

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 2nd November 2005
AUTHOR/S: Director of Development Services

S/1237/05/F - Harston
Erection of 8 Flats Following Demolition of Existing Dwelling at 5 New Road for GRN Ltd

Recommendation: Approval
Date for Determination: 28th September 2005

Site and Proposal

1. The application site, measuring 0.09 hectares, is located on the north side of New Road and is occupied by a detached 1^{1/2} storey dwelling sited gable end to the road. To the east is a pair of two storey semi-detached dwellings whilst to the west is a garage occupied by Porsche.
2. The full application submitted on 22nd June 2005, and amended on 3rd August, 22nd August and 14th September 2005, seeks to demolish the existing dwelling and to erect 8 x 1-bedroom flats on the site. The flats would be comprised within an L-shaped two storey structure fronting onto New Road with private garden areas to 4 of the flats provided at the front/south and east side of the building and a communal amenity area for the other 3 flats provided to the rear. Vehicular access would be on the west side of the building with parking (provided at a rate of 1 space per flat and 0.25 visitor spaces per unit) shown adjacent to the rear/north and west boundaries. The application shows that 3 of the proposed flats would be affordable properties. The density of the development equates to 88 dwellings/hectare.

Planning History

3. **S/1150/92/F** – Application for extensions approved.
4. **S/1256/01/F** – Application for extensions to dwelling and garage approved.

Planning Policy

5. Harston is identified within **Policy SE4** of the South Cambridgeshire Local Plan 2004 (“The Local Plan”) as a Group Village. In such locations, Policy SE4 states that residential development up to a maximum of 8 dwellings will be permitted providing the site does not form an essential part of village character, and development is sympathetic to the historic interests, character, and amenities of the locality. Exceptionally, development may consist of up to 15 dwellings if this would make the best use of a brownfield site. All developments are expected to provide an appropriate mix of dwelling size, type and affordability.
6. **Policy P1/3** of the County Structure Plan 2003 stresses the need for a high standard of design and a sense of place which corresponds to the local character of the built environment.

7. **Policy HG10** of the South Cambridgeshire Local Plan 2004 states that residential developments will be required to contain a mix of units providing accommodation in a range of types, sizes and affordability, making the best use of the site and promoting a sense of community which reflects local needs. The design and layout of schemes should be informed by the wider character and context of the local landscape and townscape. Schemes should also achieve high quality design and distinctiveness. The supporting text to the latter policy states that, in line with the guidance set out within Planning Policy Guidance Note No.3 (Housing) and within the Structure Plan, new residential development should be constructed at a density of 30-50/hectare in order to make best use of land.
8. **Policy HG7** of the South Cambridgeshire Local Plan 2004 requires affordable housing to be provided at a rate of up to 50% on sites within village frameworks with a population of 3000 or fewer.

Consultation

9. **Harston Parish Council** recommends refusal of the application stating:

“Having now met with the New Road residents association, and listened to their concerns, the Harston Parish Council recommends that the above application is REFUSED for the following reasons:

8 small flats in the application is inappropriate in New Road because:

1. The existing properties in New Road, are substantial ‘family -size’ dwellings, and development in New Road within the past 6 years all has been of this type.
2. There is no precedent in New Road, or indeed in the whole village of Harston for a dense development of 8 very small flats over two stories. All other development in New Road is of family-size houses with gardens.
3. 8 flats is too great a density on the small site.
4. The proposed development of 8 flats is out of character in the New Road area, and sets an unwelcome precedent for this type of development in Harston.
5. The inevitable increase in traffic, non residents parking, service vehicle access and noise resulting from normal occupation of 8 flats in a small space will adversely affect the environment for the residents of New Road (refer to Residents Association letters to you, dated 17th July 2005 and 3rd October 2005).

We believe that SCDC has an obligation to the existing residents of New Road in terms of sustaining amenity and quality of life both of which will be adversely compromised if this application were approved.

We strongly urge that this planning application is REFUSED”.

10. **The Chief Environmental Health Officer** raises no objections in principle although does express concern about noise disturbance to nearby residents during the construction period. As such, a condition restricting the hours of use of power operated machinery during the construction period should be attached to any planning consent.

In addition, no concerns are specifically expressed in respect of the proximity of the flats to the adjoining garage site in terms of the impact of noise and disturbance upon the amenities of occupiers of the flats. It is pointed out that the hours that the garage operates are reasonable and the processes in the service department that produce the most noise are already sufficiently screened from the proposed site. The only processes that produce any noise that remain outside the building are found in the vehicle valeting bay but these are not of concern to the Environmental Health Officer.

11. **The Trees and Landscape Officer** states that the existing thorn close to the eastern corner of the site should be retained. This tree is within 2.5 metres of the car parking area and 2 metres away from the block paving area. Details requiring 'no-dig' construction are therefore required to avoid damage to the rooting structure of the tree. The young yew in the southern corner should also be retained and adequate clearance has been afforded to this tree.
12. **The Cambridgeshire Fire and Rescue Service** raises no objections stating that additional water supplies for firefighting are not required.
13. The comments of **The Development Manager** in respect of the three affordable units shown will be reported verbally at Committee.
14. **The Local Highways Authority** states that New Road is a private road and advises that the Council may therefore wish to consider the implications of approving additional residential development served by a private drive. In particular, the Council may wish to consider the difficulties that pedestrians generated by the development may have, given that in the vicinity of the site New Road does not have the benefit of footways.
15. **The Drainage Manager** was consulted on the application. Any comments will be reported verbally.
16. **Anglian Water** has not commented on the application. However, the applicant has submitted a copy of correspondence from Anglian Water raising no objections to connecting to the existing sewer.
17. **The Environment Agency** raises no objections, stating that the site lies beyond the floodplain. There are no objections in principle to the use of soakaways for the disposal of uncontaminated surface water and, on the basis that the proposed building has a lesser footprint than that existing, any surface water drainage difficulties would not be exacerbated. It is also confirmed that an acceptable means of foul drainage disposal would be connection to the public foul sewer.
18. **The Building Inspector** raises no objections stating that the submitted drainage proposals are acceptable.

Representations

19. Letters of objection have been received from occupiers of 15 residential properties in New Road, as well as from a purchaser of one of the New Road properties and from the adjoining Porsche garage site. The main points raised are:
 1. The number of parking spaces shown is inadequate for the number of flats when compared to the Council's parking standards which require 1.5 spaces per property. It is reasonable to expect 16 vehicles plus visitors particularly as the flats are likely to attract young couples, both of whom would be employed. The

shortfall in parking would lead to cars parking on New Road and result in a safety risk for pedestrians (especially children) and vehicles as well as obstructing access for emergency vehicles beyond No.5;

2. Insufficient space for on-site turning would result in cars reversing into New Road to the detriment of pedestrian safety;
3. Highway safety implications of increased numbers of vehicles entering from/exiting onto the A10;
4. Any permission should be conditional on the developers guaranteeing that the road will not be obstructed by construction vehicles and related material. All delivery vehicles should load/unload within the boundaries of the site;
5. A full risk assessment of the application must be undertaken by the highways department;
6. The developer does not own the road and is therefore not at liberty to widen the carriageway. The widening would encourage staff and visitors to the garage complex to park in the widened area;
7. The proposed road widening seems like a way of providing extra parking;
8. The road should not be widened as the grassed verge provides surface water absorption;
9. The density of development (at nearly 90/hectare) is out of all proportion to the space available and out of character with its surroundings, which is an average density of 30 dwellings/hectare;
10. Flats are out of keeping with the character of the area;
11. Overdevelopment of the site;
12. New Road has one surface water drain to cope with the run off from Nos. 5 to 29 inclusive. This drain can no longer cope in severe weather conditions and flooding therefore occurs. The proposal will increase the amount of run off thereby increasing flood risk to surrounding properties;
13. The above drain discharges into a ditch that runs east to west along the length of New Road. The ditch has not been maintained along its entire length and surface water cannot therefore flow away. When Nos. 17a and 23 New Road were built, the surface water run off was increased and, at times of heavy rain, the ditch fills to a level above the road surface and the road floods;
14. If approved, the application should be subject to a condition requiring the ditch to be cleaned out and requiring a road drain to be installed;
15. There is a well on the site providing direct access to the aquifer. This should be sealed to minimise contamination before work starts on the site;
16. The development should take into account the impact of climate change leading to greater extremes of weather;

17. The sewerage system in New Road was originally installed to cope with 10 dwellings. There are now 20 properties in the road plus the garage complex sharing the original system. This proposal will increase the load by a further 40%;
18. The proposed landscaping restricts visibility for cars leaving the site creating unnecessary additional risk for traffic and pedestrians;
19. All trees should be preserved;
20. The development would result in overlooking of No.9a New Road from the upper floor landing to the stairwell;
21. The development would overlook No.7 New Road (notably from windows to flats 6 and 8) and result in a loss of light to this property. Obscure glazing these windows to a height of 1.7 metres does not allay these fears, particularly as plain glass could be added at a later date;
22. The development would result in overlooking, overshadowing and a loss of light and outlook to No. 11/13 New Road;
23. Impact on No. 11/13 of noise from parking areas;
24. The fence along the boundary with No.7 must not be replaced in the manner proposed;
25. Is the Council satisfied that the noise emanating from the Porsche dealership would be compatible with the proposed residential units?
26. The best available technology for noise abatement/suppression should be used in the construction of the dwellings;
27. The existing 2.5 metre high fences on the boundary of the site should be retained as they afford protection (from noise from the garage site) for all New Road residents.

Representation by District Councillor Heap

20. Councillor Heap objects to the application stating:

“Much as I would, in principle, like to see flats in Harston - of which some would be affordable - there seem to me to be too many difficulties and doubts for it to be safe to give the go ahead to the present proposal.

Most of the doubts and difficulties arise from the fact that New Road began as a dirt track to a few houses that were built some time around the 1930s. Since then the number of houses has increased considerably and the track has been surfaced at the cost of the residents. The road remains private but has been subject to major industrial/retail development on its northern side. The traffic problems to which the residents refer are real.

Some sort of road storm water drainage was probably put in when the road was surfaced but there are only three drains - all on the North/South part of the road; there are none on the East/West part which terminates at the western boundary of No 5. One suspects a less than adequate specification. Similarly with respect to sewerage.

There is only one manhole cover that I could find and the run of the sewers is not known to the residents - towards the High Street or Queens Close?

My recommendation is that until such time as we have positive assurances regarding the adequacy of road drainage and sewerage there should be no development of this site. Subject to the outcome of such assurances, the development should be limited to half what is currently proposed. This would be more in line with the residential part of New Road as it now is."

Planning Comments – Key Issues

21. The key issues to consider in the determination of this application are:

- a. The principle of the development;
- b. Impact upon the character of the area;
- c. Parking and highway safety issues;
- d. Residential amenity;
- e. Affordable housing;
- f. Surface and foul water drainage issues;
- g. Impact on trees;

The principle of the development

22. Harston is classified as a Group Village and planning policies support, in principle, the erection of up to 8 dwellings on suitable sites subject to character/amenity issues.

Character of the area

23. New Road has a very varied character, consisting of two storey dwellings beyond the site to the east, bungalows on the opposite side of the road to the south-west and a modern predominantly metal clad car showroom/workshop building to the west. Although the proposed development would not match the design of any of the buildings in the immediate vicinity of the site, I consider that, given the variety in the area, the development could not be considered to materially harm the street scene.

24. The Parish Council and a number of local residents have expressed concern about the application on the basis that there are no flats in Harston and the development is hence seen to be out of keeping with local character. However, the principle of building flats would not be a sufficient basis on which to refuse the proposal. Indeed, the provision of small units of accommodation within a village in which there is very limited supply should be positively encouraged.

Parking and highway safety issues

25. Strong objections have been raised on the grounds that the proposal only makes provision for 10 car parking spaces (1 per flat together with a total of 2 visitor spaces), when it is considered that the development would generate a demand for 16 spaces (+ visitor parking). Whilst I can understand and am very sympathetic to these concerns, the application must be considered against the parking standards set out in the Local Plan which require an average of 1.5 spaces to be provided per dwelling as a *maximum* rather than *minimum* amount. In order to achieve a maximum of 1.5 spaces across all residential development, the Authority has generally only been seeking 1 space per dwelling for 1 bedroom units of accommodation and I see no reason to deviate from this approach in this instance, particularly as Harston is not in a poorly accessible location.

26. The parking and road layout on the original plans was unacceptable in that (a) the main access into the site was of insufficient width to enable two cars to easily pass and (b) some of the parking spaces were too small. The scheme has been amended to increase the access width from 4.1 to 5 metres and to rearrange the parking layout and is now acceptable in this respect. The proposal also includes adequate on-site turning provision and would therefore not result in cars backing out onto New Road.
27. The Local Highways Authority has not raised any specific objections in respect of the impact of the development upon the safety of users of the A10 road through Harston.
28. Local residents in New Road have stressed that the road must not be blocked by construction vehicles/traffic during the construction period. Given the narrow width of the road, I concur with these concerns and would suggest that, should Members be minded to grant permission for the scheme, that a condition be applied to any consent requiring details of where construction vehicles will park/unload on the site.
29. The application shows the widening of New Road to 6 metres together with the provision of a footpath. The Local Highways Authority has advised verbally that the road widening is not necessary and, indeed, advises that it would be preferable if the road is kept at its existing width. Given the comments made by local residents on this matter, I will discuss with the applicant the removal of this element, including the footpath, from the scheme. Officers consider the footpath provision to be unnecessary in this instance as it would be out of keeping with the informal character of the roadway beyond the Porsche garage site where there are no footpaths. The only footpath in New Road is on the opposite side to the garage site but is separated from the proposed pathway by a turning head and so would not link in with that proposed in any case.

Residential amenity issues

30. The initial application proposed first floor clear glass windows to the rear and side elevations of flat 8 and in the rear elevation of flat 6, resulting in serious overlooking of No.9a New Road to the north-east and No.7 New Road to the east. The plans have been amended to show that these windows would be fitted with obscure glass up to a height of 1.7 metres above the floor level with an opening high-level fanlight above. I am satisfied that such an approach would overcome the overlooking problem providing a condition is added to any consent to ensure that the windows are fitted and maintained with obscure glass up to the specified height and also to ensure that the obscure glazed part of the window is non-opening. This would result in an improvement to the privacies of Nos. 7 and 9a New Road as there are dormer windows in the east side elevation of the existing property that presently look directly into the garden areas of both properties. Finally, I am satisfied that the position of the rear wing of the flats together with the distance to adjoining properties would prevent overlooking from the glazed entrance block and from the rear windows serving flats 2 and 4.
31. Strong concerns have been expressed by the occupiers of No.7 New Road on the grounds of loss of light and outlook. Whilst I acknowledge that the development, in being higher and closer to the boundary than the existing building, would cut out light to and change the outlook from No.7, for a number of reasons I consider the impact would not be so harmful as to warrant a refusal on these grounds. There are a number of ground floor windows in the west side elevation of No.7 serving a hall, pantry, kitchen and toilet, with the kitchen window being above the sink. The kitchen is laid out so that the dining area is at the northern end and is lit by a window in the rear elevation of the house.

Given the internal layout of No.7, I consider that it would be difficult to argue that the development causes serious harm to the light/outlook to these windows, whilst the building does not intrude into the 45 degree angle from windows in the rear elevation of the house.

32. The Environmental Health Officer has not raised any concerns in respect of the amenities of future occupiers of the flats given the proximity of the development to the adjoining garage site.
33. With respect to concerns expressed by neighbouring properties about boundary treatment details, the agent has confirmed that the 1.8 metre fences shown would be placed adjacent to those existing if adjoining owners would prefer their existing fences to be retained.

Affordable housing

34. Local plan policy requires affordable housing to be provided at a rate of up to 50%. The proposal results in a net gain of 7 properties, thereby generating a need for 3 of these to be affordable dwellings and these are denoted as such in the submitted plans. The applicant has enclosed a letter from Flagship Housing Society confirming that the indicated units would comply with its requirements. A copy of this letter and submitted plans have been forwarded to the Authority's Development Manager and I am awaiting his confirmation that the scheme is acceptable.
35. Should Members be minded to grant consent for the development, it would need to be subject to a Section 106 Agreement to secure the provision of affordable housing in perpetuity.

Surface and foul water drainage issues

36. Following concerns expressed by local residents about foul and surface water drainage, further details were submitted by the applicant. With regard to surface water disposal, a topographical survey was carried out and it was established that the site is not within the local flood plain. In addition, a ground investigation survey was carried out with four trial holes dug on site and this showed the sub-soil to be sandy with the water table at a depth of between 1.65m and 1.95m. The Building Inspector viewed this on site and confirmed that the permeability of the site would not be a problem. In terms of run-off, the proposal occupies a smaller footprint than the existing building and would therefore not increase run-off. The existing property currently uses soakaways and there are no recorded flooding problems, whilst the car parking and access would be constructed using a specially designed permeable paving which allows surface water to soak-away and would stop any run off.
37. These additional details were sent to The Environment Agency and this Authority's Building Inspector, neither of whom raised any objections. In addition, both the Environment Agency and Anglian Water are satisfied with the foul drainage proposals.

Impact upon trees

38. The thorn in the north-east corner of the site should be retained and, in accordance with the recommendations of the Trees and Landscape Officer, a condition should be added to any consent requiring no dig construction of the adjoining hardstanding areas.

Recommendation

39. Subject to the prior signing of a Section 106 Agreement to ensure that 3 of the flats would be affordable units, a matter which can be required by condition, approval, as amended by site plan and certificates date stamped 3rd August 2005, foul and surface water drainage details date stamped 22nd August 2005 and plans date stamped 14th September 2005:
1. Standard Condition A – Time limited permission (Reason A);
 2. No development shall begin until a scheme and completed S.106 Agreement for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority, the affordable housing shall be provided in accordance with the approved scheme.
(Reason - To ensure the provision of affordable housing in accordance with Policy HG7 of the Local Plan 2004);
 3. Sc5a – Details of materials for external walls and roofs (Rc5aii);
 4. Sc5f – Details of materials to be used for hard surfaced areas (Rc5f);
 5. Sc5 – Details of the sheds (Rc5aii);
 6. Sc22 – No windows at first floor level in the north and east elevations of the development (Rc22);
 7. The first floor windows in the north elevations of flats 6 and 8 and in the east elevation of flat 8 shall be fitted and permanently maintained with obscured glass and shall be non opening up to a height of 1.7 metres above the first floor level (Reason – Rc23);
 8. Sc51 – Landscaping (Rc51);
 9. Sc52 – Implementation of landscaping (Rc52);
 10. The sheds and adjacent hardstanding shall be constructed in accordance with 'No-Dig' principles in line with Arboricultural Practice Note 1 unless otherwise agreed in writing with the Local Planning Authority (Reason – To safeguard the hawthorn tree adjacent to the northern boundary of the site)
 11. Sc60 – Details of boundary treatment (Rc60);
 12. 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);
 13. Para C2 – parking, turning, loading and unloading of vehicles during the construction period (Rc10);
 14. Para C3 a & b – Provision of permanent on-site turning and parking (Rc10).

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);
 - **South Cambridgeshire Local Plan 2004:** SE4 (Development in Group Villages), HG7 (Affordable Housing and HG10 (Housing Mix and Design));
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 including noise disturbance, overlooking, overshadowing and loss of light issues;
 - Highway safety and parking;
 - Impact upon character of the area;
 - Surface and foul water drainage implications;
 - Impact on trees.

General

1. Before the existing property is demolished, a Demolition Notice will be required from the Environmental Health Department establishing the way in which the property will be dismantled, including any asbestos present, the removal of waste, minimisation of dust, capping of drains and establishing hours of working operation.

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
File ref: S/1237/05/F

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