

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

1st September 2010

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

S/0506/10/F - SHEPRETH

**Erection of 12 affordable houses and associated open space including BMX track
At Land between 26-58 Meldreth Road for Circle Anglia Housing Trust**

Recommendation: Delegated Refusal

Date for Determination: 1st July 2010

This Application has been reported to the Planning Committee for determination because the recommendation of the Parish Council differs to that of the case officer.

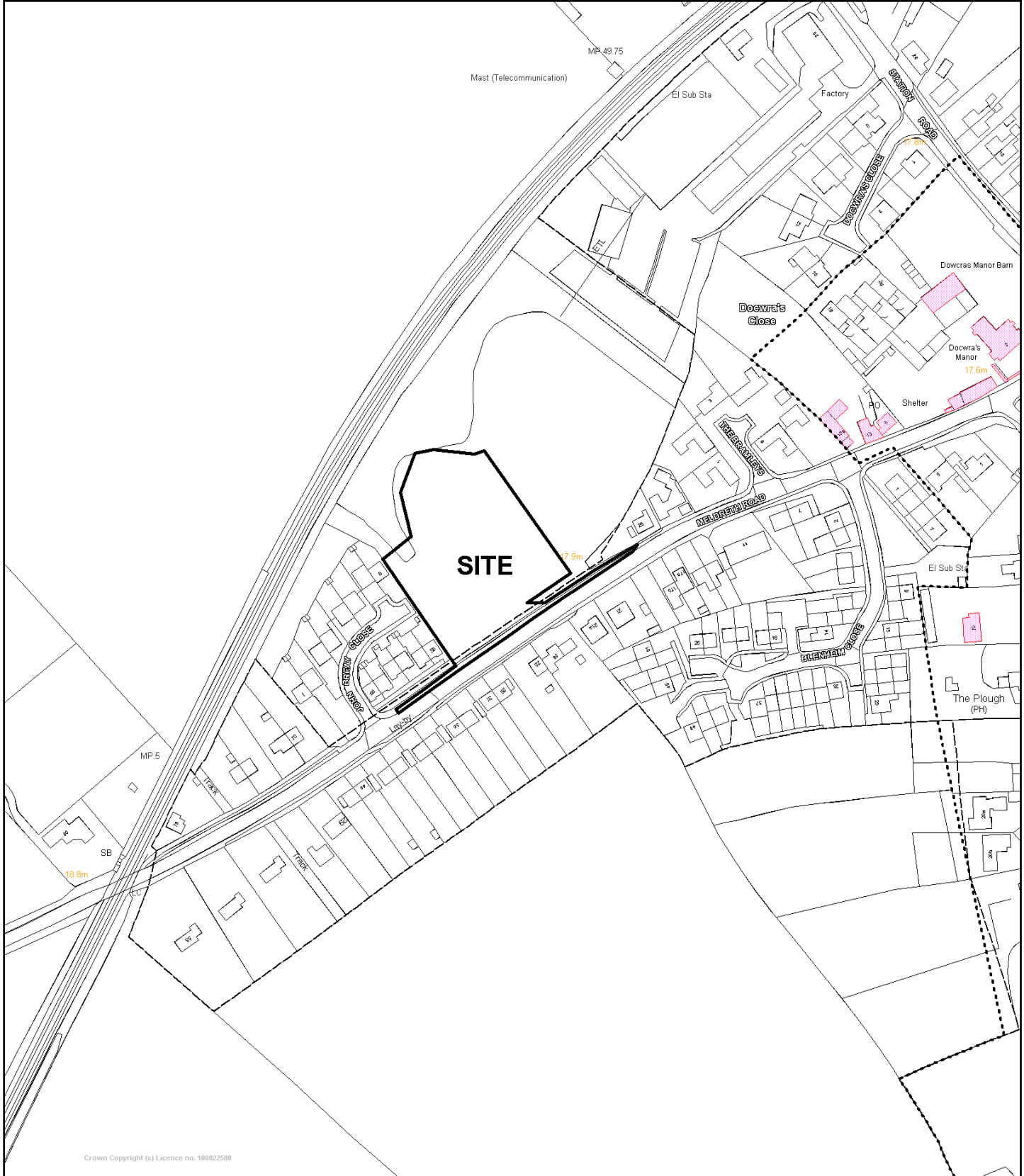
Members will visit this site on 1st September 2010

Site and Proposal

1. The site is located outside the Shepreth village framework, and forms an area of grassland to the north side of Meldreth Road. To the west is the cul-de-sac of John Breary Close, a scheme of 14 affordable houses also located outside the village framework. To the north of the site is a treed area, beyond which runs the Cambridge to London railway. To the east of the site are residential dwellings, with factories set to their north, accessed from Station Road. To the south side of Meldreth Road are further residential dwellings stretching to the level crossing to the west.
2. A path runs across the frontage of the site along Meldreth Road, and there is an existing field access to the site. There is a low hedge across the front, and some individual trees have been planted. The boundary with 58 Meldreth Road (accessed from John Breary Close) is a 1.8m high panel fence, with a tall hedge growing above. The shared boundary with 8 John Breary Close is a lower hedge. 26 Meldreth Road has a garage closest to the site, and a picket fence as the boundary.
3. The application, validated on 1st April 2010, seeks the erection of 12 affordable houses and associated open space including a BMX track. The application is accompanied by a Noise and Vibration Assessment, a Tree Survey, a Desk Study Assessment, a Flood Risk and Run-Off Assessment, a Habitat Survey, a Code for Sustainable Homes Ecological Assessment, a Design and Access Statement, and a Housing Needs Survey Analysis. Amended plans date stamped 12th August 2010 have removed the proposed kick wall, and a Reptile Survey and Management Proposal were submitted on this date.

Planning History

4. Application **S/0261/96/F** granted consent for the erection of 14 dwellings on land adjacent 70 Meldreth Road for the Cambridge Housing Society. This development has been completed and forms the dwellings of John Breary Close and 58-68 Meldreth Road. This followed a previously withdrawn application for 15 affordable dwellings (ref **S/1226/92/O**).



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Scale 1/2500 Date 16/8/2010

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September 2010 Planning Committee

Planning Policy

5. **Local Development Framework Core Strategy Development Plan Document 2007:**
ST/7 Infill Villages
6. **Local Development Framework Development Control Policies (LDF DCP) 2007:**
DP/1 Sustainable Development, **DP2** Design of New Development, **DP/3** Development Criteria, **DP/4** Infrastructure and New Development, **DP/7** Development Frameworks, **HG/1** Housing Density, **HG/3** Affordable Housing, **HG/4** Affordable Housing Subsidy, **HG/5** Exceptions Sites for Affordable Housing, **SF/6** Public Art and New Development, **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 Development, **NE/6** Biodiversity, **NE/9** Water and Drainage Infrastructure, **NE/10** Foul Drainage – Alternative Drainage Systems, **NE/11** Flood Risk, **NE/14** Lighting Proposals, **NE/15** Noise Pollution, **TR/1** Planning for More Sustainable Travel & **TR/2** Car and Cycle Parking Standards.
7. **Open Space in New Developments SPD, Public Art SPD, Trees and Development Sites SPD, Affordable Housing SPD & District Design Guide SPD.**
8. **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.
9. **Circular 05/2005 - Planning Obligations:** Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.

Consultation

10. **Shepreth Parish Council** recommends approval and seek reassurance that the dwellings would be for local Shepreth residents or their relations. Individual comments by Parish Council members related to the need for affordable housing, the need for play facilities, community involvement, the lack of other sites in the village, and the loss of two dwellings in Frog End. Comments against the scheme related to the capacity of infrastructure, traffic concerns, anti-social behaviour and excessive affordable housing for the village.
11. The **Council's Housing Development and Enabling Manager** notes the last Needs Survey for Shepreth showed a need for an additional 15 affordable units, and the scheme is supported.
12. The **Council's Section 106 Officer** notes the Parish Council would maintain the play area. An open space payment will be required, to be paid prior to the occupation of the 6th dwelling.
13. The Council's **Environmental Health Officer** has no objection to the principle of residential development on the site but have concerns regarding the noise impact from the BMX track and kick wall, which is not included within the submitted noise report. If supported, conditions are recommended regarding a scheme to prevent future occupiers form disturbance from railway and road traffic noise, the period of construction, driven pile foundation use, artificial lighting, and operational waste/recycling provision. Informatives are also recommended regarding insulation

and ventilation schemes, bonfires and the burning of waste, and advice within the District Design Guide.

14. The **Environment Agency** notes that the scheme falls within flood zone 1 only, and the Council will be required to respond with respect of flood risk. It notes formal consent under the terms of Land Drainage Act 1991 will be required to cross the frontage ditch.
15. **Anglian Water** notes foul flows from the development can be accommodated within the foul sewerage network system that at present has adequate capacity. Connection to the sewerage network will require notice under Section 106 of the Water Industry Act 1991. Foxton Treatment Works at present has available capacity for foul drainage flows.
16. The **Local Highways Authority** notes that parking arrangements for plots 1-3 will lead to unnecessary manoeuvring on the adoptable public highway. It is requested parking spaces are located 1.5m from the adoptable public highway, and these parking spaces should be dimensioned on the plan. It is noted the access road would not be adopted. Conditions are recommended regarding pedestrian visibility splays, driveway materials, prevention of future gates, turning areas for vehicles, method statements for construction, vehicle-to-vehicle visibility splays, drainage, and wheel washing facilities. Informatives are proposed regarding works to the public highway and public utility apparatus. Further comments note they would be willing to adopt the access road if it serves a larger development in the future and the footway link between the site and John Breary Close.
17. The **County Council Assistant Archaeologist** recommends a standard condition regarding a programme of archaeological investigation on the site.
18. The **Council's Scientific Officer**, commenting on land contamination issues only, notes a condition relating to contaminated land investigation is not required.
19. The **Council's Landscape Officer** suggests the BMX track is moved closer to the railway, with the proposed area used for allotments. If the toddler area is to be equipped, the slide should not face the sun due to the heat, and cradle swings should be added. A landscape plan is requested showing planting and species types.
20. The **Council's Ecology Officer** notes the ecological assessment of the site highlights potential for reptiles on the site, especially as there are local populations nearby. A reptile survey is requested, as is details relating to Great Crested Newts. A better scheme of nest boxes and bat boxes is expected, which could be dealt with by condition. The boundary planting to the rear should be looked at as an asset. Any clearance from the frontage ditch should take place in a sensitive manner. On receipt of the Reptile Survey, the Ecology Officer has confirmed he is happy with the findings.

Representations

21. Former Cllr van de Ven, whilst in post as the Local Member, wrote in support of the scheme, noting the scheme has grown from a clear need for recreational play area in this part of the village. The BMX track is the result of large research into creating better community recreational space for children. It is also noted the Council sold two affordable houses at 74-76 Frog End onto the open market, reducing Shepreth's stock. The scheme has been the result of significant community involvement.

22. Cllr Soond, when addressing the affordable housing panel he was unable to attend, notes the scheme is well thought out given affordable housing demand in the village. He notes it in-fills between two existing residential areas, and aids the shortfall of play areas in the village.
23. The Cambridge Housing Society Limited, who owns the properties on John Breary Close, fully supports the provision of affordable housing, but notes concerns regarding the proximity of the BMX track. There are concerns about how potential anti-social behaviour and the evening closing of the facility would take place.
24. Nine objections letters and comments have been received from the occupiers of local dwellings. The objections relate to:
- Noise disturbance from the kick wall and BMX track
 - Potential anti-social behaviour.
 - The increase in vehicle movements and highway safety.
 - Impact upon the road network in the vicinity, which is already in disrepair.
 - Lack of parking.
 - Loss of privacy through overlooking of gardens.
 - Loss of rural character.
 - Lack of facilities within the village
 - The location of affordable housing next to an existing scheme.
 - The lack of alternative designs and quality of housing.
 - Pressures on the foul and surface water drainage infrastructure.
 - Loss of frontage trees
25. Six letters of support have been received supported the scheme. These are on grounds of:
- The village recently losing two affordable units.
 - The need for affordable housing in the village.
 - The benefits to the youth in the village.
 - The increase in population to support local services

Planning Comments – Key Issues

26. The key issues to consider in this instance are the principle of development, the impact upon the amenity of occupiers of adjacent properties, design and the impact upon the street scene, flooding and drainage, highway safety, open space provision and ecological and landscape impacts.

The Principle of Development

27. The application site is located outside the designated Shepreth village framework, and the application is therefore an exceptions site to allow 100% affordable housing to meet the identified local housing needs. This need has been confirmed by the Council's Housing Development and Enabling Manager. Shepreth is classified as an In-fill village, due to the poor range of services within the village. Development on any scale is considered unsustainable, as it would generate a disproportionate number of additional journeys outside the village. Policy HG/5 of the LDF DCP 2007 states that exceptions sites for affordable housing should be on small sites within or adjoining villages. The Affordable Housing SPD quotes "rural exceptions sites that have been approved in South Cambridgeshire since the requirement for "small" sites, having regard to local circumstances, typically range from about 6 to 20 dwellings".

28. The scheme relates only to 12 dwellings, and therefore in itself would be considered “small”. However, there are serious concerns regarding the cumulative impact of the scheme when combined with the adjacent site of 14 dwellings, owned by the Cambridge Housing Society. This creates a scheme of 26 affordable dwellings in one location. This is above that considered a “small” site. As a result, the scale of the development is considered inappropriate to the size and character of the village
29. Notwithstanding the above, the site as a whole measures approximately 0.538 hectares. A scheme of 12 dwellings would represent development at 22 dwellings per hectare. This is below the 30 dwellings per hectare sought for residential development. The main reason for the lower density is the large open space including the BMX track. Given this provision on site and the concerns discussed above, I consider the density for the site is adequate in this instance.

The Impact Upon the Amenity of the Occupiers of Adjacent Properties

30. The application as originally submitted included a BMX track and kick wall to the western boundary of the site, adjacent to the existing dwellings of John Breary Close. The Council’s Environmental Health Team commented upon this, and as a result, a meeting was held between the applicant, planning officers and Environmental Health Team. There were concerns that the kick wall in particular would create an audible noise throughout the day and into the evening of warmer months. Whilst a built-in silencer was proposed, the frequent and unpredictable noise remained a concern. The kick wall was removed from the amended plan.
31. The BMX track remains in the amended plan. This is located 5m from the boundary shared with the occupiers of 8 John Breary Close, although the dwelling itself is set further away. The local concerns regarding the potential noise from the BMX track are noted. The amended plans shows additional planting along the shared boundary. The plans for the BMX track are flexible, with local children likely to create a finished circuit on the site. This would constitute soft earthworks and obstacles, but with no physical additions to the track that may cause additional noise disturbance. It would be surrounded by a fence of no more than 1.2m in height to form a barrier without making the track into an institutional compound area. The management proposals also add it would be leased by Cambridgeshire County Council (the current landowner) to the Parish Council, who have confirmed they would be responsible for checking the area and ensuring the gates are locked at night. Details of the rules and responsibilities will be positioned by the track.
32. The Environmental Health Officer sought clarity of potential noise concerns from the track, with regard given to the Open Space in New Developments SPD which seeks a minimum buffer zone of 5m for Local Areas of Play. The amended plan removing the kick-wall and showing the additional landscaping, and the management plan have been sent back to the Environmental Health Team. Members will be updated on any comments received, particularly related to the potential impact upon 8 John Breary Close. Potential noise disturbance and ground-borne vibrations from the railway are considered acceptable, subject to a condition relating to the submission of a noise insulation and ventilation scheme to protect future residents from rail noise.
33. 58 Meldreth Road does not have any first floor windows in its side elevation facing onto the site. Plot 1 is located approximately 5m from its eastern elevation, but this should not cause any serious harm to the occupiers of 58 Meldreth Road. A landing window is shown in the facing side elevation of plot 1, but a condition can ensure this is obscure glazed to prevent overlooking to the rear garden of 58 Meldreth Road. The closest rear window in plot 1 serves a bathroom, which it is assumed would be

obscure glazed. I do not consider any serious harm would occur to the occupiers of 58 Meldreth Road.

34. The relationships between the plots themselves are considered acceptable, except between plots 5 and 6. A rear facing bedroom window to plot 5 would directly overlook the rear garden of plot 6. The applicant is aware of this concern and has agreed to remove this window, and allow light to this bedroom from an east facing first floor window. This would require the removal of the false window shown in the east elevation, and may lead to the relocation of the ground floor kitchen/diner window to allow symmetry in this elevation, which will be visible in the street scene.

Design and the Impact Upon the Street Scene

35. Meldreth Road has a variety of different styles and designs of dwelling, and there is no obvious strong character trait in the locality. The dwellings to the west of the site that form the Cambridge Housing Society scheme are more uniform in their design, with buff brick finishes and pantiled roofs. These dwellings do have a red brick feature between floors. The dwellings on John Breary Close have ridge roofs, whilst those along Meldreth Road have hipped roofs.
36. The key relationship is between the proposed frontage plots and 58-68 Meldreth Road. Proposed plots 1-4 are shown with ridged roofs, and therefore they would be of a slightly different design to the existing hipped roofs. I do not consider that this change would cause a significant impact upon the street scene. Plots 1-3 would be accessed from Meldreth Road rather than from the rear, and therefore the frontage hedge would be broken up, but again, I do not consider this would cause any serious harm. The existing frontage hedge would need to be removed. Whilst unfortunate, it is not considered worthy of retention in its current form.
37. Plots 5 and 6 would be visible when approaching from the east. A landscape belt is shown on the amended plan, which would provide some screening. Plot 5 would face Meldreth Road and the low canopy between the two is set at a low height and would be a lightweight structure that would not create a visible mass linking the two dwellings. The frontages of dwellings in the proposed cul-de-sac are shown with hedges. This would create an open character that would create a pleasant street scene for this new area. A condition can prevent fencing to the front of the dwellings to retain this character for the future.

Flooding and Drainage

38. The application is located within Flood zone 1 of the Environment Agency matrix. The Environment Agency has confirmed there are no other Agency related issues in respect of the application. The submitted Flood Risk Assessment concludes "the development will yield a significant increase in the rate and runoff anticipated from the site and it will be necessary to provide a robust system to collect and control this runoff". The applicant has shown that surface water would be disposed of through a Sustainable Drainage System. However, no details of this system are provided. A condition can ensure that an adequate surface water drainage system be used on the site.
39. The applicant states that foul sewage would be connected to the mains sewer, the existing drainage system in the area. Anglian Water has confirmed that there is sufficient capacity in the area to treat the additional discharge created as a result of the proposal.

40. The application does not make reference to a Water Conservation Strategy. In line with policy NE/12 of the LDF DCP 2007, this can be conditioned to demonstrate all practicable water conservation measures.

Highway Safety

41. The comments from the Local Highways Authority are noted with regard to the scheme. The key issue relates to plots 1-3, all of which have access directly from Meldreth Road. The Local Highways Authority note this would lead to unnecessary manoeuvring on the public highway. Given the lack of on-site turning, vehicles would reverse onto the Meldreth Road rather than leave the site in forward gear. Clarity is sought from the Local Highways Authority as to whether this constitutes a reason for refusal, and Members will be updated verbally on this matter. Whilst there is no turning on-site for the other plots, these are accessed from the cul-de-sac, which would have significantly lower traffic movements.
42. The Local Highways Authority also request that parking spaces are located 1.5m from the adoptable public highway. Plots 4, 5 and 7 show parking closer than this. However, in order to fit the spaces, I do not consider any serious harm would result. The request for highways conditions as noted in the consultations paragraph is noted, and should conditions and informatives could be added to any approval on the site.

Open Space Provision

43. The application provides a large area of open space on site, above the 300 square metres required or a scheme of this size. The applicant is aware of the requirements of contributing towards the future maintenance of this open space, and negotiations are currently taking place as to the precise figure to be required. If the scheme is refused, the commitment to contribute should be added as an informative. If the application is approved, this should be added as a condition.
44. The open space would be afforded natural surveillance from the nearby properties. Plots 1-4 each have a rear facing bedroom window that would allow views over the BMX track. Front facing windows from plots 7-12 all allow some views into the site from habitable rooms. The open character of the cul-de-sac allows views from ground floor windows of these dwellings too. There would also be some views from front windows at 8 John Breary Close and rear windows at 58 Meldreth Road.

Ecological and Landscape Impacts

45. The comments from the Ecology Officer are noted, and as a result, a Reptile Survey has been produced. Its findings are considered acceptable, and no mitigation measures are considered necessary.
46. I note comments from the Landscape Officer regarding the works. The issue of the BMX track is covered above. The applicant has expressed no desire for allotments on the site, and no justification of need has been proven. I do not consider the site should be reserved for allotments. The amended plans show various landscaping areas, and a condition is required to ensure appropriate species are used.
47. The landscaping plays an important role in the functioning of the site. The eastern boundary of the site shows a landscape belt that would screen countryside views of the site when viewed from the east. This would also allow use of 1.8m panel fences required for Secured by Design for the rear boundaries. The landscaping to the rear of plots 1-4 provide an important role in screening the rear of these properties from

users of the proposed footpath as requested by the Police Liaison Officer during pre-application discussions. The landscape plan does show individual trees and hedges planted. These will create greenery in the area, to the benefit of occupiers of the proposed dwellings. The treed area to the north that screens the site from the railway would be unaffected by the development. Its retention would retain the green surroundings whilst protecting residents from some noise disturbance from the railway.

48. I note comments that the frontage trees, recently planted, would be removed to allow access to the dwellings along Meldreth Road. Whilst this is unfortunate, these trees are immature and are not considered a serious loss to the street scene. The proposed frontages to these units will allow some greenery. The new footpath would also allow a large green verge to the frontage.

Other Matters

49. The Design and Access Statement provides details as to how renewable energy and energy efficiency would be used on the site and the desire to achieve a minimum of level 3 of Code for Sustainable Homes. This includes the windows to be made as large as possible to maximise solar gain, thermal efficiency to standards in excess of Building Regulations, heating through gas-fired heating systems with A-rated boilers, and solar hot water panels on the roofs. It is stated photovoltaic panels will be investigated although no firm commitment is given. In line with policy NE/3 of the LDF DCP 2007, a condition can be added to any approval to ensure renewable energy does provide at least 10% of predicted energy requirements.
50. I note the comments from the County Council's Assistant Archaeologist regarding the need for investigation on the site. A condition can be attached to any approval on the site.
51. Policy SF/6 of the LDF DCP 2007 encourages the provision or commissioning of publicly accessible art, craft and design works. Whilst the applicant is aware of the policy, no commitment has been made regarding such works.

Recommendation

Delegated Refusal, subject to further consultation responses following the submission of amended plans including those of the Environmental Health Officer, and comments from the Local Highways Authority regarding the individual accesses onto Meldreth Road, for the following reason:

The development would seek 12 affordable units on a site adjacent to an existing site of 14 affordable units, and the developments are physically linked by footpaths and the proximity of dwellings. This would create a cumulative scheme of 26 affordable dwellings in the locality. A scheme of this size is above what could be considered "small", and as a result, the scale of the combined developments would be inappropriate to the size and character of Shepreth.

The development is therefore contrary to Policy HG/5 of the Local Development Framework Development Control Policies 2007, which states planning permission for 100% affordable housing designed to meet identified local housing needs on small sites within or adjoining villages is appropriate provided the scale of the scheme is appropriate to the size and character of the village; and paragraph 6.6 of Local Development Framework Affordable Housing Supplementary Planning Document

March 2010, which states rural exceptions sites that have been approved since the requirement of “small” sites typically range from about 6 to 20 dwellings.

Should no amended plan be received regarding the relationship between plots 5 and 6, a further reason for refusal can be added highlighting this inappropriate relationship that would be detrimental to the amenity of the future occupiers of plot 6.

Informative

An informative regarding open space contributions will be added subject to the negotiations with the applicant regarding the figure. Members will be updated on this matter.

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007).
- Local Development Framework Development Control Policies (LDF DCP) 2007.
- Open Space in New Developments SPD, Public Art SPD, Trees and Development Sites SPD, Affordable Housing SPD & District Design Guide SPD.
- Circular 11/95 – The Use of Conditions in Planning Permissions.
- Circular 05/2005 - Planning Obligations.
- Planning File refs: S/0506/10/F, S/1226/92/O and S/0261/96/F

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