

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2 April 2014

AUTHOR/S: Planning and New Communities Director

Application Number:	S/1152/13/F
Parish(es):	Histon and Impington
Proposal:	Erection of 29 one and two bedroom residential apartments (following demolition of existing buildings) together with associated infrastructure.
Site address:	Former Bishops Hardware Store, Cambridge Road, Impington. CB24 9NU
Applicant(s):	Mitre Property Development Ltd.
Recommendation:	Delegated Approval subject to S106 Agreement and Conditions
Key material considerations:	Principle of Development, Residential Amenity, Design.
Committee Site Visit:	Yes
Departure Application:	No
Presenting Officer:	Emily Harvey
Application brought to Committee because:	The officer recommendation is contrary to the views of the Parish Council
Date by which decision due:	6 September 2013.

Planning History

1. There is no relevant planning history for this site.

Planning Policies

2. *National*
3. National Planning Policy Framework
4. National Planning Practice Guidance
5. *South Cambridgeshire LDF Core Strategy DPD, 2007*

6. *Adopted Local Development Framework, Development Control Policies*

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/2 Housing Mix
HG/3 Affordable Housing
NE/1 Energy Efficiency
NE/6 Biodiversity
NE/9 Water and Drainage Infrastructure
NE/10 Foul Infrastructure
NE/14 Lighting Proposals
NE/15 Noise Pollution
NE/16 Air Pollution
SF/10 – Outdoor Play Space, Informal Open Space and New Developments
SF/11 – Open Space Standards
TR/2 - Car and Cycle Parking Standards

7. *Emerging South Cambridgeshire Local Plan 2013 Policies*

S/3 Presumption in Favour of Sustainable Development
CC/4 Sustainable Design and Construction
HQ/1 Design Principles
NH/2 Protecting and Enhancing Landscape Character
NH/9 Redevelopment of Previously Developed Sites
H/7 Housing density
H/8 Housing Mix
H/9 Affordable Housing
H/11 Residential Space Standards for Market Housing
E/8 Mixed Use Development in the Histon and Impington Station Area
SC/10 Lighting Proposals
SC/11 Noise Pollution
SC/12 Contaminated Land
SC/13 Air Quality

8. *Supplementary Planning Document(s)*

District Design Guide SPD – adopted 2010
Affordable Housing SPD – adopted 2010

Consultations

9. **Histon & Impington Parish Council** - Recommend refusal.

Design
Parking
Affordable Housing
Preference for a Mixed Use Solution on this Site.

A full copy of the Parish Council's comments is included at Appendix A.

10. **Cambridge County Council Archaeology** – No Objections

11. **Environment Agency** – No Objections: Recommend Conditions
12. **Anglian Water** – No Objections: Recommend Conditions
13. **Police Architectural Liaison Officer** – No Objections
14. **South Cambridgeshire District Council Ecology** – No Objections
15. **Cambridgeshire County Council Planning Team** – No Objections
16. **South Cambridgeshire District Council Environmental Health** – No Objections: Recommends Conditions
17. **Cambridge County Council Highways** – No Objections

Representations

18. 71 Letters of Representation have been received. Of these letters 68 raised objections and 3 letters supported the proposals. Within the letters of objection 10 supported the principle of the development on this site. The comments have been summarised into categories as below.

Parking, Highway Safety & Transport: 43

Scale of Building: 22

Impact on Character of Village: 19

Design: 17

Conflicts with Draft Local Plan: 13

Density: 12

Supportive of Redevelopment of this site: 10

Overdevelopment of this site: 10

Noise: 7

No Mixed Use Proposed: 6

A number of other comments were raised in regards to drainage, overlooking, addressing the village gateway, impact on local services, impact on Villa Place, bin storage and 2 letters raised comments in regards to Affordable Housing. 2 letters also raised impact on existing house prices which is not a material planning consideration and therefore will not be given weight in the decision making process.

Planning Comments

19. The application site is a centrally located site within the Histon and Impington village framework towards the southern end of the settlement. The site addresses a corner plot adjacent to the guided bus way. The site has been vacant for a number of years and previously was used as a Hardware Store under an A1 use class and associated parking/ storage areas.
20. This application seeks to bring forward a redevelopment of the site for residential (Use Class C3 as defined by the Use Classes Order). The proposal is for 29 flats comprising of 11 one bed units and 18 two bed units contained within one apartment block unit. The proposal includes amenity space, parking areas, bin storage areas, vehicular and pedestrian accesses and other associated facilities. The proposal is a full application and therefore provides detailed designs for these considerations.

21. The application site is heavily contaminated from its former use associated with chemical storage and coal. The water table on the application site is high and therefore remediation is required prior to the commencement of any development on this site. In addition, the existing building has a high asbestos content.
22. During the course of the application the design has been amended to reflect comments made by officers and councillors at the early stages of the process. More recently two meetings have been held by South Cambridgeshire District Council for Parish and District Councillors to discuss design matters further with the applicants and their agents/ appointed consultants.
23. Officers consider that design is a high priority for local residents and for this application site. The site occupies a corner plot in a prominent location and needs to address that location accordingly in accordance with principles of good design. Irrespective of any subjective opinion in regards to that design, the proposed building would be constructed of high quality materials to a high standard of sustainability criteria which supports the aims of the Development Control Policies DPD and the NPPF.
24. The scale of the building is considered appropriate for the location. The proposed building is of a lower height to the building immediately adjacent to it. The applicants have provided a street scene drawing as part of the application to allow full assessment of the building in relation to its surroundings.
25. The proposed building shares references with the adjacent buildings in regards the use of a horizontal band within the building façade and mirrored roof pitches. The windows are generally vertically dominant and of a similar size/ scale to neighbouring development which is consistent with the existing street scene. It is considered that despite the proposals 'contemporary' appearance the design is well considered and supports characteristics of the existing street scene in accordance with current national and local policy and is considered an enhancement in comparison to the current site and street scene.
26. Parking and transport concerns were of the highest importance to residents in letters of objection. Whilst officers acknowledge these concerns the recommendation of officers is bound by the weight of current planning policy. The proposals are fully in accordance with the approved parking standards contained within the Development Control Policies DPD in terms of number and size of spaces. The application site is immediately adjacent to the Cambridgeshire Guided Busway and therefore other sustainable transport options are available. A reasonable proportion of cycle parking is proposed within the application to support sustainable transport options for residents. All transport aspects have been checked by Highway Authority officers who have raised no objections to this scheme.
27. The proximity of the scheme to the busway however does have implications in regards to noise. The SCDC Environmental Health officer has recommended conditions to support the noise mitigation and insulation measures, as well as air quality for future residents of this site, but has raised no objections to this scheme, subject to the imposition of conditions.
28. In relation to viability, the cumulative impact of the existing site conditions/ constraints, design requirements, building mitigation measures (noise and air quality) and sustainability measures on this site inform reasonably high build costs. A viability assessment along with ground investigation report, noise survey and asbestos

surveys have been submitted with this application. The viability assessment has been tested by independent consultants on behalf of the local authority.

29. The emerging Local Plan has a proposed policy (E/8) specifically relating to employment within the Histon and Impington station area. This policy specifically aims to support the highest quality of design and the latest architectural styles, as set out in para 8.43 and reduce reliance on the private car. The proposals therefore support this through the choice of high quality materials and innovative design. There is an acceptance within the emerging policy that the design led approach is reasonable. The combined costs of these design and sustainability led, high quality aspirations, the decontamination costs of the existing buildings and the wider site and the existing use value create a conflict with the policy itself.
30. The result of the viability assessment is twofold. First the viability of the scheme is such that it could not support commercial units at ground floor level (as required by policy E/8 of the emerging Local Plan) and secondly has an impact on the level of affordable housing that can be provided. The wider policy context therefore needs to be addressed in more detail. .
31. The existing Affordable Housing SPD should be read in conjunction with Policy HG/3. This allows for a reduced level of affordable housing where the overall viability of the scheme is at issue. The NPPF also quite clearly promotes a viability tested method for developing affordable housing obligations to be placed on developers.
32. In addition to this, the relevant emerging SCDC Local Plan policies should also be afforded only limited weight. The policy in regards to a mixed use development for this site, Policy E/8, has received representations of objection, during the Local Plan consultation period. As such, in line with guidance from current case law and the council's legal representatives the weight that can be afforded to these policies is very limited at this stage. The Local Plan has not yet gone through the full testing and examination process and therefore cannot be considered to have met the test of sounded required for it to proceed beyond this stage.
33. The applicants have offered 8 affordable units at 80% shared equity. This will provide 30% affordable housing on this site. The affordable housing policy contained within the Development Control Policies DPD refers to 40% as the minimum requirement, but also states this should be to a subject to viability. This is strongly supported by the NPPF and other national guidance. The viability has been independently tested and officers are satisfied that 30% is an acceptable requirement in this instance.
34. The application is accompanied by a Section 106 agreement to bring forward the affordable housing quota associated with this development.

Conclusions

35. This is a complex site with a complex mix of constraints and a high degree of public interest. The applicants have attempted to address this through high quality design principles, sustainability and materials in accordance with national planning policy. The arguments for and against this application are reasonably well balanced, however the NPPF and planning policy more generally refers to design, sustainability and viability and key principles for decision making and also supports a presumption in favour of development within a balanced case. For these reasons officers are recommending in support of this application, subject to stringent conditions.

Recommendation

36. The application is recommended for delegated approval subject to the prior scoping of a Section 106 agreement in regards to the provision of affordable housing and subject to conditions

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:

9017-BR-DR-0-100 A
9017-BR-DR-0-101 /
9017-BR-DR-1-100 C
9017-BR-DR-1-101 N
9017-BR-DR-1-103 K
9017-BR-DR-1-104 K
9017-BR-DR-1-105 J
9017-BR-DR-1-106 B
9017-BR-DR-1-107 F
9017-BR-DR-1-108 E
9017-BR-DR-1-109 C
9017-BR-DR-1-110 /
9017-BR-DR-1-111 A
9017-BR-DR-1-112 /
9017-BR-DR-1-113 A
9017-BR-DR-1-114 /
External Lighting Layout - As Proposed
Section - As Proposed
Bin Store General Arrangement - As Proposed
Refuse Store General Arrangement - As Proposed
Pergola Type' Construction Over Parking General Arrangement - As Proposed
Elevations - As Proposed (Sheet 1 of 2)
Elevations - As Proposed (Sheet 2 of 2)
Location & Block Plan
Site Plan - As Existing
Second Floor General Arrangement Plan - As Proposed
Roof Plan - As Proposed
Elevations - As Existing
First Floor General Arrangement Plan - As Proposed
Long Elevations - As Proposed
Ground Floor General Arrangement Plan - As Proposed
Site Plan - As Proposed

Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. No development approved by this application shall commence, until;

- a) The application site has been subject to a detailed desk study and site walkover, to be submitted to and approved by the Local Planning Authority.
- b) Following approval of a), a detailed scheme for the investigation and recording of contamination and remediation objectives (which have been determined through risk assessment) must be submitted and agreed in writing by the Local Planning Authority
- c) Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation method statement) have been submitted to the approval in writing of the Local Planning Authority
- d) The works specified in the remediation method statement have been completed, and a verification report submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of 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 LDF 2007

4. Prior to the commencement of the construction of the building hereby approved development details of all new materials to be used in the external surfaces of the proposed development shall be provided to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the agreed details.

Reason - To ensure the proposals respect the character of the existing streetscene

5. Prior to the commencement of the construction of the building hereby approved development details of all boundary walls, fences and gates shall be submitted for the prior written approval of the Local Planning Authority. The works shall be carried out in accordance with the agreed details.

Reason - To ensure the proposals respect the character of the existing streetscene.

6. Prior to the commencement of the construction of the building hereby approved development details of the proposed windows shall be submitted for the prior, written approval of the Local Planning Authority. Such detail shall show sections, opening arrangements and glazing bar patterns. All windows shall be of timber construction and painted. The works shall be carried out in accordance with the agreed details.

Reason - To ensure the proposals respect the character of the existing streetscene.

7. No development shall commence until a scheme that includes the following components to deal with the risks of contamination of this site has been submitted to and approved in writing by the Local Planning Authority.

- 1) A preliminary risk assessment which has identified
 - All previous uses
 - Potential contaminants associated with those uses

- A conceptual Model of the site indicating sources, pathways and receptors
 - Potentially unacceptable risks arising from contamination on this site
- 2) A site investigation scheme based on (1) to provide information for a detailed assessment of the risk of all receptors that may be affected, including those off site.
 - 3) The results of a site investigation and detailed quantitative risk assessment referred to in (2) and based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken
 - 4) A verification plan providing all details of data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for long term monitoring of pollutant linkages maintenance and arrangements for contingency action.
- Any changes to these components require the express written consent of the Local Planning Authority.

Reason: to protect and prevent the pollution of controlled waters.

8. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report (referred to in PPS23 as a Validation Report) that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

Reason: To ensure the 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.

9. In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified in the approved Phase 2 report, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a methodology previously approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the immediately above condition.

Reason: To ensure the 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.

10. Prior to the commencement of development of the construction of the building hereby approved a scheme for surface water drainage is to be submitted and approved in writing by the Local Planning Authority.

Reason: to protect and prevent the pollution of controlled waters, property and ecological systems.

11. No development shall take place until a Construction Management Statement has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure highway safety and standards of residential amenity are retained.

12. Prior to the commencement of development of the construction of the building hereby approved a noise insulation/ attenuation scheme for residential units has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the residential use hereby approved has commenced.

Reason: to protect the amenity of future occupiers

13. A scheme including details of any proposed external lighting and its impact shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be installed, operated and maintained in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: to protect neighbouring amenity.

- Prior to the of the construction of the building hereby approved full details of both hard and soft landscape proposals shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include:
 - Proposed finished levels or contours
 - Means of enclosure
 - Car parking layouts
 - Other vehicle and pedestrian access and circulation areas
 - Hard surfacing materials
 - Minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting)
 - Soft landscape details shall include:
 - Planting plans
 - Written specifications (including cultivation and other operations associated with plant and grass establishment)
 - Schedules of plants, noting species, planting sizes and proposed numbers /densities where appropriate Implementation timetables.

Reason: To ensure the provision of amenity afforded by appropriate landscape design.

Background Papers

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council's website; and

- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

The following list contains links to the documents on the Council's website or elsewhere at which copies can be inspected.

- Nation Planning Policy Framework
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>
- Local Development Framework, Development Control Policies, Adopted July 2007
<http://www.scambs.gov.uk/content/local-development-framework>
- South Cambridgeshire Local Plan, Proposed Submission July 2013
<http://www.scambs.gov.uk/localplan>

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