

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 1st June 2005
AUTHOR/S: Director of Development Services

S/2579/04/F - Sawston
Erection of 30 Affordable Dwellings (22 Houses and 8 Flats) at Land off Lynton Way for Kelsey Housing Association

Recommendation: Delegated Approval
Determination Due Date: 5th April 2005 - (Major Application)

Members of Committee will visit the site on Tuesday 31st May 2005

Site and Proposal

1. The application site is a 1.12 hectare (2.77 acre) piece of agricultural land lying outside the Sawston village framework and within the Cambridge Green Belt. Directly to the north is a recently constructed development of 36 affordable dwellings, for which planning permission was granted in September 2003, whilst to the west is the Icknield County Primary School and dwellings within Lynton Way. On the south side of the site is a public footpath.
2. The full application, submitted on 22nd December 2004 and amended on 19th April and 10th May 2005, seeks to erect 30 affordable dwellings on the site. The proposed mix of dwellings is as follows:
 - 8 x 1-bedroom flats;
 - 11 x 2-bedroom houses;
 - 11 x 3-bedroom houses.
3. The proposed dwellings/flats would be two storey, approximately 7.7 metre high properties. Although final details of materials are to be agreed, the drawings show that the majority of the dwellings would be constructed of brick and tile whilst two of the properties would comprise rendered walls. The density of the development equates to 27 dwellings/hectare.
4. The proposal also shows an additional parking area on the east side of the Icknield Primary School (for the school's use) together with the provision of additional garden land at the rear of Nos. 33-43 Lynton Way.
5. Vehicular access to the site would be via the existing affordable housing scheme to the north which, itself, is accessed off Lynton Way.
6. A covering letter submitted with the application states that Kelsey Housing Society is proposing that all 30 units be offered for sale on an equity share basis. The Parish Council is in favour of such an approach because of the high need for such accommodation within the village. As with the first phase of housing, it is proposed to offer additional garden land to existing residents in Lynton Way who back onto the development. This would enable on-plot parking within enlarged rear gardens for these residents to help reduce on-street parking in Lynton Way.

Due to the traffic congestion caused twice a day by children arriving at/leaving the primary school, it is also proposed to make additional parking available to the school.

Planning History

7. There is no planning history relating to the application site itself. The scheme to the north was approved in September 2003 (Ref: S/0602/03/F).

Planning Policy

8. **Policy P1/2** of the Cambridgeshire and Peterborough Structure Plan states that development in the countryside will be resisted unless the proposals can be demonstrated to be essential in a particular rural location.
9. **Policy P1/3** of the Structure Plan states that a high standard of design and sustainability will be required for all new development which minimises the need to travel and reduces car dependency. In addition development is expected to provide a sense of place which responds to the local character of the built environment.
10. **Policies P5/4 and P5/5** encourage housing which meets, amongst others, affordable housing.
11. **Policy P9/2a** sets out the proposes of the Green Belt and the limitations on development within it.
12. **Policy GB2** of the South Cambridgeshire Local Plan 2004 states that planning permission will not be granted for inappropriate development in the Green Belt unless very special circumstances can be demonstrated. Development is defined as 'inappropriate' unless it comprises (in part) affordable housing in accordance with the 'exceptions policy' where no suitable sites are available outside the Green Belt.
13. **Policy HG8** of the 2004 Local Plan states that, as an exception to the normal operation of the policies of the Plan, planning permission may be granted for schemes of 100% affordable housing designed to meet identified local housing needs on sites within or adjoining villages providing the following criteria are all met:
 - The proposal includes secure arrangements for ensuring that all the dwellings within the scheme provide affordable housing in perpetuity for those in 'housing need' as defined in Policy HG7;
 - The number, size, design, mix and tenure of the dwellings are all confined to, and appropriate to, the strict extent of the identified local need;
 - The site of the proposal is well related to the built-up area of the settlement and the scale of the scheme is appropriate to the size and character of the village;
 - The development does not damage the character of the village or the rural landscape.

Consultation

14. **Sawston Parish Council** recommends approval of the application but makes the following comments:
 1. "The Parish Council support this application but would like speed checks etc to take place between 08.30 – 09.00 hours and 15.15 – 15.45 hours when children/parents are accessing Icknield CP School.

Perhaps when the garden land from Phase 1 for the residents is completed yellow lines would be useful on one side of Lynton Way. This would allow better access for larger vehicles such as fire engines etc.”

15. Following a meeting with local residents, the Parish Council has withdrawn its request for speed checks to be carried out/double yellow lines to be established on one side of Lynton Way. However, it would like to see give way lines introduced on Stanley Webb Close (Phase 1 of the affordable housing scheme) at its junction with Lynton Way as apparently at present vehicles turning right from Stanley Webb Close into Lynton Way are presuming that they have priority.
16. **The Development Manager** has confirmed verbally that the proposal, in terms of the number and mix of houses, does meet defined housing needs for Sawston.
17. **The Environment Agency** standing advice relating to sites between 1 and 5 hectares recommends the submission of a Flood Risk Assessment. However, in light of the fact that the site is only marginally over 1 hectare, the Environment Agency has advised verbally that its concern could be overcome by applying standard conditions requiring foul and surface water drainage details to any consent.
18. **The Landscape Design Officer** raises no objections subject to the imposition of standard landscape conditions.
19. **The Local Highways Authority** states, in respect of the amended layout plans dated 19th April and 10th May 2005, that the plan is appropriately dimensioned, although the carriageway could be reduced in width from 5.5 metres to 5 metres if desired. It is noted that most of the accesses have been moved from the junction radii. One remains associated with plot 30 but this is accepted in this instance.
20. With respect to the Parish Council original request for speed checks, the LHA queries what location they would be undertaken in and for what purpose. If within Lynton Way, the LHA can see no merit in such a check being undertaken and would not wish to incur the County Council in associated expense. It is stressed that a pedestrian crossing would not be necessary within Lynton Way. The issue of waiting restrictions within Lynton Way would need to be raised with the Traffic Engineer for the area. It is not an issue that need or should be linked to any planning permission granted for the development scheme.
21. **The Police Architectural Liaison Officer** raises no objections to the scheme as amended. It is suggested that the planting zone on the south and east boundaries be used as a means of enhanced security for rear gardens by the incorporation of defensive thorny species such as berberis or pyracanthus. Planting adjacent to parking areas should be low growing and thorny to prevent the creation of hiding places. The roads throughout the development should be lit according to BS 5489 code of practice for outdoor lighting while the parking court for the flats should be provided with lighting by means of a column mounted white downlighter.
22. **The Chief Environmental Health Officer** comments that problems could arise during construction from noise and suggests that a condition be applied to any planning consent to restrict the hours of use of power operated machinery.
23. **The Ramblers Association** raises no objections subject to the surface of the footpath remaining undisturbed by increased traffic and materials etc during building work. In addition, it is recommended that an official exit be created from the development onto the footpath.

24. **The Council's Ecology Officer** raises no objections in principle although comments that scope for ecological enhancement exists by means of erecting a variety of specialist bird boxes and bat boxes upon dwellings and cycle stores and the existing tree boundary. Wire fencing on the outer side of the boundary planting is not welcomed as it will prevent small animals such as hedgehogs and badgers from utilising the planting area in future – unless the wire is a requirement of landscape planting.
25. **The Cambridgeshire Fire and Rescue Service** requests that adequate provision be made for fire hydrants.
26. **The County Footpaths Officer** states that the development will change the character of the adjacent public footpath, which is a rural cross-field path, and is likely to result in increased use. A two metre wide link should therefore be provided from the dead end at the southern end of the site on to the footpath to give access for residents of the site to the countryside. In addition, the surface of the footpath should be semi-hardened to a minimum width of two metres where it runs along the boundary of the site to cope with the increased usage and the needs of less-abled users and those with pushchairs. The centre point of the boundary hedge should be two metres away from the edge of the path to allow for future growth. It is also stressed that the footpath must remain open and unobstructed at all times and informatives should be added to any consent reminding the applicants of this.

Representations

27. The occupiers of 74 Plantation Road objects on the grounds that Plots 21 and 22 would be obtrusive in the outlook from their property and also overlook their garden area. It is requested that these plots be brought back in line with Plots 19 and 20. There should be screening along the side of Plot 22. In addition, there should be a reasonable distance between the proposed houses and the adjacent footpath which is heavily used and enjoyed by the village. The occupiers of this property also consider the access to the site through the existing Phase 1 development to be totally inadequate and unsafe for construction traffic to pass through as the houses are all occupied with families with young children.
28. The Strategic Project Manager at the County Council states that the development of the access road to the new car park is on land owned by the County Council. The County has not entered into any formal arrangements with the applicant either to use County owned land or concerning the possible transfer of the car park once developed. The applicant has written to the County identifying that the land should be transferred at open market value. This principle is not agreed and the County sees no community benefit in doing so.

Representation by the applicant's agent

29. The applicant's agent has responded in writing to a number of comments made during the course of the application. With regards to the Parish Council comments, it is pointed out that the first phase of development had a condition requiring the provision of traffic calming measures in Lynton Way. This condition was successfully discharged following detailed negotiations between the Parish Council, County Council and residents. The applicants are also trying to assist the perceived traffic problems in Lynton Way by offering land to create further parking for the school.

30. It is pointed out that neither phase of development could have had access taken from Babraham Road as no land owned by the vendor abuts the highway verge. This possibility was explored and discounted at an early stage in the development of proposals for the first phase. The Housing Association intends to utilise the agricultural access adjoining No.86 Babraham Road to serve construction traffic for the second phase in the same way as was agreed for phase one.
31. Kelsey Housing Association is not keen to establish a link from the site to the existing footpath as this would compromise Secured by Design principles in that it would provide a pedestrian escape route from the site for criminals.
32. It is confirmed that the new estate roads will be built to adoptable standards but will remain as private roads.
33. With regards to the points raised by the Strategic Project Officer at the County Council, it is confirmed that no land included within the application site area is owned by the County Council. The parking area would be accessed from the school grounds which is in County Council ownership. It is hoped that the matter of the sale value of the parking area land to the school would not become part of any planning condition although Kelsey would not offer the land at open market value. It would be offered to the County Council at its lowest practical price. Should it be unable to afford the terms of any freehold offer, rental or leasing options could be explored. For this reason, Kelsey would not wish to have this disposal enshrined in any planning conditions.

Planning Comments – Key Issues

34. The key issues in relation to this application are:
 - The need for the development having regard to the Green Belt location;
 - Impact upon the character of the area;
 - Impact upon residential amenity;
 - Highway safety
35. The site lies outside the Sawston village framework and within the Cambridge Green Belt. The erection of housing on the land therefore contravenes general planning policies relating to development in the countryside/Green Belt. However, this proposal has been put forward in response to a defined local need for low-cost housing (as confirmed by this Authority's Development Manager) and therefore needs to be considered in terms of the rural exceptions policy for housing. (HG8 of the Local Plan). In Green Belt locations, planning policies state that affordable housing schemes can only be considered where it can be demonstrated that no alternative sites are available. Sawston is entirely surrounded by Green Belt land and it is therefore clearly not possible to extend the village to provide housing development of this scale without encroaching upon areas of Green Belt land elsewhere. Given that the only scope for meeting the identified local affordable housing need for Sawston, save for sporadic infilling within the framework itself, unavoidably involves the use of Green Belt land, the suitability of the site itself needs to be considered further. No sites within the village framework capable of accommodating this number of affordable dwellings have come forward. Therefore I consider that the proposal accords with Policy GB2 (5) of the Local Plan.

36. The site lies directly to the east of properties within Lynton Way and the Icknield Primary School and to the south of a recently constructed scheme of 36 affordable dwellings. It is therefore closely related to the built-up area of the village in accordance with criteria 3 of Policy HG8 of the Local Plan. The design of the proposed dwellings reflects the character and density of dwellings in the surrounding area whilst the layout of the housing is acceptable in terms of back-to-back distances, garden depths, parking provision and landscaping.
37. The number, size and mix of dwellings proposed is determined by the local need and has been drawn up following extensive pre-application discussions between the applicants and this Authority's Housing Department. Any planning permission must be subject to a Section 106 Legal agreement, as set out within Policy HG8 of the Local Plan, to ensure that all the dwellings within the scheme provide affordable housing in perpetuity for those in 'housing need'.
38. Concerns have been raised by No.74 Plantation Road, a property located to the south-west of the site, to the impact of the development on its privacies. The two plots referred to (Plots 21 and 22) are sited 40 metres away from No.74's boundary and 45 metres away from the rear of the dwelling itself. This distance is sufficient to avoid any serious loss of amenity to the occupiers of No.74 Plantation Road and I am therefore satisfied that there is not a need to resite these dwellings further to the north.
39. Sawston Parish Council, whilst always recommending approval of the application, initially requested that speed checks be carried out within Lynton Way, with a view to further traffic calming measures (eg – double yellow lines, pedestrian crossing) being implemented within the road. The Local Highways Authority was advised of the Parish Council's comments and requested to carry out the speed checks. However, the LHA advised that it could not see the merit in such a check being undertaken (presumably due to the very slow existing speeds within Lynton Way arising from the combination of traffic humps and on street parking) and therefore could not justify the expense involved. In addition, it was considered that a pedestrian crossing was not necessary within Lynton Way. In light of this advice and the outcome of a recent local residents meeting, in which Lynton Way residents felt that double yellow lines along the street would not be appropriate, the Parish Council has withdrawn its request. A request has been made, however, for give way lines on Stanley Webb Close at its junction with Lynton Way. This cannot be conditioned as part of any planning consent given that it relates to off site highway works and given that the LHA does not consider such works to be necessary for highway safety reasons. However, the applicants have confirmed verbally that they would be willing to carry out these works, which would need to be the subject of discussions between the developers and the Highways Authority's traffic engineers. The LHA Traffic Engineers have confirmed verbally that they would not be likely to object in principle to such works being implemented. I am satisfied that this matter could be dealt with as an informative of the planning consent.
40. Some concerns have been raised by the Local Highways Authority in respect of the siting of parking spaces in relation to junction radii. The plan has been amended accordingly and I am awaiting the further comments of the LHA.
42. With regards to the highway safety implications of using Lynton Way and the existing Phase 1 development to access the site (including during the construction period), no specific objections have been raised by the LHA. However, the applicants agent has indicated that it is intended, if possible, to utilise the access off Babraham Road for construction vehicles as per the Phase 1 development.

43. The Ramblers Association and County Footpaths Officer have stated a preference for a link to be provided from the development onto the adjacent footpath. However, as pointed out by the applicant's agent, this would be at odds with the requirements of the Police Architectural Liaison Officer as this could provide an easy escape route from the site for criminals. Whilst I appreciate that such a link would be desirable, the footpath is reasonably accessible from the site, either via Plantation Road or via Babraham Road. Furthermore, if a link were provided from the site onto the footpath, there would be a requirement for the footpath to be increased in width and its surface upgraded in order to accommodate the likely increased usage. At present, this footpath is a narrow, informal dirt track across a field and I am concerned that the upgrading works required would be detrimental to the character of the countryside.
44. Whilst the extra parking shown for the school is to be welcomed, it is not an essential requirement arising from the proposed development and its provision cannot therefore be conditioned as part of any planning consent. If the applicants and County Council are unable to come to an agreement regarding the sale of this land, the plans indicate that further dwellings would be constructed on the site. This would require a new planning application and any consent should make it clear that there is no implied approval for dwellings on this land.

Recommendation

45. Subject to the Local Highways Authority raising no objections to the latest amended layout plan and to the prior signing of a Section 106 Legal Agreement to ensure that the housing is only occupied by qualifying persons and secured in perpetuity for that purpose, approve the application subject to the following conditions:
1. Standard A – Time Limited Permission (Reason A);
 2. Sc5a – Details of materials to be used for external walls and roofs (Rc5a);
 3. Sc51 – Landscaping (Rc51);
 4. Sc52 – Implementation of Landscaping (Rc52);
 5. Sc60 – Details of treatment to all site boundaries (Rc60);
 6. Prior to the commencement of development a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service has been submitted to and approved in writing by the Local Planning Authority; no development shall take place otherwise than in accordance with the approved scheme (Reason – To secure the provision of fire hydrants for the benefit of future occupiers of the development hereby permitted);
 7. During the period of construction no power operated machinery shall be operated on the premises before 08.00 hours on weekdays and 08.00 hours on Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any time on Sundays or Bank Holidays) unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions (Rc26);
 8. Sc5b - Details of surface water drainage (Rc5b);
 9. Sc5c – Details of foul water drainage (Rc5c);
 10. Para C2 - Details of construction traffic (Rc10);
 11. Prior to the occupation of any of the dwellings, hereby approved, the parking/garden extensions to the rear of Nos. 33-43 Lynton Way (odd numbers only) shall be fenced in accordance with a scheme to be agreed in writing with the Local Planning Authority (Reason – To ensure that this aspect of the proposed development is completed in a harmonious manner and does not detract from the visual amenity of the estate).

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:** P1/3 (Sustainable design in built development); P5/4 (meeting locally identified housing needs) and P5/5 (Homes in Rural Areas);
 - **South Cambridgeshire Local Plan 2004:** HG8 (Exceptions policy for affordable housing) and GB2 (Development in the Green Belt)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Residential amenity;
 - Highway safety;
 - Visual impact on the locality;
 - Impact on footpath;
 - Flood risk;
 - Security/crime prevention

General

1. The Police Architectural Liaison Officer has suggested that the planting zone on the south and east boundaries could be used as a means of enhanced security for rear gardens by the incorporation of defensive thorny species such as berberis or pyracanthus. Planting adjacent to parking areas should be low growing and thorny to prevent the creation of hiding places. The roads throughout the development should be lit according to BS 5489 code of practice for outdoor lighting while the parking court for the flats should be provided with lighting by means of a column mounted white downlighter.
2. The provision of Give-Way markings at the junction of Stanley Webb Close with Lynton Way should be explored with the Traffic Engineer at the Local Highways Authority.
3. If soakaways are proposed for the disposal of uncontaminated surface water, percolation tests should be undertaken, and soakaways designed and constructed in accordance with BRE Digest 365 (or CIRIA Report 156) and to the satisfaction of the Local Authority. The maximum acceptable depth for soakaways is 2 metres below existing ground level. If, after tests, it is found that soakaways do not work satisfactorily, alternative proposals must be submitted.
4. Only clean uncontaminated surface water, should be discharged to any soakaway, watercourse or surface water sewer.
5. Surface water from roads and impermeable vehicle parking areas shall be discharged via trapped gullies.
6. 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.

7. During 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.
8. The adjacent footpath must remain open and unobstructed at all times. Building materials must not be stored on this section of the footpath and, contractors vehicles must not be parked on it and it must not be used for access to the site (it is an offence under Section 137 of the Highways Act 1980 to obstruct a public footpath and an offence under Section 34 of the Road Traffic Act 1988 to drive on a public footpath)
9. No alteration to the surface of the footpath is permitted without the consent of Cambridgeshire County Council (it is an offence to damage the surface of a public footpath under Section 1 of the Criminal Damage Act 1971)
10. Any planting along the southern boundary of the site must be planted at least 2 metres away from the edge of the footpath to allow for future growth.
11. Careful consideration should be given to the safety of pedestrians using the footpath during construction and whether a temporary closure of the path is necessary. For further information, please contact Gary Wesley, Streetworks Co-Ordination Manager on 01354 753814.
12. Consideration should be given to ecological enhancement measures such as erecting bird boxes and bat boxes on dwellings and cycle stores and within the existing tree boundary.
13. A new planning application would be required should it be intended to erect dwellings on the proposed extension to the school parking area.

Background Papers: the following background papers were used in the preparation of this report: Cambridgeshire and Peterborough Structure Plan 2003; South Cambridgeshire Local Plan 2004; Planning application refs: S/2579/04/F and S/0602/03/F.

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