

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

1 August 2012

AUTHOR/S: Planning and New Communities Director

S/0843/12/FL - MELBOURN

ERECTION OF 6 DWELLINGS (COMPRISING ONE 4 BED HOUSE, ONE 3 BED HOUSE, ONE 3 BED BUNGALOW, AND ONE 2 BED HOUSE, WITH TWO 1 BED FLATS (AFFORDABLE UNITS)), AND REMODELLING OF EXISTING PUBLIC HOUSE CAR PARK, 29 HIGH STREET, MELBOURN FOR LETCHWORTH PALACE LTD

Recommendation: Delegated Approval

Date for Determination: 13 July 2012

Notes:

This Application has been reported to the Planning Committee for determination because the officer recommendation of delegated approval is contrary to the recommendation of refusal from Melbourn Parish Council.

Members will visit this site on Tuesday 31 July 2012

Part Conservation Area

To be presented to the Committee by Paul Sexton

Site and Proposal

1. This full application, as amended by drawings received on 13 July 2012 proposes the erection of 6 new dwellings on land which currently forms part of the car park and garden area of The Old Elm Tree Public House, 29 High Street, Melbourn
2. The application involves a remodelling of the existing car parking area adjacent to High Street to provide 18 parking spaces, with an additional 2 disabled parking spaces sited adjacent to the public house. It is proposed to have a single point of access from High Street, close to the building, serving the public house and car park, with a roadway running to the rear of the site.
3. The new housing development will comprise a pair of one-bedroom affordable houses sited gable end to the rear of the car park area, with a pair of barn style dwellings sited to the rear of the existing garden of the public house and a linked two storey house and bungalow in the south west corner of the site, grouped around a turning head and parking area.
4. To the north east of the site are the rear gardens of properties in Norgetts Lane. To the south east are the rear gardens of properties in Spencer Drive and to the south west are the rear gardens of properties in Meadow Way
5. The Density is 35 dwellings per hectare.

6. The front section of the site and the rear gardens of the proposed dwellings on Plots 3 and 4 are within the Conservation Area, however the main body of the site is outside.
7. The application is accompanied by a Design and Access Statement, Heritage Statement, Ecological Assessment, Acoustic Report, Waste Design Toolkit and Section 106 Draft Heads of Terms.

Planning History

8. **S/1137/95** – Three Dwellings - Withdrawn

Planning Policy

9. **South Cambridgeshire Local Development Framework Core Strategy Development Plan Document: ST/5** – Minor Rural Centres
10. **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 Developments, **DP/7** Development Frameworks, **HG/1** Housing Density, **HG/2** Housing Density, **HG/3** Affordable Housing, **SF/10** – Outdoor Playspace, Informal Open Space, and New Developments, **SF/11** – Open Space Standards, **NE/1** Energy Efficiency, **NE/3** Renewable Energy Technologies in New Developments, **NE/6** Biodiversity, **NE/9** – Water and Drainage Infrastructure, **NE/10** Foul Drainage – Alternative Drainage Systems, **NE/11** Flood Risk, **NE/12** Water Conservation, **NE/14** Lighting Proposals, **NE/15** Noise Pollution, **CH/2** Archaeological Sites, **CH/4** Development Within the Curtilage or Setting of a Listed Building, **CH/5** Conservation Areas, **TR/2** Car and Cycle Parking Standards.
11. **South Cambridgeshire LDF Supplementary Planning Documents (SPD)** - Open Space in New Developments - adopted January 2009, Development Affecting Conservation Area – adopted January 2009, Public Art - adopted January 2009, Trees and Development Sites - adopted January 2009, Biodiversity - adopted July 2009, Listed Buildings – adopted July 2009, Landscape in New Developments - adopted March 2010, Affordable Housing – March 2010 and District Design Guide - adopted March 2010
12. National Planning Framework

Consultation by South Cambridgeshire District Council as Local Planning Authority

13. **Melbourn Parish Council** recommends refusal of the application as originally submitted.
 - a. “Considered to be poorly thought out eg. Access road to proposed dwellings means pub customers have to cross this to visit or return.
 - b. Significant reduction to pub parking spaces and confined manoeuvrability will lead to customers parking in High Street.
 - c. Where will pub staff park?

- d. How will pub suppliers access the rear of the premises for deliveries, collections etc
 - e. We think the development access should be separate from the pub car park access.
 - f. As is unlikely to be an adopted road how will public services etc access it.
 - g. Visitor parking is unrealistic as 2 extra for the whole site. Due to their location they will probably be used by Plot 3 or their visitors.
 - h. There is no pedestrian pavement in the development site from the entrance gate in. The width is only 3.6m which puts pedestrians, especially children in danger from vehicular traffic.
 - i. Is this to be a 'gated' access, not in keeping with our High Street scenario and likely to cause problems in busy pub/restaurant opening times, ie someone will park in front of closed gates, hence e.
 - j. Where will bins be stored on 'collection' days, are occupants really expected to take bins down to the bin collection area. They are not likely to be collected from there anyway.
 - k. Although we note surfaces will be water absorbent this is a sensitive problem area for surface water drainage.
 - l. There are concerns from neighbouring residents re overlooking their property by Plot 4. It is also felt that all neighbouring properties to the site are bungalows and these are out of keeping.
 - m. No visual reference to the Conservation Area boundary is made, this passes through the proposed development and we would like to see this appear for future reference.
14. The **Local Highway Authority** has no objection. It requests the provision of vehicle visibility splays measuring 2.4m x 43m, and pedestrian splays of 2.0m x 2.0m. It asks that the proposed drive way is constructed using a bound material to prevent debris spreading onto the adopted public highway, and so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway. Dimensions should be shown for the proposed car parking spaces for the public house car park.
15. The **Conservation Manager** suggested a number of revisions to the originally submitted scheme which are incorporated into the revised drawings. Comments on the revised scheme will be reported at the meeting.
16. The **Environment Agency** advises that as the site falls within Flood Zone 1, and there are no other related Agency related issues in respect of this application, it is for the District Council to respond on behalf of the Agency in respect of flood risk and surface water drainage related issues.
17. The **Corporate Manager Health and Environmental Services** has concerns about the potential impact on the amenity of the future occupiers of the proposed houses due to the permitted operation of the public house. There is concern that the Acoustic report submitted with the application does not take account of instances

where the public house may wish to have entertainment such as live/recorded music and dancing, which is permitted under its licence until midnight on Fridays and Saturdays. It is suggested that there should be restrictions placed on these activities should consent be granted, and that as the public house is in the same ownership this may be possible to achieve.

In respect of the proposed construction works it requests that conditions are included in any consent restricting the hours of operation of power driven machinery during the period of construction, and requiring the submission of a statement of the method for construction of driven pile foundations, if to be used, in order to minimise the effects of the development on nearby occupiers. An informative should be included regarding the use of bonfires and burning of waste during the construction period.

18. The **Contaminated Land Officer** is satisfied that a condition relating to contaminated land investigation is not required.
19. The **Trees and Landscapes Officer** comments that the trees within the site have been categorised as C under BS5837 guidance, which means they should not restrict development. There are no objections to the proposals and the replacement landscaping will provide screening in time and improve the existing street scene.
20. The comments of the **Environment Operations Manager** will be reported at the meeting

Representations by members of the public

21. Letters of objection have been received from the occupiers of 1, 1a, 1b, 3 Meadow Way, 14 and 14a High Street, 7 and 8 Spencer Drive and 4 and 8 Norgetts Lane.
 - I. The proposal will add more hard surfaces in the High Street, reducing the surface area for rain water to soak away and extra volume to the already insufficient drainage system. The drains are unable to cope now and there has been serious flooding in 2006, 2008 and 2010 to support these concerns. The site is in a flood plain.
 - II. Proposed reduction of the pub car park from 30 to 15 spaces will result in cars parked in the High Street, and potentially restrict access and safe views from nearby driveways. 24 cars were recently parked in the car park midweek. Combined with the potential redevelopment of the Police Station site, there will be a significant potential increase in congestion, causing problems for people exiting from Meadow Way, and at the entrance to Norgetts Lane.
 - III. There should be double red lines along High Street, with a Zebra crossing
 - IV. Building in the Conservation Area and would spoil the look and feel of the High Street. The gated access is inappropriate. The boundary of the Conservation Area should be clarified – it would appear that plots 3 and 4 will in part be built in the Conservation Area.
 - V. Proposed buildings are out of character with the area and are two storey houses and flats, whereas surrounding buildings, with the exception of the public house, are all bungalows or chalets.
 - VI. Overdevelopment of the site.

- VII. Loss of privacy to gardens of properties in Meadow Way through overlooking. The unbroken side of the house on plot 4, within 2 metres of the boundary, will be overbearing when viewed from 8 Spencer Drive.
- VIII. Loss of sunlight to the rear of properties in Norgetts Lane
 - IX. The two affordable units are only a 'sop' to induce the advancement of the scheme. The village needs sensible development that Melbourn residents can really afford. The site is well-suited to modest semi-detached homes/bungalows. The village does not need another 4-bedroom house.
 - X. The new residents will be disturbed by activities from the adjacent restaurant – who will deal with these?
 - XI. How will delivery vehicles access the public house. At present they can access the public house car park and turn, this opportunity will be lost and vehicles will have to reverse onto High Street, which cannot be permitted due to the volume of use on the pavement, which is just before the crossing point for the Village College.
 - XII. The submitted plans are inaccurate in that the back fence to 8 Norgetts Lane is square to the house and not at an angle as shown, which will increase the impact of Unit 4. The front and back elevations of Units 3 and 4 are not consistently numbered.
- XIII. An application submitted in 1994 for three units on the same site was eventually withdrawn in 1997.

Comments on the revised scheme will be reported.

Material Planning Considerations

- 22. The key issues to be considered in the determination of this application are the principle of development, housing mix and density, affordable housing, impact on the Conservation Area, neighbour amenity, highway safety (including revised parking for the public house), drainage, and other matters.

Principle of Development

- 23. The site is located within the village framework of Melbourn. The site is centrally located within the village in a sustainable location. Melbourn is identified as a minor rural centre where residential development and redevelopment up to an indicative maximum scheme size of 30 dwellings will be permitted, subject to compliance with other policies in the plan.

Density and Housing Mix

- 24. Policy HG/1 requires schemes to make best possible use of sites by achieving net average densities of at least 30 dwellings per hectare unless there are exceptional local circumstances that require a different treatment. The density of the scheme is 35 dwellings per hectare and officers are of the view that this is acceptable given the location of the site, providing it can be demonstrated that the development will not have an adverse impact on the character of the area and neighbour amenity. These issues are discussed below.

25. In respect of the market housing the application proposes one 2-bedroom house, one 3-bedroom house, one 3-bedroom bungalow and one 4-bedroom house. Officers are of the view that this mix satisfies the aims of Policy HG/2.

Affordable Housing

26. Policy HG/3 requires schemes to provide at least 40% of the total number of dwellings proposed as affordable dwellings. This scheme proposes 2 affordable housing from the 6 units proposed and is the percentage that officers would seek from this scale of development. The units (Units 1 and 2) are for rent and are one-bedroom flats. The Housing Development and Enabling Manager supports the scheme. The relationship of these units within the site with existing properties is discussed later in the report.

Impact on the Conservation Area

27. The Conservation Manager does not have an objection in principle to the development but suggested modifications to the original scheme. Comments on the revised scheme will be reported.
28. The current view of the site from the High Street is of an extensive open area of car parking with some planting beyond, softening the impact of housing development beyond. The proposal will allow for new planting at the front of the site and again at the rear of the car park, which will soften the impact of development when viewed from High Street. The closest dwelling will be 30m from High Street.
29. Officers note the concern about the proposed gated entrance, however if this is of rural appearance in visual terms it would be acceptable.
29. Officers are of the view that the proposal will preserve the character of the conservation area.

Neighbour Amenity

30. Officers are of the view that the scheme as amended adequately protects the amenity of the occupiers of adjacent dwellings.
31. The proposed dwellings on Plots 3 and 4 have been designed so that there are no first floor windows in the rear elevation facing the rear gardens of properties in Norgetts Lane. The proposed dwellings will be located 10m from the boundary with those properties, the rear gardens of which are a minimum of 25 metres deep. Given that the ridge height of the proposed dwellings is 7m officers do not consider that there will be a significant loss of light to the rear gardens of properties in Norgetts Lane.
32. The gable end of the dwelling on Plot 4 will be sited within 2m of the rear boundary of properties in Spencer Drive, which are located positioned a minimum of 11m from the boundary. The new dwellings will be to the north west and will have a ridge height of 7m. Officers are of the view that the position of the dwelling on Plot 4 is such that it will not result in an unreasonable loss of light and will not be overbearing when viewed from those properties.
33. As originally submitted the proposed dwelling on Plot 6 was two-storey and officers expressed concern about the overbearing impact that this would have on the rear

gardens of bungalows in Meadow Way, and in particular Nos.1a and 1b. As amended this unit has been reduced to a single storey dwelling, with the roof hipped away from the boundary and of a maximum height of 5.5m. The length of the single storey garage projection has also been reduced, and although within 1m of the rear boundaries of properties in Meadow Way, subject to the agreement of appropriate boundary treatment officers are of the view that the impact on properties in Meadow Way is now acceptable.

34. As originally submitted Plot 2 contained a first floor sitting room window in the rear elevation, facing the rear gardens of bungalows in Meadow Way, 9m from the boundary. As amended this window has been relocated to the south east side elevation overlooking parking spaces within the site, and the relationship with properties in Meadow Way is now acceptable.
35. The Environmental Health Officer has expressed concern about the relationship of the proposed dwellings to the existing public house, in respect of possible noise disturbance from late night music and activity which it currently has a licence for. Further discussions will be held with the applicant on this point, however as the public house is within the applicants control it may be possible to restrict activities to protect the amenity of the proposed dwellings. However officers would not wish impose restrictions that might affect the long-term viability of the public house.

Highway Safety and Parking

36. The Local Highway Authority has raised no objection to the application, although the road is not to be offered for adoption. Adequate car parking is provided for the new dwellings.
37. The revised car parking arrangements for the public house provide for 20 spaces, and whilst this is a reduction on the number of spaces currently available, it is compliant with the maximum car parking required by the Council's car parking standards.
38. Officers note the concerns about the location of the access road to the proposed dwellings being between the public house and its car park, however there are relatively low number of dwellings proposed and any conflict will be minimal.
39. Deliveries to the public house will have to take place from High Street.
40. The comments of the Environment Operations Manager will be reported and it is important to ensure that the layout is compliant for waste vehicle access and bin collection. A bin storage area is provided to the side of the car park, in front of the entrance to the new dwellings.
41. The applicant has indicated that there is the potential to create a temporary access on the south west side of the site for the construction period to avoid conflict with access to the public house.

Drainage

42. The site is identified by the Environment Agency as being within Flood Zone 1. It is therefore not a site where there is a requirement to submit a flood risk assessment or seek the views of the Environment Agency.

43. Officers are aware of the local concern re flooding issues in the area, and that additional hard surfaces within the site will have the potential to exacerbate existing problems, however the applicant will need to implement a surface water drainage scheme that will ensure that existing run off rates are not increased. This can be secured by condition.

Other matters

44. The application is accompanied by a draft heads of terms for a Section 106 Agreement to cover the required open space and community infrastructure provision required by Policies DP/4 and SF/10.
45. In the Design and Access Statement the applicant states that the new houses will incorporate high levels of insulation which will comply with the new building regulations and the proposed development will have photovoltaic cells, which will provide at least 10% of the energy requirements for the development.

Recommendation

46. That subject to the comments of the Environment Operations Manager, and other replies to consultations on the amended drawings and the satisfactory resolution of the matter of the relationship of the proposed dwellings to the activities of the public house that delegated powers be given to approve the application subject to conditions

Conditions

To include:

Time limit – 3 years
Materials
Landscaping (including boundary treatment)
Drainage
Highway conditions
Car Parking
Restriction of PD rights and further openings
Affordable Housing
Contributions

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)
- Planning File Ref: S/0843/12/FL

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