

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

9 May 2012

**AUTHOR/S:** Planning and New Communities Director

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### **S/0458/12/VC – HISTON & IMPINGTON**

**Variation of Condition 2 of Planning Permission S/1847/10 to substitute approved plans for a variation of house plots 20, 21, 30 and 31 and to substitute approved plans for the transfer of affordable housing from plots 20, 21, 30 and 31 to plots 23, 25, 27 and 29 Merrington Place – Land West of Merrington Place, off Impington Lane for Almaren Plc**

**Recommendation: Approval Subject to Deed of Variation to Section 106 Legal Agreement.**

**Date for Determination: 01<sup>st</sup> June 2012**

#### **Notes:**

**This application has been reported to the Planning Committee for determination due to the need for a deed of variation to the S106 Legal Agreement associated with Planning Permission S/1847/10/F.**

#### **Site and Proposal**

1. The site comprising 0.97ha is located within village development framework boundary with the vast majority of the site being situated within flood zone 3 (High Risk) of the Strategic Flood Risk Assessment (SFRA). A narrow strip of land to the west of the application site lies within the village Conservation Area. The site is accessed via Impington Lane and Glebe Way and is within walking distance to the centre of the village with close proximity to its services and facilities. The site forms the southern part of an allocated housing site under Policy SP/6.
2. The site benefits from planning permission for the erection of 31 dwellings as cumulative development with the residential development located to the east at Merrington Place. The site is bounded to the south by long gardens serving properties within Impington Lane and to the west at Glebe Way. The site's northern boundary is shared with a piece of open agricultural land, which forms the northern part of the allocated housing site under Policy SP/6 with the boundary being defined by a landscaped hedgerow and ditch.
3. The full planning application received 1<sup>st</sup> March 2012 seeks the variation in design to plots 20, 21, 30 and 31 of Planning Permission S/1847/10 by extending this block of apartments to provide 2-bedroom dwellings due to inability to sell 1-bedroom market units upon the phase 1 development at Merrington Place. In addition the application proposes to transfer the affordable housing allocated to these plots over to plots 23, 25, 27 and 29 of the phase 1 development at Merrington Place, which is also an apartment block. The tenure of the transferred housing affordable housing is 100% shared ownership only. The application is supported by the following documents:

- Planning Design & Access Statement;
- Deed of variation agreement.

### **Planning History**

4. Planning Application S/1847/10/F was approved for the erection of 31 dwellings (12 affordable dwellings) and associated landscaping (including Local Area for Play and Community Orchard), cycle and refuse enclosures, car parking, garaging and internal roadways and footpaths.
5. Planning Application S/1217/10/F was approved for revised design to plots 4 and 5 for the erection of two garages with associated driveways and landscaping.
6. Planning Application S/1235/09/F for the revised design to house types A and the merging of plots 6 and 7 to form one large affordable dwelling was approved.
7. Planning Application S/1356/08/F was approved for the erection of 35 dwellings (including 14 affordable homes), roadways, and landscaping and open space.
8. Planning Application S/0146/08/F was refused for the erection of 113 dwellings on the grounds that the proposal would result in an insufficient design, layout, parking provision, would not be in keeping with the character of the area and would prejudice the development of neighbouring land. In addition the proposal failed to provide adequate infrastructure provision for public open space and did not market the use of employment uses within the site.
9. Planning Application S/0321/05/O for residential development was refused and dismissed upon appeal on the grounds of loss of employment, flood risk and impact upon potential archaeological findings.

### **Planning Policy**

10. **National Planning Policy Framework 2012**
11. **Site Specific Policies Development Plan Document (DPD) 2010:**  
SP/6 North of Impington Lane, Impington
12. **South Cambridgeshire LDF Core Strategy Development Plan Document (DPD), 2007:**  
ST/4 Rural Centres
13. **South Cambridgeshire LDF Development Control Policies Development Plan Document (DPD), 2007:**  
DP/1 Sustainable Development  
DP/2 Design of New development  
DP/3 Development Criteria  
DP/4 Infrastructure and New Developments  
DP/5 Cumulative Development  
DP/7 Development Frameworks  
HG/1 Housing Density

HG/2 Housing Mix  
HG/3 Affordable Housing

14. **South Cambridgeshire LDF Supplementary Planning Documents (SPD:**  
District Design Guide SPD – Adopted March 2010  
Affordable Housing – March 2010

### **Consultations**

15. **Histon & Impington Parish Council** – Recommend approval commenting that the meeting was not quorate.
16. **Housing Enabling Officer** – Raises no objection to the proposals as amended.

### **Representations**

17. 2 letters from the owner/occupiers of nos.15 and 27 Merrington Place has been received, the contents of which are summarised below:
- The purchase of no.27 Merrington Place was undertaken on the grounds that the allocation of affordable housing was known to the searches for this sale and marked out accordingly;
  - Whilst mixed housing tenure is fair and reasonable across a development site it is not common for such mix to take place within a confined apartment block;
  - The proposed transfer of affordable housing into a market housing apartment block may lead to difficulties within the priorities of both tenants and the housing association, such as tenancy agreement and private leases;
  - Whilst property value is not a material planning consideration the development proposal will negatively impact upon the value of no.27;
  - Had the proposals be made known at the time of the searches then the purchase would not of gone ahead;
  - The proposal would result in a concentration of affordable housing within Merrington Place, which does not seem to represent the integrated approach originally envisaged for the development;
  - The amended plans proposing a shared ownership tenure are acceptable and I wish to be informed should these plans change in the future.

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

18. The key issues to consider in this instance are the impact of proposals upon the public realm, infrastructure provision, residential amenity, housing mix and affordable housing provision.

### **Housing**

19. The proposal seeks the transfer of four affordable housing units allocated to plots 20, 21, 30 and 31 from the phase 2 development approved under consent S/1847/10/F to four unoccupied plots (nos. 23, 25, 27 and 29) within the phase 1 development at Merrington Place. This is due to the difficulty found in the sale of the 1-bedroom units within the Merrington Place development, as these remain the only unoccupied units to date. The

applicant recognises that the 1-bedroom units across both development sites are unfavourable to purchasers under current market conditions and that the transfer of affordable housing units will allow the phase one development to be fully occupied and allow the full completion of this development. In addition the transfer will allow for much needed accommodation for those in need of affordable housing within the district. In doing so it is proposed to vary the design of the original units within the unbuilt phase 2 development making them 2-bedroom units through modest enlargement of the apartment block.

20. The application originally proposed the like-for-like transfer of the allocated tenure of 50% social rented and 50% shared ownership. However, given representations from existing occupiers of the units within the apartment block that would be affected by the proposal the applicant has amended the proposal to transfer shared ownership tenure housing only. As a consequence the tenure of the units affected would be closer to market housing in consideration of the expectations of the existing residents who own and occupy units within the apartment block effected. The proposal would result in the bringing forward of affordable housing delivery, which is to be supported. Whilst the proposal would result in a lesser threshold of affordable housing for the phase 2 development, the sites are linked and designed as such, that they will read as one, therefore it is not considered that the integration of housing tenure across the overall site would be detrimental to the social cohesion of residents.
21. The housing association for both development sites has been identified as Luminus and therefore there is continuity in both the delivery and management of affordable housing across the two sites. Furthermore, Luminus are also responsible for the maintenance of the site including open spaces and communal areas throughout the apartment units, such as those effected by the development proposals. Therefore, it is considered that there would be no adverse impact to the management and expectations of both private market and housing association land.
22. Council Housing Mix Policy does not differentiate between one and two bedroom dwellings and therefore the proposed enlargement of plots 20, 21, 30 and 31 to two-bedroom dwellings would not impact upon the overall housing mix of the development site. In addition the provision of two-bedroom units is favourable in that it provides more affordable smaller house types that allow for a greater range of occupation for new or small families.

### **Public Realm**

23. Plots 20-31 comprises an apartment block of 11 residential units located due west of the Merrington Place development site within the northeast corner of the residential development approved under planning permission S/1847/10/F. Plots 20, 21, 30 and 31 of this block were approved to comprise 1-bedroom flats. As referenced within paragraph 18 above, the proposal seeks to enlarge these units, thus making them 2-bedroom units in order to be more favourable under current market conditions. The proposed enlargement of these units would comprise a modest increase by approximately 2m in width, along with internal alterations and landscape works.
24. As a consequence of the proposals it was the view of officers that the enlarged width of the apartment block should be mitigated to reduce the apparent

elongation of its elevations. As such, amended plans providing a hipped roof end to the block and increased vertical timber cladding have been introduced, thus providing a contrast and breaking up the horizontal emphasis created by the proposed design alterations. In light of the amended plans the proposed revisions are considered to be commensurate to the high quality standard of design throughout the development and would result in an acceptable visual impact upon the public realm.

### **Residential Amenity**

24. Plots 20-31 are set back within a corner plot of the development site and are significantly spatially divorced from the nearest residential properties to the east and south. The nearest dwelling that would be affected as a consequence of the proposed enlargement to this block is plot 19. Plot 19 is detached housing plot located due west of plots 20-31 with a detached garage upon the common boundary between the two plots. This plot is considered to be sited at an appropriate distance from the proposed enlargement to the adjacent block and the garage sited upon the boundary provides a sufficient barrier. In light of this, the proposal is not considered to result in an adverse impact upon the residential amenity currently experienced by surrounding residents nor that of future occupiers of the extant consent for the land west of Merrington Place.

### **Legal Agreement**

25. As referenced within paragraph 21 above, the proposals would not impact upon the housing mix of the wider development proposal and as such would not impact upon the planning obligations secured under the original planning permission S/1847/10/F. However, given the transfer of affordable housing proposed the original S106 legal agreement pursuant to planning permission S/1847/10/F requires amending in order to reference the suitable provision of affordable housing and tenure commensurate to the development proposal. A deed of variation has therefore been submitted in accompaniment to the application and subject to the approval of the planning committee this agreement will be signed and dated to secure the necessary changes proposed by the applicant.

### **Other Matters**

26. The application provides addendums to the original drainage strategy and transport assessment for the approved consent S/1847/10/F, which detail that the development proposals would not impact upon these approved assessments, which given the nature of the proposals is considered to be acceptable, pursuant to the details approved under S/1847/10/F.

### **Conclusion**

27. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should be granted in this instance.

## **Recommendation**

28. Approve as amended by plan no.2009H dated stamped 13<sup>th</sup> April 2012 and Planning Design and Access Statement and Deed of Variation Agreement date stamped 16<sup>th</sup> April 2012.

## **Conditions**

1. **The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**  
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
2. **The development hereby permitted shall be carried out in accordance with the following approved plans and documents:** CBC303-107 C, 2200 B, 2009H, CBC303-410, CJM-2 2000A, CJM-2 2001A, CJM-2 2002A, CJM-2 2010A, GPM 558-1 Lighting Design, Sustainability Statement dated 4<sup>th</sup> October 2010, Development Brief June 2010, 160-02D, CBC303-107 C and Landscape Management Plan 18<sup>th</sup> January 2011.  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
3. **The development, hereby permitted, shall be carried out in accordance with the approved external materials schedule dated 29<sup>th</sup> July 2011.**  
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
4. **The development, hereby permitted, shall be carried out in accordance with the approved boundary treatment, plan no. CBC303-103 REVISION A.**  
(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
5. **All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.**  
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
6. **The development, hereby permitted, shall be carried out in accordance with the approved foul water drainage scheme, plan no. 210/465/05 REV B.**  
(Reason - To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policy NE/10 of the adopted Local Development Framework 2007.)

7. **The development, hereby permitted, shall be carried out in accordance with the approved Surface Water Drainage Scheme, plan no. 10/465/01K.**  
(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)
8. **The development, hereby permitted, shall be carried out in accordance with the approved Pollution Control Scheme, plan no. 10/465/01K.**  
(Reason - To reduce the risk of pollution to the water environment in accordance with Policy DP/1 of the adopted Local Development Framework 2007.)
9. **The development, hereby permitted, shall not be occupied until all identified flood alleviation and protection measures have been completed in accordance with the approved scheme.**  
(Reason - To prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)
10. **The development, hereby permitted, shall be carried out in accordance with the approved Fire Hydrant Scheme, plan no. SC-0613 REV B.**  
(Reason - To ensure an adequate water supply is available for emergency use.)
11. **The finished floor levels of the proposed dwellings in relation to the existing and proposed ground levels of the surrounding land shall be no lower than 10.80m above Ordnance Datum Newlyn (ODN) unless otherwise agreed in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.**  
(Reason - In the interests of residential/visual amenity, in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
12. **The garages, hereby permitted, shall not be used as additional living accommodation.**  
(Reason - To ensure the continued provision of off-street parking space in the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
13. **The development, hereby permitted, shall be carried out in accordance with the approved Refuse Storage Scheme, plan no. CJM-02 2010 REV A.**  
(Reason - To provide for the screened storage of refuse in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
14. **The development, hereby permitted, shall be carried out in accordance with the approved Contamination Remediation Scheme MLM Environmental Report Dated February 2011.**  
(Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy DP/1 of the adopted Local Development Framework 2007.)

**15. The development, hereby permitted, shall be carried out in accordance with the approved External Lighting scheme GPM Lighting Design, dated 20<sup>th</sup> July.**

(Reason -To minimise the effects of light pollution on the surrounding area in accordance with Policy NE/14 of the adopted Local Development Framework 2007.)

**16. The development, hereby permitted, shall be carried out in accordance with the approved cycle gate under plan no. CBC3030-110.**

(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

**17. The development, hereby permitted, shall be carried out in accordance with the approved transport management scheme, plan no. CBC303 TRAFFIC.**

(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

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

- South Cambridgeshire Development Control Policies Development Plan Document (2007)
- South Cambridgeshire Local Development Framework Supplementary Planning Documents
- LDF Adopted Core Strategy Development Plan Document (2007)
- NPPF

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