

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

4<sup>th</sup> April 2007

**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

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**S/0005/07/O - BARRINGTON**

**Erection of 40 Affordable Dwellings with New Access Road and Open Space, Land North of Challis Green for Cemex UK Operations Ltd**

**Recommendation: Delegated Approval**

**Date for Determination: 3<sup>rd</sup> April 2007 (Major Application)**

**Notes:**

**This Application has been reported to the Planning Committee for determination because it is an application for an exception site for affordable housing outside the village framework and a Departure from the Development Plan.**

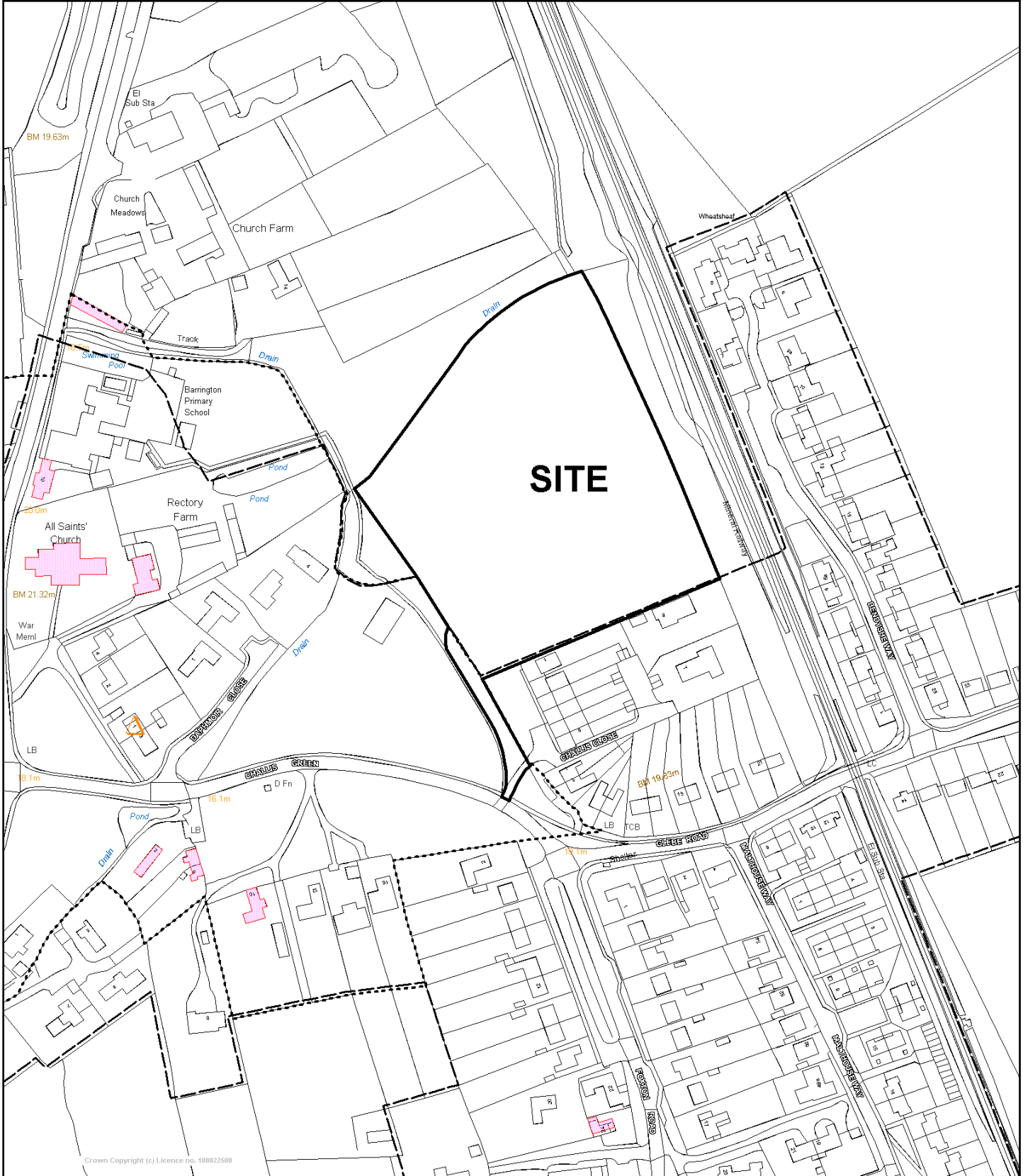
**Members will visit this site on Monday 2<sup>nd</sup> April 2007**

**Conservation Area (Access Only)**

**Departure Application**

**Site and Proposal**

1. This outline application submitted on 4<sup>th</sup> January 2007, and as amended by Drawings received on 15<sup>th</sup> March 2007, seeks consent for the erection of 40 affordable dwellings, access road and open space on a 1.78ha area of land to the north east of Challis Green, Barrington, at a density of 22.5dph.
2. The application seeks consent at this stage for layout and access, with scale, landscaping and appearance being reserved matters.
3. The new housing development is located around the northwest, north east and south east sides of a new area of public open space which would form an extension to Challis Green. The dwellings are designed to face onto the new area of Green.
4. The development proposes the erection of 9 one-bedroom flats, 2 two-bedroom flats, 13 two bedroom houses, 13 three-bedroom houses, 1 four-bedroom house and 2 two-bedroom bungalows.
5. The existing access to Challis Close from Challis Green is to be widened and upgraded with a new spur to serve the existing houses and a new access road along the south west side of the exiting ditch across the edge of Challis Green which turns north east into the main part of the application site after 80m to serve the new dwellings.



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APRIL 2007 PLANNING COMMITTEE

6. An existing footpath which runs from south east to north west, close to the existing north east boundary of Challis Green and links to the back of the Primary School, forming part of a safer route to school, is to be incorporated into the new roadway.
7. To the south east of the site is existing development in Challis Close. To the north west the site is bounded by an existing planting belt beyond which is the mineral railway line leading from Cemex and beyond that existing properties in Bendyshe Way. To the north west is planted land within the ownership of the applicant. To the south west is the open space of Challis Green and existing properties in Daphmoir Close. The south west boundary is currently formed by a ditch and planting.
8. The application is accompanied by a Design and Access Statement and Flood Risk Assessment.

### **Planning History**

9. The idea of the development of this site for affordable housing has been under consideration since the early 1980's. In 1984 and 1989 outline applications for residential development were withdrawn.
10. In 1998 two applications were received on the south east part of the current site, one for the erection of 12 units (**Ref: S/1729/98/F**) and the other for the erection of 4 units (**Ref: S/1726/98/F**). These applications were considered by Members and officers were given delegated powers to approve both schemes subject to the prior signing of a Section 106 Agreement securing the provision of the housing under the affordable housing policy. That agreement was not signed and the applications were re-considered by Members in March 2003 when it was resolved to refuse the applications on that ground alone. Access proposed by the 1998 applications was the same as that being considered for the current proposal.

### **Planning Policy**

11. **Policy P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003 ("The County Structure Plan") restricts development in the countryside unless it can be demonstrated to be essential in a particular location.
12. **Policy P5/5** of the Structure Plan states that small-scale housing developments will be permitted in villages only where appropriate and having regard to the need for affordable rural housing.
13. **Policy P7/2** of the Structure Plan states that all development will seek to conserve and enhance the biodiversity value of the areas that they affect.
14. **Policy P7/6** of the Structure Plan seeks to protect the historic built environment.
15. **Policy ST/6** of the South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007 identifies Barrington as a group village.
16. **Policy SE8** of the Local Plan states that residential development outside village frameworks will not normally be permitted.
17. **Policy HG8** of the Local Plan states that, as an exception to the normal operation of the policies of the Plan, planning permission may be granted for schemes of 100% affordable housing designed to meet identified local housing needs on sites within or adjoining villages. The Policy sets out a range of criteria that need to be met

including a requirement that the site is well related to the built-up area of the settlement and the scale of the scheme is appropriate to the size and character of the village and; the development does not damage the character of the village or the rural landscape.

18. **Policy CS2** of the Local Plan states that planning permission will not be granted where there are inadequate water supply, sewerage or land drainage systems to meet the anticipated demands of the development.
19. **Policy CS5** of the Local Plan states that planning permission will not be granted where the site is liable to flooding, or where development is likely to increase the risk of flooding elsewhere by materially impeding the flow or storage of floodwater; increase flood risk in other areas downstream due to additional surface water runoff; or increase the number of people or properties at risk, unless it is demonstrated that these effects can be overcome by appropriate alleviation and mitigation measures.
20. **Policy EN13** of the Local Plan states that the District Council will not grant planning permission for development which could adversely affect, either directly or indirectly, the habitat of protected species.
21. **Policy EN30** of the Local Plan seeks to preserve or enhance the character of Conservation Areas.
22. **Policy EN45** of the Local Plan states that there is a general presumption against development which will have an adverse environmental impact on the water environment, nature conservation, fisheries and water-related recreation.
23. **Policy Preferred Option SSP16** of the Site Specific Proposals Document of the Cambridgeshire and Peterborough Minerals and Waste Development Plan Preferred Options Document identifies Sustainable Transport Protection Zones, one of which is Barrington Cement Works Railhead.

### **Consultation**

24. **Barrington Parish Council** recommends approval. "The Parish Council would wish to see the development concurrent with this Application of a car park and a new rear entrance to Barrington School for access by the pupils, such that the entrance on Haslingfield Road could be for staff and visitors only. In addition the Parish Council envisages that the new footway(s) from Challis Green (highway) to the School would mean that the present pathway to the School across Challis Green, constructed under the Safer Routes to School policy, would be discontinued. To protect the privacy of the residents of Challis Close, the Parish Council would wish to see a 2m close boarded fence erected along the boundary with the Challis Close site; this fencing would become the responsibility of Challis Close Residents Association.
25. The **Local Highway Authority** points out that no part of Challis Green is maintained at the public expense and therefore the application site area as shown on the submitted plan does not abut the existing highway network.

As this is a full application the layout should be appropriately dimensioned to give carriageway, footway, footpath and verge widths together with junction, centre line and turning head radii. In addition, all junction and pedestrian visibility splays should be given. The letter sets out specifications that should be met for the above.

Off-site footpath links to the school should be included within the site edged red to ensure that they will be delivered. The existing path across the Green should also be identified on the submitted layout plan.

26. The **Conservation Manager** confirms that the scheme appears to follow pre-application discussions. Details of the public open space will need to be specified to ensure that the open character of the Green is retained.
27. The **Development Manager** is in support of the proposals generally but suspects that 40 units in one scheme may be too many, particularly as Primes Close is also offering affordable units that will contribute to addressing the Parish housing needs.
28. The **Affordable Housing Panel** is supportive of the proposal but feels that a condition requiring the phasing of the Challis Close development should be imposed which prevents the total number of units being constructed on this and the Primes Close site exceeding the identified housing need for Barrington.
29. The **Trees and Landscapes Officer** comments that the scheme puts forward an overall good landscape proposal and that the extension of the village green into a further open space with the housing backing onto the existing housing behind is a good arrangement. More detailed information will be required at a later stage.
30. The **Architectural Liaison Officer, Cambridgeshire Constabulary**, main concern at this stage relates to vehicle parking. Generally in-curtilage parking is preferred but where this is not possible parking should be in small courts serving a maximum of six to eight dwellings close to and within the natural surveillance of each dwelling served.

The parking for plots 8,12,15,16,19 and 20 are to varying degrees remote from the dwellings served and with limited or no natural surveillance from the individual dwellings. The parking court for the flats serving 11 dwellings is rather large with few opportunities for flats on the southern side to overlook parked vehicles.

Natural surveillance over the entrance road and the public open space are more than satisfactory.

31. The **Environment Agency** comments that the application as submitted is acceptable in principle and that the draft proposals for surface water disposal are commendable and demonstrate an imaginative scheme for the re-cycling of surface water, and the minimisation of portable water usage which should be encouraged and supported, although the issue of surface water drainage will require considerably more detail prior to the commencement of development.

It requests that conditions are attached to any consent requiring the submission of a scheme for surface water drainage and asks that a number of informatives be attached.

32. **Anglian Water** does not object to the application but points out that there are public sewers within the boundary of the site and that no development will be permitted within the statutory easement of 6 metres either side of the centreline of the sewer without prior consent.
33. The **Ecology Officer** comments that this application has the potential to make an interesting development if suitable environmental enhancements can be achieved and has no objection in principle at present. However the site needs to be assessed

for its ecological value (the 2000 assessment referred to in the application should now be considered out of date).

34. The **Chief Environmental Health Officer** requests that conditions be attached to any consent restricting the hours of operation of power driven machinery during the construction process and requiring the submission of a scheme for protecting the proposed dwellings from noise from the mineral railway line which runs alongside the site and serves the nearby cement works. All works forming part of the scheme should be completed before any of the dwellings are occupied.
35. **Cambridgeshire Fire and Rescue Service** requests that adequate provision be made for fire hydrants.
36. **Cambridgeshire County Council** as mineral and waste planning authority draws attention to the Cambridgeshire and Peterborough Minerals and Waste Development Plan Document and in particular Preferred Options SSP16 which identifies Sustainable Transport Protection Zones, one of which is the Barrington Cement Works Railhead and states:
37. "Within these protection Zones there will be a presumption against any development that could prejudice existing, or potential, use of the protected sustainable transport facility for the transport of minerals and/or waste."

The advice of the Environmental Health Officer should be sought on the potential impact of noise from trains on occupants of the proposed dwellings.

### **Representations**

38. Letters of objection have been received from the occupiers of Nos 1, 5, 6 and 8 Challis Close, 8 Bendyshe Way and the Challis Close Residents Association. The following objections/concerns have been raised.
  - (a) The proposal is to build a housing estate which would engulf Challis Close.
  - (b) The concentration of 40 affordable dwellings is excessive and will upset the balance of the village to a great degree. When considered with the other application for such housing recently submitted it is not believed that such a high demand exists.
  - (c) There is concern that this development will not just be to serve local residents but to satisfy general housing needs.
  - (d) Development is too close to the boundaries of Nos 1 and 8 Challis Close and would seriously impact their peace, privacy and tranquillity.
  - (e) The occupiers of No 1 Challis Close are concerned about the proximity of development which it is felt will constitute a gross invasion of privacy. The back door of No1 will look straight into the garden of the first property and an existing landing window will look directly into the new garden and windows, which would make the residents of the new property feel very overlooked. The whole development should be moved at least 10 metres from Challis Close and trees and shrubs planted to form a boundary between the areas of housing. Concerns are also expressed about safety, pollution and access which are addressed in subsequent paragraphs of this report.

- (f) The occupier of No8 Challis Close is concerned that the rear gardens of the proposed development would be within 1.5m of his house. The view from the house would be lost and the property would be devalued as a result. There would be noise and pollution day and night which would seriously constitute a complete invasion of privacy.
- (g) Concern that the proposal will take some of Challis Green for access to the site. The Green is highly protected and there is an objection to the granting of land or freedom of use or waivers for access across the Green in order to construct these houses, which is not available to other people living around the Green.
- (h) The existing sewage system is already overloaded and an additional 40 houses will add a huge additional burden. The drains already back up from Glebe Road through to Challis Close. What would be the provision for sewage and drainage to the site?
- (i) There is a host of wildlife within the site, with a thriving owl population, foxes and deer. There is a resident sparrow hawk. These would be threatened if the development were to take place
- (j) The power supply is erratic, with frequent power cuts. The addition of a further 40 houses would add to the power demand and exacerbate the situation.
- (k) The houses will be adjacent to the school and any access road will cross one of the main routes to the school where children will be concentrated, adding to the risk for children travelling to and from the school, as part of the Safer Routes to School
- (l) The road, where Challis Green turns to become Foxton Road is a 90 degree turn with Challis Close, Glebe Road and a parking side road for Foxton Road joining close to each other. The addition of another road feeding 40 houses would make this corner difficult, busy and potentially dangerous.
- (m) There are currently 18 children living in the 6 houses at the front of Challis Close who enjoy a very safe environment in which to play. This will cease once the road begins to be built.
- (n) The positioning of the access road means that the residents of Nos 6, 5 and possibly 4 Challis Close will be subjected to continual invasion of privacy from cars turning into the development. There will also be a substantial increase in noise with living and bedroom windows situated within 30m. There would be pollution from exhaust fumes which would undermine health and light pollution from car headlights and street lighting would cause a serious infringement of the comfort, security and privacy of residents in Challis Close. A wider margin should be left between the proposed development and Challis Close
- (o) One letter suggests that the proposed access roadway be moved much further away from the boundary ditch in order to mitigate light, exhaust and noise infiltration and that it be angled carefully so as not to direct headlights into windows of properties in Challis Close. Alternatively it is suggested that the roadway be elsewhere by using the current railway line, which is already on land belonging to Cemex, to provide access via Chapel Hill (which would have no impact upon the residents of Barrington at all), Glebe Road or Bendyshe Way.

- (p) Does Barrington have the infrastructure to cope with this many additional inhabitants? The implications for the school needs to be considered in advance. It is already a small school with large class sizes. How will it cope with further children from the village wishing to attend, and how will this affect the yearly intake from Shepreth?
- (q) There is currently a poor bus service in and out of the village and therefore around 80 people are going to have to own cars in order to get to work. Each dwelling has space for one car. Where are the other 40 going to park, or are there plans to improve the public transport services within the village?
- (r) The new development is situated next door to Challis Close which is a private road and residents have to pay for the upkeep and sort out drainage problems etc. What implications will the new development have on existing utilities and how will they affect Challis Close residents.
- (s) The ground is heavy clay and subject to heave with the changing weather and may not be suitable for building more houses.
- (t) There is an existing willow tree situated in Challis Close. In the past advice has been sought regarding possible subsidence due to the tree and although not found to be causing a problem at the time there is concern that changes to the moisture in the ground area around could lead to heave or subsidence. Is this likely with the new development and road being so close, and if so, what steps will be taken to address this problem?
- (u) Currently the children's play area is safe on two sides of the triangle of green on which it is situated and the swings etc are a good distance from the existing road. Should the development go ahead as shown parents would no longer be able to relax and allow their children to play freely.
- (v) Loss of the tranquil view of the Green would be lost.
- (w) In addition to the letters from local residents the Campaign to Protect Rural England has stated that it feels that the site is in an unsustainable location, due to poor public transport etc. However if an overriding need for affordable housing in perpetuity for local people can be established it would not object.

### **Planning Comments – Key Issues**

- 39. The key issues to be considered with this application are whether the proposal complies with Policy HG8 of the Local Plan in terms of meeting the identified local housing need when considered alongside the application for additional affordable housing at Primes Close. the scale of development (the application has been advertised as a Departure from the Development Plan in that respect, impact on the adjacent properties, highway safety, impact on the Conservation Area, Ecology issues and drainage.
- 40. An updated housing need survey for Barrington has identified a total need for 46 dwellings. The development of this site for 40 dwellings, when considered alongside the application at Primes Close, currently 16 dwellings, proposes a total of 56 dwellings, in excess of the current identified need for affordable housing in Barrington. Members have previously requested that the number of units proposed on the Primes Close be reduced (see relevant item on this agenda). I am of the view that if Members are minded to approve the development of Challis Close for



affordable housing on the scale currently proposed, having had regard to the other issues set out below, that development of the site could be phased to ensure that the total number of units constructed at the present time does not, when taken together with the number of any dwellings agreed on the Primes Close site, exceed the number currently identified in the housing needs survey. This approach is supported by the affordable housing panel on the basis that the need for affordable housing in Barrington is likely to increase in future years.

41. Given that both this scheme, and that at Primes Close, will have been drawn up and based on the 2003 housing survey I will ask the Development Manager to conform that the mix of housing across the two scheme continues to meet the need identified in the new survey. Any consent would require the applicant to enter into a Section 106 Agreement securing the housing as affordable housing which would be first available for occupation by persons on the housing needs list for Barrington.
42. In considering previous planning applications for the development of this site Members have found the principle of its use for affordable housing to be acceptable. The previous proposals involved the creation of a new access from Challis Green in the same manner as the current application. The applications supported in 1998, although eventually refused as the required Section 106 Agreement was not signed, proposed a total of 16 dwellings on the site, concentrated in the south east corner.
43. Policy HG8 of the Local Plan requires schemes for affordable housing to be well related to the built up area of the settlement and the scale of the scheme to be appropriate to the size and character of the village. In addition development should not harm the character of the village or the rural landscape. The text of the policy refers to the release of small-scale sites for affordable housing. The reference to small sites is included as part of the exceptions policy in the emerging Local Development Framework.
44. It is recognised that the erection of 40 houses on a site in Barrington is in excess of the number of dwellings that would normally be supported under Policy HG8 and therefore the application has been advertised as a departure from the Development Plan. Members will need to consider whether there is a case to allow larger number of dwellings in this case.
45. The requirement to construct a new access road of the standard shown would have been required to serve a development of 16 units as previously proposed and accepted in principle by Members in 1998. The increase in the number of dwellings proposed to 40 does not require any changes to this arrangement and therefore will not affect the visual impact of this part of the proposal from that previously considered.
46. Given that the site is relatively enclosed and does not impact on the wider areas of the village I am of the view that if the access road is accepted, best use of the site should be made in terms of the number of units that can be accommodated.
47. I have advised the applicants agent that the submitted drawings should make it clear how the alignment of the proposed roadway relates to the existing ditch near properties in Challis Close. The revised drawings do not currently address this point and further information will be sought prior to the meeting.
48. The Conservation Manager is supportive of the approach adopted for the development of the site. The construction a the new access road and upgrading of the access to Challis Green on the north east edge of the Green, and on the edge of

the Conservation Area, will have an impact on the character of the Conservation Area. I am of the view however that, when taken together with the extension proposed of Challis Green and the form of the new development, that overall the character of the area will be preserved.

49. The Local Highway Authority has considered the upgrading of the access from Challis Green and has not raised any objection in principle. The amended drawings, which include revisions required by the Local Highway Authority, have been sent to it for further comments, which will be reported to the meeting. The red edged area of the site has been extended as requested.
50. The revised drawing attempts to incorporate the existing safe route to school within the new development. Further negotiation and consultation will be required on this point to ensure that existing safety is not prejudiced.
51. In terms of the effect of the development on the amenity of nearby properties, particularly those in Challis Green, there will inevitably be an element of additional noise and disturbance as a result of the use of the new roadway. However given that the front of these properties will be some 30m from the new roadway, and the opportunity exists for additional planting between the two I consider the relationship to be acceptable.
52. The site abuts the north west boundary of No 8 Challis Close, a bungalow sited within 1.5m of the boundary. No8 has existing windows facing the application site and has undoubtedly benefited as a result of this land remaining undeveloped. The scheme has been designed however so that there is no new development within 17m of the boundary where it abuts the rear garden of No8, with additional planting proposed for that area of land. Two bungalows are proposed 20m from the boundary of the site where it abuts the existing bungalow. At the moment a 2m high fence is proposed for this boundary of the site although a reduction in height where it adjoins existing windows in No8 may be appropriate.
53. In terms of the effect on No1 Challis Close there is a new dwelling proposed 4m from the boundary with that property and set further forward. New dwellings on Plots 4, 5 and 6 are located a minimum of 15m from the boundary of the site where it abuts the garden of that property. Whilst it would be possible to provide the 10m clearance between Challis Close and any new development it would be at the expense of the size of the open area within the site.
54. I do not consider that the alternative access options suggested are practical or appropriate. The County Council has commented on the need to safeguard the route of the mineral railway line to the north east of the site.
55. Anglian Water has not raised any objection to the application.
56. The Environment Agency has stated that the draft proposals for surface water disposal are commendable and demonstrate an imaginative scheme for the re-cycling of surface water, and the minimisation of portable water usage, which should be encouraged and supported, although full details will be required by condition.
57. The Ecology Officer has not objected in principle to the application and the applicant's agent is currently preparing the further details he requires.
58. In my view the request by Barrington Parish Council to provide a car park and rear access to the school is not reasonable as part of this application. The amended

drawings provide for a 2m high fence along the south east boundary of the site with Challis Close. I do not consider it would be appropriate to extend this form of treatment at the front of the houses in Challis Green, although additional planting on land within the applicants ownership can be required.

59. A copy of the amended drawing has been forwarded to the Police Architectural Liaison Officer and any further comments will be reported at the meeting.
60. Applications for affordable housing do not contribute towards the provision of any additional education facilities required to support any additional pupils. Such provision in these cases is undertaken by Cambridgeshire County Council as Education Authority.
61. Barrington is not a village where the provision of 40 dwellings would normally be considered and may not be the most sustainable location for additional housing on this scale. However Policy HG8 allows affordable housing to be provided as an exception to the normal policies if the Development Plan provided it is to meet an identified local housing need.

### **Recommendation**

62. That, subject to the outstanding issues referred to above, the application be referred to Go-East as a departure on the basis that Members are minded to approve the application subject to safeguarding conditions, including a phasing of the development. If the Secretary of State does not call the application in for her determination, it be approved.

### **Reasons for Approval**

1. Although the application is a departure from the development plan in regard to scale and the character of the village, it provides affordable housing to meet an identified local need in accordance with all other provisions of Policy HG8 of the Local Plan 2004.
2. The development is not considered to be significantly detrimental to the following material planning considerations, which have been raised during the consultation exercise.
  - Scale of development.
  - Impact on the character of the area.
  - Impact on the amenity of neighbours
  - Highway and pedestrian safety
  - Drainage Issues
  - Ecology and Biodiversity issues

**Background Papers:** the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Local Development Framework – Core Strategy
- Cambridgeshire and Peterborough Minerals and Waste Development Plan Preferred Options Document
- Planning File Refs: S/0005/07/O, S/1726/98/F and S/1729/98/F

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