove permitted development rights for extensions if the application is approved is a sensible one and could be justified in this instance.

24. The design of dwellings and the layout of the site better reflects development in the High Street (where 2 and 2½-storey dwellings are positioned on the back edge of or close to the road) than the newer, more suburban development to the west of the site and is considered to be acceptable. As the land rises to the northeast, I consider that it is important that the finished floor levels are constructed in accordance with levels to be approved to ensure that the development would not be unduly prominent.
25. A plan has been submitted as part of the application which shows many of the existing boundary trees retained, particularly along the west/Fairfield Way boundary. The proposed access involves the loss of a number of the better quality trees on the site but the Trees & Landscape Officer has indicated that he has no objections to their removal. The scheme is considered to be acceptable in terms of impact on trees and scope for additional/replacement boundary planting, including replacement planting along the boundary between the site and the School.
26. The development will lead to overlooking of properties in Fairfield Way and the house and extensive garden at No.3 Horseheath Road with first floor to first floor back-to-back distances of 22.3m+. It is also worthy of note that No.4 Fairfield Way has a single storey rear extension not shown on the application plans. Consideration has been given to minimising the degree of overlooking by careful attention to the position of windows. As a result, there are only four bedroom/study windows plus a landing window in total in the west elevations of the dwellings behind existing dwellings in Fairfield Way. Existing trees on the boundary of the site and within the rear gardens of the dwellings in Fairfield Way would also be supplemented by new planting. On balance, in order to make the best use of the site, I consider the degree of overlooking to be acceptable. I do not consider that the scheme would seriously harm the amenity of neighbours in any other respect.
27. The Local Highway Authority has confirmed that the local roads can accommodate the additional vehicles that would be generated by the development and that the proposed site layout is acceptable in highway terms. Each proposed dwelling would have at least 2 parking spaces which is in accordance with the Local Plan standards.
28. It is unfortunate that a larger part of the garden of No.1 Horseheath Road has not come forward for development as part of this application as this would have resulted in a development of more than 10 dwellings and subsequently would have included an element of affordable housing. However, this application must be determined on its merits and the proposed density (just over 30 dwellings to the hectare) meets the Local Plan's minimum requirements. Whilst the Structure Plan indicates that densities of at least 40 dwellings per hectare should be sought in locations close to a good range of existing and potential services and facilities and where there is, or there is the potential for, good public transport accessibility, I have highlighted some concern in relation to overlooking of neighbours above which is likely to be exacerbated if additional dwellings were to be erected on the site.

### **Recommendation**

29. Subject to the prior signing of a S.106 Agreement covering the financial contribution to cover the cost of providing 2 additional places at Linton Village College:

## Approval

1. Standard Condition A – Time limited permission (RCA)
2. SC5a, e & f – Details of materials for external walls and roofs, finished floor levels and materials to be used for hard surfaced areas (RC To ensure the satisfactory appearance of the development and to protect the amenity of neighbours)
3. SC51 – Landscaping (RC51; and to protect the amenity of neighbours)
4. SC52 – Implementation of landscaping (RC52; and to protect the amenity of neighbours)
5. SC56 – Protection of trees during construction (RC56)
6. The footpath to the side (southwest) and rear (southeast) of plot 2's rear garden as shown upon drawing no. PL/LIN/001/H shall be constructed in accordance with the Arboricultural Advisory and Information Service's Arboricultural Practice Note 1 'Driveways Close to Trees' unless otherwise agreed in writing by the Local Planning Authority (RC To protect the adjacent beech tree)
7. SC60 – Details of boundary treatments (RC60)
8. SC22 – No additional windows at first floor level in the northwest elevations of the dwellings on plots 8, 9 and 10 as shown upon drawing no. PL/LIN/001/H (RC22);
9. Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage, shall be submitted to and agreed in writing with the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans (RC To ensure a satisfactory method of surface water drainage)
10. During construction, ... SC26 (0800, 0800, 1800, 1300) – Restriction of hours of use of power operated machinery (RC26)
11. Standard fire hydrant condition and reason
12. SC21 Part 1, Class A, B and C – Removal of permitted development rights for extensions (RC To ensure that the development provides for a mix of dwelling sizes, including smaller units, as required by South Cambridgeshire Local Plan Policy HG10)

## Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
  - **Cambridgeshire and Peterborough Structure Plan 2003: P1/2** (Sustainable Design in Built Development) and **P5/3** (Density);
  - **South Cambridgeshire Local Plan 2004: SE2** (Development in Rural Growth Settlements), **HG10** (Housing Mix and Design), **CS10** (Education) and **EN5** (Landscaping)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
  - Housing mix;
  - Residential amenity;
  - Highway and parking matters;
  - Impact on wildlife; and
  - Loss of trees and screening.

## **Informatives**

Should driven pile foundations be proposed, before development commences, a statement of the method for construction of these foundations should be submitted to and agreed by the District Council's 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 District Council's Environmental Health Officer in accordance with best practice and existing waste management legislation.

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

South Cambridgeshire Local Plan 2004

Cambridgeshire and Peterborough Structure Plan 2003

Planning file Ref: S/0520/05/F, S/0051/05/F, S/1497/04/F & S/1395/86/F

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