

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

7<sup>th</sup> March 2007

**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

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**S/0035/07/F – Eltisley  
Erection of 8 Affordable Dwellings at Land adjacent 46 St Neots Road  
for Northern Affordable Homes Ltd**

**Recommendation: Delegated Approval/Refusal  
Date for determination: 2<sup>nd</sup> March 2007**

**Notes:**

**This Application has been reported to the Planning Committee for determination because the proposal is for affordable housing outside of the defined settlement framework.**

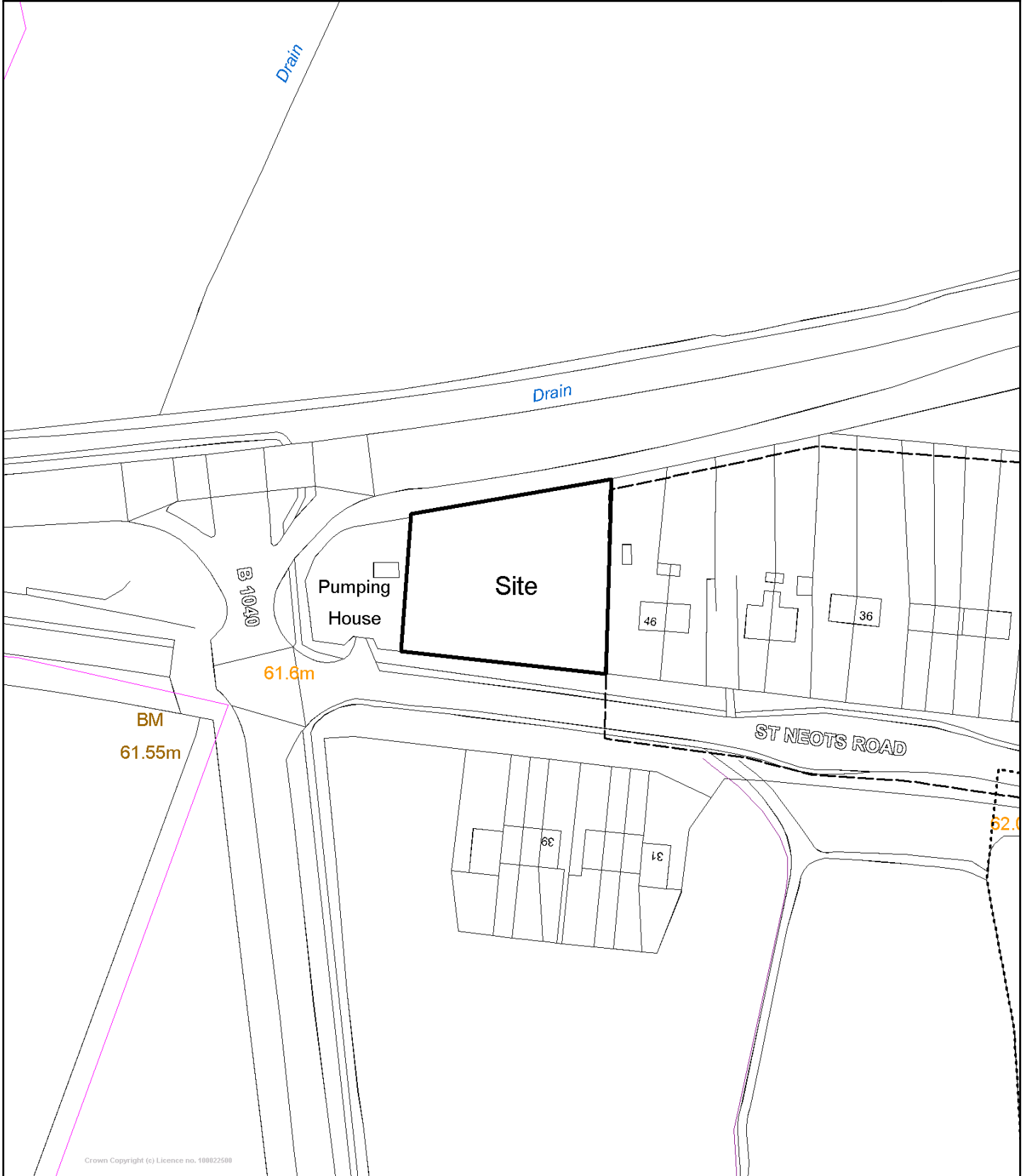
**Members will visit this site on Monday 5<sup>th</sup> March 2007.**

**Site and Proposal**

1. The application relates to a 0.18 hectares approximately site which is currently an area of green space with an overgrown hedge to the frontage that separates a sewage pumping station from the start of the built up area of the village. It lies outside but immediately adjacent to the village framework and forms the corner to the A428 and St Neots Road. The site is generally flat. To the south of the site on the opposite side of the road is a development of 8 affordable dwellings.
2. This full application, registered on the 5<sup>th</sup> January 2007 proposes the erection of 8 affordable dwellings in two terraces, one of 5 and one of 3. Half would be 2 bed with the other half 3 bed. The 3 bed dwellings would form the ends of each terrace with a larger footprint. The eaves height is approximately 4.5m and the ridge 7.1m. They are to be set back from the road approximately between 9.5 and 12m.
3. Parking for 10 cars is to be provided, including disabled parking bays, in a parking court accessed from St Neots Road with a shared access of 5m in width.
4. Existing mature planting on the northern and western boundaries is to be retained.

**Planning History**

5. In April 2006 Northern Affordable Homes Ltd applied for permission to erect 8 affordable dwellings on the site. The proposal was to provide 100% shared equity properties which conflicted with the Council's Housing Needs Survey that showed that the need was predominantly for rented accommodation. There were also issues with regard to concerns of smell from the adjacent sewage works and the position of the dwellings on the plots. The application was not refused as Northern Affordable Homes suggested the tenure and other issues could be resolved. It was suggested that the whole site could be transferred to a Registered Social Landlord (RSL) and some work was to be done on resolving these issues. During this process the



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applicant appealed against non-determination of the application. The appeal is ongoing.

6. In 1987 planning permission was refused for 4 houses on the site and subsequently dismissed at appeal in 1988.

### **Planning Policy**

7. Structure Plan 2003 **Policy P1/3** relates to sustainable design in built development and requires a high standard of design for all new development which responds to the local character of the built environment.
8. Local Plan 2004 **Policy HG8** states that, as an exception to the normal operation of the policies of the Local Plan, planning permission may be granted for schemes of 100% affordable housing designed to meet identified local housing needs on sites within or adjoining villages. The policy states that the following criteria will all have to be met:-
  - (a) The development proposal includes secure arrangements for ensuring that all the dwellings within the scheme provide affordable housing in perpetuity for those in 'housing need' as defined in policy HG7.
  - (b) The number, size, design, mix and tenure of the dwellings are all confined to, and appropriate to, the strict extent of the identified local need.
  - (c) The site of the proposal is well related to the built-up area of the settlement and the scale of the scheme is appropriate to the size and character of the village.
  - (d) The development does not damage the character of the village or the rural landscape.

It also states that development under this policy must also: be limited to units of types and sizes required to provide accommodation for those revealed to be in 'housing need' by an up-to-date survey; be occupied only by qualifying persons, subject to cascade provisions; and be secured in perpetuity as to the above provisions (or any agreed departure from them) by planning obligation under Section 106 of the Town and Country Planning Act 1990 or an alternative form of equally effective provision.

9. Local Plan 2004 **Policy EN3** states that, in those cases where new development is permitted in the countryside, the Council will require that (a) the scale, design and layout of the scheme (b) the materials used within it, and (c) the landscaping works are all appropriate to the particular 'Landscape Character Area', and reinforce local distinctiveness wherever possible.
10. Local Plan **Policy EN12** states that the Council will, wherever possible, seek to retain features and habitat types of nature conservation value where these occur on sites not specifically identified in the plan. Planning permission will only be permitted where the reasons for development clearly outweigh the need to retain the feature or habitat type and in such cases developers will be expected to provide appropriate mitigation measures.

Appropriate management of features and habitat types will be sought by the imposition of conditions, by the use of planning obligations, and by concluding management agreements with landowners and developers."

## Consultations

11. **Eltisley Parish Council** comments are awaited.
12. **Housing Development Officer** comments are awaited.
13. **Chief Environmental Health Officer** comments:

"I have concerns about locating residential properties so close to the pumping station that I understand is operated by Anglian Water. I am concerned for the potential for odour complaints from the pumping station. I am trying to find out more information about the facility and I shall communicate this to you once I have received it. Since it is not possible to recommend any conditions to control any likely odour from the pumping station, I would not be confident in supporting an application for development so close to this facility.

Given the proximity of the proposed site to the A 428 I would also recommend that if the application is successful that the following condition be applied to any consent granted:

*Sc29 Before any development is commenced, a scheme for protecting the proposed dwellings from noise from the road shall be submitted to and approved in writing by the local Planning Authority and all works which form part of the approved scheme shall be completed before any one of the permitted dwelling is occupied.*

Any scheme submitted should indicate how it is proposed to protect potential occupiers of the development from the effects of noise from the A428 and how the effects could be mitigated e.g. orientation of the property, location of bedrooms and habitable rooms and acoustic fencing. It is recommended that the applicant submit a scheme that would satisfy the attached condition that should be applied to any consent granted.

I will contact you once I have received more information regarding the pumping station".

14. **Environment Operations Manager** comments are awaited
15. **Local Highway Authority** has no objection in principle.  

"The plan should be amended to indicate the access as comprising a standard access crossing of the existing footway. There must be no upstand radius kerbing."
16. **Environment Agency** comments are awaited.
17. **Anglian Water** comments are awaited.
18. **County Archaeology** states that it is likely that important archaeological remains survive in the area and that these would be severely damaged or destroyed by the proposed development and recommends that any permission is subject to a condition requiring a programme of archaeological investigation.
19. **Cambs Fire & Rescue Service** comments are awaited.

20. An **Affordable Housing Panel** met on 19<sup>th</sup> February 2007. No support was given or objection made. However, it was felt that there are issues of concern that remain to be resolved. These include: the living conditions of the future occupiers in relation to noise from the surrounding roads and smell from an adjacent sewage pumping station; highway safety in relation to the proximity of the access to the corner of the road; the evidence of flooding and the unknown methods of drainage for the site; and the affordable housing control measures of a scheme that is submitted by a private company.
21. **Police Architectural Liaison Officer** recommends that the existing overgrown hedge should be removed and replaced with low level boundary treatment or planting not capable of exceeding 0.9m in height to keep the frontages open to enhance levels of natural surveillance both from and over the main entrances. If the existing hedge is to be retained then it should be reduced to the same height or lower and maintained on a regular basis so that a height of 0.9m is not exceeded.

The parking court should be lit.

22. The purpose of the open space on either side of the parking court is not clear. This will increase the vulnerability of parked vehicles and the rear of dwellings to crime. Security could be enhanced by increasing the rear gardens.

22. **Ecology Officer**

“I wish to make a holding objection to this current application.

I had previously been asked to make a brief visit to the site and am aware that it contains an interesting array of plants including common spotted orchids, cowslips, rushes, meadowsweet. These species indicate a grassland community of at least district interest. Any application should be accompanied by an ecological assessment so that any forthcoming layouts can be guided to conserve interesting areas. Policy EN12 nature conservation: unidentified sites is relevant.

The scrub, fruit tree and hedgerows within the site are likely to be locally important for nesting birds.

Small sites such as this should be conserved where there are alternative sites for development (PPS9 key principle iv)

Furthermore, this parcel of land has excellent potential to be an informal wildlife area as it contains a really interesting compact mix of habitats.

I look forward to hearing people's views on the application.”

**Representations**

23. Two letters of support have been received from the occupiers of 18 Abbotsley Road, Croxton.

“I have lived in Croxton for 23 years and my grandfather’s family have lived here for 400 years but it is impossible for me to buy in this area despite being in full time employment. I am currently living with my parents in Abbotsley Road Croxton....We do not have the option of renting in Croxton or the surrounding villages as we are unable to find any properties for rent. I have grown up here and lived here for most of my life, and wish to continue living in the area, and this seems to be the only way in

which that dream can become reality. Please support the application as young people such as myself and others need the help and support of yourself in order to build a future.”

24. Two letters of objection have been received from the occupiers of No. 46 St Neots Road dated 11<sup>th</sup> February 2007.

“I would like to emphasise the continuing and serious problem of surface water and flooding that this site is subject to. As an example, on 25<sup>th</sup> and 26<sup>th</sup> January 2007 following a period of continual rain, the site in question flooded and the adjacent sewage pumping station was inundated by water to a depth of one foot. In consequence Anglia Water were compelled to pump the floodwater into tankers so that the sewage station could function. This has also been the case in the last few days.”

The site is outside the designated village envelope.

The proposed access to the development is too close to the junction of St Neots Road with the B1040 to be safe.

“This land is prone to flooding [photographic evidence supplied] and has done so on numerous occasions over the 40 years I have lived here. As Eltisley is on a band of very heavy clay, I am sure you are aware that soakaways are ineffective ...the majority of the site will be covered either by houses or by hard standing which in my opinion will exacerbate the flooding.”

“This plot of land contains an abundance of wild orchids. I hope that you can arrange for an ecological expert from your staff to inspect the site.”

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

25. The main issues in relation to this application are: whether there is an identified need for the number and mix of affordable dwellings proposed; the impact on the character and appearance of the area; highway matters; and impact on neighbours.

#### ***Need***

26. The Council's Housing Development Officer confirms that there is a need for the number and mix of dwellings proposed.
27. The applicant is a private company that has expressed that the site would be transferred to a RSL. This cannot be controlled through the planning process but the S106 requirements to grant the Council nomination rights and to ensure the dwellings remain affordable and are occupied by qualifying persons together with other standard measures of control would ensure that the site would accord with affordable housing policies of the Development Plan. I consider that should the site continue to remain in the ownership of the applicants that the controls of the S106 will allay any fears for the future of these dwellings as affordable.
28. At the time of writing I am aware that the applicant has approached a number of RSLs and interest has been expressed from nearly all.

### ***Visual impact***

29. The appeal Inspector, in 1988 stated: "...the proposed houses would extend a ribbon of older houses along the north side of St Neots Road which is prominently intrusive upon the surrounding countryside to the west of the village. I accept that the 2 roads provide firm limits to any development but they do not form a visual barrier between the site and open land to the north and the south. The pumping station does not, in my opinion, establish a visual boundary to the village. It is really quite diminutive in comparison to a house and I should probably have passed it by without a glance had I not been seeking the site. By contrast, the large hedge and the trees along the western boundary of the existing development appear as a natural and logical limit to the village at this point. It seems to me that it would be wrong in principle to permit development which is seriously intrusive and otherwise unacceptable merely because it does no more than to extend an exiting line of houses. Indeed, I am forced to the conclusion that the proposals would visually exaggerate the ribbon of development and have a disproportionate impact upon the rural scene."
30. This appeal decision of nearly 30 years ago was considering market housing. Affordable housing on exception sites will often result in some visual compromise in order to achieve the objective of enabling affordable housing. There is clearly a balance to be made. In my opinion the need for affordable housing outweighs this Inspector's concerns and I consider that the new houses would appear as a logical extension of the village. I am also mindful that since this decision, in December 1991, permission was granted for affordable housing that has been erected on a site opposite the application site under the exception policy.
31. Through negotiations on the original scheme officers suggested that the properties be set back from their original position to better assimilate them into the street scene. I am disappointed that the applicants have not set them back further (the plans show the original positioning) but I understand the desirability of allowing sufficient space to the A428 to retain planting whilst still providing a reasonable amount of garden area for each dwelling. On balance I do not consider they will harm the visual quality of the street scene.
32. The design is simple and in keeping with surrounding dwellings. The applicant's state: "The design is simple and clean without the unnecessary adornments of many modern housing projects. Northern Affordable Homes has developed a good track record in affordable housing. Their scheme at Kirkby Lonsdale was held up as an example of good design and best practice in Creating a Sense of Space: A Design Guide produced by BITC, HRH The Prince of Wales' Affordable Rural Housing Initiative and The Prince's Foundation for the Built Environment."

### ***Highway Safety***

33. With regard to highway safety I note the comments of the Local Highways Authority. I do not therefore consider there is a highway safety concern.

### ***Neighbour amenity***

34. The only property that the dwellings adjoin is No. 46. This is sufficiently distant from it so as not to result in any overbearing impact, loss of light or privacy. There is a single small bathroom window in the elevation facing No. 46. There is scope for additional planting to help soften the development further from No. 46. I note that the occupiers of this property have not raised any amenity concerns.

35. With regard to the amenity of the future occupiers I consider there are issues in relation to road traffic noise but these can be resolved through appropriate measures that can be secured by condition if Members are minded to grant planning permission. I note the comments of the Chief Environmental Health Officer in this regard.
36. Of greater concern is the sewage pumping station. There is local evidence that this emits unpleasant odours although to date no formal complaints have been received by the Council. The applicant has stated that this is only due to poor maintenance. It is understood that it is incumbent upon Anglian Water to maintain this pump and in that regard I consider that planning permission should only be granted if repairs and future maintenance can be assured. I note the comments of the Chief Environmental Health Officer and would suggest that this would be for the applicant to negotiate with Anglian Water to the satisfaction of the Council and in that regard I am recommending delegated approval/refusal.
37. The situation may be that any complaints received from future occupiers would *require* Anglian Water to undertake repairs/maintenance under separate legislation. If this is the case I consider that planning permission should not be refused for the proximity to the pump. More information is required in this regard and I await further comments from the Chief Environmental Health Officer following his discussions with Anglian Water. Members will be updated at the meeting.

#### ***Flooding and Drainage***

38. The comments of the Environment Agency are awaited, however, I would anticipate that it should be possible to find a technical solution to the problem of flooding and drainage.

#### ***Other issues***

39. External access to all rear gardens allows for bin storage.

#### ***Car parking and access***

40. The Council's car parking standards require an average of 1.5 spaces per dwelling = 12 and a maximum of 2 per 3 or more bedrooms in poorly accessible areas = 14 (4 of the dwellings are 3 bed). The proposed parking provision is 10 spaces. As this scheme is for affordable dwellings I do not consider it necessary to require the maximum standard. I consider that 10 spaces are sufficient and I note that the Local Highway Authority is not objecting to the proposal.
41. The alterations to the access required by the Local Highways Authority can be controlled by condition on any permission granted.

#### ***Ecology***

42. I note the comments of the occupiers of No. 46 and those of the Ecology Officer. An ecological assessment has been requested from the applicants.

#### ***Recommendation***

43. Delegated approval/refusal subject to the applicants demonstrating that effective repairs and maintenance of the sewage treatment pump can be secured, the submission and consideration of an ecological assessment, comments of the



Environment Agency, Eltisley Parish Council, the Environment Operations Manager, Housing Development Officer, Chief Environmental Health Officer, Anglian Water and Cambridgeshire Fire and Rescue Service. Recommended conditions in the event that subject to the above matters, I can recommend approval.

1. Standard Time Condition A – Time limited permission (RCA).
2. No development shall begin until a scheme for the provision of 8 affordable houses has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme. The scheme shall include:
  - (a) The arrangements to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing; and
  - (b) The occupancy criteria to be used for determining the identity of prospective and successive occupiers of the affordable housing, and the means by which such occupancy shall be enforced.(RC - To ensure provision of affordable housing in accordance with the requirements of Policies HG7 and HG8 of the South Cambridgeshire Local Plan 2004; the proposal would otherwise be contrary to the Development Plan).
3. SC5a and f – Details of materials for external walls, roofs and hard surfaced materials (RC5aii).
4. SC51 – Landscaping (RC51).
5. SC52 – Implementation of Landscaping (RC52).
6. SC66 (the application site) – Archaeological Investigation (RC66).
7. SC5b and c – Details of surface and foul water drainage (RC5b and c).
8. During the construction period, SC26 (0800, 0800, 1800, 1300) (RC26). No windows or openings of any kind shall be inserted at first floor level in the east elevation of the dwelling on plot 8 unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf (RC To protect the privacy of the occupiers of the adjacent dwelling No. 46).

### Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
  - **Cambridgeshire and Peterborough Structure Plan 2003:**  
**P1/3** (Sustainable design in built development)
  - **South Cambridgeshire Local Plan 2004:**  
**HG8** (Exceptions Policy For Affordable Housing)  
**EN3** (Landscaping and Design Standards for New Development in the Countryside)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise: highway matters; drainage; archaeology; and ecology.

## **Informatives**

Should driven pile foundations be proposed, before development commences, a statement of the method for construction of these foundations should be submitted to and agreed by the District Council's Environmental Health Officer so that noise and vibration can be controlled.

During construction, there shall be no bonfires or burning of waste on site except with the prior permission of the District Council's Environmental Health Officer in accordance with best practice and existing waste management legislation.

In order to comply with condition 2 it will be necessary to complete a S.106 Agreement under the Town and Country Planning Act 1990 with the Council.

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning File Refs: S/0035/07/F, S/0703/06/F and S/2432/86/O

**Contact Officer:** Nigel Blazeby – Area Planning Officer  
Telephone: (01954) 713165