

**Matter no SC5A.11  
The Planning Law Practice  
Site 152  
Objector no 15603  
Representation no 60608**

**SOUTH CAMBRIDGESHIRE LOCAL PLAN PROPOSED SUBMISSION**

**LAND EAST OF STATION ROAD, LINTON**

**The Planning Law Practice**

**Wood End, 20 Oaklands Park, Bishops Stortford, Hertfordshire CM23 2BY**

**Tel : 01279 652505 Fax : 01279 757618 Mobile : 07743 824230**

**e-mail : [peter@planninglawpractice.co.uk](mailto:peter@planninglawpractice.co.uk)**

## South Cambridgeshire Local Plan : Land East Of Station Road, Linton

### 1. Introduction

- 1.1 This Statement is submitted by The Planning Law Practice on behalf of the owner of land east of Station Road, Linton identified by shading on the attached plan titled 'Land at Station Road, Linton : Site 152'. They demonstrate that the site is in a sustainable location and is appropriate for residential development and also respond to the Inspector's question under reference **SC5A.11 Policy H/5 South of A1307, Linton** *whether in the context of the sustainability of the site's location, is there a significant difference in this regard to the Old Police Station site which has been granted planning permission for residential development (S/2420/12)?*
- 1.2 This site has already been assessed by the Council as part of the Strategic Housing Land Availability Assessment process. That process, which listed this site as Site 152, concluded that *'this site is not considered to have any barriers in terms of development viability alone to restrict it coming forward within the next 5 years '* and described it as a *'site with development potential'*.
- 1.3 The SHLAA assessment considered 14 sites in Linton that had been proposed for residential development. Site 152 was the only site which the assessment considered to have sustainable development potential; the other 13 sites were all rejected. Site 152 is therefore the only location for further residential development in Linton with the exception of small windfall sites, none of which will make a substantial contribution to the level of housing growth that the Council is seeking to achieve.

1.4 The site currently lies within the Linton Special Policy Area where the District Council claims that it seeks to restrict further residential development, because of what is described as *'segregation from the main part of the village'*. These representations demonstrate that the site can easily access the Village's facilities, including particularly the Village College and public transport services, in a safe and sustainable manner.

## **2. The Site**

2.1 Representations have previously been submitted by Savills in relation to this site and adjoining land which includes the old Station House and disused railway line. Site 152 could be developed either on its own or in conjunction with adjoining land if appropriate.

2.2 Site 152 is currently occupied by a number of commercial properties which provide employment for about 10 people. The site is accessed from Cambridge Road via Station Road, but also has a substantial frontage onto Cambridge Road which could provide access and/or services to the site.

2.3 Woodville Cottage, a Grade II listed building, lies between part of the site and Cambridge Road. The District Council's SHLAA assessment concluded that the development of this site could take place without adversely affecting Woodville Cottage and that *'the setting of the listed building could be enhanced by sensitively designed development on site and the removal of the industrial neighbour'*.

2.4 The land to the west of Station Road is occupied by a modern commercial and industrial estate. The proximity of Site 152 to this employment base gives it a significant advantage in sustainability terms.

## **3. Linton Special Policy Area**

3.1 The District Council's opposition in principle to residential development in Linton south of Cambridge Road is based on the contention that the area is segregated from the main part of the Village and does not have access to the Village's facilities.

3.2 The remainder of these representations demonstrate that safe access across the Cambridge Road to the rest of the village can easily be achieved.

- 3.3 On 24<sup>th</sup> January 2014, the Council granted planning permission no S/2420/12/FUL for the development of 18 affordable dwellings on the Old Police Station site which immediately adjoins the Station Road site. The reason given by the Council for approving the application was that :

*Although the proposal is not in accordance with Policy CH/10 - Linton Special Policy Area - of the South Cambridgeshire Local Development Framework 2007, it is considered that the provision of affordable housing and agreed highway improvements are public benefits that outweigh concerns relating to the sustainability of the location. All other material planning considerations have been taken into account. None is of such significance as to outweigh the reason for the decision to approve the planning application.*

- 3.4 The documents which accompanied the planning application did not contain any analysis which sought to argue that the need for affordable housing was so pressing as to justify allowing residential development in an unsustainable location. The Council must therefore have been satisfied that residential development on the Old Police Station site, with the proposed highway improvements, would amount to a sustainable form of development. It is inconceivable that the Council would have granted planning permission for this development if it had concluded that the future occupiers of the site would not be able to enjoy safe and easy access to the Village facilities.

- 3.5 The Transport and Access Statement which was submitted in support of this planning application analysed the relationship between the site and the village facilities on the other side of Cambridge Road. The Statement concluded that :

*The development site is located in close proximity to and easy walking distance of the village services and facilities and the existing bus service. Bust ups on Cambridge road located immediately on the site frontage. Nearby brass public transport is therefore already available to the site and the proposals would directly benefit from this and compliance with regional and local planning policy, and intend to promote sustainable modes of travel.*

- 3.6 That analysis was clearly accepted by the Council in deciding to grant planning permission for the affordable housing scheme. The conclusions of the TAS apply equally to Site 152.
- 3.7 The decision to grant this planning permission confirms that the basis on which the Council seeks to maintain the Linton Special Policy Area designation is seriously flawed. Both the affordable housing development on the Old Police Station site and the mixed open market and affordable housing development on Site 152 will be in a sustainable location from which the future occupiers can easily access the Village's public transport and other facilities, particularly when the improvements referred to in Section 5 of these representations are carried out.
- 3.8 The Inspector has raised the question under reference **SC5A.11 Policy H/5 South of A1307, Linton** *whether in the context of the sustainability of the site's location, is there a significant difference in this regard to the Old Police Station site which has been granted planning permission for residential development (S/2420/12) ?* The answer to the question is that there is no difference at all in sustainability terms between the two sites.. They are immediate neighbours and both front onto Cambridge Road. The residents of the Old Police Station will need access to the village's education and other facilities and public transport to the employment areas in Cambridge and Haverhill in exactly the same way as residents of the Station Road site. If the Old Police Station site is in a sustainable location which does not give rise to any safety issues in relation to the need to cross Cambridge Road, then it would be wholly unreasonable to reject the Station Road site on the grounds of its location. The Station Road site will in fact improve the position in relation to both sites by funding improvements to the pedestrian facilities on Cambridge Road (see paragraph 5.6) in order to make crossing that road to access village facilities and public transport even easier and safer.
- 3.9 On 19<sup>th</sup> May 2014, the Council refused planning permission (reference S/0222/14/FL) for the demolition of an existing workshop and the erection of 3 dwellings on land at 31 Cambridge Road, which immediately adjoins the Station Road site. The Council's decision to refuse planning permission relied inter alia on Policy H/5 of the Proposed Local Plan.

3.10 An appeal against that refusal was dismissed on 27<sup>th</sup> January 2015 on the grounds that the proposed development would be *unacceptably harmful to the significance of a heritage asset (the Grade II listed Woodville Cottage) ..... and fails to demonstrate that important environmental assets (the TPO trees) would be conserved or enhanced*. The Inspector concluded expressly that :

- (i) the weight to be given to the policies which provide an embargo on residential development to the south of Cambridge Road have to be determined by the extent to which they are consistent with the policies in the Framework;
- (ii) *whilst the proposal would conflict with both the existing and emerging policies, the dwellings would not be unacceptably isolated from local employment, shopping, leisure, education and other activities and the appeal site is not locationally unsustainable; and*
- (iii) the proposal would not unacceptably compromise highway safety.

3.11 The Inspector noted (paragraph 8) that he was *able to cross the road using the pelican crossing about 200m east of the appeal site* from where the village services could be reached. He clearly concluded that crossing the Cambridge Road was neither difficult nor unsafe.

3.12 The Inspector's conclusions in relation to this appeal clearly demonstrate that (i) the Station Road site is in a sustainable location in relation to the village's facilities and (ii) Cambridge Road does not create any barrier to accessing those facilities and the public transport services because of any safety concerns.

3.13 On 25<sup>th</sup> September 2015, the Council granted planning permission for the conversion of an existing property to form 3 bungalows and the erection 2 new detached bungalows at 17 Cambridge Road, Linton. The internal report which led to the grant of the planning permission concluded that, notwithstanding the provisions of Policy H/5, *Whilst Policy ST/5 is now considered out of date, the fact that this policy considers the location to be sustainable at which the case of the principle of development does meet the definition of sustainability in the NPPF, which is afforded for weight in the determination process. It*

*is therefore considered that, whilst the proposal does conflict with an emerging policy that can be afforded significant weight, it complies with national policy which is afforded greater weight in the decision-making process.*

3.14 These decisions all demonstrate that the Council's attempt to maintain a policy ban on residential development on the south side of Cambridge Road on sustainability grounds is fundamentally flawed and is not even in reality applied by the Council itself.

#### **4. Planning Issues**

4.1 Site 152 lies outside the Green Belt, comprises previously developed land, does not include best and most versatile agricultural land, does not include any ecologically protected sites and is not within an area where residential development would be precluded on the grounds of flood or groundwater impact. There are no overriding planning constraints to residential development of the site.

4.2 Policy CH/10 of the Local Plan seeks to restrict further residential development to the south of the A1307 because of what is said to be a difficulty in accessing the village facilities from this side of Cambridge Road. These representations demonstrate in section 5 that the installation of further highway infrastructure can provide easy and safe access to the village's facilities, particularly Linton College.

4.3 The SHLAA assessment carried out by the District Council confirmed that :

- (i) the Highway Authority agrees that residential development on this site can access Cambridge Road safely;
- (ii) improvements will be needed to utility services, education facilities and health facilities in the village if this site proceeds but there are no overriding capacity constraints;
- (iii) there are no overriding biodiversity constraints on this site;

- (iv) the setting of the adjoining listed building could be enhanced by carefully designed residential development;
- (v) noise and odour issues in relation to the adjoining commercial/industrial estate will require investigation;
- (vi) residential development on this site will have a neutral effect on the landscape and townscape setting of Linton;
- (vii) the site can be accessed safely from Cambridge Road;
- (viii) there are no overriding utilities, community services or drainage constraints; and
- (ix) residential development will not affect water quality.

4.4 Residential development on this site will lead to a loss of employment buildings. However, the site is recognised by the SHLAA assessment as being close to a range of employment opportunities, particularly those on the adjoining industrial and commercial estate. The site is on the route of a regular bus service to Cambridge and Haverhill and is readily accessible to those major employment centres. Given the need for the Council to identify opportunities for residential development in sustainable settlement such as Linton, the development of this site will not adversely affect the provision of employment to any material degree.

## **5. Highway issues**

5.1 The main issue of concern to the Council appears to be the ability of residents of this site to access Linton College and other facilities on the opposite side of Cambridge Road and to access public transport services in a safe manner. These concerns can be overcome by a combination of existing and proposed public transport and other highway works.

5.2 Reference has already been made to the 30 minute bus service from Linton into Cambridge. The bus stop layby for the Linton to Cambridge service is located on the same side of Cambridge Road as Site 152 and only a few yards from its boundary.

Residential development of Site 152 would include a pedestrian link joining Cambridge Road somewhere along the site's frontage and also fund the widening of the footway at this location, thereby providing very easy access to the bus service.

- 5.3 The bus stop layby for the return journey from Cambridge to Linton is situated on the northern side of Cambridge Road, directly opposite the Linton-Cambridge bus stop layby. The recent introduction of 24 hour operational traffic lights at the Village College access already reduces traffic speeds through the Village and provides longer breaks in traffic flows, thereby providing opportunities for bus users to cross Cambridge Road close to the bus stop laybys. That position can easily be enhanced by the installation of a light controlled pedestrian crossing facility with a traffic island, funded by the residential development of Site 152. Those measures will enable residents of Site 152 to access the public transport facilities safely as well as enhancing access to the bus route for existing residents on both sides of Cambridge Road.
- 5.4 The same bus stops provide easy access to a 30 minute bus service to and from Haverhill which enables Linton residents to access the Haverhill employment areas.
- 5.5 Access from the southern side of Cambridge Road to the main part of the Village is already provided by the traffic light controlled pedestrian crossing facility at the Cambridge Road/High Street junction.
- 5.6 The existing and proposed pedestrian facilities are all shown on the attached plan no 2007-50-1B. These proposals will overcome the concerns expressed by the Highway Authority about the sustainability of Site 152 as well as improving the position for existing residents on both sides of Cambridge Road. In particular, they will provide a safe form of access for children who live on this site to the Village College.

## **6. Environmental Issues**

- 6.1 The SHLAA assessment refers to concerns expressed by the Council's Environmental Health Officer about possible noise and odour impacts on residential development on Site 152. The noise impact of the commercial/industrial development on residential development is one of the matters that would need to be considered carefully in the

design of the residential development. The layout of the development and the siting of the dwellings closest to the commercial site will deal with any noise issues, together if necessary with the installation of noise insulation measures within those dwellings.

- 6.2 There is no evidence that the existing commercial/industrial site has any odour impact on the existing residential properties on either side of Cambridge Road. This matter can be demonstrated by way of a technical assessment when a planning application for Site 152 comes forward.

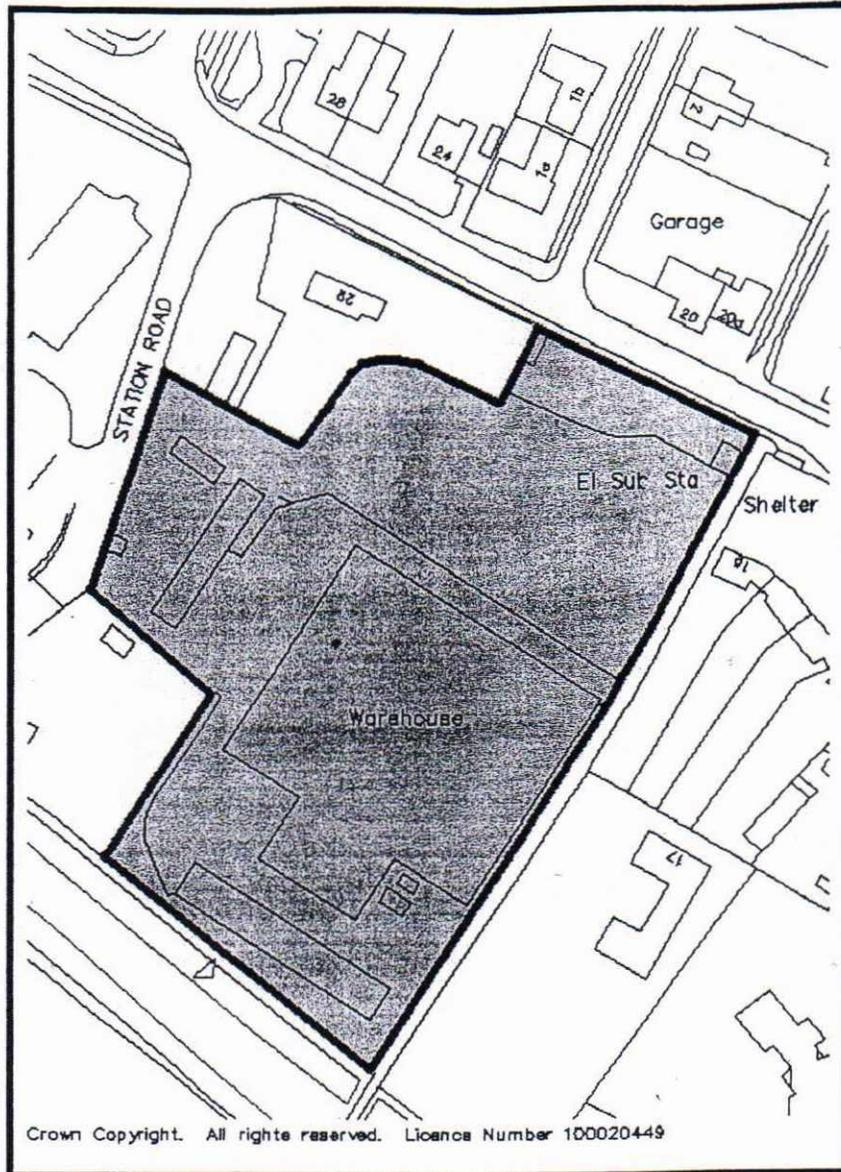
## **7. Conclusion**

- 7.1 The Council has already concluded in its SHLAA assessment that this site is the most suitable location in Linton for additional residential development, that there are no considerations which suggest that the site could not come forward for development in the next 5 years and that the site clearly has development potential.
- 7.2 These representations demonstrate that the concerns expressed by the Council and the Highway Authority about access to public transport and Village facilities can easily be overcome.
- 7.3 The need for additional housing sites is fully recognised by the Council. Allocating Site 152 for residential development will allow the Council to provide additional residential development on a suitable site in a sustainable location.
- 7.4 The Local Plan should therefore be amended by (i) deleting the Linton Special Policy designation which serves no useful planning purpose and (ii) allocating the Station Road site for residential development.
- 7.5 Unless these changes are made, the Local Plan will be unsound because it will prevent residential development from taking place in a highly sustainable location for no sound planning reason.

**Documents :**

1. Station Road site plan
2. 31 Cambridge Road Notice of Refusal
3. 31 Cambridge Road appeal decision
4. Plan of existing and proposed pedestrian facilities on Cambridge Road
5. Extract from the Transport and Access Statement for application no S/2420/12/FUL
6. SCDC Delegated report for 17 Cambridge Road – application no S/2305/14/FUL

LAND AT STATION ROAD, LINTON : SITE 152



**TOWN AND COUNTRY PLANNING ACT 1990**

**REFUSAL OF PLANNING PERMISSION**

**Decision Date: 19 May 2014**

Mr J Denn,  
Denn Architects  
Bridgefoot  
2, Hempstead Road  
Radwinter  
Saffron Walden, Essex  
CB10 2TQ

The Council hereby refuses permission for Erection of 3 Dwellings Following Demolition of Workshop

At: 31 Cambridge Road, Linton, Cambridge, Cambridgeshire, CB21 4NN  
For: Mr S Burgess

In accordance with your application dated 28 January 2014

**for the following reasons:-**

1. The development site is located to the south of the A1307 (Cambridge Road) and within the Linton Special Policy Area (Policy CH/10). This area is isolated from the main village of Linton and further residential development in this area will not be sustainable with its poor access to the village facilities and services. The proposed development by virtue of its siting in this area would therefore be contrary to Policy CH/10 of the South Cambridgeshire, Local Development Framework Development Control Policies DPD, 2007 and Policy H/5 of the South Cambridgeshire Proposed Local Plan which states that further residential development will not be permitted other than improvements to the existing properties.
2. The proposed development is located immediately adjacent to the Grade II listed building Woodville Cottage (No.29 Cambridge Road). The development, by virtue of its siting, scale, and height would appear unduly dominant in scale and would adversely compete and intrude with the adjacent listed building. Consequently, the development is considered to cause unacceptable harm to the setting and significance of Woodville Cottage (No.29 Cambridge Road) which would be contrary to Policy CH/4 of the South Cambridgeshire Local Development Framework, Development Control Policies DPD, 2007; Paragraph 4.41 of the Listed Building Supplementary Planning Document; and Paragraphs 132 and 133 of the National Planning Policy Framework.
3. The proposed development, by virtue of its siting, scale and height, would appear unduly dominant and visually overbearing to the rear elevation and rear patio and garden area of the neighbouring property at Woodville Cottage, No. 29 Cambridge Road. Consequently, the development would be contrary to criterion 2 (j) of Policy DP/3 of the South Cambridgeshire Local Development Framework, Development Control Policies DPD, 2007, which states that development will not be granted where it would have an unacceptable adverse impact upon residential amenity.

TOWN AND COUNTRY PLANNING ACT 1990

REFUSAL OF PLANNING PERMISSION

Decision Date: 19 May 2014

4. The proposed use of the existing vehicular access for the continued use of the existing neighbouring dwelling at Woodville Cottage (No.29 Cambridge Road) and for the proposed three dwellings would result in the intensification of this existing vehicular access with the junction of the A1307 (Cambridge Road). This would comprise highway safety and as a result would be contrary to Policy DP/3 of the South Cambridgeshire Local Development Framework, Development Control Policies DPD, 2007, which states that development proposals should provide appropriate access from the highway network that does not compromise safety.
5. The development would be located in close proximity to various protected lime trees which lie along the front boundary of the application site, which are considered to have a positive influence upon the character and appearance of the area. The development, by virtue of its siting has the potential to cause harm to the roots of these trees, and insufficient information has been submitted in the application to demonstrate the level of this harm and how the trees will be protected during the course of the development. The application is therefore considered to be contrary to Policies DP/2 and NE/6 of the South Cambridgeshire Local Development Framework, Development Control Policies, DPD 2007 which states that development should preserve or enhance the character of the local area and maintain, enhance, restore or add to biodiversity and Paragraphs 3.9 and 4.8 of the Trees and Development Sites, South Cambridgeshire Local Development Framework, Supplementary Planning Document.

**General**

1. **Statement as to how the Local Planning Authority (LPA) has worked with the applicant in a positive and proactive manner on seeking solutions**

The LPA positively encourages pre-application discussions. Details of this advice service can be found on the Planning pages of the Council's website [www.scambs.gov.uk](http://www.scambs.gov.uk). If a proposed development requires revisions to make it acceptable the LPA will provide an opinion as to how this might be achieved. The LPA will work with the applicant to advise on what information is necessary for the submission of an application and what additional information might help to minimise the need for planning conditions. When an application is acceptable, but requires further details, conditions will be used to make a development acceptable. Joint Listed Building and Planning decisions will be issued together. Where applications are refused clear reasons for refusal will identify why a development is unacceptable and will help the applicant to determine whether and how the proposal might be revised to make it acceptable.

In relation to this application, it was considered and the process managed in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

2. A delegation report or committee report, setting out the basis of this decision, is available on the Council's website.

To help us enhance our service to you please click on the link and complete the customer service questionnaire: [www.surveymonkey.com/s/2S522FZ](http://www.surveymonkey.com/s/2S522FZ)

TOWN AND COUNTRY PLANNING ACT 1990

REFUSAL OF PLANNING PERMISSION

Decision Date: 19 May 2014

---



**Nigel Blazeby**  
Development Control Manager



**Jane Green**  
Head of New Communities

South Cambridgeshire Hall, Cambourne Business Park, Cambourne, Cambridge, CB23 6EA

**SEE NOTES OVERLEAF**

**TOWN AND COUNTRY PLANNING ACT 1990**

**REFUSAL OF PLANNING PERMISSION**

**Decision Date: 19 May 2014**

---

**NOTES**

**Appeals to the Secretary of State**

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for the Environment under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so using a form which you can get from the Customer Support Unit, Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

Alternatively, an online appeals service is available through the Appeals area of the Planning Portal - see [www.planningportal.gov.uk/pes](http://www.planningportal.gov.uk/pes). The Planning Inspectorate will publish details of your appeal on the internet. This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information you are happy will be made available to others in this way, including personal information belonging to you. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

Fully completed appeal forms must be received by the Planning Inspectorate within six months of the date of this decision notice.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving the notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

**Purchase Notices**

If either the Local Planning Authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonable beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

---

# Appeal Decision

Site visit made on 5 January 2015

by **Clive Tokley MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 27 January 2015

---

**Appeal Ref: APP/W0530/A/14/2227379**

**31 Cambridge Road, Linton, Cambridge, CB21 4NN.**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr S Burgess against the decision of South Cambridgeshire District Council.
  - The application Ref S/0222/14/FL, dated 28 January 2014, was refused by notice dated 19 May 2014.
  - The development proposed is the demolition of existing workshop and erection of three dwellings.
- 

## Decision

1. The appeal is dismissed.

## Main Issues

2. The main issues are the sustainability of the location of the site, the effect of the proposal on the setting of the Grade II listed building (Woodville Cottage), its effect on the living conditions of the occupiers of Woodville Cottage as regards outlook, the effect of the proposal on protected trees and highway safety.

## Reasons

### *Sustainability*

3. The settlement of Linton is divided by the busy A1307 and most of the residential part of the village and the local services and facilities are to the north of the road. To the south of the road lies a small residential area (The Grip) which has been added to by a new three storey development. However the area south of the A1307 is dominated by business premises housed in industrial and office buildings.
  4. The division within the settlement is recognised in the *South Cambridgeshire Local Development Framework Development Control Policies 2007* (DCP) which includes a specific policy for the area to the south of the main road (Policy CH/10). That policy indicates that within the defined area further residential development in the form of new dwellings will not be permitted. The subsequently published *Proposed Submission South Cambridgeshire Local Plan*
-

(LP) of July 2013 has a similar policy (policy H/5). The supporting text of the emerging LP indicates that, despite the pelican crossing and speed limit, crossing the A1307 is difficult and that residential development within the defined area would have poor access to village facilities and services resulting in it being an unsustainable location.

5. These two policies have the effect of placing an embargo on new dwellings within the defined area. I have been given no indication of the current status of the LP; however the effect of LP Policy H/5 is similar to that of the development plan Policy CH/10 and therefore it must be given some weight. However Policy CH/10 pre-dates the National Planning Policy Framework (The Framework) and, in accordance with Annex 1 of the Framework, the weight to be given to it will be determined by the extent to which it is consistent with the policies in the Framework.
6. The achievement of sustainable development is the overarching objective of the Framework. When considering locational sustainability the Framework indicates that planning should minimise journey lengths for employment, shopping, leisure, education and other activities and that developments should be located to give priority to pedestrian and cycle movements and should have access to high quality public transport facilities.
7. In the absence of detailed written evidence on this matter from either party my site visit gave me the opportunity to look around the village. It appeared to me that it supported a small range of local shops and services and healthcare, social and recreational facilities. The village also has education facilities including the Linton Village College (secondary school) with its main entrance a short distance from the appeal site. As I indicate above there is a range of businesses providing employment opportunities. Bus stops in Cambridge Road are served by regular buses between the City of Cambridge and Haverhill which have a full range of facilities.
8. At the time of my site visit (mid morning) I noted a constant flow of vehicles on the A1307; however, having walked past the bus stops, I was able to cross the road using the pelican crossing about 200m east of the appeal site. From here the services within the village could be reached. I have noted the Council's existing and emerging policies; however I consider that the distance to local facilities and public transport would not be prohibitive to access on foot.
9. On this issue I consider that whilst the proposal would conflict with both the existing and emerging policies the dwellings would not be unacceptably isolated from local employment, shopping, leisure, education and other activities and the appeal site is not locationally unsustainable.

#### *Setting of the listed building*

10. Woodville Cottage is a timber framed thatched dwelling of the late 17<sup>th</sup> century. The cottage has two floors of accommodation with the upper floor in the roof space lit by front and rear dormers. The building is located within what is now a primarily commercial area comprising office and industrial style buildings. However the larger buildings are some distance from the cottage and the much lower building on the appeal site, whilst much closer to the listed building, has a scale that is more in keeping with the cottage.

11. The proposed dwellings would be built on rising land to the rear of the cottage. The north flank wall of the terrace would be built at a higher level than the cottage and would be close to the boundary of its rear garden. The two-storey flank wall of the proposal would contrast with the modest scale and low eaves height of the listed building. As a result of its bulk, height and proximity the proposal would be an incongruous building that would dominate the setting of the rear of the listed cottage. I consider that it would be harmful to the significance of the cottage as a heritage asset. The harm arising from the proposal would be "less than substantial" as indicated by the Framework; however I have not identified any public benefits arising from the proposal that would outweigh that harm.
12. On this issue I conclude that the proposal would be harmful to the significance of the Grade II listed building and would conflict with DPD Policy CH4 and the provisions of the Framework that seek to safeguard the significance of heritage assets.

*Living conditions*

13. The northern flank wall of the terrace would be a prominent structure at the rear of the cottage; however the two-storey element would be off-set from the rear wall of the dwelling. Most of the rear windows of the cottage would not face directly towards the proposal and the cottage has a large garden area to the east that would be unaffected by the proposal. I consider that whilst clearly visible from some of the cottage windows and its rear garden the proposal would not be excessively over bearing and would not unacceptably detract from the outlook at the rear of the cottage. I therefore consider that in this respect the proposal would not conflict with DPD Policy DP/3.

*Protected trees*

14. A row of nine lime trees the subject of a 2005 Tree Preservation Order (TPO) lies within the site skirting its western boundary. The area beneath the spread of the trees is partly grassed and partly hard surfaced. The trees are prominent at the junction between Station Road and Cambridge Road and make an important contribution to the amenity of the area. When in leaf they would screen some of the larger commercial buildings thereby enhancing the setting of Woodville Cottage.
15. It is indicated that all of the trees would be retained but in the absence of an arboricultural report there is no analysis of the potential effects of the building operations and groundworks on their future health. The proposal indicates that two parking spaces and a turning area would be directly beneath the trees and that the front of the houses and two more spaces would be within about 3 to 5 metres of their spread. This species of tree exudes a sticky substance which drops onto cars and buildings below and nearby. Whilst the TPO provides protection for the trees I consider that the development of the site as proposed would result in pressure to have some of the trees removed which the Council might find difficult to resist.
16. In the absence of a tree survey and appraisal, and in the light of likely future pressure to remove some of the TPO trees, I consider that the proposal would conflict with DPD Policy DP/2 which indicates that important environmental assets of a site should be conserved or enhanced.

*Highway safety*

17. The appeal site shares an entrance with Woodville Cottage which is positioned within the bell mouth at the junction between Cambridge Road and the Station Road cul-de-sac. The proposal would result in the cessation of the business use and it is indicated that the access arrangement would continue. The application included no indication of the traffic movements associated with the current use of the site or any estimate of the movements anticipated in connection with the proposed development. In commenting on the application the Highways Authority indicated concern that the proposal would intensify the use of the access and recommended that permission should be refused on the grounds of highway safety.
18. In the grounds of appeal the appellant indicates that the business premises attracts 20 or more vehicles a day entering and leaving the site including lorries vans and cars. In my short time in the area I saw a number of vehicles coming and going from the site including a 7.5 ton lorry. The appellant's estimate of vehicle movements is not challenged by the Council and taking account of the size and nature of the unit I have no reason to disagree with it.
19. The proposed two-bedroom dwellings could be occupied as family homes; however I consider it unlikely that they would generate more than 20 vehicle movements between them on a daily basis, bearing in mind that refuse vehicles, post vehicles etc would already be visiting Woodville Cottage. I therefore consider that the premise on which the Council's objection is made is not soundly based. On the basis of the evidence before me I conclude that the proposal would not unacceptably compromise highway safety and in this respect it would not conflict with DPD Policy DP/3.

**Conclusion**

20. I consider that the proposal would not be in an unsustainable location, would not unacceptably detract from the living conditions of the occupiers of Woodville Cottage and would not compromise highway safety. However I have concluded that it would be unacceptably harmful to the significance of a heritage asset (the Grade II listed Woodville Cottage) and fails to demonstrate that important environmental assets (the TPO trees) would be conserved or enhanced. The evidence indicates no other matters that would outweigh the harm that I have identified and therefore, taking account of all matters, I have concluded that for those two reasons the appeal should not succeed.

*Clive Tokley*

INSPECTOR





global environmental solutions

S/2420/12

South Cambridgeshire  
Planning Services

21 NOV 2012

RECEIVED

Proposed Residential Redevelopment  
Land at 9 - 15 Cambridge Road, Linton, Cambridgeshire

Transport and Access Statement



November 2012

SLR Ref: 406-03377-00001

Version: Final

## 7.0 SUMMARY AND CONCLUSION

This Transport Statement is prepared in support of planning application relating to redevelopment proposals by Hundred Houses Society and Iceni Homes Ltd for land at 9 - 15 Cambridge Road, Linton, Cambridgeshire.

The application includes the provision of a new access junction into the site, located at the western end of the site frontage to Cambridge Road. The layout of the new junction is described, as is the accommodation of the public footpath that runs along the western boundary of the site.

The traffic generation of the redevelopment proposal is quantified. In both peak periods, the two way traffic impact equates to less than a 1% increase on existing (base) traffic flows. This is considered to be insignificant when set against the base network flows and is likely to be accommodated without any noticeable impact on the performance of Cambridge Road or nearby junctions.

The proposed parking arrangements for the site are described. The number of car parking spaces to be provided for the development is considered a suitable number to serve the future residents of the site. The number provided will ensure there are sufficient spaces to avoid overspill parking on Cambridge Road, but will not encourage car use by providing more spaces than are required.

The development site is located in close proximity to and easy walking distance of the village services and facilities and the existing bus service. Bus stops on Cambridge Road are located immediately on the site frontage. Nearby bus public transport is therefore already available to the site and the proposals would directly benefit from this in compliance with regional and local planning policy, and the intent to promote sustainable modes of travel.

The additional use of the pedestrian crossing on Cambridge Road is examined. Based on an average red phase of 18 seconds and the assumption that there will be the same level of activations per person as currently observed, the proposed development broadly results in just two minutes or 3.3% more red time within each of the peak hour periods. When considered within the context of normal fluctuations in daily traffic flows and use of the crossing, this measure of change would be imperceptible for vehicles on Cambridge Road.

On the basis of the assessment contained within this report, the development proposals are found to be acceptable from a transport and locational point of view.

## 8.0 CLOSURE

This report has been prepared by SLR Consulting Limited with all reasonable skill, care and diligence, and taking account of the manpower and resources devoted to it by agreement with the client. Information reported herein is based on the interpretation of data collected and has been accepted in good faith as being accurate and valid.

This report is for the exclusive use of the Hundred Houses Society and Iceni Homes Ltd; no warranties or guarantees are expressed or should be inferred by any third parties. This report may not be relied upon by other parties without written consent from SLR.

SLR disclaims any responsibility to the client and others in respect of any matters outside the agreed scope of the work.

# Delegation Report

S/2305/14/FL

17 Cambridge Road, Linton, Cambridge, Cambridgeshire, CB21 4NN

**Alteration and conversion of existing property to form three bungalows and erection of two new detached bungalows**

## SITE AND PROPOSAL

Application site:

The application site is a residential plot to the rear of The Rookery. The site is located within the village framework, south west of the centre of the village and the conservation area. The site is accessed via a track which is a Public Right of Way (PRoW), which is currently used as the vehicular access to the bungalow which occupies the plot.

Proposal

The applicant seeks planning permission for the subdivide the existing bungalow into 3 properties (3 x 2 bed properties) and the erection of two new bungalows (1 x 3 bed and 1 x 4 bed properties). Six car parking spaces would be provided so serve the 3 units formed from the existing bungalow, three in a covered carport with 3 additional spaces. The two new dwellings (plots 4 and 5) would be served by single garages with driveways in front for at least one additional car.

The proposed new building bungalows would each have a ridge height of 5.8 metres and an eaves height of 2.5 metres. The alterations to the height and design of the existing bungalow which is to be converted would increase the height of that building to 6.3 metres to the ridge (at the tallest point) and an eaves height of 2.4 metres. The depth of the central section between the two gable elements of the building would also be increased by 4 metres from the existing layout to accommodate additional floorspace.

## CONSULTATIONS

Parish Council – no recommendation

Local Highway Authority (LHA) – No objections to the proposal. The proposal would use the existing access onto Cambridge Road, where the visibility splays are considered acceptable. No adverse impact on the use of the public highway.

Environmental Health Officer – no objections

Affordable Housing - 2 affordable housing units should be provided on site or the provision of a commuted sum for off site provision.

## REPRESENTATIONS

No representations received.

## RELEVANT PLANNING HISTORY

S/1327/91/D – full planning permission for the erection of a bungalow - approved  
S/2230/04/O – outline planning permission for the erection of a bungalow – refused  
S/0663/04/O – Outline planning permission for the erection of a bungalow - withdrawn

#### **PLANNING POLICY-**

##### **National**

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

##### **Local Development Core Strategy 2007:**

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 and New Developments

CH/2 Archaeological sites

CH/5 Conservation Areas

HG/1 Housing Density

HG/2 Housing Mix

HG/3 Affordable Housing

NE/1 Energy Efficiency

NE/6 Biodiversity

NE/9 Water and drainage infrastructure

NE/10 Foul Drainage

SF/10 Outdoor Playspace, informal open space and new development

SF/11 Open Space standards

TR/1 Planning for more sustainable travel

TR/2 Parking Standards

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

District Design Guide

Proposed Submission Local Plan

S/1 Vision

S/2 Objectives of the Local Plan

S/3 Presumption in favour of sustainable development

S/10 Group Villages

HQ/1 Design Principles

NH/4 Biodiversity

H/7 Housing Density

H/8 Housing Mix

H/9 Affordable Housing

H/11 Residential space standards for market housing

H/5 South of A1307, Linton

NH/14 Heritage Assets

TI/2 Planning for sustainable travel

TI/3 Parking provision

SC/7 Outdoor play space, informal open space and new development

SC/8 Open space standards

SC/12 Contaminated land

## **PLANNING ASSESSMENT**

The key issues to be assessed in determining this planning application are the principal of the development, the provision of affordable housing, the density of and housing mix within the development and the impact of the proposals on the residential amenity of neighbouring properties, the character of the site and surrounding landscape and highway safety.

### **Principle**

The application site is located within the village framework of Linton where the principle of development on the scale proposed is acceptable, subject to all other material considerations being satisfied. Policy H/5 of the emerging Local Plan relates to the area south of the A1307 in Linton, which includes the application site. This policy is being given considerable weight in the determination of applications, in light of the guidance contained within the NPPF with regard to the application of emerging policy.

The policy states that 'windfall development will not be permitted other than improvements to existing properties.' The supporting text of the policy states that the A1307 severs this section of the site from the main village and that this makes it difficult for residents, workers and visitors to access the services within the core of the village.

In determining this application, it is considered necessary to give weight to the fact that the Council cannot currently demonstrate a five year supply of housing land and that proposals for new residential development have to therefore be considered against the definition of sustainable development as set out in the NPPF. The site is located within the village framework of a Minor Rural Centre, which are considered to be suitable for 'large scale windfall developments' in the Core Strategy.

Whilst policy ST/5 is now considered out of date, the fact that this policy considers the location to be sustainable adds weight to the case that the principle of development does meet the definition of sustainability in the NPPF, which is afforded full weight in the determination process. It is therefore considered that, whilst the proposal does conflict with an emerging policy that can be afforded significant weight, it complies with national policy which is afforded greater weight in the decision making process.

### **Affordable housing:**

The applicant has provided details which indicates that 3 Registered Social Landlords (RSLs) have been approached about the potential of taking ownership of the affordable unit that would be provided as part of the development. Iceni Homes, Sanctuary Group, Flagship, Hundred Houses Society and Circle Housing were all approached but declined the offer to take ownership of an on site unit. It is considered that the applicant has provided sufficient evidence to justify the 'exceptional circumstance' test of criteria 5 of policy HG/3 which states that '...on smaller sites, the Council may accept financial contributions towards an element of off-site provision.' The independent valuation stated that a contribution of £85,000 would be

neighbouring properties. Those properties are set at an oblique angle however to the proposed dwelling and therefore direct and perceived overlooking between habitable rooms would not be harmful to the residential amenity of either of those properties. Given the relatively modest height of the proposed bungalow, it is considered that retention of the trees on the boundary as part of landscaping scheme (to be conditioned) and the oblique relationship with the neighbouring properties ensure that unreasonable overshadowing of those dwellings would also be avoided.

The only window in the south eastern side elevation of the property at plot 5 serves a bathroom and this can be obscurely glazed by condition, to prevent unreasonable overlooking across the common boundary. Given the modest height of the proposed dwelling in that location, it is considered that the 11 metre separation distance to be retained to the south eastern boundary of the site is sufficient to mitigate any unreasonable overshadowing of the adjacent neighbouring property.

In terms of the amenity of the occupants of the proposed properties, the only potential conflict in the conversion of the bungalow into 3 separate dwellings is a loss of light to the kitchen window of the central property, which is immediately south of the extended gable element which would form plot 1. This issue has been discussed with the applicant and a revised layout was considered to be unviable. Given that the kitchen in the proposed layout would be separate from the dining area, it is considered that the kitchen space is not relied upon to provide a main habitable room and therefore, on balance, the impact that the overshadowing would have on the amenity of the occupiers is considered not be sufficient to warrant refusal of the application.

The relationship between the side elevations of plots 3 and 4 would be acceptable, given that all of the windows in the new build property on the latter plot would serve bathrooms and can therefore reasonably be obscurely glazed (to be conditioned). The location of the carport serving plot 4 ensures that a separation distance of 9 metres would be achieved, which would avoid unreasonable overshadowing given the single storey nature and low eaves height of both properties.

The relationship between plots 4 and 5 is also considered acceptable. At the point where corresponding elevations directly face each other, the study window in the southern elevation of the gable at the front of plot 4 faces the entrance hall to the front of plot 5. As the latter is considered not to be a habitable room, the separation distance to be retained (approximately 15 metres) is sufficient to mitigate unreasonable overlooking into or overshadowing of either property. Subject to the agreement of an adequate boundary treatment on the common boundary between the two plots (to be conditioned), it is considered that the oblique relationship between the dwellings ensures that the utility room window in the southern elevation of plot 4 would not result in unreasonable overlooking into the property or amenity space associated with plot 5.

Whilst relatively tight, the private amenity space associated with the 3 x 2 bed units resulting from the conversion of the existing bungalow would achieve 50 square metres for each property, meeting the design guide criteria for

reasonable as a contribution to delivery of affordable units off site and this has been agreed by the Council's Housing Officer. This sum shall be secured via a section 106 agreement.

### **Density and Housing mix**

The scheme would be of a lower density than required by policy HG/1 of the LDF and emerging Local Plan policy H/7 (approximately 15 dwellings per hectare as opposed to the policy requirement of 30). However, both policies include the caveat that a lower density may be acceptable if this can be justified in relation to the character of the surrounding locality. Given that the application site is located on the edge of the settlement and within a conservation area, it is considered that this proposal meets the exception tests of the current and emerging policy with regard to the density of development.

Under the provisions of policy HG/2, proposals are required to include a minimum of 40% 1 or 2 bed properties. As 3 of the 5 properties in this scheme would have 2 bedrooms, the proposal meets the requirements of that policy. The policy states that approximately 25% of dwellings in residential schemes should be 3 bed and the same threshold applies to 4 or more. One of the new properties would have 3 bedrooms, the other 4. This mix is considered to comply with the policy.

Policy H/8 of the emerging Local Plan is less prescriptive and states that the mix of properties within developments of less than 10 dwellings should take account of local circumstances and so there would be no conflict with the emerging policy with regard to housing mix.

In relation to emerging Local Plan policy H/9, criteria 'f' allows a similar exception on sites where it can be demonstrated that it is 'not possible or appropriate' to build homes on the application site or other sites, in which case an appropriate financial sum for future provision will be sought. The applicant has provided Heads of Terms and is willing to enter into a Section 106 agreement requiring this contribution to be paid and has therefore complied with the requirements of that policy.

### **Residential amenity**

The properties to the north of the site (facing onto Cambridge Road) have long gardens and the separation distances to be retained to those dwellings ensures that the modifications to the existing bungalow would not result in unreasonable overshadowing of or overlooking into those properties. There are currently window openings serving a bathroom and a bedroom in the northern elevation of the existing bungalow and it is considered the proposed arrangement would not result in any harm to the amenity of the garden areas of those neighbouring properties given the substantial nature of the separation distances to the more sensitive areas adjacent to the rear elevations of those dwellings.

The proposed new bungalow at plot 4 would have habitable room windows in the south eastern elevation, facing the common boundary with two

properties of that site. The larger new build bungalows would be set in much larger plots which also achieve the relevant standards for dwellings with 3 and 4 or more bedrooms.

Following the above assessment, it is considered that the proposal would not have an adverse impact on the residential amenity of any of the neighbouring properties or the new units to be created within the development.

#### **Character of the site and surrounding area**

The proposed increase in the height of the existing bungalow as part of the conversion works would be to an extent that would result in an overbearing impact on the character if the existing modern property and the gabled front elements would still provide a strong character. The projecting gabled design would be replicated across the two new properties, which would respect the depth and proportions of the existing bungalow. The low density of the scheme ensures that the overall development avoids a cramped appearance and would not have an overbearing impact on the character of the site or the surrounding area when viewed from the PRow which runs parallel with the western boundary of the site.

#### **Highway safety and parking**

The LHA has raised no objection in terms of the intensification of development on the site and is satisfied that the existing access onto Cambridge Road is adequate in highway safety terms. The applicant has confirmed that they have a right of access over the section of the PRow which connects the site to this access. It is considered necessary to attach a condition to the planning permission requiring a scheme relating to the management of materials and traffic during the construction process to ensure that unreasonable infringement of the PRow is avoided during the works.

In relation to parking provision, the development allows space for the provision of 2 car parking spaces on each plot (communal arrangement for plots 1 to 3) and this is considered acceptable in relation to the standards of the current LDF and emerging Local Plan.

#### **Other matters**

The EHO has raised no objections to the scheme. Given the proximity of plots 4 and 5 in particular to neighbouring properties, it is considered necessary to restrict the hours of noise during construction and this can be done through the imposition of a standard condition.

Details of hard and soft landscaping as well as the boundary treatment on the edges of the plots shall also be conditioned to ensure that the development is appropriately assimilated into the character of the surrounding area.

#### **Section 106 contributions**

Adopted SF/10 and SF/11 of the current LDF and policies SC/7 and SC/8 of the emerging Local Plan require developments such as this proposal to make financial contributions to off-site open space and facilities, commensurate

with the size of the development, where provision is not proposed on site (which applies to this application).

The guidance contained within the PPG was revised on 28 November 2014, to state that Local Planning Authorities could no longer require 'tariff based' contributions or affordable housing through Section 106 Agreements on schemes for less than 10 dwellings. In August 2015, this amendment to the PPG was quashed in the High Court and as a result this element of the guidance has been withdrawn, ensuring a return to a position where contributions can be sought where they are necessary to make the development acceptable in planning terms (in line with the CIL regulations). The South Cambridgeshire District Council Recreation and Open Space Study (2013) identifies a shortfall in play space in Linton against the recommended standards. The Parish Council has identified a specific project for which they are currently seeking funding, which involves the renovation of the public open space at the Pocket Park.

It is considered that the additional anticipated population arising from the development (approximately 11 people) and the current deficit in play space and the fact that the Parish Council have identified a specific project ensures that a contribution to these facilities is necessary to make the development acceptable in planning terms, therefore complying with the CIL regulations. A financial contribution has been secured through the completion of a Unilateral Undertaking and of is therefore considered that the requirements of the policies quoted above.

### **Conclusion**

The proposal is considered to be acceptable in principle, would make a contribution to the provision of affordable housing off site (having satisfied the policy tests to demonstrate that on site provision is not possible) and would be of a density and detailed design that would respect the character of the site and the surrounding area and preserve the residential amenity of neighbouring properties. The scheme would not result in an adverse impact on highway safety or environmental health, subject to the imposition of relevant conditions.

### **Recommendation**

Grant planning permission, subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 1:1250 site location plan, 1:500 proposed site plan, plans and elevations of plots 1, 2 and 3 (Drawing No. 9010/14/2), plans and elevations of proposed detached 3 bedroom bungalow (Drawing No. 9010/14/3), proposed plans and elevations of proposed detached 4 bedroom

bungalow (Drawing No. 9010/14/4), proposed cart lodge to serve 3 attached bungalows (Drawing No. 9010/14/5), proposed cart lodge to serve 3 bedroom detached bungalow (Drawing No. 9010/14/6), proposed cart lodge to serve 4 bedroom detached bungalow (Drawing No. 9010/14/7) (all received 19 September 2015).

(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

3. No development shall take place until details of the materials to be used in the construction of the external surfaces of the buildings 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.)
4. Prior to the commencement of any development, a scheme for the provision and implementation of foul 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 reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policy NE/10 of the adopted Local Development Framework 2007.)
5. 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.)
6. 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 any of the dwellings are 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.)
7. 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 those to be retained (which shall include all of those on the eastern and southern boundaries of the site), 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.)

8. 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.)
  
9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development within Classes A, B, C, D, E, F, G and H of Part 1 of Schedule 2 of the Order shall take place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.  
(Reason - In the interests of preserving the residential amenity and the character of the surrounding landscape, in accordance with policy DP/3 of the adopted Local Development Framework 2007.)
  
10. 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.)
  
11. 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.)

12. During the period of demolition and construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.  
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
13. The surface of the driveways to serve each of the five dwellings hereby approved shall be constructed on a level that prevents surface water run-off onto the highway and shall be constructed from a bound material so as to prevent displacement of material onto the highway. The development shall be retained as such thereafter.  
(Reason: In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007 and the National Planning Policy Framework.)
14. The vehicle parking provision associated with the five dwellings hereby approved shall be laid out as indicated on the amended approved site plan (1:500 proposed site plan received 19 September 2014) prior to the first occupation of any of the dwellings and shall be maintained free from obstruction for their intended use at all times. The development shall be retained as such thereafter.  
(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
15. The following windows to be inserted into the dwellings as part of the development hereby approved shall be fitted and permanently glazed with obscure glass (to meet Pilkington Standard level 3 in obscurity as a minimum) and shall be non-opening below 1.7 metres above the internal floor level within the respective properties:  
  
Bathroom window in the south western elevation of plot 3  
The three windows serving bathrooms in the north eastern elevation of plot 4  
Bathroom window in the south eastern elevation of plot 5  
  
The development shall be retained as such thereafter.  
(Reason - To prevent overlooking of the adjoining properties in accordance with policy DP/3 of the adopted Local Development Framework 2007.)
16. No development shall commence until details (including scaled location and elevation plans) of covered and secure cycle storage to be provided within the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.  
(Reason - To ensure the provision of covered and secure cycle parking in accordance with Policy TR/2 of the adopted Local Development Framework 2007.)

**Informatives**

1. The application site is subject to a Planning Obligation Agreement under S106 of the Town and Country Planning Act 1990.

**Signature of Delegation Officer**



**David Thompson**  
Senior Planning Officer

**Date**

24.9.15