

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

2 October 2013

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

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### **S/1246/13 - MELDRETH**

**Erection of 4 bungalows (2 detached and 2 semi-detached), creation of access and parking - revised design to Planning Approval S/0029/11**

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

**Recommendation: Refuse**

**Date for Determination: 9 August 2013**

**The application has been referred to the Planning Committee on the request of the Area Team Leader given recent changes in the local area since the approval of a previous application in 2012.**

#### **Site and Proposal**

1. The application site is an undeveloped area of land located between the High Street and 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 a storage and distribution depot (Eden Farm Ltd).
2. The application is a revised scheme to planning approval S/0029/11 proposing smaller dwellings on the site in the form of 4 bungalows and an alternate parking arrangement. Access to the site is proposed, as before, adjoining the entrance to the railway station car park.

#### **Relevant Planning History**

3. Application S/0199/10/F for the erection of 2 dwellings was withdrawn but subsequent application S/0029/11 was granted planning permission for the erection of 4 dwellings (three 2-bed houses in the form of a terrace and one detached 3-bed bungalow) and the creation of associated access and parking area.

#### **Planning Policies**

##### **National**

4. The **National Planning Policy Framework (NPPF)** promotes a presumption in favour of sustainable development having regard to the soundness of the development plan and the policies therein.

**Local Development Framework Core Strategy 2007:**

5. Policy ST/6 Group Villages

**South Cambridgeshire Local Development Framework (LDF)  
Development Control Policies DPD, adopted January 2007**

6. 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  
NE/1 Energy Efficiency  
NE/2 Renewable Energy  
NE/6 Biodiversity  
NE/15 Noise Pollution  
SF/10 Outdoor Playspace, Informal Open Space and New Developments  
SF/11 Open Space Standards  
TR/1 Planning for More Sustainable Travel  
TR/2 Car and Cycle Parking Standards

**South Cambridgeshire LDF Supplementary Planning Documents (SPD):**

7. District Design Guide SPD - adopted March 2010  
Open Space in New Developments SPD - adopted January 2009  
Landscape in New Developments SPD – adopted March 2010  
Trees and Development Sites SPD – adopted January 2009  
Affordable Housing SPD – adopted March 2010

**Proposed Submission Local Plan (July 2013)**

8. S/7 Development Frameworks  
S/10 Group Villages  
H/7 Housing Density  
HG/8 Housing Mix  
HG/9 Affordable Housing  
H/11 Residential Space Standards  
SC/7 Outdoor Playspace, Informal Open Space, and New Developments  
SC/8 Open Space Standards  
SC/11 Noise Pollution  
TI/2 Planning for Sustainable Travel  
TI/3 Parking Provision

**Consultations**

9. **Meldreth Parish Council** – Recommends approval with no comments.
10. **Councillor Susan van de Ven** – “I was not the district councillor when the previous application was approved, but taking this one at on its own terms, I would have to say also that the prospect of additional vehicle movements in the entrance to station yards is not a comfortable one. It is the only access to the station for disabled users (Meldreth has a school for severely disabled children and visiting the train station is a popular activity and also a source of

public transport. Network Rail has already made plain its intention to increase the capacity of the station by lengthening the platforms to accommodate 12-car trains, and this will inevitably increase the amount of vehicle traffic to the station car park. The junction of the station entrance and the High Street, with Whitecroft Rd opposite, is identified in the parish plan as one that causes most concern in the village and indeed I am working with the parish council and County Highways on possible safety measures. While I support the location of housing in close proximity to the station due to the sustainable nature of such development from a transport point of view, I don't think that the station yard itself is a sensible place due to all of these factors.”

11. **Environment Agency** – No objection to the proposal, subject to recommended conditions governing land contamination remediation. General informatives recommended in relation to surface water drainage and foul water drainage.
12. **Local Highway Authority** – No objections. The site provides suitable internal manoeuvring space to enable domestic vehicles to enter and leave in a forward gear. A suitable passing area has also been provided which should prevent any unnecessary manoeuvring outside the site boundary.
13. **Acting Environmental Health Manager** – The development is in close proximity to the neighbouring storage and distribution depot (Eden Farms Ltd), which has generated numerous complaints from local residents concerning noise disturbance. Further residential development in this location is recommended for refusal on noise grounds, as it is highly likely that an unacceptable level of intrusive noise is likely to be experienced at this location.
14. **Landscape Officer** – Recommends a condition requiring full details of soft and hard landscaping.
15. **Scientific Officer** – Previously recommended a condition regarding land contamination in application S/0029/11.

### **Representations**

16. **Eden Farm, Station Yard, Meldreth** – Concern of noise disruption to future occupiers of development due to the movement of commercial vehicles throughout the day and occasionally at night. Concern also about access to their site particularly during construction and would seek assurances that this would not disrupt their business.

### **Planning Comments**

17. The key issues in this case are: the principle of the development; visual impact; neighbouring amenity; noise and disturbance; ground contamination, trees and hedges, parking and highway safety, and the provision of open space and community facilities.

### **Principle**

18. The principle of the development has already been accepted in extant planning permission S/0029/11 with regards to Core Strategy Policy ST/6 and

Development Control policies DP/7 and HG/1. The revised proposal involves the same number of residential units but at smaller size and scale with 100% 2-bed properties. The emphasis on smaller dwellings was supported in the previous planning approval and it is accepted that larger units on this site would be difficult to achieve due to the physical limitations of the site and the need to safeguard the amenities of the neighbouring properties to the west at Tavern Yard.

19. The applicant has confirmed their agreement to repeat the commuted sum provision towards affordable housing, as agreed via S106 obligation in the previous application. The proposal is therefore in compliance with Policy HG/3.

### **Visual Amenity**

20. The visual impact of the development upon the surrounding area is reduced in this application by virtue of its single storey height. Key aspects of the site would be retained such as the established boundary hedge and the revised layout would improve views of the scheme by breaking up the parking areas. The layout and spacing of the development would avoid appearing cramped and the design of the units with their low hipped roofs and simple elevation profiles would be unobtrusive as seen from the surrounding area.
21. Consequently, the development is found to have an acceptable impact upon the local character of the area in accordance with Policies DP/2 and DP/3.

### **Neighbouring Amenity**

22. The revised dwellings in this application would be located closer to the neighbouring flats at Tavern Yard and their east facing windows. The siting and height of the proposed bungalows would not obstruct a 25-degree angle taken from the centre of the nearest neighbouring windows to mitigate loss of light impact.
23. A relatively enclosed feel to the communal area to the flats is already created by its layout and boundary (retaining) wall. The proposed 1.8m high fence on top of this retaining wall would further enclose this communal amenity area to the flats, but it is recognised that such boundary treatment could already be erected under permitted development. Issues of privacy and security would predetermine the need for such boundary treatment and could already be erected under permitted development. Consequently, the development is not considered to have an unacceptable adverse impact upon the residential amenity of adjoining neighbours, subject to final landscaping and boundary treatment details to be agreed via condition.

### **Noise and Disturbance**

24. The above comments and concerns of the environmental health officer are acknowledged. The site is located within an area where some noise pollution is inevitable given its close proximity to the railway line and car park and the storage and distribution yard (occupied by Eden Farm Ltd and formerly GoCold Ltd) to the south. The conclusion in the previous application (S/0029/11) was that on balance the site could be developed for residential purposes but to ensure a satisfactory living environment for occupiers, a substantial noise insulation and ventilation scheme would be required. This

assessment was informed by a submitted noise impact assessment and centred principally on noise generated by the nearby railway line.

25. Crucially, since this time, increased activity at the storage and distribution yard has notably increased noise disturbance to the surrounding area through operational noise in the yard particularly during the night time, together with vehicular movements and a temporary electrical generator. It is clear that noisy activity has spread further out within the commercial site and closer to the application site and surrounding residents. The level of complaints has led to the formation of a community liaison group which is chaired by Councillor van de Ven and assisted by Council officers along with Eden Farm representatives and local residents to help best address the issue in the short and long term.
26. Future occupiers of the proposed bungalows must be safeguarded from adverse noise and disturbance and there are 2 main concerns in this respect: 1) the application is not accompanied by an up-to-date noise impact assessment; and 2) there is serious concern from the Council's Environmental Services at this stage that a satisfactory level of residential amenity will be difficult to achieve in this scheme and this location. The applicant has requested the application be presented to the Committee without further delay although he is looking at obtaining a noise impact assessment in order to clarify what noise attenuation measures would apply to the new residential units; however, in the absence of this report at the time of writing the concern of Council's Environmental Services is considered to be warranted.
27. It is accepted that the developer could still implement the approved scheme in S/0029/11 up until 13 June 2015. At the same time, the advice of the Council's officer is that each application must be assessed on its individual merits and each material consideration must be assessed on fact and degree at the time of the application. On this basis, it is concluded that since the residential development was approved in application S/0029/11 there has been a material increase in noise and disturbance from the neighbouring storage and distribution depot. The extent of this noise is considered to cause serious potential noise and disturbance to the amenities of future occupiers of the proposed bungalows and therefore the application cannot be supported under Policy NE/15 (c), which states the following:

"Planning permission will not be granted for development which would be subject to unacceptable noise levels from existing noise sources, both ambient levels and having regard to noise impulses whether irregular or tone."

28. Noise attenuation conditions have been considered to overcome this objection but in the absence of an up-to-date noise survey and the aforementioned concerns of the Council's Environmental Services such conditions do not satisfactorily address the serious harm in this instance. Consequently, the application fails to meet the aims and objectives of Policy NE/15.

### **Ground Contamination**

29. The remediation strategy in the previous application is submitted again and is agreed by the Environment Agency subject to conditions to secure a

completed verification plan and to ensure unforeseen contamination is appropriately addressed.

### **Trees and Hedges**

30. 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. This could be conditioned to be retained.

### **Highway Safety, Access and Parking**

31. The maximum parking standards for individual dwellings is 1.5 spaces on average, as set out in Policy TR/2. A total of 10 spaces are provided in this application, which is above the maximum parking standards but this does include disabled parking spaces and visitor parking spaces to accord with the wider goals of Policy TR/2.
32. The Local Highway Authority accepts that the scheme provides sufficient vehicular access, pedestrian visibility and manoeuvring area and such area would need to be secured by condition prior to the occupation of the first dwelling.
33. Consequently, the development would provide sufficient on-site parking in accordance with Policy TR/2 and would have an acceptable impact upon highway safety subject to the aforementioned planning condition.

### **Open Space Standards and Community Infrastructure**

34. The proposed development would not provide open space or community facilities on site and would therefore be required to contribute to 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 a Section 106 legal agreement to make such contributions, as with previous application S/0029/11.

### **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 refused, for the following reasons:
  1. **The site is located within an area where some noise pollution is inevitable given its close proximity to the railway line and car park and the storage and distribution yard (occupied by Eden Farm Ltd) to the south. Since the approval of application S/0029/11 there has been a material increase in noise and disturbance from the neighbouring storage and distribution depot which has led to complaints from surrounding residents and the extent of this impact is considered to cause serious potential harm to the amenities of the future occupiers of the proposed bungalows.**

**The application is not supported by an up-to-date noise impact assessment and the extent of any noise attenuation measures cannot be taken into account. Consequently, the development is contrary to paragraphs 9 and 56 of the National Planning Policy Framework, which require development to contribute positively to making places better for people to live. The application is also contrary to Policy NE/15 (1c and 2), which states that planning permission will not be granted for development which would be subject to unacceptable noise levels from existing noise sources, both ambient levels and having regard to noise impulses whether irregular or tone. New residential development near to an existing noise source will require the applicant to demonstrate that the proposal would not be subject to unacceptable noise levels and this has not been achieved.**

**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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