

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

2 December 2015

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

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**Application Number:** S/2109/15/OL

**Parish(es):** Linton

**Proposal:** Demolition of the existing dwelling and erection of 9 dwellings

**Site address:** 1 Horseheath Road

**Applicant(s):** Mr John Loveday

**Recommendation:** Delegated Approval

**Key material considerations:** Principle  
Highway Safety

**Committee Site Visit:** None

**Departure Application:** No

**Presenting Officer:** Katie Christodoulides, Senior Planning Officer

**Application brought to Committee because:** The recommendation of Linton Parish Council conflicts with the recommendation of the Planning Officer.

**Date by which decision due:** 09/10/2015

### **Executive Summary**

1. The application site comprises a large, detached dwelling set in an expansive plot within the village of Linton. The site is served by a single point for vehicular access and rises steeply from Horseheath Road. The site is adjoined by the library and community centre to the west, residential dwellings to the north and a single detached dwelling to the east which has had consent for 12 dwellings following its demolition under planning consent (S/2762/13). This Outline Planning Consent is for access only for the demolition of existing dwelling and erection of 9 residential dwellings.

### **Planning History**

2. **S/2504/14/OL-** Demolition of the existing dwelling and erection of 9 dwellings- Withdrawn.

### **Planning Policies**

3. **National Planning Policy Framework**

## **Planning Practice Guidance**

### **South Cambridgeshire Core Strategy DPP**

ST/5 Minor Rural Centres

### **South Cambridgeshire LDF Development Control Policies DPD, 2007:**

DP/1 Sustainable Development

DP/2 Design of New Development

DP/3 Development Criteria

DP/4 Infrastructure in New Developments

HG/1 Housing Density

HG/2 Housing Mix

HG/3 Affordable Housing

SF/10 Outdoor Playspace, Informal Open Space, and New Developments

SF/11 Open Space Standards

NE/1 Energy Efficiency

NE/2 Renewable energy

NE/6 Biodiversity

TR/1 Planning for more Sustainable Travel

TR/2 Car and Cycle Parking Standards

### **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**

District Design Guide SPD – Adopted March 2010

Trees and Development Sites SPD – Adopted March 2010

Landscape in New Developments SPD – Adopted March 2010

Biodiversity SPD – Adopted

### **Proposed South Cambridgeshire Local Plan**

S/1 Vision

S/2 Objectives of the Local Plan

S/3 Presumption in favour of sustainable development

S/9 Minor Rural Centres

HQ/1 Design Principles

H/7 Housing Density

TI/3 Parking Provision

TI/2 Planning for Sustainable Travel

TI/3 Parking Provision

TI/8 Infrastructure and New Developments

TI/9 Education Facilities

SC/6 Indoor Community Facilities

SC/7 Outdoor Play Space, Informal Open Space and New Developments

SC/8 Open Space Standards

CC/1 Mitigation and Adaption to Climate Change

## **Consultation**

4. **Linton Parish Council-** Recommends refusal. The housing mix for the site should reflect the current need allowing for smaller affordable houses and bungalows. Concerns are raised regarding the cumulative impact of this site and two adjoining sites which have seen the removal of a large house with smaller houses and highway safety, on road parking, congestion and impacts on water supply, sewerage and other infrastructure. The schools, medical centre and other services are near capacity. The proposal will result in the loss of mature trees and grassland with concerns for flooding. The proposal would impact on the setting of Linton's Conservation Area and nearby listed buildings with the proposal not being sustainable. Requests the following

conditions are added in regard to housing mix, traffic, hedges and trees to be retained, archaeological investigation, careful design, noise mitigation and site traffic access from the A1307 and not through the village.

5. **Local Highways Authority-** Raises no objections and requests conditions in regard to the road not being adopted, the falls and levels of the access, the access being constructed from a bound material, visibility splays, a traffic management plan and an informative in regard to works to the highway requiring consent from the Highway Authority.
6. **Trees Officer-** Recommends approval and requests conditions in regard to protective measures, replanting and ground protection during construction. The Tree Officer is in the process of designating trees on the site with preservation orders.
7. **Affordable Housing Officer-** The scheme should provide 3 affordable dwellings with 70% rented and 30% intermediate. Two of the units should be rented and one intermediate.
8. **Landscape Officer-** Raises concerns regarding the layout and requests that this addresses the street, that the public and private spaces are better defined and that all garden and other space are useable.
9. **Environmental Health Officer-** Raises no concerns and requests conditions are added to any consent granted in regard to hours of work, burning of waste, driven pile foundations and informatives in regard to noise and dust, a demolition notice and lighting.
10. **Building Control Officer-** No comments received (out of time).
11. **Drainage Manager-** No comments received (out of time).
12. **Education Officer-** Advises contributions are required for Libraries and Lifelong Learning, Strategic Waste and Monitoring Fees. No contribution is required for education.
13. **Archaeology Officer-** The site is in an area of high archaeological potential. The site should be subject to a programme of archaeological investigation secure by condition.

### **Representations**

14. **No.15 Horseheath Road-** Raises concerns regarding the proposed number of dwellings, highway safety, retention of the boundary treatment, trees and neighbour amenity in regard to privacy.
15. **No.2 Rhugarve Gardens-** The Transport Statement has many inaccuracies. Concerns are raised regarding highway safety.
16. **No.2 Horseheath Road-** Raises concerns regarding the cumulative impact of this proposal and nearby approved sites in regard to highway safety and the proposed access. Concerns are raised regarding parking, visibility onto Horseheath Road, retention of trees and hedgerows and overlooking.
17. **Address not provided-** Raises objections in regard to the siting of the dwellings from the kitchen and conservatory windows.

## **Planning comments**

18. The key issues identified in consideration of this application relate to;

- Principle of development;
- Housing Mix
- Effect on the built environment;
- Effect on highway safety;
- Trees and Landscaping
- Neighbour amenity;
- Archaeology; and
- Contributions and Affordable Housing;

## **Principle of development**

19. The NPPF advises that every effort should be made to identify and then meet the housing needs of an area, and respond positively to wider opportunities for growth. Additionally the Development Plan (Core Strategy Development Plan Document adopted January 2007 and Development Control Policies Development Plan adopted January 2007) identifies Linton under Policy ST/5 as a 'Minor Rural Centre' which is described as a village which performs a role in providing services and facilities for a rural hinterland and where new residential development of up to 30 dwellings is permitted. As such the site is considered a sustainable location where the principle of new residential development for up to 30 dwellings is supported subject to other land use considerations.
20. The site has an area of 0.282275 hectares. The proposal would equate to a density of 32 dwellings per hectare. Policy HG/1 Housing Density of the LDF states the minimum density of dwellings per hectare is 30, with at least 40 dwellings per hectare in more sustainable locations. The proposed density is considered in accordance with Policy HG/1 and appropriate to the character of the area.

## **Housing Mix**

21. Policy HG/2 of the LDF states that in developments of up to 10 dwellings, market properties should provide:
- a. At least 40% of homes with 1 or 2 bedrooms; and
  - b. Approximately 25% of homes with 3 bedrooms; and
  - c. Approximately 25% of homes with 4 or more bedrooms;
- unless it can be demonstrated that the local circumstances of the particular settlement or location suggest a different mix would better meet local needs
22. Policy H/8 of the emerging Local Plan states that a wide choice, type and mix of housing will be provided to meet the needs of different groups in the community including families with children, older people and people with disabilities. The market homes in developments of 10 or more homes will consist of:
- a. At least 30% 1 or 2 bedroom homes;
  - b. At least 30% 3 bedroom homes;
  - c. At least 30% 4 or more bedroom homes;
  - d. With a 10% flexibility allowance that can be added to any of the above categories taking account of local circumstances.
23. The emerging policy does not specify any mix for smaller schemes under 10 dwellings and can be given some weight due to the stage of the Local Plan that it is currently

under examination. Given the proposal is for 9 dwellings, Policy HG/2 of the LDF will be given most weight.

24. The proposed mix for the 6 market dwellings as part of the development is for one 2 bedroom property and five 3 or 4 bedroom properties. Given the proposal is for Outline Consent with all matters reserved except access, the mix can be confirmed at Reserved Matters stage.

#### **Effect on the built environment**

25. The surrounding residential properties to the north along Parsonage Way and Keene Fields represents a relatively high density of development for a village location, with this reflected in the neighbouring development to the east for 12 residential units. The development to the southern side of Horseheath Road opposite the application site is less dense.
26. The site is 2800m<sup>2</sup> in size and considered of adequate proportions to construct 9 no. dwellings whilst still providing for a reasonable curtilage to each property. The indicative layout plan indicates how this can be achieved within the constraints imposed by the relationship to neighbouring properties and mature trees, and that each property will be served by adequate private outside amenity space.
27. It is therefore considered that in principle the construction of nine residential dwellings in this location would not have any significant adverse effects and can be designed in harmony with the form and character of the area.

#### **Residential Amenity**

28. The indicative site plan submitted with this application indicates development layout in relation to neighbouring residential dwellings, with the units to the north being set 20m from the neighbouring dwelling to the rear and the units to the east positioned closer where they back onto a garage. This does not accord with the District Design Guide which requires a distance of 25 metres, however given this is for Outline Consent only and layout is to be considered at Reserved Matters stage this can be addressed then.
29. The potential impact upon the residential amenity of adjoining dwellings would mainly be addressed within the reserved matters submission, although it is considered that appropriate window arrangements and boundary screening could reasonably mitigate any issues of overlooking, especially given the size of the site. Furthermore, the plots overall size ensures the positioning of the dwellings would provide a reasonable buffer to the neighbours such that there would not be any unreasonable levels of shadowing, whilst providing a reasonable amount of amenity space for each unit.

#### **Highway Safety**

30. The application seeks outline consent for the means of access which is to be provided via a private drive which is as existing.
31. The Highways Authority considers this access arrangement suitable. Conditions are recommend requiring the road not being adopted, details of the driveway construction to prevent surface water run-off and debris spilling onto the public highway, permanent retention of visibility splays, a traffic management plan and informative in regard to permission being sought for works to the highway.
32. The indicative details of the parking and turning arrangements are suitable; however

this will be assessed in full at the reserved matters stage when the siting of the units is considered. As such the development is considered to provide a suitable and safe means of vehicular access onto the public highway.

### **Trees and Landscaping**

33. The proposal will result in the loss of some trees on the site. Conditions shall be added to any consent granted to require tree protection measures as detailed in the Tree Survey to be carried out.
34. The Landscape Officer has raised concerns regarding the proposed layout of the site, landscaping will be assessed at Reserved Matters stage. A condition shall be added to require landscaping details to be submitted.
35. Boundary treatment conditions would be attached to any consent granted to retain the existing character of the site and enhance the quality of the development.

### **Archaeology**

36. The site lies in an area of high archaeological potential. A condition would be attached to any consent to secure an archaeological investigation to ensure that the development would not result in the loss of any significant archaeological remains.

### **S106 Contributions and Affordable Housing**

37. The Section 106 Agreement provides contributions to community facilities, public open space, waste receptacles, Libraries and Lifelong Learning, Strategic Waste and Monitoring Fees based on the proposed mix of the development. Linton Parish Council have requested that open space contributions are put towards the Pocket Park facility and are in the process of putting forward a project in the area to provide for community facilities.
38. Planning applications are required to be determined in accordance with the development plan, unless material considerations indicate otherwise. The adopted and emerging development plans requires the provision of 40% affordable housing on sites where there is a net gain of two or three dwellings. The Affordable Housing Officer has advised that 3 properties should be affordable with 1 dwelling being a one bed property and 2 being two bed properties. The agent has confirmed they are happy to provide this with two properties being rented and one in shared ownership. This will form part of the Section 106 Agreement

### **Conclusions**

39. It is considered that nine dwellings can be adequately accommodated on the site and be designed such that they would be in harmony with the surrounding area without causing harm to neighbouring amenity in terms of over shadowing or loss of privacy. The Highways Authority is satisfied that the provision of a new access is suitable subject to conditions.
40. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should be granted in this instance.

## **Recommendation**

41. Officers recommend that the Committee approves the application, subject to a completed Section 106 Agreement.

## **Requirements under Section 106 of the Town and Country Planning Act 1990**

- (a) Affordable housing
- (b) Community facilities
- (c) Education
- (d) Open space
- (e) Waste receptacles

## **Conditions**

- (a) 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.)
- (b) 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.)
- (c) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan & Drawing 10 Access Appraisal.  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
- (d) No development shall take place until details of the materials to be used for the access and driveway hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
- (e) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.  
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
- (f) 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.)

- (g) The existing hedge on the front boundary of the site shall be retained except at the point of access; and any trees or shrubs within it which, within a period of five years from the completion of the development or the occupation of the buildings, whichever is the sooner, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.  
(Reason - To protect the hedge which is of sufficient quality to warrant its retention and to safeguard biodiversity interests and the character of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)
- (h) In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from [the date of the first occupation of the dwellings hereby approved].
- (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with the relevant British Standard.
- (b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
- (c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.  
(Reason - To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)
- (i) No demolition, site clearance or building operations shall commence until tree protection comprising weldmesh secured to standard scaffold poles driven into the ground to a height not less than 2.3 metres shall have been erected around trees to be retained on site at a distance agreed with the Local Planning Authority following BS 5837. Such fencing shall be maintained to the satisfaction of the Local Planning Authority during the course of development operations. Any tree(s) removed without consent or dying or being severely damaged or becoming seriously diseased during the period of development operations shall be replaced in the next planting season with tree(s) of such size and species as shall have been previously agreed in writing with the Local Planning Authority.

(Reason - To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)

- (j) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment [for each dwelling] shall be completed before that/the dwelling is occupied in accordance with the approved details and shall thereafter be retained.

(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

- (k) 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.)

- (l) 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.)

- (m) The proposed housing mix for the development shall be in accordance with Policy HG/2 unless otherwise agreed in writing by the Local Planning Authority.

(Reason - In the interest of housing mix in accordance with Policy HG/2 of the adopted Local Development Framework 2007.)

- (n) The proposed driveway shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway.

(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

- (o) The proposed driveway shall be constructed using a bound material to prevent debris spreading onto the adopted public highway.

(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

- (p) Prior to the first occupation of the development visibility splays shall be provided each side of the vehicular access in full accordance with the details indicated on the site extract plan showing visibility splays. The splays shall thereafter be maintained free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.

(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

- (q) No construction site machinery or plant shall be operated, no noisy works shall be carried out and no construction related deliveries take at or despatched from the site except between the hours of 0800 -1800 Monday to Friday, 0800 -1300 Saturday and not at any time on Sundays or Bank Holidays, unless otherwise previously agreed in writing by the Local Planning Authority in accordance with any agreed noise restrictions.  
(Reason - To minimise noise disturbance to adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
- (r) There shall be no burning of any waste or other materials on the site, unless otherwise previously agreed in writing by the Local Planning Authority in accordance with any agreed noise restrictions.  
(Reason - To minimise disturbance to adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
- (s) Prior to the commencement of any development, should driven pile foundations be proposed, a statement of the method for construction of these foundations shall be submitted and agreed by the District Environmental Heath Officer to allow control of noise and vibration.  
(Reason- To minimise noise disturbance to adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
- (t) 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.)

### **Informatives**

- (a) The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise and dust during the construction phases of development. This should include the use of water suppression for any stone or brick cutting and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information please contact the Environmental Health Service.
- (b) Before any existing buildings are demolished, a Demolition Notice will be required from the Building Control Section of the council's planning department to establish the way 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. This should be brought to the attention of the applicant to ensure the protection of the residential environment of the area.

- (c) If any lighting is proposed, details of any external lighting, including street and security lighting shall be submitted to and approved by the Local Planning Authority before construction commences. The lighting impact shall be assessed in accordance with 'The Institute of Lighting Professions' 'Guidance Notes for the Reduction of Obtrusive Light GN01:2011'.
- (d) 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 that 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)
- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- S/2504/14/OL

### **Report Author:**

Katie Christodoulides  
Telephone Number:

Senior Planning Officer  
01954 713314