

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

4 August 2010

AUTHOR/S: Executive Director (Operational Services)/
Corporate Manager (Planning and New Communities)

S/1047/10/F - WHADDON
8 Affordable Dwellings with Associated Landscaping and Access,
Land to the North-West of Rose Cottage, Church Street, for BPHA

Recommendation: Refusal

Date for Determination: 20 August 2010

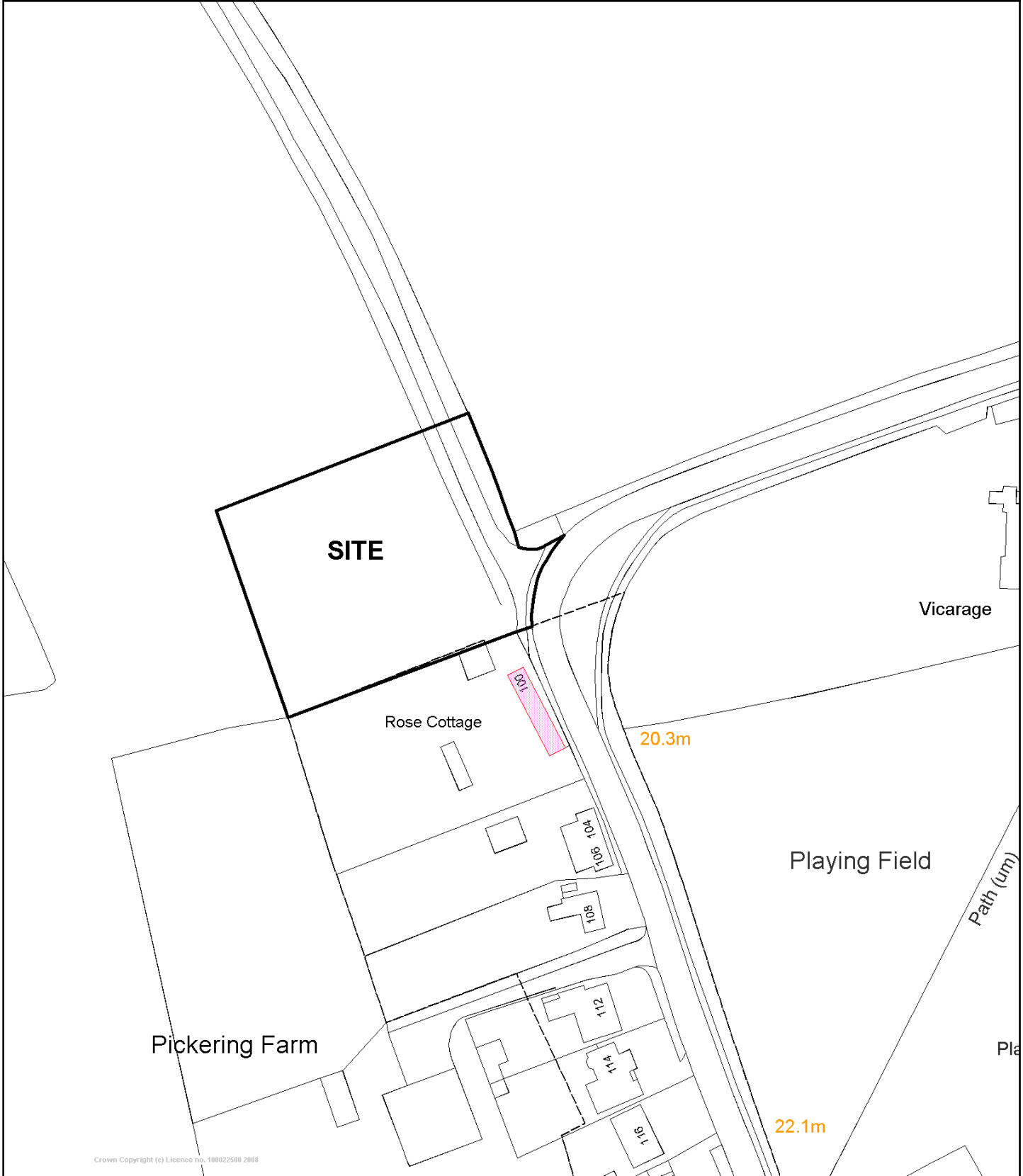
Notes:

This Application has been reported to the Planning Committee for determination because the officers recommendation of refusal conflicts with the recommendation of approval received from Whaddon Parish Council.

Members will visit this site on Wednesday 4 August 2010

Site and Proposal

1. This full application, received as valid on 25 June 2010, proposes the erection of 8 affordable dwellings with associated landscaping and access, on a 0.28ha area of land located on the outside of a right-angle bend on the west side of Church Street. The site was formerly part of a larger area of agricultural land which is now separated from the larger field by a recently planted hedge.
2. The application site includes a section of the Harcamlow Way, a public bridleway which continues to the north of the site.
3. To the south of the site is Rose Cottage, a Grade II Listed Building fronting Church Street. There is some existing planting on part of the north boundary of Rose Cottage with the application site.
4. To the west, north and north west of the site is agricultural land. To the east of the site, on the opposite side of Church Street are the grounds of the Vicarage beyond which is St Mary's Church, a Grade I Listed Building.
5. The application proposes 5 two-bedroom and 3 three-bedroom houses, which take the form of two semi-detached pairs and four detached units. All 8 dwellings are to be for rent. Parking spaces are provided on plot with five having 2 spaces and three having 1 space.
6. The proposal involves a widening of the existing metalled carriageway on the outside of the bend in the road to provide a new access into the development incorporating part of the existing Harcamlow Way. There is a 15m long section of roadway leading into the site, which is to be constructed to adoptable standards with a tarmac surface. There is a private driveway leading off the new section of adoptable road which



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Scale 1/1250 Date 20/7/2010

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serves development in depth. The surface of the existing right of way is to be made good with an area to be surfaced 'horse friendly surfacing'.

7. Two of the plots are sited at the front of the site facing onto the Harcamlow Way, with the other five plots behind facing north and south. The 5 two-bedroom dwellings are designed with a narrower span form, with a low eaves and dormer windows/rooflights. The ridge height of these dwellings is 6.5m. The 3 three-bedroom dwellings are a simple two-storey design with a ridge height of 7.5m. Materials will be either brick with slate roof or render with clay plain tile roof. Windows will be painted timber.
8. The development will comply with Code for Sustainable Homes 3.
9. The density of the scheme is 35 dph.
10. The site is outside the village framework however the south boundary abuts the edge of the framework.
11. The application is accompanied by a Design and Access Statement, Planning Statement, Heritage Statement, and Ecological Appraisal and Badger Survey.

Planning History

12. **S/0851/09/F** – 8 Affordable Dwellings with Associated Landscaping and Access - Withdrawn

Planning Policy

13. **South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007**

ST/7 – Infill Villages

14. **South Cambridgeshire Local Development Framework Development Control Policies adopted July 2007**

DP/1 – Sustainable Development

DP/2 – Design of New Development

DP/3 – Development Criteria

DP/4 – Infrastructure and New Development

DP/7 – Development Frameworks

HG/1 – Housing Density

HG/3 – Affordable Housing

HG/5 – Exceptions Sites for Affordable Housing

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

SF/11 – Open Space Standards

NE/1 – Energy Efficiency

NE/2 – Renewable Energy

NE/4 – Landscape Character Areas

NE/6 – Biodiversity

NE/9 – Water and Drainage Infrastructure

CH/3 – Listed Buildings

CH/4 – Development Within the Curtilage or Setting of a Listed Building

Open Space in New Developments SPD – adopted January 2009

Biodiversity SPD – adopted July 2009

Consultation

15. **Whaddon Parish Council** recommends approval. “However, we would like it to be noted that our support for this scheme is conditional upon advance sight, by the Parish Council, of the wording of the S106 agreement and our acceptance of the terms of that agreement. It is extremely important to the Parish Council that the Affordable Housing scheme meets the needs of our village and gives absolute priority to housing local people with a strong connection to Whaddon. Our Chairman has already had some discussions with Schuyler Newstead (SCDC Housing Development and Enabling Manager) about this issue. We also request that a clause be included, with the aim of preventing the S106 Agreement being changed at a later date without the consent of the Parish Council. If the Parish Council is not satisfied that the needs of our village are being met we could withdraw our support for the scheme.”

It is requested that this matter is finalised before the scheme goes to Planning Committee.

16. The **Conservation Manager** comments as follows:
1. ‘The site is very prominent and significant as the link between the edge of the village and the countryside. It comprises agricultural land which has been hedged within the last 2 years. It is bordered to the north by an historic right of way (the Harcamlow Way) which leads out of the village to the north. Long views are afforded to and from this piece of land on the approach to the village centre along Church Street from the east, from the village core to the south, from the entrance to St Mary's Church (grade I Listed) and across the countryside towards the A1198 (Ermine Street).
 2. The site adjoins Rose Cottage, a grade II Listed building. Rose Cottage is a modest vernacular timber framed yeoman's house dating from the late seventeenth century and is set within generous grounds in a wooded countryside setting, close by the original village core around the parish church. This northern part of Whaddon is historically and currently dispersed, with wide spaces between buildings, and overlooking fields, giving the buildings and village a significant rural context. The group around the church is widely spread within trees and fields, emphasising the agricultural context of the historic settlement and the edge of village location, compared to the significantly more closely set buildings along the village street. The evidence of previous buildings in a single group along Harcamlow Way is that these too were dispersed and set well away from Rose Cottage, giving both groups an open rural edge of village setting.
 3. The proposed development is intensive and tightly packed, contrary to the modest and widely spaced buildings around it. It is very prominent in public views and on axis with Church Street when approaching past the church. Photograph 6 (page 6 of the D & A statement) shows this view which is currently very rural. Because the hedge to the rear of the site is visible in this view the whole development would be seen in front of it and would not be hidden by the slope of the land, contrary to the statement that accompanies the photograph. Although the views down the new roadway terminate in a hedge and railings, this is only visible when entering the site and in a limited position at the entrance on Harcamlow Way, and therefore in the major views of the site the appearance is urban and of closely packed houses behind each other.

4. Whilst the design of the proposed houses is consistently traditional, it is contrary to traditional hierarchy in that houses at the rear of the site are taller than houses at the front of the site. The roofs are also overly complex in that there is a mix of dormers and rooflights, contrary to traditional character where there are either rooflights or dormers, and attracting attention from the simpler designed listed building.
5. The Design and Access Statement says that the houses are of narrow span (Page 8), but this is only true of some houses. The majority are deep span and considerably wider than the span of Rose Cottage. The eaves of all the houses are higher than that of the listed building, giving higher walls and greater bulk. The houses at the rear of the site are also considerably higher than Rose Cottage, being two full storeys high. From the street, the depth of development, the compact siting and urban character, and the height depth and bulk of individual buildings would dominate the modest listed building. The submitted street elevation is misleading in that it is taken from Harcamlow Way rather than Church Street, so appears more open around the central road and fails to show buildings that would be visible beyond the frontage building. It also shows trees that are more extensive than the space available would provide. The group of proposed houses along the southern side of the site are also very close to the boundary with Rose Cottage and extend along the whole of its northern boundary to the rear garden. In contrast to the open rural character of the existing garden to this listed building, the development would result in overlooking along the whole of the garden (especially during winter), and a change to an urban character due to the intrusion of houses and a high close boarded fence, to the detriment of the setting and use of the listed building. Ground level on the site is also slightly higher than the listed building, leading to an increase of the impact. The proposed houses are also closer to the boundary than the guidance in the District Design Guide advises for amenity. Whilst the listed building would remain listed (because the proposed development does not involve any physical damage to it) its setting would therefore be significantly harmed.
6. There is no detail about the piping of the existing field ditch close to Rose Cottage. It would change the character of the entrance to the listed building to one that is significantly less rural and, because it would constrict the flow of water and because the site is slightly higher than Rose Cottage, would potentially lead to flooding of the listed building.
7. In summary, the principle of development on this site is inappropriate and I recommend refusal due to the following:
 8. The development would have a substantial and detrimental impact on the character of the village as a whole, as well as individual listed buildings. Its prominence, density, location and bulk is inappropriate for the edge of village and rural context of the site. It is also contrary to development characteristic of the locality. It is therefore contrary to Policy DP/7.
9. The proposed site is inappropriate as an exception site due to its impact on the wider character of the village. It is therefore contrary to Policy HG/5.
10. The setting of the village and particularly the rural group of listed and historic buildings on the northern edge of the settlement around the grade I listed church would be harmed by the location, position, density, form, character and design of the proposed development.

11. The setting and amenity of the grade II listed Rose Cottage would be harmed by the location, position, proximity, density, bulk, height, form, character and design of the proposed development.
12. The harm is not justified due to the lack of consideration of the village as a whole, of longer views of the village, and of adequate consideration of less damaging alternatives.
13. It is therefore contrary to Policy CH/4 and Policies HE7, HE9 and HE10 of PPS5, including HE7.2, HE7.4, HE7.5, HE9.1, HE9.4 and HE10.1.
17. The **Local Highway Authority** objects to the application in its current form. The visibility splays required are not shown in full as previously requested. A drawing should be provided showing the visibility splays for a vehicle waiting to turn right into the site from Church Street. It is requested that the access is designed so that agricultural vehicles that also use the access are able to overrun the new horse friendly surfaced area as the proposed access would be too constrained for any large vehicles to negotiate. It is requested that the tracking of a tractor and trailer be provided and that a suitable design for an overrun area is provided.

The Highway Authority confirms that it would not wish to adopt the development and requests that the developer deposits a letter and drawing showing the site confirming that it will not be offered for adoption.

Conditions should be attached to any consent requiring the access to be provided with adequate drainage measures to prevent surface water run-off onto the adjacent public highway; the provision of temporary parking, turning, loading and unloading facilities clear of the highway during the period of construction; the retention of the public right of way on its existing alignment and maintained free from obstruction unless/until an alternative way has been provided under the appropriate procedure; and that the vehicular access, where it crosses the public highway, is laid out and constructed in accordance with the County Councils; construction specification.

Amended plans have been requested from the applicants' agent.

18. The **Countryside Access Team, Cambridgeshire County Council** comments that it is pleased to see that its previous recommendations have been included in the revised site layout.

It specifically approves of the proposed surfacing of the bridleway entrance and the proposed 5 metre width which has been left to the north of the new vehicular access, which bridleway users will be invited to use. Provided that the development proceeds in accordance with these points it has no objection to the application.

It points out that it should be borne in mind that because there is to be no formal diversion of the public right of way, members of the public using the bridleway will still have the legal right to proceed directly northwards from Church Street on the bridleway (i.e. cutting across the new vehicular access). However, in practice, most will choose to use the alternative route which is to be set out specifically for them.

19. The comments of the **Housing Development and Enabling Manager** will be reported at the meeting. The previous application received full support.

20. **Cambridgeshire Archaeology, Cambridgeshire County Council** has previously commented that its records indicate that the site lies in an area of high archaeological potential. It therefore recommends that the site should be subject to a programme of archaeological investigation, undertaken at the expense of the developer, which can be secured through the inclusion of a negative condition.
21. The comments of the **Affordable Housing Panel, the Architectural Liaison Officer, Cambridgeshire Constabulary, the Environment Operations Manager, Urban Design Team, Ecology Officer** and **Trees Officer** will be reported at the meeting.

Representations

22. The occupiers of **Rose Cottage, 100 Church Street** whilst not objecting to providing affordable housing to those who are in genuinely in need within the village, but feel it should be provided appropriately and sympathetically. There is serious concern about the potential impact the development will have on the character and fabric of the village
23. There is concern that the layout of the scheme would allow for a further extension of development on land outside the village framework in the future.
24. The site is inappropriately located due to road safety issues as it is on a severe ninety degree bend in a 40mph speed limit. This could present a significant risk to the families residing in the new development and for road users in general. There has been a history of accidents at this corner with Rose Cottage itself being struck at least once. The Local Highway Authority should consult the accident records for this locality in considering its comments. There are serious concerns about the current position of the access to Rose Cottage.
25. There are inadequate security and privacy arrangements on the common boundary with the site. A close-boarded fence should be erected at the developers' expense, to screen and provide physical security for Rose Cottage.
26. The proposed density of the development results in the 'shoe-horning' of eight houses and associated facilities within such a small footprint is not in keeping with the general look and feel of the village. Planning Committee is concerned at densities in the District – this is a classic example of overdevelopment which is not in character and which will create noise and disruption in a key focal point of the village, at the location of a Grade I and Grade II listed building.
27. It should be ensured that the resultant housing is allocated to the residents of Whaddon. It is noted that this development does not meet the projected need for 11 affordable dwellings for the village and this again questions the rationale of the location of this site, which is not considered fit for purpose as there would still be a need to develop a further site, or as feared above, the existing site may be extended, which is not acceptable.
28. The development is not compliant with Planning Policy Guidance Note 13, as it does not have suitable public transport facilities. There is an extremely limited bus service and it is unlikely that an additional 8 dwellings would be sufficient to boost the demand and business case for a more expansive bus timetable.
29. The development is not compliant with paragraphs 12 and 13 of Planning Policy Guidance Note 7, as it does not compliment the settlement pattern, character of the existing buildings or fabric of the Whaddon community. The development will be

'bolted' on due to the availability of 'convenient' land. If this were not available the development would not be considered. There is no synergy between the Rose Cottage or the Church with the proposed dwellings and the current vista will be permanently impacted, particularly when viewed from the Church and approaching the corner close to Rose Cottage.

30. The development is not considered to comply with policy CH/4, and whilst any judgement may be subjective, it does not sit well against the backdrop of this 17th Century cottage and will cut it off from its relationship with the open countryside to the north. It is considered that this policy is not just about keeping developments below the eaves height of a cottage which will be loved and cherished for generations to come and the scheme will always be discordant with the cottage. The cottage, which is currently a focal point on the edge of this part of the village will be subsumed into a development that will have a very urban nature.
31. The developers proposals for new trees is not clear, which appear to screen the gable of Rose Cottage from view from the entrance of Harcamlow Way, given that the revised designs were constructed to preserve the views of the cottage. Are the trees to be mature stock or will they take many years to grow to the desired height?
32. The representation requests a re-think on the numbers of units, design, layout and most importantly the location of the dwellings on the site. There are far more appropriate sites elsewhere in the village where less harm on the setting of listed buildings and views into the open countryside from the public realm would be caused, and which are more appropriate in terms of highway safety.
33. The occupier of **Town Farm, 146 Church Street** comments that he has lived in the village for over 40 years and is interested in housing for the mostly younger, local people who would like to continue living in the village, but is amazed that this site has been chosen which appears to clash with so many better positions.
34. There are a number of objections to this site. It is next to an extremely old listed house; the site is below the existing sewage system thereby requiring sewage to be pumped up hill; the area has had sewage overflow in the past; it is on a 90 degree bend on the road through the village; there are several sites in the village which are more central and are owned by the Council or other landowners amenable to setting; these other sites are on top of the sewerage system, therefore saving costs.
35. A plan has been submitted with the representation illustrating the alternative sites suggested.

Planning Comments – Key Issues

36. The key issue for Members to consider in this case is whether the proposal accords with Policy HG/5, having taken into consideration the matters that have been raised during the consultation process, including the impact on the setting of Rose Cottage and highway safety.

Policy HG/5

37. Policy HG/5 accepts that, as an exception to the normal operation of the policies of the Development Plan, schemes of 100% affordable housing which are designed to meet identified local housing needs on small sites within or adjoining villages can be granted so long as five criteria are met.

38. The Housing Development and Enabling Manager confirmed that the 2009 application was in accord with the local housing needs survey for Whaddon. I expect that position to be unchanged in respect of the current application. Although this survey was conducted in 2004, and is therefore not as up to date as I would normally expect for this purpose, the need for 11 dwellings was previously supported by the Council's Housing Waiting List and it was confirmed that the applicants on that list met the local connection criteria. The applicant has indicated a willingness to enter into a Section 106 Agreement which would ensure that all dwellings secured as affordable housing in perpetuity for those in housing need, and would give priority of allocation to qualifying persons from Whaddon.
39. I am therefore of the view that the proposal satisfies the first two criteria of Policy HG/5.
40. The third of the criteria requires the site to be well located to the built-up area of the village, and the scale of the scheme to be appropriate to the size and character of the village. Whaddon is classified as an infill village however schemes for 100% affordable housing of this scale have been consented in such villages and I am therefore of the view that the scale of the scheme is appropriate in this respect.
41. I am of the view however that, although the site abuts the village framework on its south boundary, it is not well related to the built-up area of the village. There is a very distinct edge to the village at this point and the entrance to Harcamlow Way represents an immediate transition from the built-up area of the village into the countryside beyond. When approaching the site from the east along Church Street, there is no awareness of built development until a point close to the bend in the road, when views of the listed building, Rose Cottage and its garage are obtained. The views across countryside which are currently gained will be lost as a result of this development.
42. The fourth of the criteria requires the site to be well related to facilities and services within the village. The site is diagonally opposite the recreation ground and church and is a short walk from the village hall. I note the comment made by a local resident about the site being below the existing sewerage system which may result in a need to pump however I am of the view that the site fulfils this criterion.
43. The fifth of the criteria requires that the development does not damage the character of the village or the rural landscape. I have already commented on the impact that the development of this site would have on these matters. In addition to the potential adverse effect on the village character and rural landscape when viewed from Church Street, there will be a significant impact on the views afforded of the edge of the village on the approach from the north along the existing public right of way.
44. At present the view of the edge of the village from this approach is of the gable wall of the listed building, Rose Cottage, its garage and planted boundary, with a sharp transition between this and the countryside beyond. The proposed development will in my view be very alien to this existing character as it does not reflect any existing pattern of development and will have a significant adverse effect on the character of this part of the village and the rural landscape. Although landscaping is proposed on the north and west boundary, and a hedge has already been planted, I am of the view that this will not offset the visual harm which would be caused by the development of this site.
45. The Conservation Manager has objected to the application and is concerned about the direct impact the development will have on the setting of Rose Cottage, as well as

on the character of the area as a whole, both in terms of the principle of the development and details of the scheme. It is recognised that the current application has introduced a number of changes to the details of the scheme, both in terms of layout and the design of the proposed dwellings, which in my view represent a significant improvement from that considered under the 2009 application. However, although the scheme has attempted to site the new dwellings so that they will not directly block the existing views of the listed building when approaching the village along the right of way, the development will still have an adverse impact of the wider setting of the listed building from this view, as well as from Church Street itself. The alterations to the existing access, introducing additional tarmac and paved surfacing will add to this impact, even though the present proposal is has a far less engineered appearance from that previously submitted.

Highway Safety and Public Right of Way

46. The revised scheme has been the subject of negotiation between the applicant and the Local Highway Authority and the Rights of Way and Access Team. The Local Highway Authority however does not support the scheme as submitted as it fails to show the visibility splays for the new access in full and those of a vehicle waiting to turn right into the site from Church Street. Revised drawings have been requested.
47. Although the access to the site is on the outside of a right angled bend visibility for vehicles exiting the site appears adequate. The comments of the occupier of Rose Cottage are noted and have been forwarded to the Local Highway Authority for its comments, however provided its own queries are satisfactorily addressed I do not anticipate that a highway objection can be sustained.
48. I note that the Rights of Way and Access Team does not object to the revised scheme.

Neighbour Amenity

49. In terms of neighbour amenity there is only one dwelling directly affected by the proposed development, Rose Cottage, the listed building to the south. The letter received from the occupier of this property makes general points about the suitability of this site for development and the impact it will have, which have been commented on above.
50. In terms of the direct impact of the new development the detailed treatment of the boundary between it and Rose Cottage can be addressed by condition of any consent. I agree that there is a need to supplement the existing boundary treatment, although this will need to be sympathetic to the setting of Rose Cottage.
51. The layout and design of the proposed dwellings is such that it minimises any direct overlooking of the garden of Rose Cottage, with the only windows facing in that direction which are not either obscure glazed or high level rooflights, are two bedroom windows in the dwelling on Plot 4. Given the position of this plot at the western end of the site I do not consider that there will be any unreasonable degree of overlooking.
52. The proposed dwelling on Plot 2 has been moved a significantly greater distance from the boundary of Rose Cottage from that proposed in the 2009 application and I am of the view that the new development will not result in an unreasonable loss of amenity in terms of overbearing impact when viewed from the garden of Rose Cottage.

Open Space

53. The application does not propose an area of open space within the site itself, however the applicant accepts that there is a need to comply with Policies SF/10 and SF/11 and has indicated a willingness to provide an off-site contribution. Given the restricted size of the site available, the desire to maximise the number of affordable units provided, and the proximity of the existing recreation ground and the desire to provide open space, I am of the view that this is an appropriate way forward in this case.

Other Matters

54. A condition can be imposed on any consent requiring an archaeological investigation of the site. Surface water drainage issues can also be dealt with by condition. It is proposed to dispose of surface water by soakaways.
55. I note that comment from Whaddon Parish Council that its support for the scheme is conditional upon advance sight of the wording of the Section 106 Agreement and its agreement to it. Should Members support the scheme a copy of the draft Section 106 Agreement can be sent to Whaddon Parish Council for its comments and I am confident that the wording will satisfy its concerns, however whilst I am able to consult with the Parish Council over any future changes to that agreement a clause cannot be inserted into the agreement itself requiring the prior consent of the Parish Council to any changes.
56. The applicant comments that various alternative sites have been explored by the Parish Council, including a site to the west of Church Street at its southern end, which is also owned by Cambridgeshire County Council, however it states that none are available.
57. I note the applicants comment that old Ordnance Survey maps show a pair of cottages, demolished a considerable number of years ago, accessed off Harcamlow Way, which would have impacted on the view of the edge of the village when approaching from the north, these were located to the north of the current application site and in my view this does not materially affect the concerns expressed in this report regarding the potential impact of the development now proposed,

Conclusion

58. The comments of outstanding consultees and the receipt of any amended drawings will be reported at the meeting.
59. Given that Policy HG/5 allows for sites to be developed as an exception to the normal operation of policies of the development plan, and that exception sites are normally outside the framework of a settlement where development would not otherwise be permitted, it is not unusual that there will be a potential impact of such developments on the character of a village and the surrounding countryside. This impact, and the ability to assimilate any new development have to be balanced with the need to provide affordable for housing local people.
60. Having balanced these issues, whilst I would like to support the provision of affordable housing in Whaddon, I find that I am unable to support the development of this particular site, which in my view will cause significant harm to the character of this part of the village and the rural landscape, and detract from the setting of the adjacent listed building.

61. Although the submitted scheme has been revised in an attempt to address some of the detailed issues this has been done in the knowledge that officers would not be able to support the principle of development of this site.

Recommendation

62. That the application is refused for the following reasons:
1. Policy HG/5 of the South Cambridgeshire Local Development Framework adopted 2007 states that planning permission may be granted as an exception to the normal operation of the policies of the plan for schemes of 100% affordable housing designed to meet the identified local housing needs on small sites within or adjoining villages, subject to those site satisfying specified criteria. This site fails to satisfy the criteria set out in Policy HG/5 c. and HG/5 e. in that the site is not well related to the built-up area of the village and development will damage the character of the village and the rural landscape, particularly when viewed from Church Street and the Harcamlow Way.
 2. The proposed development of this site will have a significant adverse effect on the setting of the adjacent Grade II listed building, Rose Cottage, 100 Church Street by reason of its location, bulk, form, design and the development is therefore contrary to the aims of Policy CH/4 of the South Cambridgeshire Local Development Framework adopted 2007 and Planning Policy Statement 5.

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- Supplementary Planning documents
- Planning File Refs: S/1074/10/F and S/0851/09/F

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