

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

1 February 2012

AUTHOR/S: Executive Director (Operational Services)/
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S/0029/11 - MELDRETH

Erection of four dwellings (three 2 bedroom houses in the form of a terrace and one detached 3 bedroom bungalow) and creation of associated access and parking (amended)

Land adj. to The Tavern Yard & The Station Yard, Meldreth for Lodge House Ltd

Recommendation: Approve with conditions

Date for Determination: 31 May 2011

The application has been referred to the Planning Committee as the Case Officer's recommendation conflicts with that of the Parish Council.

Site and Proposal

1. The application site is an undeveloped area of land located between the High Street Meldreth and the Meldreth Train Station currently largely laid to long grass with a few small trees and shrubs. The site, which is located within the development framework of Meldreth, is approximately 0.1 of a hectare in area and is bounded by the Tavern Yard flats on the West side, the station car park and access on the South and East sides and the residential garden of No. 10 High Street to the North. To the South East there is a detached two storey building which has previously housed an industrial use (injection moulding plastics) and further to the South is the Gocold commercial premises. The land levels on site slope up slightly to the East and are retained at the Western boundary with the rear of the existing flats at a level approximately a metre above the level of the flats. There is a mature dense hedge around the South and Eastern boundaries and a low fence and trees to the Northern boundary. The part of the Western boundary to the rear of No. 8 High Street is enclosed by a low hedge and the remainder of that boundary is unenclosed above the retaining wall.
2. The proposed development is the erection of four dwellings (a three bedroom bungalow and a terrace of three two bedroom bungalows) including the creation of a new vehicle access, as well as hard surfacing works to provide parking and turning and landscaping. Initially the application proposed five dwellings in a different location, however following negotiation between the Council and the applicant, the scheme has been amended to address the Case Officer's concerns.

Relevant Planning History

3. S/0199/10/F - Proposed the erection of two dwellings on the site but was withdrawn by the applicant prior to determination.

Planning Policies

4. ST/6 – Group Villages
DP/1 – Sustainable Development
DP/2 – Design of New Development
DP/3 – Development Criteria
DP/4 – Infrastructure and New Developments
DP/7 – Development Frameworks
HG/1 – Housing Density
HG/2 – Housing Mix
HG/3 – Affordable Housing
SF/10 – Outdoor Play Space, Informal Open Space and New Developments
SF/11 – Open Space Standards
NE/6 – Biodiversity
NE/15 – Noise Pollution

Consultations

5. **Parish Council** – has recommended refusal stating that, while the scheme has gone some way to addressing it's previous concerns, there is still overcrowding on the site and difficulty for emergency vehicle access.
6. **Local Highways Authority** - has stated that the access is off a private road and lies outside of its strict remit, however it commented on the width of access and parking and turning area originally proposed. Those comments were addressed in the revised layout and now meet the LHA suggestions.
7. **Environment Agency** - has expressed some concern regarding the potential for contamination of the site from the nearby railway line, particularly given soakaways are proposed and believes further investigation prior to the commencement of development would be required in the form of boreholes and other intrusive site investigations. The EA has confirmed that in this case this can be achieved through the application of a condition to any permission.
8. **Contamination Officer** - does not object to the proposed development but recommends intrusive site investigation is carried out prior to construction.
9. **Trees Officer** - has no objection and has confirmed that there are no protected trees on site. She requests protection of the existing hedge.
10. **Ecology Officer** - has requested the boundary hedge be retained and that no vegetation clearance take place during the bird breeding season. He questions whether the site is being overdeveloped.
11. **Landscapes Officer** - has requested protection for the existing established hedge and particular boundary treatments within the site, both of which can be achieved using relevant planning conditions.
12. **S106 Officer** - has not objected on the basis that the applicant has agreed to enter into legal agreements which will secure financial contributions towards the provision of off site affordable housing as well as open space, community facilities and household waste receptacles.

13. **Housing Development & Enabling Manager** - has accepted the principle of a contribution towards offsite affordable housing provision in this case and is satisfied that the amount proposed to be paid is a reasonable one.
14. **Environmental Health Officer** - has assessed the submitted noise assessment and has concluded that while noise from railway line has the potential to impact on the living accommodation of the dwellings proposed, this can be mitigated through mechanical ventilation and insulation. He has requested that a condition requiring the submission of a scheme for such ventilation and insulation be submitted prior to the commencement of development.

Representations

15. One representation has been received in respect of the proposed development, from the owner of 8 High Street expressing concern regarding the precise position of the Western boundary of the site as shown on the application documents. The owner of No. 8 suggests that it is a shared boundary and objects to any removal of the existing elm hedge and replacement with a fence or yew hedge.
16. It is not clear from a comparison of the red line plan provided by the applicant and the plan provided by the owner of No. 8 with the situation on the ground that the application site has been shown incorrectly. In this situation, it is normal for the application plan to be accepted at face value. Any disputed boundary would be a civil matter between the two landowners and, given the limited extent of any possible discrepancy and as no built development other than a fence is proposed in the contested location, were the application plan later shown to be incorrect, it is not considered that this would undermine the development going ahead as it would only involve an adjustment of the position of the boundary fence by less than a metre. It is therefore considered reasonable to determine the application on the basis of the submitted plans.

Planning Comments

17. The main planning considerations in this case are the principle of the development, the impact on the visual amenity of the area, the impact on residential amenity, parking and highway safety considerations, noise and vibration impacts, ground contamination and flood risk, the impact on trees and hedges and the provision of open space and community facilities.
18. **Principle** – Meldreth is classified as a Group Village by policy ST/6 of the LDF Core Strategy which states that residential development and redevelopment up to an indicative maximum scheme size of eight dwellings will be permitted within the village frameworks of Group Villages. As the scheme proposes four dwellings, it is considered to comply with policy ST/6 in principle.
19. The application site area is within the Meldreth Development Framework and measures approximately 1080 sqm. 4 dwellings on the site would result in a net density of approximately 37 dwellings per hectare. This net density is in excess of the minimum density of 30 dwellings per hectare required by policy HG/1 - Housing Density of the Local Development Framework and it is therefore considered that the principle of a four dwellings on the site is acceptable and compliant with policy HG/1.
20. The proposed mix of the four dwellings is a single three bedroom bungalow and three two bedroom houses. Policy HG/2 – Housing Mix requires that in schemes of up to

10 dwellings, market properties will have at least 40% two bedroom dwellings, 25% three bedroom and 25% four bedroom dwellings. This scheme proposes a mix of 75% two bedroom dwellings and 25% three bedroom dwellings. While no four bedroom dwelling is proposed, the emphasis on smaller dwellings is supported. The introduction of a four bedroom property would also be more difficult to accommodate given the site constraints. The proposed scheme is therefore considered to be generally in line with the requirements of policy HG/2.

21. As the scheme involves the creation of 4 new dwellings the scheme must address the requirements of Policy HG/3 - Affordable Housing. The policy requires that at least 40% of the dwellings should be made affordable housing for the long term, however on small sites it allows for financial contributions towards an element of off site provision of the affordable housing. The Council has approached several Registered Social Landlords about taking on two of the proposed units, however none has expressed any interest in doing so. It has therefore been proposed that the Council accept a financial contribution towards off site provision. The applicant has agreed to pay a contribution equivalent to the provision of 40% affordable housing on site, which is £79,200. The Council's Housing Development and Enabling Manager has agreed that this is an acceptable way forward and this would be formalised by requiring the applicant to enter in to a Section 106 legal agreement to that effect prior to the granting of planning permission.
22. **Impact on visual amenity** – The siting and design of the dwellings is the result of lengthy negotiations between the planning department and the applicant. A key consideration in the siting of the dwellings was their visibility from external viewpoints in the immediate vicinity as well as the ability to retain the existing tall dense hedge which currently screens and softens the site in several views. This was considered particularly important given the land levels of the site are approximately a metre higher than that of the buildings on the High Street. The bungalow has been proposed in order to minimise the impact on neighbouring properties 8 and 10 High Street and also to reduce the prominence of the development when viewed between those properties from the High Street. The Parish Council has expressed concern that the site is overcrowded, however the appearance of the scheme is not, in the Case Officer's view, overcrowded or cramped. The two storey dwellings have been kept back from the entrance to the site at the South West corner which is the other open public viewpoint and the setting back of the first dwelling in the terrace means that the dwellings are not overly prominent in the open view from the South West. The dwellings have been located relatively close to the South Eastern and Eastern boundary, however they are far enough away from it that the hedge will be able to be retained, which will soften the impact of the development in views from the station and station car park. The retention of the hedge is considered to be of particular importance in mitigating the impact of the built development on the area and its retention would therefore be conditioned. It is therefore considered that the proposed scheme sits reasonably well on the plot and would not result in a cramped or overcrowded appearance.
23. The dwellings are simple in elevation and plan form comprising a hipped roof bungalow and three, pitched roof terraced houses. The immediate visual surroundings are a mixture of residential properties and industrial buildings, namely the rear of the 1970s flats to the West, commercial premises and the station car park access to the South and the station car park and railway line to the East. To the North of the site there is the garden of No. 10 High Street. Given these surroundings, the overall appearance of the development is considered appropriate, which, although relatively uninspiring, would be in scale and character with the area and would not cause any harm to the visual amenity of the area.

24. **Impact on the residential amenity** – The proposed dwellings have been sited away from the common boundary with the flats to the West in order to lessen any impact on those properties in terms of loss of light, visual intrusion or overshadowing. The two storey dwellings are located approximately 19 metres from the windows in the closest *facing* elevation of the flats to the West. At this distance it is not considered that they would be visually intrusive or overbearing, notwithstanding the fact that they would be sited on ground which is higher than the ground floor flats. The proposed houses are approximately 12 metres away from the South facing windows of two of the flats in the block, however they would only be visible in very oblique views from the windows and the Southernmost house has been set back further than the other two, further lessening the prominence of the development when viewed from those neighbouring flats. The proposed dwellings would be to the East of the flats and it is not considered that they would cause any significant loss of light to the windows of the flats.
25. The proposed bungalow has been proposed at the North end of the site as it was considered that a two storey dwelling in that location would be overbearing to the garden space of No. 10 High Street. The bungalow is considered to be acceptable in terms of its impact on neighbouring properties as it is 6 metres from the common boundary with the garden of No. 10 and a minimum of 3 metres from the graveled area to the rear of No. 8.
26. The windows in the elevations of the new dwellings which face the flats would serve hallways and kitchens at ground floor level and landings and bathrooms at first floor level. It is considered that the combination of the distance between the proposed ground floor windows and the flats and the screening provided by new planting would be sufficient that the kitchen windows would not cause any significant loss of privacy for the occupants of the flats. The first floor windows in the proposed dwellings would offer a greater opportunity for overlooking as they would be higher and would be less effectively screened by proposed planting. It is therefore considered necessary to require them to be obscurely glazed. As they serve bathrooms and landings it is considered that this is an acceptable way to mitigate the potential overlooking.
27. The proposed parking and turning area would be relatively close to the Western elevation of the flats, however it is considered that the combination of planting and boundary treatments would be sufficient to mitigate any harm to the existing properties.
28. **Parking and highway safety** - The Local Highways Authority (LHA) has not raised any objection to the proposed access or the parking and turning area. The scheme has been amended to reflect previous advice of the LHA. The access is considered to be acceptable and the provision of visibility splays at the access point is achievable and will ensure the development has an acceptable impact on highway safety. The Parish Council has raised the issue of access by emergency vehicles, however the turning area provided is 6 metres wide which is considered to be adequate for such areas. It is considered that this would allow safe access to the pedestrian path for emergency vehicles visiting the site.
29. The scheme proposes 8 parking spaces for the development which is equivalent to two per house. This is considered to be adequate for the likely needs of the occupants of the development. The provision of 8 spaces is a slight overprovision compared to the Council's parking standards of 1.5 spaces per dwelling, however it is considered that this will provide parking for visitors within the site which is considered to be beneficial. The proposed development is therefore considered to be acceptable

in terms of its impact on parking and highway safety.

30. **Noise and vibration** - The Council's Environmental Health Officer (EHO) has considered the Noise Assessment submitted with the application. Although concern was previously expressed regarding the susceptibility of the development to noise from a cooling plant located at the nearby BHM plastics premises, that plant has recently been removed and the noise source therefore eliminated.
31. The EHO's view is that concerns regarding the suitability of the site for residential development are now associated primarily with noise and vibration from the mainline railway to the East of the site. The EHO's conclusion is that based on the Noise Assessment submitted, on balance the site can be developed for residential purposes but to ensure a satisfactory living environment is provided, a substantial noise insulation and ventilation scheme will be required. As it is not easy to change the layout of the individual houses to move habitable rooms away from the elevation facing the railway line (as this would result in them overlooking neighbouring flats), it is considered that a mechanical ventilation system, as well as significant insulation of windows and walls, will be required. This should ensure that occupiers of the homes will not suffer undue disturbance from the noise generated by the nearby railway line. The EHO has requested that a condition be applied to any permission requiring the submission of a full ventilation and insulation scheme prior to the commencement of development.
32. **Contamination** - Both the Environment Agency and the Council's Contamination Officer believe that further site investigation work is required in order to ensure that any site contamination is discovered and remediated prior to the commencement of development. It is considered that the application of a condition requiring such investigations and detailing any remediation required would be sufficient to mitigate any potential harm to future occupants of the site and to allow the use of soakaway drainage on site.
33. **Trees and hedges** - The existing trees on site would be removed, however they are not good specimens and are not considered to contribute significantly to the visual amenity of the area. The boundary hedge to the South and East of the site is considered very important in terms of the general character and appearance of the area and in particular the separation and screening of the site it provides as well as a softening of the impact of the proposed built development. For those reasons, as well as for the habitat it provides, it is considered essential that it is retained. A condition would therefore be applied to any permission, requiring its protection during construction as well as its retention in perpetuity.
34. **Open space and community facilities** - The proposed development would not provide open space or community facilities on site and would therefore be required to contribute to their provision off site, in order to mitigate the additional burden that the occupants of the proposed dwellings would place on such facilities locally. The applicant has agreed to enter into a Section 106 legal agreement to make such contributions. At present the amounts would be as follows: Public open space - £9,839.08; Community facilities - £1,626.04; Waste receptacles - £278 and a Section 106 monitoring fee of £250. The applicant's willingness to enter into such a scheme is considered sufficient to comply with the relevant policies in this case.

Recommendation

35. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is recommended that the application be granted Planning Permission, subject to conditions relating to:
1. Implementation within 3 years
 2. Development in accordance with approved plans
 3. Materials
 4. Hard and soft landscaping
 5. Boundary treatments
 6. Bin and cycle storage
 7. Provision of visibility splays at access
 8. Provision and retention of parking and turning area
 9. Obscure glazing of first floor windows in elevations facing flats
 10. Legal Agreement securing affordable housing contribution and open space, community facilities and waste receptacles contributions
 11. Contamination investigation works
 12. Protection of hedge during construction and subsequent retention
 13. Restriction of vegetation clearance during bird breeding season
 14. Noise attenuation scheme
 15. Limits on construction hours and delivery times
 16. Piling of foundations and control of airborne dust
 17. Floor levels plan

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

- Local Development Framework Core Strategy 2007
- Local Development Framework Development Control Policies 2007
- Planning File ref: S/0029/11

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