

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

4 March 2015

AUTHOR/S: Planning and New Communities Director

Application Number:	S/1504/13/FL
Parish:	Caxton
Proposal:	Residential Development (8 affordable dwellings and 2 market dwellings)
Site address:	Ermine Street, Caxton
Applicant:	Mr G and Mr D Brown and South Midlands Development Ltd
Recommendation:	Delegated Approval
Key material considerations:	Principle and criteria of Policy HG/5, residential amenity, setting of listed building, and highway safety
Committee Site Visit:	No
Departure Application:	Yes
Presenting Officer:	Paul Sexton
Application brought to Committee because:	The officer recommendation of delegated approval is contrary to the recommendation of refusal from Caxton Parish Council
Date by which decision due:	30 October 2013

Site and Proposal

1. Members may recall deferring this application at the April 2014 meeting, which at that time proposed 10 affordable dwellings, to enable a further housing needs survey to be carried out to identify the current demand for affordable homes in Caxton.
2. This full application, as amended by drawings received 13 March 2014, now proposes the erection of 10 dwellings (comprising 8 affordable and 2 market units) on a 0.39ha area of paddock land to the east of Ermine Street, Caxton.
3. To the south the site adjoins the side and rear gardens of properties in Ermine Street and at the very rear, Brockholt Road. To the north is a detached cottage, beyond which is the Old Court House, a Grade II listed building. To the rear of the site is

paddock land. At the current time there is a line of planting across the rear section of the site.

4. The development, as amended, proposes the erection of 3 x 1-bedroom, 4 x 2-bedroom, and 1 x 3-bedroom affordable dwellings, and 2 x 3-bedroom market dwellings. 6 of the affordable dwellings are for rent and 2 for shared ownership.
5. The development comprises the 2 market dwellings fronting Ermine Street, to the north of the new access roadway, with a 5 affordable units to the south (a pair of units and terrace of three). The access roadway extends into the rear section of the site to serve a terrace of 3 affordable dwellings in the east section of the site, and provide access to the land at the rear. Two areas of open space are provided at the rear of the site.
6. The dwellings will be brick, with a concrete interlocking tile roof, and have ridge heights between 7.8 and 8.1m. Two parking spaces are provided for each dwelling. The dwellings have been designed to incorporate a CO₂ reduction of 25% compared with Building Regulation requirements to provide homes designed under Code for Sustainable Homes Level 4.
7. The application is accompanied by a Design and Access Statement, Heritage Statement, Affordable Housing Statement, Sustainability and Energy Statement, Open Space Statement and Ecological Appraisal.
8. The site is outside the village framework but adjacent to it on its southern boundary.

Planning History

9. There is no relevant planning history on the application site.

Policy

10. **National Planning Policy Framework**
Paragraph 54 provides advice in respect of rural exception sites.
11. **South Cambridgeshire Local Development Framework Core Strategy**
ST/7 – Infill Villages
12. **South Cambridgeshire 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 Developments
DP/7 – Development Frameworks
HG/1 – Housing Density
HG/5 – Exception Sites for Affordable Dwellings
NE/1 – Energy Efficiency
NE/3 – Renewable Energy Technologies in New Development
NE/6 – Biodiversity
SF/10 – Outdoor Playspace, Informal Open Space and New Developments
SF/11 – Open Space Standards
CH/4 – Development Within the Curtilage or Setting of a Listed Building
TR/2 – Car and Cycle Parking Standards

13. **South Cambridgeshire LDF Supplementary Planning Documents (SPD)**

Affordable Housing SPD 2010
Open Space in New Developments SPD 2009
District Design Guide SPD 2009
Listed Buildings SPD 2009
Biodiversity SPD 2009

14. **Draft Local Plan**

S/3 – Presumption in Favour of Sustainable Development
S/7 – Development Frameworks
S/11 – Infill Villages
CC/3 – Renewable and Low Carbon Energy in New Developments
CC/8 – Sustainable Drainage System
HQ/1 – Design Principles
NH/4 – Biodiversity
NE/14 – Heritage Assets
H/7 – Housing Density
H/9 – Affordable Housing
H/10 – Rural Exception Site Affordable Housing
SC/7 – Outdoor Play Space, Informal Open Space and New Developments
SC/8 – Open Space Standards
TI/3 – Parking Provision

Consultation by South Cambridgeshire District Council as Local Planning Authority

15. **Caxton Parish Council** – recommends refusal.

“It is a non-linear development and is therefore out of character with this end of the village.

The Parish Council recognises that the developers have gone to great lengths to try and match the requirements of the Housing Needs Survey, but have failed to do so, as they have not provided the correct mix of 1-bedroom, 2-bedroom and 3-bedroom dwellings for the social housing, as follows:

One bedroom dwellings – Plans propose 3, instead of the Housing Needs Survey requirement of 4.

Two bedroom dwellings – Plans propose 4, instead of the Housing Needs Survey requirement of 2.

Three bedroom dwellings – Plans propose 1, instead of the Housing Needs Survey of 2.

By proposing two market houses, the developers are failing to fulfil the real need, by providing only 8 houses out of the 10 required by the HNS, and are instead providing additional two bedroom houses and market value houses.

The exit comes out onto the main road at a pinch point on a very busy road where there is too much traffic already and the development would add to it.

16. **Housing Development Officer** – comments that the proposed scheme of 8 affordable dwellings consists of 6 rented and 2 shared ownership units. The agreed

mix is 3 x one-bedroom and 3 x two-bedroom house for social rent, and 1 x two-bedroom and 1 x three house for shared ownership.

17. The Housing Needs Survey, which was carried out in May 2014, found that there were 9 households in housing need and they need a mix of one and two-bedroom properties.
18. Whilst the mix proposed by the housing association is not an exact reflection of the housing needs survey, it is however reasonable to expect the Housing Association to meet some one-bed need through two-bed provision. This is particularly the case for rural exception sites where long tenures are anticipated, and any risk of shortfall in rent due to welfare reform implications is borne by the housing association.
19. The data on shared ownership has been checked with BPHA, the home buy agents, and they have advised that there are currently 2 households registered with them who have a local connection to Caxton.
20. The scheme mix strikes a sensible balance between seeking to achieve a high proportion of local occupancy and economic viability for the housing association.
21. The Housing Development Manager has advised that a scheme of up to 8 affordable dwellings could be supported.
22. A **Viability Appraisal Report** prepared for the Council concludes that in this instance two market dwellings will be required in order to facilitate the provision of the eight additional affordable houses to meet local needs.
23. **Local Highway Authority** – no objections, but confirms that it will not be adopting the any part of the development. It requests conditions securing vehicular and pedestrian visibility splays, closure of the existing site access to the south, a Traffic Management Plan, improved footway link to the south, turning facilities, and construction of the access.
24. **Environmental Health** – no comments received.
25. **Environment Agency** – has no objection but sets out informatives to be included in any consent.
26. **Anglian Water** – no objection subject to a condition requiring adherence to the surface water/flood risk assessment submitted with the application.
27. **Cambridgeshire Archaeology** – comments that the site is an area of high archaeological potential and recommends that it is subject to a programme of archaeological investigation prior to commencement of development, which can be secured by condition.
28. **Architectural Liaison Officer (Cambridgeshire Constabulary)** – has no issues with the layout of the site and general surveillance, but suggests that the eastern boundary of the site be secured by 1.8m high close boarded fencing.
29. **Ecology Officer** – the field is clearly ancient ridge and furrow, which can be important for flora due to the unploughed nature of the soil, however the application is accompanied by an ecological statement which does not attach any significance to the sites flora, and having viewed the site its contents are accepted. It is likely that the site's flora has been reduced due to historic soil improvement and/or intense

grazing by horses. The most important features are likely to be the boundary hedges and small clusters of trees, which should be retained. If possible the opportunity to secure ecological enhancement of the remaining paddocks as compensatory measure should be sought.

Representations

30. Letters of opposition/concern in respect of the revised scheme have been received from the occupiers of Nos.160 and 176 Ermine Street.

- i. The revised scheme does not provide the type of housing identified in the recent needs survey. In considering the application previously members of the Planning Committee were clear that a survey needed to be carried out to identify housing types needed.

Property Types	Needs survey May 2014	Housing Register December 2013	Current Planning Proposal Jan 2015
1 bed homes	4	5	3
2 bed homes	2	1	4
2 bed bungalow	1		
3 bed homes	2	1	3 (2 for private sale)
4 bed homes	1		
Totals	10	7	10

- ii. The Council's Affordable Housing SPD states at 6.12 that 'the housing mix and tenure split on rural exception sites will be determined by the particular local need identified in the village'. The application does not do this.
- iii. The inclusion of two market dwellings is contrary to the SPD para 6.14 which requires provision of affordable units in perpetuity, facilitated through a housing association. It is recognised that the NPPF now considers that market dwellings can be considered in order to bring forward affordable housing to meet local needs if it would 'facilitate the provision of significant affordable housing to meet local needs.' It is not believed that eight dwellings, with a mix that does not meet local need is 'significant', and SCDC has not yet adopted its policy on this matter.
- iv. Site not well related to the built-up area, and does not reflect existing liner form of development. Development in depth is out of character – contrary to Policy HG/5 1c. There are better sites in the village.
- v. There is another affordable housing scheme in the village for 7-10 houses, which is at the pre-application stage. This is on a brownfield site, and does not have the same constraints as the Ermine Street site. It is accessed of a much less busy road, and is closer to the village play facilities and village hall.
- vi. The site is not well related to existing services in the village. There is no school, and is over 1km from the nearest LEAP, to reach which would involve crossing the A1198, which is still a dangerous road. The proposal is therefore contrary to Policy HG/5 1d.
- vii. Will damage village character – ecological assessment does not mention that the site is currently ridge and furrow land, which is in decline, and which

English Heritage and DEFRA have been tasked with protecting. Given the proximity of the proposed West Cambourne development application (less than 400m from this site), it is imperative to retain as much green separation as possible to retain the rural character of the Caxton. The West Cambourne development would contain 30% affordable housing, with the necessary associated infrastructure.

- viii. The existing access is not to be used – the proposed access is at a pinch point specifically created to reduce speed on the A1198. Will this be re-created elsewhere?
- ix. The submitted drawings are deceptive. There are no trees or hedge line on the boundary with No.176, which sits in an elevated position, yet the elevations of Plot 1 show this building to be higher. Given the proximity to the boundary it will be very imposing. The boundary treatment listed is unclear. What will prevent car lights shining into the windows of No.176, and how will boundaries be securely fenced.
- x. The occupiers of 176 Ermine Way state that before they purchased the property SCDC advised it would be unlikely that the land to the south would be developed, and if it were development would follow the existing linear pattern. The proposal contradicts that statement and if approved could set further precedents in the village.
- xi. Although the need for affordable housing is supported the application does not meet local need enough to balance the harm to the environment and rural character of the village.

Planning Considerations

Principle of development and Policy HG/5

- 31. The proposal would partly conflict with Policy DP/7 of the Local Development Framework which seeks to focus new housing within defined boundaries. The Council is currently unable to identify a five year supply of housing land and this policy cannot be considered to be up-to-date as far as it relates to the supply of housing land (Paragraph 49 of the NPPF).
- 32. In this situation, the presumption in favour of sustainable development set out in the National Planning Policy Framework (NPPF) means that permission for development should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole, or where specific policies indicate development should be restricted.
- 33. Policy HG/5 accepts that, as an exception to the normal operation of the policies of the Development Plan, schemes of 100% affordable housing which are designed to meet identified local housing needs on small sites within or adjoining villages, can be granted so long as five criteria are met.
- 34. Paragraph 54 of the NPPF states, in connection with rural exception sites, that Local Planning Authorities should consider whether allowing some market housing would facilitate the provision of significant additional affordable housing to meet local needs.

35. In response to the NPPF, Policy H/10 of the Draft Local Plan 2013 states that if viability appraisal demonstrate that a 100% affordable housing scheme is unviable, consideration will be given, in order of preference to either changing the tenure mix of the affordable homes and/or the application of any available public subsidy, or including the minimum market housing necessary to make the scheme viable and still remain an exception site. This policy can be given some weight as it accords with the NPPF advice, although objections were received during the Local Plan consultation process.
36. The Housing Development Manager, having discussed the matter further with representatives of Cambridgeshire Acre who conducted the May 2014 Housing Needs Survey, has confirmed that the mix of affordable housing proposed is acceptable. The reasons for this are set out in paragraphs 16-21 above.
37. The independent viability assessment carried out for the Council, has looked at market values, development costs, land values, and the need to achieve a 'reasonable return'. It has also taken into account the offer received from the Housing Association, which has confirmed its commitment to the development of this site.
38. The conclusion is that the 2 market dwellings are justified in this case in order to bring the affordable housing forward, although officers have requested that a calculation is run with 8 affordable dwellings and 1 market unit, to confirm that the minimum level of market dwellings required is 2.
39. The Housing Development Manager has confirmed that there is no scope to alter tenure mix in this case.
40. Officers are of the view that the level of affordable housing provided is significant in this case, as it will meet the whole of the identified need for affordable housing in Caxton at the current time. The scheme remains 80% affordable.
41. The application has been advertised as a departure from the approved development plan, but accords with the more recent advice in the NPPF.
42. The applicant originally requested that the Council agrees to the inclusion of a Mortgage in Possession (MIP) Clause within any S106 Agreement. The Housing Association has been asked to provide an update on this position, and any further information on this point will be assessed.
43. The third of the criteria requires the site to be well located to the built-up area of the village, and the scale of the scheme to be appropriate to the size and character of the village. Caxton is classified as an infill village however schemes for exception sites for affordable housing of this scale have been consented in such villages and officers are therefore of the view that the scale of the scheme is appropriate in this respect.
44. The site abuts the village framework on its south boundary, with additional development beyond the site to the north. Officers are of the view that the site is well related to the built-up area of the village.
45. The fourth of the criteria requires the site to be well related to facilities and services within the village. Caxton is a village where services are limited, and its status as an infill village reflects this, although the public house has now re-opened, albeit as a restaurant. The existing open space provision in the village is limited and some way from the site, although the site itself provides an area of open space at the rear. For other services Caxton is reliant on adjoining villages, such as Cambourne.

46. The policy of allowing sites for affordable housing in villages for people in housing need in that particular village is an exception to the normal operation of the policies of the Local Development Framework and can result in a scale of development being permitted that is in excess of that which would normally be allowed, providing the scheme addresses the criteria in Policy HG/5.
47. The fifth of the criteria requires that the development does not damage the character of the village or the rural landscape. The existing site does form a gap between development at the edge of the village framework and the properties to the north. Existing development along Ermine Street is relatively linear in form, although to the south east of the site the housing in Brockholt Road extends further east in depth. The scheme as revised includes a terrace of three dwellings to the rear of the frontage development, in the east section of the site, but retains the frontage only form in the west part of the site. Officers are of the view that although the present gap will be lost, views through the site to the countryside beyond will be retained at the point of access, and with use of appropriate materials and landscaping, are of the view that the development will not materially damage the character of the village or rural landscape.
48. Concerns have been expressed about the possible future development of West Cambourne and the erosion of important space between Caxton and that site, if development of the Ermine Street site were to proceed. The current proposed plans for West Cambourne do not extend south of the line of the Caxton Bypass and buffer planning is proposed to the north of the Bypass. Officers do not consider that the erection of 10 dwellings in the Ermine Street site would significantly compromise the gap to the proposed site of West Cambourne.

Residential amenity

49. Officers are of the view that the scheme, as amended, will not have a significant direct effect on the amenity of adjacent residents in terms of overlooking, loss of light or overbearing impact, although it will result in a material change to the existing open character of the site. The rear of the houses on Plots 8-10 are a minimum of 16m from the boundary with existing properties in Ermine Street and Brockholt Road. There is a secondary bedroom window at first floor level in the side elevation of Plots 7, which faces existing properties in Ermine Street. This can be required to be obscure glazed and non-opening by condition. The north elevation of Plot 1, which faces No.176 Ermine Street, contains no first floor windows, and a condition can be included in any consent to prevent the creation of openings in the future. Appropriate boundary fencing will be required, but solid fencing will be required along part of the north and south boundaries to protect neighbour amenity.

Setting of Listed Building

50. The Old Courthouse, now occupied as a dwelling, is an important 19th Century listed building at the north end of Caxton. At the present time, although the building is not immediately adjacent the site, views are afforded of its south elevation, across the application site, when approaching from the south. These views will be partly lost as a result of the proposed development along the site frontage. Development in depth within the site has been kept to the southern part of the site, away from the listed building, and the layout form was the subject of discussion with the Conservation Officer before the plans considered at the April 2014 meeting, The principle of the layout has not changed from that time. There will be some harm to the setting of the

listed building which will need to be balanced against the public benefits of the proposal.

51. In this case officers are of the view that the benefit of the provision of the affordable housing outweighs the harm to the setting of the listed building, although more traditional roofing materials should be used than the concrete tiles currently suggested, so that they are more compatible with listed building.

Highway safety and parking

52. The Local Highway Authority has not objected to the application, which demonstrates that safe access can be provided to the site. Conditions suggested by the Highway Authority can be included in any consent. Adequate off-street parking is provided

Other matters

53. The Ecology Officer has not objected to the application, and the requirement of Cambridgeshire Archaeology for an archaeological investigation can be dealt with by condition. Foul and surface water drainage details can be conditioned.
54. The open space proposed should be secured by Section 106 Agreement. The applicant has submitted a draft Heads of Terms recognising the need for contributions under Policies DP/4 and SF/10 in respect of community facilities, public open space and the need to secure the affordable housing. The application is compliant with the Council's policy in respect of renewable energy requirements.
55. Although there is local comment about there being better sites in the village for affordable housing, there are none currently before the Council for consideration, and Members must consider this site on its merits.

Conclusion

56. As this application is being considered as a rural exception site officers are of the view that the application still falls to be considered against that policy, and the advice in paragraph 54 of the NPPF.
57. Officers are of the view that the proposed affordable dwellings are in line with the 2014 survey and meet the identified needs of the village. The need for two market dwellings as part of the scheme has been justified by the viability appraisal, subject to confirmation that two, rather than one market dwellings are required.
58. Any adverse impacts of the development are not considered to significantly and demonstrably outweigh the benefits when assessed against the material considerations set out in this report, and the proposed development remains acceptable.
59. It is recommended that subject to the confirmation in respect of the viability assessment referred to above, and the prior signing of a Section 106 Agreement, that officers are granted delegated powers to approve subject to conditions.

Recommendation

60. Approval subject to:.

S106 requirements

A scheme for affordable housing

Conditions (to include)

Time limit – 3 years

List of approved plans

External Materials

Landscaping/Boundary treatment

Surface water drainage

Highway conditions as proposed by the LHA

Restrict hours of operation of power driven machinery

Archaeological investigation

No further openings – first floor – north elevation Plot 1 and south elevation Plot 7

Fixed and obscure glazing – first floor – south elevation Plot 7

Renewable energy and water conservation

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 and / or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Plan Proposed Submission July 2013
- South Cambridgeshire Supplementary Planning Documents
- National Planning Policy Framework 2012
- Planning File References: S/1504/13/FL

Report Author: Paul Sexton – Principal Planning Officer
Telephone: (01954) 713255