

Case No: 0403101OUT (OUTLINE APPLICATION)
Proposal: RESIDENTIAL DEVELOPMENT (1.3 HECTARES)
Location: LAND OFF BYDAND LANE AND REAR OF PARK CRESCENT, LITTLE PAXTON
Applicant: TURRET CONSTRUCTION AND PROPERTY CO LTD
Grid Ref: 518777 262557
Date of Registration: 07.10.2004
Parish: LITTLE PAXTON

RECOMMENDATION - APPROVE

1. DESCRIPTION OF SITE AND APPLICATION

- 1.1 The application site is located off Bydand Lane and is 1.3 hectares in size. The site is developed with a number of industrial and warehouse buildings built mainly in the 1960's and 1970's. The buildings occupy a large proportion of the area of the site and in between the buildings are areas of concrete hardstanding. The site is served with two access points, an access and egress, from Bydand Lane. A second access to the site exists adjacent to No. 9 Park Crescent which is also in the ownership of the applicant and included within the application site. The boundaries of the site are defined with either walls or fencing. The site is surrounded by established residential housing, either single or two storey in height.
- 1.2 This outline application proposes the residential development of the site and seeks approval for the details of the means of access. The application states that siting, design and landscaping are matters to be reserved for subsequent approval. Access would be from the existing access from Park Crescent. This would be widened by demolishing No. 9 Park Crescent, a semi-detached bungalow. A 5 metre access with two, 2 metre wide footpaths would be provided. The application is also accompanied by a Planning Statement which includes an Illustrative Concept Plan.

2. NATIONAL GUIDANCE

- 2.1 **PPS1 - Creating Sustainable Communities**, requires planning authorities to deliver sustainable forms of new development by promoting regeneration, healthy economies, the creation of communities and by making more efficient use of land and by reducing the need to travel.
- 2.2 **PPG3 - Housing** contains advice regarding making the best use of previously developed land, development and redevelopment densities and parking provision. The guidance specifically encourages designing for quality in new developments, the use of appropriate

high densities which make efficient use of land and particularly developments that maximise the use of previously developed land for housing (the national target is that 60% of new housing should come from such sources).

- 2.3 **PPG13 - Transport** aims to promote more sustainable forms of development and related integrated transport solutions. In considering sites for housing LPA's should consider their location and accessibility to jobs and services by modes other than the car.

3. PLANNING POLICIES

- 3.1 The Cambridgeshire and Peterborough Structure Plan 2003 contains the following policies that are applicable to the proposed development -

- ◆ **P1/1** - sets out the general approach to development within Cambridgeshire (in and where appropriate adjoining the market towns of St Neots, etc).
- ◆ **P1/3** - requires that all new development is of a high standard and is sustainable by minimising the need to travel and car dependency by including amongst other things direct walking and cycling routes, good access by public transport, a mix of housing opportunities and facilities for all sections of the community.
- ◆ **P2/2** - sets out the general policy in respect of the location of employment uses in order to create balance of jobs and housing.
- ◆ **P5/2** - sets out the emphasis on re-using previously developed land and buildings to meet residential needs (with Huntingdonshire having a target of 43% provision on brownfield land).
- ◆ **P5/3** - indicates that housing densities of at least 40 dwellings per hectare should be sought in locations close to a good range of existing or potential services and where there is potential for good public transport accessibility.
- ◆ **P5/4** - requires that provision be made through Local Plans for affordable housing, including key worker housing, and a mix of housing types.
- ◆ **P6/1** - indicates that development will only be permitted where additional infrastructure and community facilities can be secured by agreement.
- ◆ **P8/1** - sets out the link between land use and transport and requires that provision be made to ensure that new development is located in areas that are highly accessible by public transport, cycle and on foot.
- ◆ **P8/3** - indicates that Area Transport Plans will be prepared for the Market Towns to identify transport improvements and the need for transport contributions from development.
- ◆ **P8/5** - Provision of parking

- 3.2 The Huntingdonshire Local Plan Alteration 2002 contains the following policies that are relevant to the proposal.

- ◆ **STR1** - sets out the Huntingdonshire settlement hierarchy.
- ◆ **STR2** - Housing groups defined as up to 8 dwellings forming a planned entity, or exceptionally 15 dwellings where the site is within the environmental limits, the development would make best use of land and the overall benefits of estate scale development are strong.
- ◆ **STR5** - designates Little Paxton as a group village.
- ◆ **HL5** - requires that new housing development is of good design, achieves efficient use of land, and provides an appropriate mix of dwelling types and sizes.
- ◆ **HL6** - expects new housing development to be at least at densities of 30 to 50 dwellings per hectare or more.
- ◆ **HL7** - seeks to maximise the re-use of previously developed land for housing purposes.
- ◆ **HL8** - in group villages groups of dwellings and infilling permitted on appropriate sites within environmental limits.
- ◆ **HL10** - Housing to reflect community's needs with choice of housing.
- ◆ **AH1** - definition of affordable housing.
- ◆ **AH2** - method of achieving affordable housing.
- ◆ **AH4** - states that the District Council will seek to achieve 29% affordable housing provision on development sites containing more than 25 dwellings or 1 Hectare in extent in settlements larger than 3000 people.
- ◆ **OB1** - states that the nature and scale of planning obligations will be related to the size of the development and the impact on physical infrastructure, social and community facilities.
- ◆ **OB2** - states that financial contributions may be sought for the maintenance of open space, children's play space and woodland/landscaping related to the development proposed.

3.3 The following policies in the Huntingdonshire Local Plan (1995) are applicable to this proposal -

- ◆ **H31** - new housing only permitted where appropriate standards of privacy and amenity can be maintained.
- ◆ **E1** - Promote economic and employment growth.
- ◆ **E2** - Allocation of an adequate range of sites suitable for industry warehousing and offices.
- ◆ **En18** - seeks to protect important site features.
- ◆ **En19** - tree preservation orders made where appropriate.
- ◆ **En20** - requires the execution of landscaping schemes in association with new development.
- ◆ **En25** - all new development to respect scale, form, materials and design of buildings in locality.
- ◆ **R3** - minimum standards for provision of recreation space.
- ◆ **R7** - sets out the District Council's open space standards for new residential development.
- ◆ **R8** - contributions towards improving recreational facilities may be accepted where on site provision is impractical or inappropriate.

- ◆ **R12** - states that children's play areas will be required in new housing areas.
- ◆ **T18** - new development to be accessed by new highways of acceptable design and construction.
- ◆ **T19** - requires that new development incorporate safe and convenient pedestrian routes.
- ◆ **T20** - requires that new development incorporates segregated cycle routes.
- ◆ **T28** - all new developments to meet parking standards.
- ◆ **CS8** - availability of water and sewage disposal facilities.

3.4 Supplementary Planning Guidance

- ◆ The Huntingdonshire Design Guide 2004 gives advice on design considerations.
- ◆ The Guide on Market Housing Mix 2003 provides advice on the mix of dwellings.
- ◆ Trees and Development 1998 provides advice on arboricultural matters.

4. PLANNING HISTORY

4.1 Numerous previous applications relating to the existing industrial use.

91/1676	Erection of 49 dwellings	Refused
0401156OUT	Outline application for Residential Development	Appeal lodged against Non Determination

5. CONSULTATIONS

5.1 **Little Paxton Parish Council - OBJECTION (copy attached).**

5.2 **CCC Local Highway Authority** - given that the development does not give rise to a net increase in trips on the peak hours a contribution to the St Neots Market Town Strategy is not required. The proposed access onto Park Crescent is acceptable to the Highway Authority.

5.3 **HDC Environmental Health Officer - NO OBJECTION** but if minded to approve then a condition requiring a contamination investigation will be required.

5.4 **Cambridgeshire Fire and Rescue - NO OBJECTION.**

5.5 **Environment Agency - NO OBJECTION** but recommend conditions be imposed to investigate and remediate any contamination on the site and require details of foul water drainage.

5.6 **County Council Education** - A contribution of £4,450 per dwelling is sought for nursery primary and secondary and primary provision.

5.7 **Head of Housing Services** - 29% affordable housing should be provided.

6. REPRESENTATIONS

6.1 **SEVENTEEN** letters of **OBJECTION** have been received which raise the following points -

- ◆ Upkeep of Bydand Lane;
- ◆ Footpath into Church Close is not acceptable to the majority of Church Close residents as will be used by cyclists and dog walkers;
- ◆ Two storey houses will overlook existing bungalows in Park Avenue and Park Crescent - would not object to bungalows;
- ◆ Overloading of sewerage system;
- ◆ Density of surrounding development very low;
- ◆ Existing industrial use inactive at evenings and weekends;
- ◆ The existing industrial site has not external lighting;
- ◆ Existing wildlife on the site;
- ◆ Site provides local employment and its continued use as local employment has not been explored;
- ◆ Previous application was refused;
- ◆ Road safety issues as Park Crescent is used as a local route to schools and shops;
- ◆ Light pollution from car lights;
- ◆ Area lacks affordable small commercial buildings;
- ◆ The Local Plan does not support major house building in Little Paxton;
- ◆ Damage to remaining semi-detached bungalow adjacent to access to access into Park Crescent;
- ◆ Loss of key workers if existing firms have to relocate;
- ◆ Lack of public transport to other industrial estates;
- ◆ Contrary to Policy STR5;
- ◆ Should be limited to two storeys only;
- ◆ Brick wall on eastern and southern boundaries of the site of historic significance should be safeguarded;
- ◆ Object to extension of open space from Church Close as this would change the character of the area and encourage youths to congregate;
- ◆ Demolition vehicles will damage surface of Bydand Lane;
- ◆ Adoption of Bydand Lane following the development;
- ◆ Loss of trees would be unacceptable;
- ◆ Additional noise and disturbance from high density residential development; and,
- ◆ Little Paxton has few services

6.2 In addition, a **PETITION** signed by 21 people **OBJECTING** to the proposal on the grounds of loss of privacy and amenity, possible overlooking, noise pollution, light pollution, wildlife disturbance, increase in vehicular activity, danger to pedestrians and danger and upheaval caused by construction vehicles has been received.

7. SUMMARY OF ISSUES

- 7.1 Since this is an outline application which seeks approval only for the principle of residential development and the means of access, the only issues to consider are the principle of residential development, access and traffic issues, Section 106 considerations and third party considerations.

Principle of Residential Development

- 7.2 The application site is located within the defined village environmental limit for Little Paxton. It is likely that a development of the scale proposed would be in conflict with the basis of HLP Policies STR1 and STR3 which define the settlement hierarchy and designate Little Paxton as a group village (suitable to accommodate small scale developments of up to 15 dwellings). (Although the numbers of dwellings are not known at this stage, as the site is 1.3 hectares in size at least 40 dwellings will be proposed.) However, it is considered that the location of the application site must also be assessed in respect of the national, regional and local planning policy perspective that seeks to maximise the re-use of previously developed land in accessible sustainable locations for residential purposes. The application site is so closely related to the identified growth centre of St Neots that it practically must be considered in respect of the group of up-to-date policies that seek to encourage appropriate forms of residential redevelopment (CSP Policies P1/1, P5/2 and HLP Policies STR1, STR3 and HL7).
- 7.3 This application site is a 'windfall' residential development site that needs to be assessed on its planning merits. Whilst it is accepted that residential development of the scale envisaged would be a technical departure from the Development Plan it is contended that in reality this is a sustainable location, directly related to a major identified growth area, where planning policy could support a departure from the settlement strategy defined by the Development Plan. Previous Panel resolutions have supported the development of both the Island and Riverside Mill sites in Little Paxton, both of which are developments of over 15 dwellings.
- 7.4 The existing site is currently in employment use and the Parish Council and others have questioned the appropriateness of its loss for employment purposes. In the absence of an applicable general employment site safeguarding policy it is necessary to evaluate this proposal against the raft of national policies and statements that now encourage LPA's to actively seek to re-use none viable employment sites for other purposes. The buildings, built in the 1960's and 1970's provide small scale business premises for B2 employment uses. The Council has commissioned a study to determine the demand for such small units and this has concluded that existing small businesses would not it difficult to find alternative premises if forced to relocate. The general St Neots area also benefits from a wealth of existing employment locations and commitments and against that background it is considered that it would be untenable to seek to retain this site for employment purposes. The development of this site for residential

use represents a sustainable form of development since a wide range of employment opportunities are available in the surrounding local area.

- 7.5 The principle of residential development is therefore consistent with both national and Development Plan policies.

Access and Traffic Issues

- 7.6 The application seeks approval for the means of access and this involves the improvement of an existing access from Park Crescent. The illustrative concept plan and planning statement submitted with the application states that it is envisaged that a number of the properties would be served from Bydand Lane. The County Council as local highway authority have considered the proposed access arrangements in relation to the existing industrial use and the proposed residential use and have stated that this is acceptable.

- 7.7 The issue of traffic generation from the proposed use has also been considered and as it would not give rise to a net increase in trips on the network in peak hours it is not appropriate to request a contribution to the St Neots Market Town Strategy.

Section 106 Issues

- 7.8 The impact of the proposed use needs to be considered in relation to any necessary mitigation measures. Transport mitigation has been considered above.

Affordable Housing

- 7.9 Policy AH4 of the Huntingdonshire Local Plan Alteration 1998 states that on sites of over 1 hectare in size 29% of the dwellings should be affordable. Housing Services have recommended that the affordable housing contribution shall be free serviced land sufficient to provide 29% of the total number of dwellings on the site as affordable, plus a capital contribution of £17,644 per affordable dwelling. The applicant has agreed to this contribution subject to no new central government guidance being issued before this application is determined.

Open Space

- 7.10 Policies R7 and R8 of the Huntingdonshire Local Plan 1995 and Policy OB2 of the Huntingdonshire Local Plan Alteration Plan provides for the provision of open space and/or contributions on new residential developments of over 10 or more dwellings. The Council considers that children's casual and equipped play space should be provided on site. The play equipment would need to be assessed by the Council. A commuted sum of £8,600 should be provided for maintaining the grass and the equipment and a further commuted sum of £7,500 is required in lieu of on site provision of youth/adult play space. The applicant has agreed to this contribution.

Education

- 7.11 Policy OB1 of the Huntingdonshire Local Plan Alteration and Policy P6/1 of the Cambridgeshire and Peterborough Structure Plan require that appropriate infrastructure should be provided when sites are developed in order to mitigate the impact of that development. The Education Authority has requested that a contribution of £4,450 per dwelling should be provided. This is calculated as £700 for nursery provision, £1,750 for primary provision and £2,000 for secondary provision. The applicant has agreed to this contribution.
- 7.12 In order to ensure the above requirements are met in the event of planning permission being granted, the applicant would need to enter into a Section 106 Agreement.

8. CONCLUSIONS

- 8.1 This application proposes that this brownfield site be redeveloped for residential purposes. The study commissioned by the Council to examine the demand for employment sites concluded that there was insufficient demand to justify the retention of this site for employment uses, and in the absence of a Development Plan policy protecting employment sites the application could not be refused for this reason. This is a windfall site and whilst this proposal would be a departure from the Development Plan, in terms of the scale of the proposed development, it is considered that this proposal can be supported because of the contribution that the development would make towards meeting the housing needs of the area in what must be considered to be an appropriate sustainable location.
- 8.2 In considering this application the Council, acting in respect of its role as the Local Planning Authority, has had regard to the provisions of the Development Plan, comprising the Cambridgeshire Structure Plan 2003, the Huntingdonshire Local Plan 1995 as altered by the Huntingdonshire Local Plan Alteration 2002, and to all other material considerations. In the light of national planning policy guidance, Development Plan policies and other material considerations it is recommended that planning permission be granted for the development as proposed.

9. RECOMMENDATION

- 9.1 That the application be referred to Council and then the Government Office for the East of England as a significant departure from the Development Plan.
- 9.2 That, subject to the application not being called in by GO-East, the Director of Central Services be **AUTHORISED** to enter into an agreement under Section 106 of the Town and Country Planning Act 1990 to secure the social and physical infrastructure contributions outlined in this report.
- 9.3 That, subject to the completion of the above the planning application is **APPROVED** subject to conditions to include the following:

01013	Details reserved minus access
01002	Plans and particulars in writing
01003	Reserved matters within three years
01004	Dates for submission of details
03019	Access/dwelling
15001	Contaminated land scheme
15002	Scheme shall include investigation
15003	Development not commence
06004	Tree details
06007	Tree retention, maintenance and protection
06008	Details of proposed trees
06010	Landscape design
06011	Soft landscape
06012	Hard and soft landscape implementation
10002	Public Open Space Scheme
06015	Boundary treatment
06016	Landscape management plan
09003	Lighting scheme before dev
13003	Permitted Development (Extensions)
04002	Foul water only

BACKGROUND PAPERS

Planning Application File Reference: 0403101OUT
Huntingdonshire Local Plan
Huntingdonshire Local Plan Alteration
Cambridgeshire & Peterborough Structure Plan

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