

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**REPORT TO:** Planning Committee

2 July 2014

AUTHOR/S: Planning and New Communities Director

Application Number:	S/2762/13/FL
Parish:	Linton
Proposal:	Erection of 12 dwellings following demolition of dwelling
Site address:	Newdigate House, 3 Horseheath Road
Applicant:	Mr Andrew Hodgson (Savills (UK) Ltd)
Recommendation:	Delegated Approval
Key material considerations:	Principle, density, mix and affordable housing, character of the area, residential amenity, highway safety and parking, drainage and other matters.
Committee Site Visit:	Yes
Departure Application:	No
Presenting Officer:	Paul Sexton
Application brought to Committee because:	The officer recommendation of delegated approval is contrary to the recommendation of refusal from Linton Parish Council
Date by which decision due:	6 March 2014

Planning History

1. S/0730/10/F – 9 Dwellings - Withdrawn
2. S/0348/06/O and S/1640/08/RM – relate to the approval of the existing Keene Fields development of 11 dwellings to the rear of the site, but include the access roadway through the site.

Planning Policies

3. *National Planning Policy Framework*
4. *Local Development Framework*

ST/5 – Minor Rural Centres
DP/1 – Sustainable Development
DP/2 – Design of New Development
DP/3 – Development Criteria
DP/4 – Infrastructure and New Developments
DP/7 – Development Framework
HG/1 – Housing Density
HG/2 – Housing Mix
HG/3 – Affordable Housing
SF/10 – Outdoor Play Space, Informal Open Space and New Developments
SF/11- Open Space Standards
NE/1 – Renewable Energy
NE/6 – Biodiversity
NE/15 – Noise Pollution
TR/2 – Car and Cycle Parking Standards

5. Supplementary Planning Documents

Affordable Housing SPD – adopted March 2010
District Design guide SPD – adopted March 2010
Open Space in New Development SPD – adopted January 2009

6. *Draft Local Plan*

S/3 – Presumption in Favour of Sustainable Development
S/9 – Minor Rural Centres
CC/3 – Renewable and Low Carbon Energy in New Developments
CC/6 – Construction Methods
HQ/1 – Design Principles
NH/4 – Biodiversity
H/7 – Housing Density
H/8 – Housing Mix
H/9 – Affordable Housing
SC/7 – Outdoor Play Space, Informal Open Space and New Developments
SC/8 – Open Space Standards
SC/11 – Noise Pollution
TI/3 – Parking Provision

Consultations

7. **Linton Parish Council** – whilst appreciating the use of this site for necessary housing, recommends refusal in respect of the scheme as originally submitted for the following reasons:
8. “There are safety concerns regarding the effect of the envisaged heavy traffic at the junction with Horseheath Road on the safety of pedestrians. The path is part of the Safer Routes to School and the heavier traffic, especially at peak times of pedestrian use, is a safety concern. CCC highways to be consulted regarding the parking and sight lines especially when cars are parked on Horseheath Road.
9. The Transport Plan is inaccurate as in section 3.2 “Existing Highway Network” it states that “*Horseheath Road is subject to 30mph speed limit and is essentially typical of a village road with frontage development to both sides. There are lit footways on both sides of the road.*” Horseheath Road does NOT have footways on both sides. It only has a footway on the north side. There are no street lights or a

footway on the south side. It does not state that Horseheath Road is a busy main access road for Linton. This has a significant impact on road safety concerns.

10. The plan is not accurate in relation to the junction of Keene Fields and Rhugarve Gardens. The junction with Horseheath Road and the expected quantity of traffic using it should be referred to CCC Highways Dept for reasons of safety and effect on access to Rhugarve Gardens.
11. The access road to Keene Fields, that would also serve this development, is very narrow so that delivery vans, emergency vehicles etc, have difficulty in access.
12. Similarly the entrance from the development to the access road appears insufficiently wide for the expected traffic (especially if a car is parked on it).
13. Insufficient parking spaces for 12 houses. The parking at Keene Fields (calculated on a similar basis), is already insufficient for needs. Anticipate a knock-on effect to the visitor parking here. Insufficient parking space will result in more cars parking on the Horseheath Road, a major access road for the village, exacerbating the safety problems on this busy road.
14. The design of the housing is out of keeping with the street scene and the styles of neighbouring housing. In particular the cladding seems out of character for the area. The housing will be elevated from the road and so be particularly conspicuous.
15. The site will be over-developed for the limited space available.
16. There is an inappropriate housing mix for the needs of the village – smaller housing and bungalows are particularly needed, rather than 4 bed family homes.
17. Unit 1 will overshadow and affect the privacy of adjacent housing in Parsonage Way.
18. Unit 12 will overshadow and affect privacy of the adjacent house off Horseheath Road. There is a house there already, with potential for further development which could be affected by this proposed unit.
19. Units facing Horseheath Road (9,10,11) will overlook the houses in Rhugarve Gardens (esp 2+4). The site is rather elevated compared to these houses, so even ground floor windows would affect the privacy of houses across the road.
20. Units 2-4 have potential to overlook and affect privacy of plots 1-3 Keene Fields.
21. Unit 8 appears very close and intrusive on 7 Horseheath Road – are the proportions of bungalow to green area correct?
22. Having more bungalows might resolve the issues of overlooking neighbouring homes.
23. Due to the loss of open grassed area, and its replacement with hard surfacing/buildings, there is a sever loss of rain soak-away space. Hence, there is the potential for flooding off the site (and an ice hazard in winter) particularly affecting banks near to Horseheath Road
24. Lack of sustainability in the design (no solar panels, rainwater collection etc)
25. Lack of spaces for bins and recycling containers

26. Is there sufficient capacity in the water supply + sewage systems (both are issues in Linton)
27. Regarding landscaping – the silver birch tree should be retained. Planting should be sensitive and of native species. Trees officers should be consulted regarding planting.
28. Conditions – Construction traffic must only access the site via the A1307 and Horseheath Road and not through the village. It should avoid times when children are walking to and from school.'
29. Comments of the amended drawings will be reported at the meeting.
30. **Local Highway Authority** – initially objected to the application on the grounds that the submitted drawings did not show the required 2.4m x 43m visibility splays at the junction with Horseheath Road. Revised plans have since been provided and the objection has been withdrawn.
31. The Local Highway Authority has stated that it will not be adopting any part of the development. It points out that a bin collection point will need to be located to the front of the proposed development due to the proposed bin stores being located more than 25m from publicly maintainable highway.
32. A condition should be included in any consent requiring submission of a Traffic Management Plan covering the period of demolition and construction for approval.
33. The Highway Authority has commented in respect of matters raised by the Parish Council and residents and these are referred to under the relevant section of the Planning Comments below.
34. **Urban Design Team** – considers the scheme as originally submitted to be generally well-designed, crisply blending contemporary and historic and design characteristics, although there were still elements of poor design which undermined the overall quality of the scheme. These concerns have been addressed in the amended drawings
35. **Trees Officer** – objects to the layout as submitted. There are two TPO trees on adjoining land and the root protection area (RPA) extends well into the site. The proposed car parking/permanent hard surfacing within the RPA is unacceptable as it occupies in excess of 20% of the RPA underneath the Beech Tree, which is beyond the limits of BS5837:2012. This applies regardless of whether the surface is permeable or not, or whether 'no-dig' construction is used. The parking of vehicles underneath a mature tree is something which should be avoided, due to falling branches etc, which will lead to pressure for the tree to be felled or heavily lopped.
36. Comments on the revised drawings will be reported.
37. **Environmental Health Officer** – requests that a condition is attached restricting hours of operation of power driven machinery during the period of demolition and construction, along with standard informatives.
38. **Housing Development Officer** – comments that there is a net gain of 11 units and therefore the provision of 4 affordable units meets the 40% or more required by Policy HG/3. The mix is two 1-bedroom, one 2-bedroom and one 3-bedroom unit, of which 3 should be rented and 1 shared ownership. Properties should be built to HCA design and quality standards.

39. **Environment Agency** – no objection but points out that the site is located above a Principal Aquifer, Source Protection Zone (SPZ2), Safeguard Zone, WFD groundwater body, WFD drinking water protected area, and is within 245m of a surface water course. The site is therefore considered to be of high sensitivity and could present potential pollutant/contaminant linkages to controlled waters.
40. Planning permission should only be granted subject to conditions being included requiring further investigation of the site if contamination not previously identified is found to be present, and the submission for approval of a scheme for surface water drainage.

Representations

41. 21 letters have been received from the occupiers of Nos. 1, 7, 9, and 15 Horseheath Road, 1, 3, 4, 6, 10, 11 and 12 Keene Fields, 29, 31 and 33 Parsonage Way, and 2, 5, 8, 11, 12, and 13 Rhugarve Gardens objecting to the application as originally submitted on the following grounds:
- a. Density too high, leading to overcrowded development. Keene Fields is 32 dwellings per hectare – proposed development should reflect this, but is 52 dph, which is out of keeping with surrounding developments, which have more of a suburban feel, as opposed to a tightly developed High Street location. Linton is not highly sustainable location as it does not have good services and public transport links required to support densities of 40 dph and above (Policy HG/1). Are minimum garden sizes met?
 - b. Loss of open space.
 - c. Information with the application is inaccurate as there are not footpaths either side of Horseheath Road which is a Safer Route for Schools.
 - d. Access is extremely narrow and on-street parking is not possible without cars parking on the grass verge, which will not be available if this development goes ahead. Access for emergency and delivery vehicles will be impeded. These already find it difficult to access Keene Fields and have to stop on the road, blocking entry to Keene Fields.
 - e. Inadequate parking – only 20 spaces proposed for 12 houses, five of which are garages, which are less likely to be used for parking. Parking will overspill onto Keene Fields. 1½ car spaces per dwelling is not realistic. There is no visitor parking and only a single disabled space (should be 5%).
 - f. There is already inadequate parking for the existing Keene Fields development leading to parking off-site on the roadway into the site and Horseheath Road.
 - g. Overspill parking on Horseheath Road will obstruct visibility at the junction (cars park here already), which will be dangerous for cars turning in and out of Keene Fields as a result. Horseheath Road is on a Safer Route to School and safety will be compromised.
 - h. Overflow parking could result in Rhugarve Gardens opposite, which is also narrow and used as a rat-run.

- i. Outdoor playspace provision does not comply with Policy SF/10 and should take account of lack of playspace in the existing Keene Fields development.
- j. Danger from construction traffic – should not be during school hours. Parking for construction/delivery vehicles will be a problem.
- k. No street lighting proposed – at least one lighting post is required for both the old and new developments.
- l. Parking close to the TPO Beech Tree should not be permitted and the tree should not be allowed to be re-shaped.
- m. Plot 9 is set well forward of adjacent building lines and will be out of keeping.
- n. Plots 1-7 have an unacceptable impact on adjacent properties in Parsonage Way, which primarily have a rear outlook. There will be loss of light to the houses and small gardens, overbearing impact due to scale of proposed building and proximity to boundary, and overlooking. There is no room for planting to soften the impact.
- o. Loss of privacy to rear of properties in Keene Fields due to overlooking from Units 1-7. The proposed dwellings are 3-storey and higher than the existing building on the site and will be overbearing as a result. The massing of these units is too great and height should be reduced, particularly as the land is lower than houses in Keene Fields. Incorrect distances from the proposed houses are marked on the plan.
- p. The occupier of 1 Horseheath Road is concerned at the scale of the unit on Plot 12, which will overshadow and overlook the existing property. There have been pre-application discussions about redevelopment of the land associated with 1 Horseheath Road and the proposed scheme for Newdigate House will prejudice this being brought forward.
- q. Plot 8 will have a seriously detrimental impact on 7 Horseheath Road. It will overlook being close to the boundary and result in the loss of a mature Poplar tree. Insufficient justification is put forward for its removal.
- r. Parking form Unit 8 next to 1 Keene Fields will result in fumes and noise. Development is too close to 11 Keene Fields.
- s. Due to the slope of the site boundary fences will need to be of adequate height to prevent overlooking.
- t. No screened storage and collection point for refuse provided.
- u. Retention of the Golden Ash at the front of the site should be ensured. The hedge along the front boundary of the site should be protected.
- v. Loss of wildlife – has the site been surveyed for bats?
- w. There should be no vertical cladding.
- x. Scheme has not addressed issues raised in earlier withdrawn application.

- y. There is a covenant on existing properties in Keene Fields preventing parking on the road which would cause an obstruction – this should be extended to the new properties.

Planning Considerations

Site and Proposal

- 42. Newdigate House is a detached dwelling set in a 0.3ha plot of land, elevated above the level of Horseheath Road. The site is located on the north side of the road. There is a high hedge along the Horseheath Road frontage and the site slopes in a northerly direction.
- 43. The site is accessed from Horseheath Road via Keene Fields, a development of 11 dwellings built on land at the rear of Newdigate House. To the west is No.1 Horseheath Road, a large detached house, and a number of properties in Parsonage Way. To the east are a number of properties in Horseheath Road, some of which have gardens abutting the application site. Opposite the site across Horseheath Road are further properties in Rhugarve Gardens and Horseheath Road.
- 44. There is no footpath along the south side of Horseheath Road, and as a result pedestrian have to walk across the Keene Fields access.
- 45. The application, as amended, proposes the demolition of the existing dwelling and the erection of 12 new properties. 11 of these will be served by an access spur from the west side of Keene Fields, with one plot having its own access from Keene Fields. No plot has direct access to Horseheath Road.
- 46. The proposed dwellings consist of 2 one-bedroom, 3 two-bedroom, 5 three-bedroom and 2 four bedroom houses. 4 affordable dwellings are provided (Plots 5-8). The layout comprises a terrace of 7 dwellings at the northern end of the site, including 2 one-bedroom dwellings. These properties will be two-storey at the western and eastern ends, with 2 three storey units in the middle.
- 47. Unit 8 comprises a single storey two bedroom bungalow at the north east corner of the site. Unit 9 will be adjacent the existing access road into the site and comprises a two storey four bedroom property. Units 10 and 11 are semi-detached three bedroom properties, the rear elevation of which face Horseheath Road. In the south west corner is Plot 12, a two storey four bedroom property.
- 48. A total of 20 car parking spaces are provided, including 4 garages. The existing footpath on the north east side of Keene Fields will be extended to the entrance to plot 8. A speed reduction measure will be introduced opposite plots 7 and 8, which will be in place of a feature shown on the approved drawings for the existing Keene Fields development, but which has not been constructed. This feature would have been at the point where the driveway to Plot 8 is now proposed.
- 49. The application is accompanied by a Design and Access Statement, Planning Statement, Arboricultural Impact Assessment, Landscape Statement, Land Contamination Survey, Renewable Energy Report, Services and Utilities Assessment, Drainage Statement, Site Waste Management Plan, Transport Statement and Draft Heads of Terms.

Principle of development

50. The site is within the village framework and therefore the principle of the redevelopment of the site is acceptable subject to compliance with other policies in the plan. Linton is designated as a Minor Rural Centre and so the number of dwellings proposed is within the maximum number of 30 permitted.

Density, Housing Mix and Affordable Housing

51. The density of the proposed development is 38 dph. Whilst this above the average density of 30 dph sought by Policy HG/1, the policy states that higher net average densities of at least 40 dph should be achieved in more sustainable locations close to a good range of existing or potential services and facilities, and where there is, or there is potential for, good local public transport services. Officers are of the view that Linton falls into this category.
52. Although Policy H/7 of the draft Local Plan omits the 40pdh comment in respect of Minor Rural Centres, objections have been received to that policy and therefore it cannot be given any significant weight in the determination of this application.
53. However, the acceptability of this density needs to be judged on other matters such as character, highway safety and impact on residential amenity. The density of the existing Keene Fields development is 39 dph.
54. The market housing mix was agreed at the pre-application stage and is required to allow the provision of 4 affordable housing units. The provision of this level of affordable housing meets the aims of Policy HG/3 and the scheme is supported by the Housing Development Officer.

Impact on character of the area

55. The site in its current form provides an area of green space in the street scene, and reads alongside the large garden of No.1 Horseheath Road to the south east. The remainder of the surrounding area is more intensely developed. The site is set above the level of Horseheath Road and therefore the impact of any new development will be increased. The Urban Design Team has been involved in the pre-application discussions and generally supports the design approach adopted. Although the design approach does not reflect that of adjacent properties officers are of the view that with the use of appropriate materials, which can be agreed by condition, the development need not appear out of character. The comments regarding the use of boarding are noted.
56. It is important that the existing planting along the Horseheath Road frontage is retained, including the Mountain Ash, and that high fencing is not allowed on that boundary. This can be secured by condition.

Residential amenity

57. The amended drawings seek to address concerns raised in respect of the impact of parts of the scheme of existing dwellings.
58. The house on Plot 1 has been reduced in height to 7.4m, with a roof design which slopes away from the boundary with the adjacent houses in Parsonage Way, which are dwellings which have a primarily rear aspect, so that the ridge line will be 7m from the boundary. Plot 1 will be within 3m of the boundary with Parsonage Way, but the eaves height at that point has been reduced to 2.9m, and the depth of two-storey element reduced. Although the outlook from the rear of properties in Parsonage Way

will change significantly, in officers view the amended scheme achieves an acceptable relationship with those properties.

59. Units 1-7 will back onto existing dwellings in Keene Fields. Any element of the new buildings above single storey height will be a minimum of 25m from the rear windows of properties in Keene Fields, and therefore compliant with Design Guide SPD distances aimed at preventing unreasonable overlooking. The new dwellings, with the exception of single storey rear projections will be a minimum of 15m from the boundary with Keene Fields, on land which is set below the level of that development. At the present time the view from the rear windows of properties on the south side of Keene Field is of a rising landscape to the south of Linton in the distance, which will be impeded by Units 1-7. The central units will be 8.9m high, however officers are of the view that there will not be an overbearing impact on properties in Keene Fields.
60. Plot 8 has a ridge height of 5.2m and will be set 5.4m from the boundary of the adjacent house in Horseheath Road. There is no significant change in level and officers are of the view that the new dwelling will not appear overbearing. A condition can be imposed preventing the insertion of any openings in the rear facing roof.
61. The house on Plot 12 will have a maximum ridge height of 7.6m. Although it is located close to the boundary with No.1 Horseheath Road officers do not consider it will have an overbearing impact on that property. It is designed with no first floor windows facing No.1 and future opening sin this elevation can be controlled by condition. Impact on potential future development of the adjacent site is not a material consideration.
62. The distances between the rear elevations of plots fronting Horseheath Road and properties on the opposite side of the road is such that they will not have an unreasonable impact.

Highway safety and parking

63. The Highway Authority has not objected to the application, and the applicant has demonstrated that the required visibility splays at the junction of Horseheath Road can be achieved.
64. In response to concerns raised by the Parish Council and residents, the Highway Authority has commented that under Manual for Streets, parked cars are not generally considered to be a significant impediment to vehicular visibility. In traffic generation terms the Highway Authority states that it can, under national guidelines, only object to a development if the impact is severe. The development is likely (using nationally recognised figures) to generate about 6 motor vehicle movements during the peak hour. Such an increase cannot realistically be seen as severe. Although the increase in motor vehicle movements will increase the likelihood of an accident occurring at the junction, this increase is likely to be so small as to almost be immeasurable within the normal variations in numbers of motor vehicles using the highway on a daily basis.
65. The Highway Authority is of the view that given the low levels of motor vehicle traffic that the proposal is likely to generate, the impact on the operation of the access to Rhugarve Gardens is unlikely to be significant.
66. As amended the scheme provides off-street parking for 20 cars, 4 of which are garaging. Policy TR/2 requires an average parking provision of 1.5 spaces per dwellings and the scheme achieves this, with two additional spaces. In practice the

driveway to Plot 8 will accommodate 3 vehicles, although only two are shown on the plan.

67. Two spaces have been lost on the revised plan. Whilst this is unfortunate this reduction is required to address the concerns of the Trees Officer regarding the impact of parking on the adjacent Beech Tree, which is the subject of a Tree Preservation Order.
68. The Highway Authority comments that Keene Fields is a private road and the control of on street parking therefore falls to the owner rather than the Highway Authority. Any parking that obstructs the carriageway such that access for emergency service vehicles is a danger and should be avoided. The width of Keene Fields is approximately 4.5m.
69. Refuse vehicles will need to stop on the access road when collecting bins from the collection points. Although this will obstruct the access roadway while it is taking place it is a weekly occurrence and for a short period of time only.
70. Garage sizes meet the requirements set out in the District Design Guide SPD.

Other matters

71. The application is accompanied by an arboricultural assessment. Whilst some existing planting within the site will be lost the individual quality of these trees does not of itself warrant retention.
72. The applicant has provided a small area of space which meets the requirements for on site provision for the number of units proposed. This development cannot be required to make up any shortfall in open space in the existing Keene Fields development.
73. Officers have asked for the comments of Anglian Water in respect of capacity on the sewage system.
74. The applicant has accepted the need for contributions in respect of public open space, community facilities and waste receptacle provision, and a draft Section 106 securing these is being prepared to cover these matters, and secure the provision of the affordable housing. The County Council has been asked to confirm whether an education contribution is required.
76. A condition can be imposed on any consent for a scheme of surface water drainage, and renewable energy technology.

Conclusion

77. Officers are of the view that the scheme as amended is acceptable.

Recommendation

78. That subject to the consideration of comments on the revised drawings, and the applicant entering into a Section 106 Agreement to secure the required contributions to public open space, community facilities and waste receptacle provision, that delegated powers to approve the application.

Conditions (to include)

- (a) 3 year time limit
- (b) Approved drawings
- (c) Landscaping
- (d) Tree/hedge protection
- (e) External material
- (f) Boundary treatment
- (g) Surface water drainage
- (h) Restriction on hours of power driven machinery during demolition and construction
- (i) Levels
- (j) Withdrawal of PD
- (k) No further windows in specified elevations

Background Papers

Where the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council's website; and
- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

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 Development Control Policies DPD 2007
- South Cambridgeshire Local Plan Proposed Submission July 2013
- South Cambridgeshire Supplementary Planning Documents
- National Planning Policy Framework 2012
- Planning File References: S/2762/13/FL, S/0730/10/F, S/0348/06/O and S/1640/08/RM

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