

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

4 July 2012

AUTHOR/S: Planning and New Communities Director

S/0571/12/FL - MELBOURN

Erection of 13 affordable dwellings and community building following demolition of four existing dwellings, police station and outbuildings (garages), High Street for Hundred Houses Society

Recommendation: Refusal

Date for Determination: 15 June 2012

Notes:

This Application has been reported to the Planning Committee for determination because the Head of Planning is of the view that the application should be presented to Committee for decision.

Members will visit this site on Tuesday 3 July 2012

Conservation Area

To be presented to the Committee by Paul Sexton

Site and Proposal

1. This full application, as amended by drawings and additional details received on 19 June 2012, relates to the redevelopment of the former police station site, High Street, Melbourn.
2. The site currently comprises a group of brick built flat roofed police station buildings and detached houses, with central access road and landscaping. The existing buildings are set back a minimum of 12 from High Street behind a banked grassed area.
3. To the south west the site is bounded by Kays Close, which comprises a small development of modern architect designed houses sited behind No 32 High Street, a Grade II listed building. The boundary with Kays Close is formed primarily by a Yew hedge. To the north east is the side garden of 16 High Street, a modern bungalow, the boundary of which is formed by a flint wall, and to the rear are the grounds of Lordship Farm, 12 High Street, a Grade II listed building. To the rear of the site are the grounds of Melbourn Village College. There is existing planting along the south west, north west and north east boundary, with the front boundary being open.
4. Opposite the site is a Grade II listed building, sited gable end on to and abutting High Street, and the front garden of a modern bungalow.
5. The application proposes the demolition of the existing buildings on the site and the erection of 13 affordable dwellings and a community building. The central access

point remains with two pairs of dwellings and a terrace of three dwellings being sited at right angles to High Street in a line to the north east of the access road. The access road forks to the south west, with three pairs of dwellings sited in the north west section of the site, parallel to the road (but in a curved line), with the community building sited at the front of the site in the south west section of the site.

6. The proposed dwellings are all two-storey, with the semi-detached houses having two storey front gabled projections, and a ridge height of 7.8m. The terrace of houses has a ridge height of 8.4m, but no front gables. The amended design of the semi-detached omits lean-to wrap around additions to the front of the dwellings as originally proposed. As amended the materials proposed for the dwellings are natural slates, with render and stained weather boarding.
7. Two car parking spaces are provided at the front of Plots 1 and 2, and Plots 8-13, with one space provided at the front of each of Plots 3-7. Two additional car parking spaces are provided at the end of the roadway. The roadway is not to be offered for adoption.
8. The buildings will achieve Code Level 4 rating of the Code for Sustainable Homes.
9. A strip of land at the rear of the site, varying in depth from 7m to 10m, has been kept clear of built development in recognition of a covenant that exists on the site.
10. The dwellings comprise 4 two-bedroom and 9 three-bedroom units for rent.
11. The community building is two-storey, with a main ridge height of 7.4m and a low eaves, but with a section towards the south west end projecting front and rear with a higher ridge of 8m. It has an overall length of 26m and a depth of 15.3m. As amended materials proposed are natural clay tile roof, with a mix of stained weather boarding and red facing brick.
12. The building will incorporate an entrance porch, main hall area, library, kitchenette, meeting room, store and ancillary facilities at ground floor. There is a void above the main hall area, with a meeting room, clerk's office and storage at first floor above the higher roofed section.
13. Two disabled car parking spaces are provided to the rear of the building. No other car parking is provided on site for the community building and the application refers to the village car park, opposite the site to the south west as providing the parking for the community building. It is the intention of the Parish Council to provide a pedestrian crossing on High Street close to location of the community building.
14. The density is 27 dwellings per hectare, however this calculation is based on the whole site area, and when the area occupied by the community building is taken out the density of housing raises to 32.5 dwellings per hectare.
15. The site is within the village framework, the Conservation Area, and within Flood Zone 1
16. The application, as amended, is accompanied by a Design and Access Statement, Heritage Statement, Tree Survey and Arboricultural Statement, Contamination Investigation Report, Flood Risk Assessment, Initial Bat Survey, Supporting Statement, Numbers/Viability Statement, Ground Investigation Report and Street Elevations

Planning History

17. There is no relevant planning history.

Planning Policy

17. **South Cambridgeshire Local Development Framework Core Strategy Development Plan Document: ST/5 – Minor Rural Centres**
18. **South Cambridgeshire Local Development Framework Development Control Policies adopted July 2007: 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/3 Affordable Housing, 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 Developments, NE/6 Biodiversity, NE/9 – Water and Drainage Infrastructure, NE/10 Foul Drainage – Alternative Drainage Systems, NE/11 Flood Risk, NE/12 Water Conservation, NE/14 Lighting Proposals, NE/15 Noise Pollution, CH/2 Archaeological Sites, CH/4 Development Within the Curtilage or Setting of a Listed Building, CH/5 Conservation Areas, TR/2 Car and Cycle Parking Standards.**
19. **South Cambridgeshire LDF Supplementary Planning Documents (SPD) - Open Space in New Developments - adopted January 2009, Development Affecting Conservation Area – adopted January 2009, Public Art - adopted January 2009, Trees and Development Sites - adopted January 2009, Biodiversity - adopted July 2009, Listed Buildings – adopted July 2009, Landscape in New Developments - adopted March 2010, Affordable Housing – March 2010 and District Design Guide - adopted March 2010**
20. National Planning Framework

Consultation by South Cambridgeshire District Council as Local Planning Authority

21. **Melbourn Parish Council** - states that 'following legal advice the Planning Committee for Melbourn Parish Council makes no comment on this application.'
22. The **Local Highway Authority** comments that given the number of units served off this proposed development it would normally seek to adopt the internal roads, paths etc, however the applicant has expressly stated that the roads are to remain private, therefore the Highway Authority will make no official comments on the internal layout.

As certain areas of the proposed inter-visibility splays are outside the adopted public highway it requests that a condition be included in any consent requiring that two 2.4m x 43m splays shown on the submitted drawing are kept clear in perpetuity of all obstructions exceeding 600mm high, and requiring the submission of traffic management plan for the period of demolition and construction.

In the Design and Access Statement the applicant states that 'a zebra crossing could be feasibly installed adjacent to, or close to the proposed site of the Community Building.' The Highway Authority draws the Council's attention to the fact that the installation of a zebra crossing will require a Traffic Regulation Order, a process which is outside the control of the Planning authority. From non-empirical

observations the proposed location of the zebra crossing is unlikely to generate sufficient pedestrian movements to make the installation of any form of controlled crossing acceptable in this location, and under these circumstances it is probable that such a crossing point would be detrimental to highway safety.

23. The **Conservation Manager** comments in respect of the original submission. "The site is within the Melbourn Conservation Area with two listed buildings close by, 32 High Street and 2 Meadow Way, and others a little further away such as 27 High Street (The Old White House), 43-47 High Street, 12 High Street (Lordship Farm) and 38 High Street.

The dominant characteristics of the section of High Street containing the site are the three listed buildings which are on or close to the street, and, alternately, front boundaries formed by hedges and walls with buildings set back some distance behind them. Trees and other vegetation are prominent. There is a low density of development with mostly detached dwellings standing in separate plots. These characteristics are clearly seen in views up and down the High Street, with the white walls of 32 and 27 High Street, and the long brick elevation of 2 Meadow Lane at right angles to the street, prominent. This pattern of buildings, spaces, boundaries and vegetation should be a starting point for the development of the police site.

While there is mix of modern buildings in the area containing the site, these generally have much less impact because they are set back and, to different degrees, screened. Historic buildings are more prominent and contribute more to the character of this part of conservation area and should be the main starting points for the architecture of the police site. Both 32 High Street and 2 Meadow Way have steeply pitched roofs with plain tiles, simple forms and double pitched roofs, and plans which are long in proportion to relatively modest widths. The design of new buildings on the site should respond to the general characteristics of the historic buildings in the area, particularly if they are clearly visible, though this can be in a modern or more traditional style.

The police station site currently has a heritage significance because of the historic interest of the buildings which were part of a programme of police building. It has an attractive quality because of the spaces between the buildings and the view through to the north, the grassed areas, and prominent hedge and trees. The relatively low density of the site and vegetation reflect aspects of the character of this part of the conservation area. However, it lacks others and a successful redevelopment should seek to respond the wider set of characteristics described above.

The supporting information with the application generally fails to identify the important characteristics and significance of this part of the conservation area, which should be the starting point for a new scheme. (I support the comments of David Grech (English Heritage Historic Areas Advisor) of 28 May, 2012 about the weakness of the heritage statement and the drawings and photomontages in the application.) It also does not show how other options, which could be less harmful to the historic environment, have been considered and why they have not been chosen.

This lack of appreciation of the important characteristics is reflected in the design rationale and scheme itself. Where the scheme introduces some elements which respond more to local character, these can seem applied rather than a fundamental part of the design which has different roots and a different aesthetic.

The development fails to respond sufficiently to the pattern of buildings on or very close to the street or set some distance back with say hedges at the front and space

and vegetation between them and the buildings. Some aspects of this pattern are picked up, for example the hedges facing the street, but not enough.

The relatively high density of the scheme also conflicts with local character (and prevents the existing views through the site) and has made it difficult to retain more of the existing trees and 'green spaces'. Connected to the high density and lack of local character are the small spaces between the dwellings and the amount of hard floorscape in the proportion of the site taken up by parking spaces and streets. Lines of parked cars parallel and at right angles to the High Street would be prominent.

The designs of the dwellings reflect little local character apart from the white render finish of parts of the elevations. The depth of the floor plans, more shallow roof pitches, the front extensions and relatively complex plans and forms, and the treatment of the elevations, all contrast with the listed buildings close by.

The design of the community building also reflects little local character in terms of its wide section and low eaves, relatively complex plan and form, and treatment of elevations. I have had concerns that it will detract from views of 32 High Street from the east. The gables facing the High Street will be prominent and I have concerns about the blank elevations seen from the north-west (illustrated in the photomontage).

I believe that more information is required to understand the context for the development and its impact (as noted by English Heritage). For the reasons given above I believe the proposal will not preserve or enhance the character or appearance of the conservation area and will detract from the settings of listed buildings, particularly 32 High Street and 2 Meadow Way. It conflicts with sections 7 and 12 of the National Planning Policy Framework.

The proposals will give important public benefits in terms of affordable housing and the community building. The NPPF says that harm to heritage assets should be weighed against public benefits and that judgement needs to be made here. I believe that this assessment should take into account whether those benefits could be provided in a different way including on other sites.”

The Conservation Manager's full comments in respect of the revised drawings and additional supporting information will be reported at the meeting, however whilst the revisions made to the scheme are positive, they are not considered to be sufficient to overcome the fundamental concerns outlined above.

24. **English Heritage** comments in respect of the original submission “whilst the buildings are of little architectural significance they have some historic interest and the landscaping between the buildings also contributes positively to the character and appearance of this part of the Melbourn Conservation Area. The historic interest of the existing buildings has not been properly assessed, while the layout of the new development will result in the loss of a number of trees and a beech hedge that are important in the streetscape. English Heritage considers the proposals as originally submitted to be contrary to the historic environment policies set out in the new NPPF and will result in harm to the significant number of heritage assets. It is noted that significant public benefit will result from the proposal to off-set that harm but is of the view that revisions are required to secure further mitigation.

The scheme is in two parts; the demolition of the existing buildings together with the felling of a number of trees and grubbing-up hedges, and the construction of replacement structures. The two parts need to be considered sequentially.

Although the applications are accompanied by a Heritage Statement it gives scant consideration to the existing buildings, dismissing them as being 'at odds with the local vernacular, and considered detrimental to the Conservation Area'. English Heritage would not class these buildings as negative or detrimental to the Conservation Area, but are of no great interest and may be regarded as 'neutral' buildings in the Conservation Area. However, they are part of a series of similar developments in the villages of Cambridgeshire constructed in the immediate post-war period by the County Council and, as such, are of some historic interest in the growth and development of Melbourn. English heritage is aware that a similar grouping of police houses in Great Shelford has already be demolished and replaced and the Heritage Statement should have included placing this grouping in the context of the post-war development by the County Council and an assessment of the numbers still surviving. In the event that this grouping is one of the last surviving then its significance will be increased. Surprisingly the Heritage statement also contains no review of historic maps to assess previous uses of the site.

An important component of conservation areas are the spaces between the buildings and the contribution made by trees and hedges to the public realm. The police houses, garages and police station are arranged in a considered manner which is augmented by mature planting to provide a positive contribution to the character and appearance of the Melbourn Conservation Area. Again it is a matter of regret that neither the Heritage Statement nor the Design and Access Statement make any reference to the special qualities of the existing grouping, nor do either document attempt to assess the contribution of the trees and hedgerows to the overall significance of the conservation area.

Paragraph 138 of the new NPPF states:

'Not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance, Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated as either substantial harm under paragraph 133 or less than substantial harm under paragraph 134, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.'

In this instance, without the proper assessment of the existing buildings, it is difficult to assess the extent of harm, but it is likely to be 'less than substantial' and so paragraph 134 will be applicable. This paragraph requires the harm to be weighed against the public benefit of the proposal, and it may be that the LPA will consider that sufficient public benefit will result from the increased amount of affordable housing and provision of a community building to outweigh the harm arising from their loss.

In the event that the LPA is minded to approve the demolition of the existing buildings on the site, English Heritage would request that a condition is included requiring an appropriate assessment of the historic significance of the police houses and police station in the context of the post-war provision by Cambridgeshire County Council in the rural centres, and that a Level 2 or 3 record is made of the existing buildings before they are demolished. The historic assessment and survey record should then be placed in the Historic Environment Record (as set out in paragraph 141 of the NPPF). Furthermore, paragraph 136 of the NPPF states that 'Local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.' In light of this requirement a further condition should be included preventing the demolition from taking place until planning permission has been

granted for the replacement development and a contract has been signed for its construction.

Redevelopment Proposals

As mentioned above, a number of trees and hedgerows on the site make a positive contribution to the character and appearance of the conservation area and it is therefore a matter of regret that trees T001, T002, T003, T004 and T005, together with hedge H001 are all to be removed in order to allow for the redevelopment. The Arboricultural Report assess that all these trees have between 10 -20 year life expectancy, while the hedge has a 40 year life expectancy. It is again a matter of regret that the Design and Access statement does not include any early site layout studies that might have been undertaken to look at options for retaining some or all of these trees. Looking at the site plan it would appear that only a minor adjustment to the layout would be required to enable trees T004 and T005 together with the eastern half of hedgerow H001 to be retained. Retaining trees T001, T002 and T003 would be more problematic, but it would be helpful to have seen an alternative site layout, with the community building set gable-on to the road, to better understand why these trees must be lost.

The only tree that is to be retained away from the site boundary is T006, and this will now be in the rear garden to one of the new dwellings. As such it will not contribute significantly to the streetscape of the conservation area. Furthermore I note that the drainage plan indicates that a new drain is to be cut right across the roots of this tree, passing close to its trunk, which is likely to prejudice the future wellbeing of this tree.

During the course of my site visit I noted that the north-eastern site boundary is formed by a 2 metre high flint wall. While this is an undesignated heritage asset, it is of some interest and is a surviving remnant of earlier use, though regrettably once again the Heritage Statement is silent on this feature. It is important that this wall is retained, and while the plans are unclear on this point the drainage plan includes a trench soakaway parallel to the line of the wall. Constructing a trench soakaway in such close proximity to the wall may undermine the wall and cause it to fail.

Paragraph 5.1 of the Design and Access Statement states:

'It is considered important that the site layout should consciously avoid the appearance of a housing estate with wide footpaths, high kerbs and wide radius curves, but should have the appearance and character of vernacular buildings found within close proximity of the site within this traditional village, achieving a comfortable relationship with its rural situation.'

That may be a laudable aspiration, but I do not believe the design proposal achieves the aim. The vernacular tradition of the area is for houses with wide frontage and narrow plan depth, often sited in close proximity to the road, and sometimes set gable-on to the road. The houses themselves are also often only one-and-a-half storeys in height. The design proposes a series of narrow frontage, deep plan, two storey dwellings that are very much at variance to the vernacular traditions of the area, and the projecting two storey gable on the front of the semi-detached units is again an alien feature. That is not to say the designs are not without their merits, and the recent housing in Kay's Close immediately west of the site is an example of how low key contemporary architecture can be successfully integrated into a historic context, but the design should not claim to have 'vernacular' credentials. The car-dominated front gardens to the development will, unfortunately, reinforce the 'housing estate' appearance that the Design and Access Statement seeks to avoid.

No information is provided within the application on the treatment of the side boundaries to the rear gardens, but those to Units 1, 7 and 8 are particularly

sensitive. As noted above, the southern boundary to Unit 1 should be formed by retaining the existing hedge H001, while if the others are to be formed by close-boarded fencing, then it should include provision for planting a native species hedge to the front side of these fences.

The design of the Community Building suggests an 'agricultural' structure, which may be an appropriate starting point. However the fussiness of the dormer on the north-east elevation and the raised ridge light over the main double-height space detract from the simple, agricultural form. It would be preferable to omit the dormer altogether and light the Clerks office with either a second rooflight coupled with a low, under-eaves window, or a window set in the north-west gable. The raised ridge light to the double height space might be replaced by simple patent glazing to the side.

The Community Building will be prominent in the streetscape, and its overall height will be accentuated by the existing bank. It is therefore important to understand how it will relate to the adjacent existing buildings and in particular those that are listed. To that end the applicant should be asked to supply an overall street elevation, illustrating the new development (both the Community Building and housing) in relation to the adjacent 18th century listed building at No 32 High Street and the bungalow at No 16. This should be at a minimum scale of 1:200. A cross section through site (also at 1:200) and illustrating the Community Building in relation to The Long House on the opposite side of the High Street would also be helpful. This information will better inform an assessment of the impact of the proposals on the setting of the adjacent listed buildings. The assessment undertaken in Section 4 of the Heritage Statement is again inadequate for this purpose. It also completely fails to consider the impact of the development on the moated site that abuts the northeast boundary of the site and includes a former Manor House that is Grade II listed (Lordship Farm, 12 High Street).

I note with concern that the new houses and Community Building are all to be roofed in interlocking concrete tiles. I am aware that over recent years South Cambridgeshire District Council has promoted the use of high quality materials for sites in conservation areas and the use of cheap interlocking concrete tiles at this site could set an unfortunate precedent that would then be difficult to resist elsewhere. If the council is minded to approve this development then better quality roofing materials should be required; these might include clay pan-tiles or natural slate for the Community Building and natural slate for the houses. Where photovoltaic panels are to be installed on the roofs, these should be integrated into the roof coverings and not sited on brackets over the tiles or slates. If a large number of photovoltaic panels are to be located on the street elevation of the Community Building, then it may be preferable for that building to be roofed in natural slate so that the panels are better integrated into the roofing.

Recommendation

In the view of English Heritage this development will result in harm to a number of heritage assets, both designated and undesignated, though because of inadequate assessment and supporting material it is difficult to properly assess that harm. However the harm is likely to be less than substantial harm as set out in paragraph 138 of the NPPF and therefore the application will need to be assessed in accordance with the requirements of paragraph 134 of the NPPF, and the harm weighed against the wider public benefit that will result from the development. English Heritage acknowledges that the provision of affordable housing and a Community Building will bring significant public benefit, but believes that the resulting harm needs to be better understood and further mitigation sought before the application is approved.

In the event that the Local Planning Authority believes that the public benefit outweighs the harm and is minded to approve the applications then English Heritage recommend that:

- A condition is included requiring an appropriate assessment of the historic significance of the police houses and police station in the context of post-war developments by the County Council in the rural centres, to include a Level 2 or 3 record of the existing building and all to be placed in the County Council Historic Environment Record (in accordance with paragraph 141 of the NPPF).
- A condition is included preventing any demolition of the existing buildings on the site until planning permission is granted for the redevelopment of the site and a contract has been signed for its construction (in accordance with paragraph 136 of the NPPF).
- The site layout is revised so as to allow the retention of trees T004 and T005, together with the eastern half of hedge H001.
- That a condition is included specifically excluding approval for the use of interlocking concrete tiles and requiring approval of samples of roofing materials in writing by the LPA before demolition of the existing buildings is allowed to take place.
- A condition is included requiring approval in writing of details for the integration of photovoltaic panels into the roof finishes before demolition of the existing buildings is allowed to take place.
- A condition is included specifically excluding approval of the drainage layout and that a revised drainage layout is to be submitted and approved in writing by the LPA before demolition of the existing buildings is allowed to take place. The revised drainage layout is to avoid routing any drainage within the protected root zones of retained trees, and all soakaways are to be sited to avoid damage to tree roots and the retained flint wall on the north-east site boundary.
- Consideration is given to modifying the design of the Community Building to omit the dormer on the north-east elevation and simplify the ridge-light to the double height space.”

25. The **Environment Agency** comments that having reviewed the information submitted in respect of contamination investigation the application is acceptable only if conditions are included in any consent that, if during the course of development additional contamination is identified, no further work be undertaken until a remediation strategy has been submitted to and approved by the Local Planning Authority. It has not raised an objection to the proposed surface water drainage but requests that a condition be included requiring the submission and approval of a surface water scheme based on sustainable drainage principles. It sets out a number of informatives which it requests are included in any consent.

26. The **Housing Development and Enabling Manager** confirms the significant level of need for affordable housing in the District. The proposed scheme of 100% affordable housing far exceeds the 40% required by policy on sites such as this. The mix and tenure is supported, and the dwellings will be built to achieve Code Level 4 rating.

There is no requirement for this site to be made available for people with a local connection to Melbourn and dwellings would be open to all applicants who are registered on the Councils Home Link system and the Council has a legal obligation to give reasonable preference to all applicants assessed and placed in the highest housing need.

The scheme is fully supported by the Housing Strategy and Development Team which has been working with Hundred Houses Society on this project for some time.

27. **Cambridgeshire Archaeology** comments that the site lies in an area of high archaeological potential. It is considered likely that important archaeological remains survive on the site and that these would be severely damaged or destroyed by the proposed development. The site is located in the historic core of Melbourn, close to All Saints Church, which dates from the 12th Century (HER No. DCB4531). An archaeological excavation carried out on land adjacent to the site (28-32 High Street) revealed remains of medieval structures and pits used for rubbish disposal (HER No. MCB15383 & ECB1027). Further medieval remains are known to exist in the vicinity, including a medieval moated site to the north-east.

It therefore considers that the site should be subject to a programme of archaeological investigation (Historic Building Recording) and recommends that this work should be commissioned and undertaken at the expense of the developer. This programme of work can be secured through the inclusion of a negative condition.

28. The **Trees and Landscapes Officer** commented in respect of the original submission that there was clearly some ambiguity in relation to the boundary and the Kays Close and that tree T24, Sycamore was shown in the tree report to overhang the site with proposals to reduce the canopy to the boundary, however it is clearly wrongly shown if the beech hedge is the boundary. Given the form of the tree there would be concerns about root pruning. The proposals indicate a storage structure adjacent to Unit 13 within the hedge. This hedge is a significant feature and should not be fragmented. To ensure its retention it should be afforded a clearance of 1.5-2m from any development.

Concerns have been raised by residents about the loss of TT8 and T10 at the rear of the site and these trees do provide good screening from 3 Kays Close, and as a group are a significant screen however being at the rear of the site they are obscured from a wider amenity value. It is not practicable to retain these trees in the proposed layout but they should be replaced along the boundary with a more suitable species.

The Silver birch on site are mature specimens and the original proposals see the loss of all these trees, which only have a possible life expectancy of 5-10 years. Given they are a feature of the site replacement Silver birch along the frontage of the site as part of a landscaping scheme should be considered.

29. The **Corporate Manager Health and Environmental Services** requests conditions restricting the hours of operation of power driven machinery during the period of demolition and construction, requiring the submission of a scheme for external lighting for approval, and controlling any use of driven pile foundations. Informatives should be attached to any consent regarding bonfires and the burning of waste during demolition and construction, and reminding of the need for a demolition notice.
30. The **Contaminated Land Officer – Environmental Health** points out that the PRP Contamination Investigation Report submitted with the application recommends further investigation and therefore a condition should be included in any consent which requires the site to be subject to a detailed scheme for the investigation and recording of contamination and agreement of remediation objectives.
31. The **Architectural Liaison Officer, Cambridgeshire Constabulary** has no particular issues in respect of Secured by Design, but recommends that there should be a lighting scheme to highway standards, and that low lux column mounted lighting to provide a uniform spread of three columns would be sufficient if strategically placed. In respect of the Hub building there would be good surveillance to the side

and rear, whereas views from the front are limited other than to passing traffic. The houses opposite provide poor surveillance mainly due to high hedging at the front. The Hub building has an undercroft, produced by the design of the building and its overhang. Whilst not a problem when the building is in use, it could be a problem out of hours and could provide a potential sheltering/meeting place. The boundary with Kays Close should be secured by a fence or some form of defensible planting. Cycle crime can be a problem and parked cycles will not be visible from the Hub building itself.

For the Hub the use of CCTV is recommended and that main pedestrian access points are protected with doorsets. All glazing should contain at least one pair of attack resistant glass, the posts supporting the overhang could be used to prevent a vehicle attack in place of bollards if reinforced at the base with a brick pier. Overall risk to the building, however, is considered to be low.

32. **Anglian Water** comments that the foul drainage from this development is in the catchment of Melbourn STW that at present has available capacity for these flows. The preferred method of surface water disposal would be to a sustainable drainage system (SUDS) with connection to sewer seen as the last option. A condition should be included in any consent requiring the submission of a surface water strategy/flood risk assessment for approval.

Representations by members of the public

33. Letters of objection/comment have been received from the occupiers of 14, 14a, 16, 33 35 High Street, Lordship Farm, 1, 2 and 3 Kays Close and 1 The Lawns Close.
- a. Unacceptable increase in traffic, from both houses and the Hub.
 - b. 13 houses is an overdevelopment of the site. 8 houses would be more appropriate with the trees remaining. Spoiling of what is currently a green and open view on the High Street and the loss of a number of significant trees, which would ruin the current look and feel of the area, and giving the village a more suburban town feel.
 - c. The Conservation Area should not be developed any further than it is already is.
 - d. Hub encroaches on the elevated bank along High Street, which serves as an open green space at the heart of the village. The existing police station buildings are flat roofed and set well back from High Street, whereas the Hub is two storey, with a complicated pitched roof and will be sited much closer. Due to the elevated location and volume the building will become a prominent feature detracting from historic views of listed buildings
 - e. The external materials proposed are not good enough for a Conservation Area site. Alien design to Melbourn. Housing layout is car dominated.
 - f. Application is lacking supporting information to justify reasons for approach. It does not comply with the NPPF – does not comply with raft of local plan policies and documents; does not ensure high quality of design, a good standard of amenity for existing and future occupants, does not provide a proper assessment of flood risk associated with the development; does not ensure proper conservation of the natural environment, does not meet high standard of design required in Conservation Area. Any benefits are

outweighed by the harm. Presumption in favour of sustainable development in the NPPF is not to be used by developers to override rules protecting Conservation Areas, especially where there is strong and valid local objection.

- g. Loss of wildlife
- h. Disappointment that 23 trees will be lost, and what is planned is a poor substitute
- i. Two parking spaces per unit are not sufficient.
- j. Destroying already existing excellent housing stock will downgrade the centre of Melbourn, which is bad both environmentally and by adding future costs to the public finances.
- k. Another public building is not needed in the village, as there are many places that can be used for this purpose already.
- l. The site is on a flood plain. This area of High Street is prone to flooding and the drains are unable to cope now. The increase in building will lead to less soakaway areas for heavy rainfall. After a downpour, walls of water flood SW down High Street and pour into the Lordship Farm drive to a depth of 4ft every 4-6 years and from there the polluted water drains into the medieval moat. The proposed soakaway will do nothing to mitigate additional pollution. The water in the moat/drain is at least 6 feet below planned roadway level and there is no provision for trapping impurities before discharge.
- m. All of the roofs, roads and car parking spaces drain into the soakaway system in the corner of the site. The 'system' is adjacent to the drain/river that connects down, the moor' which locals already know has drainage water issues. It is hoped that the system is a storm attenuation system in accordance with BRE Digest 365. It is also questioned, given the known drainage problems in the area, that the size of the attenuation cell indicated is not sufficient to drain the area, and there seems to be no requirement to cover on-going maintenance, which would become a burden on the local community.
- n. The location of the proposed drain close to the flint wall on the north west boundary of the site could undermine the wall, leading to its collapse. Correct rebuilding, which would be insisted upon, is expensive.
- o. The soakaway will lead to pollutants such as diesel fuel, oil etc leeching out of the site.
- p. Although the Parish Council says the Hub has 'overwhelming support', only 8% of the village responded.
- q. The Heritage Statement does not make reference to Lordship Farm, a Grade II Listed Building, the grounds of which border the site. The application was previously part of the kitchen garden to Lordship Farm and was sold to the County Council for use as a police station. Many other heritage assets are omitted.

- r. Where will residents and Hub visitors park? Although there is a car park nearby people will park in High Street, outside the building, which will make access to properties opposite and to Meadow way extremely hazardous.
- s. There should be double red lines along High Street and a Zebra crossing for the school children and elderly, and prevent parking on High Street, which is currently clear with no congestion.
- t. Overlooking of 16 High Street, a bungalow, by the seven houses which are much closer to the boundary and are on higher ground. The lounge, kitchen and garden of No 16 will be overlooked. Mature trees which form a screen on the boundary will be lost
- u. Units 5-7 are too close to the boundary with Lordship Farm, and less than the 15m required by the District Design Guide.
- v. Adverse impact on residential amenity of 3 Kays Close by overlooking, loss of privacy and increased noise disturbance. Units 12 and 13 are too close to boundary, and boundary trees will be lost. Due to pre-existing medical conditions it could be life threatening if emergency vehicles were prevented or delayed from entering Kays Close due to Hub delivery vehicles/visitors. Since a new house was built to the rear of No3 the occupiers chose to sit in front garden area which is not currently overlooked – this privacy will be lost.
- w. The proximity of unit 13 to dwellings in Kays Close is less than the 15m required by the District Design Guide.
- x. Disappointment with applicants assessment of impact on The Longhouse – as windows facing High Street were blocked at time of window tax impact is argued to be minimal.
- y. Concerns that proposed drains will disturb roots of remaining trees and hedges within the site.
- z. In a recent village survey, as part of the Village Plan, nearly 70% were against infill in the centre of the village, yet parts of this document have been used to support development of this site.
- aa. Building line is closer to the footpath, thus reducing the green areas currently enjoyed by local residents. The current site layout nicely contrasts with the stark necessities of the car park, offsetting its bleakness with a spacious green space between the houses and above all by the trees and greenness of the site.
- bb. The Hub will be a 1.5 storey building, which will be significantly higher than the current building, affecting properties opposite.
- cc. The main entrance to the Hub will be directly onto High Street, maximising the noise suffered by nearby residents.
- dd. Deliveries to the building will necessitate parking of vehicles on High Street, as they will not be able to access the site. There is provision for turning within the site. Lack of space on site for delivery vehicles will mean that they will use Kays Close for temporary parking. As a private road this is not acceptable

- ee. Collection of refuse will cause a large volume of noise and necessitate larger vehicle access, potentially at unsociable times.
- ff. Potential disturbance until very late at night and again from early in the morning. As noise travels long distances, particularly at night, properties some distance away may be affected. The design of the building gives the potential for large gatherings
- gg. The application states that public consultation has been conducted, however this was only a presentation of the village plan where the Hub was briefly discussed, and there has been no opportunity to discuss the development as a whole.
- hh. Due to the history of the site it may be rich in archaeology.
- ii. Proposed timber frame construction will deteriorate more rapidly than the police houses, as no steps have been taken to build the houses above flood height. With care the existing houses will last well into the next century and conservation rather than demolition would be greatly beneficial in terms of environmental impact
- jj. Melbourn is a village composed mainly of Tudor and Stuart thatched cottages, to which a healthy number of houses built solidly in the 1950-80 vernacular have been added. The police houses should not be denigrated as they are far from incongruous and certainly more in keeping than the proposed replacements.
- kk. Melbourn will soon become a suburb of Royston
- ll. The Hub will cost money the Council tax payers cannot afford. It will be little used by Melbourn villagers who have been disenfranchised by the very handful of people who will use the building primarily and whom have been conveniently silenced by the developer.
- mm. Concern that the boundary with Kays Close, which is formed by a mature beech hedge, is shown incorrectly, and that the site encroaches on the land of Kays Close, by at least 0.5m. The proposed house on Plot 13 and associated landscaping is therefore closer to Kays Close than shown. The plans need to be drawn to see if development can fit within the site.
- nn. The occupier of 1 Kays Close asks that written assurance should be provided by the applicant that tree T024 will not be harmed or become unstable. The tree survey identifies the need for cyclical maintenance to the tree but this should only be done with permission of SCDC and the owner. The drawing is unclear as to work to be carried out to this tree and the protection measures. This should be clarified.
- oo. The hedge along Kays Close must be protected and this should be part of any planning consent. The boundary should be subject to an independent survey.
- pp. The boundary of the site with Lordship Farm is inaccurately depicted, with a tree being shown within the grounds of Lordship Farm which is within the application site.

- qq. The plans show the bin store for Plot 13 cut into the boundary hedge with Kays Close – this is not acceptable.
 - rr. Existing trees outside of the site in Kays Close, including a large Norway maple in front of No2 are not correctly shown and as a result the work specified to these trees in the Tree Survey and Arboricultural Assessment is inaccurate. There is concern that any work to the Norway Maple will affect its stability. Any works to trees should be undertaken by experts.
 - ss. The Affordable Housing SPD requires affordable housing to be distributed through a residential development in small clusters of typically 6 to 8 units, particularly in rural areas. The number units proposed here is much higher.
 - tt. Object to the manner in which the site was sold.
 - uu. The proposed zebra crossing will do nothing for those needing to cross the High Street at Norgett's Lane to get to the Village College. If there is money for a crossing this is where it should go, to alleviate existing danger.
 - vv. Concerns that Melbourn Parish Council has been silenced on the proposal.
 - ww. There is a covenant on the land which this proposal will breach. It is contended that this not only restricts built development on the strip of land at the rear of the site, as identified on the submitted drawings, but also is the reason why the site was developed with the open space through the middle. With houses being set back to allow clear views to the Ha-Ha at the rear of the site, with one exception which is specifically allowed for in the covenant.
34. In addition a petition with 165 signatures has been received , which recognises need for affordable housing in the village but that the site should only provide housing it can comfortable accommodate. The loss of green space, trees and open views in the Conservation Area is opposed. These are in respect of the application as originally submitted.
35. A letter of support has been received from the occupiers of 5 Chalkhill Barrow stating that Melbourn badly needs new homes for young people, who are currently living with parents or relatives in inappropriate accommodation. The Library access point on The Moor is at the end of its life and urgently needs to find other accommodation. It is currently manned by volunteers which is greatly appreciated by the village. The relocation to the Hub to a more central location, with easy parking nearby is welcomed. An ATM machine is to be installed which will be an asset. The new building housing a coffee shop, meeting rooms, the Library, Parish Council offices, computers for public use etc will revitalise the village.
36. Strong support has been received from the Citizens Advise Bureau, who intend to offer services from the Hub, which will enable it to more easily reach those in need in the area.
37. Letters of support for the provision of the library have been received from Great and Little Chishill, and Heydon Parish Councils, who state that its residents would use that facility.
38. Any comments on the revised details will be reported at the meeting, although officers understand that a tree report commissioned by residents in Kays Close is to be submitted.

Applicants Representations

39. The supporting documents submitted with the revised scheme can be read in full as part of the background papers on the Council's website. These include a document entitled 'Public Opinion to the provision of a Community Hub on the Old Police Station site in Melbourn', which sets out background to the local consultation on the proposal.
40. A statement from John Martin Associates has been submitted, commenting on issues raised by English Heritage. A viability statement has been submitted which addresses the issue of the viability of the development of the site, and that housing units originally envisaged have been lost to incorporate the provision of the hub. Any alteration to the scheme in terms of reducing housing numbers for tenure would result in the loss of a scheme which Hundred Houses and the Parish Council feel is the best solution to the site, to something which both feel is far less beneficial, in particular with addressing two key local and district priorities in the provision of affordable housing and facilities for the local community.

Material Planning Considerations

41. The key issues for Members to consider with this application are the principle of development, impact on the Conservation Area, impact on trees, impact on the setting of listed buildings, residential amenity, highway safety and parking, drainage and other matters.

Principle of Development.

42. The site is within the village framework of Melbourn where Policy ST/5 permits development of up to 30 houses. As such the scale of development proposed is acceptable in principle, subject to compliance with other policies of the Plan. The normal requirement of Policy HG/3 is to require at least 40% of the total number of houses to be constructed to be affordable dwellings. The proposal for 100% affordable housing is far in excess of that requirement, and is supported by the Council's Housing Development and Enabling Manager.
43. The provision of the community building on the site is acceptable in principle.

Impact on the Conservation Area and Listed Buildings

44. The Conservation Manager has set out what he considers to be the important aspects of this site in respect of its position in the Conservation Area, and the part it plays in its existing character, and these are not rehearsed here. English Heritage has also set out its concerns. Policy CH/5 sets out the Council's policy in respect of development in Conservation Area with further advice being contained in the Development in Conservation Areas SPD. The NPPF replaces states that in determining planning applications, local planning authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness. It goes on to say that where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal.
45. Officers are of the view that the proposed redevelopment of the site by the number of dwellings proposed and the community building, will materially detract from the Conservation Area for the reasons set out in the comments of the Conservation Manager and English Heritage. The location of the car parking spaces at the front of

the houses will result in an almost unbroken line of cars, when viewed from the High Street and within the site, which will further detract from the appearance of the area.

46. Although the community building has been set further back from the road in the revised plans it will still intrude on views of the listed building at 32 High Street, to the south west ,being significantly further forward on the site that the existing lower key buildings.

Impact on Trees

47. The revised tree survey submitted by the applicant seeks to address the inaccuracies of the original document and amends the site boundaries with Kays Close and Lordship Farm. The beech hedge on the boundary with Kays Close is shown as being retained and the outbuilding for Plot 13, which previously cut into the hedge, has been relocated.
48. The Trees and Landscapes Officer has not objected to the application, subject to suitable protection and replacement where appropriate which could be secured by condition of consent, commenting that in her opinion some of the Silver Birch have relatively short remaining lifespan, however officers are of the view that the loss of the significant number of existing trees detracts from the character of the site and adds to the concerns in the previous section.

Residential amenity

49. The scheme as amended ensures that development does not encroach into the beech hedge along Kays Close, and it is important to ensure that this feature is retained. Although the proposed house on Plot 13 is close to this boundary it is gable end on, with no first floor windows, and complies with the 12m minimum separation distance from the front of houses in Kays Close required by the District Design Guide (it is not required to be 15m from the boundary as referred to in some of the local representations).
50. Whilst officers note the concerns of the occupiers of 3 Kays Close about possible overlooking of the front garden area of that property, there is a distance in excess of 25m from any rear facing windows in the new development and that part of the garden area, and officers are of the view that there will be no material overlooking.
51. The proposed houses on Plots 1-4 are 15m from the side boundary with No 16 High Street, the main private garden area of which is to the rear rather than the side of the dwelling. Although there are ground floor windows facing the site these are a minimum of 25m from windows of any of the new properties. This part of the layout therefore complies with the suggested minimum distances for such arrangements in the District Design Guide SPD. The revised layout shows additional planting on the boundary with No16.
52. The proposed houses on Plots 5-7 are within 13m of the boundary with 16 High Street and the grounds of Lordship Farm. In respect of 16 High Street, however, it has a garage adjacent to the boundary at this point, which means that the private garden area is set some 20m away from the rear facing windows in these new plots. In respect of Lordship Farm, given the retention of existing trees within the site, and the distance from the house itself officers are of the view that there will not be a material loss of amenity through overlooking

53. Concern has been expressed about the possible impact on residential amenity from noise disturbance as a result of activities in the community building, particularly later at night, and I have asked the Environmental Health Officer to comment on this point.

Highway Safety and Parking

54. No objections have been raised by the Local Highway Authority and the car parking provision for the dwellings, a total of 24 spaces, satisfies the average of 1.5 spaces per dwelling required.
55. Officers are of the view that although the community building has only been provided with two disabled car parking spaces, the proximity of the building to the village car park on the opposite side of High Street, and that as a local facility access by foot and bicycle should be encouraged, that this arrangement is acceptable, but will need to be managed by the Parish Council.
56. Officers note the local concern about the possibility of delivery vehicles choosing not to enter the site, although they could do so and turn, but are of the view that temporary parking of such a vehicle on the High Street at this point would be acceptable, and there has been no comment from the Local Highway Authority on this point.

Drainage

57. The site is not identified by the Environment Agency as one that has a high flood risk, and is within Flood Zone 1, although until recently it was shown with a higher category. Officers are aware however of the local concerns regarding flooding in the High Street, and particular just to the north east of this site.
58. The application is accompanied by a Flood Risk Assessment, and neither the Environment Agency nor Anglian Water has raised an objection, although a condition is requested requiring submission of a detailed scheme for surface water drainage based on sustainable drainage principles. Any scheme will need to ensure that existing surface water run-of rates are not exceeded.

Other matters

60. The archaeological assessment requested by the County Archaeologist can be secure by condition.
61. The flint wall on the north east boundary of the site should be adequately protected and repaired where appropriate.
62. The homes will achieve Code Level 4 rating of the Code for Sustainable Homes.
63. The existence of a covenant on the site is not a material planning consideration and is a matter to be resolved by the parties involved, although in determining the planning application there may be issues alluded to in the covenant, such as the protection of the character of the area, which Members will need to consider under national and local planning policy.
64. The need for the Hub and its commercial viability are not planning issues, although the potential benefits of the scheme should be weighed against any resultant harm to material planning considerations in determining the application.

65. The applicant has indicated that the financial viability of the scheme as a whole would be prejudiced if the number of houses were to be reduced, given that the site was originally purchased to provide housing only, and some units have already been lost to accommodate the proposed hub. The applicant also stresses that its aim should be to maximise the provision of affordable housing. Reference has been made to 18 houses originally planned for this site, however officers have not indicated that it might have been possible to satisfactorily accommodate this number of units on the site, without compromising issues such as Conservation Area impact, and therefore this figure should not be used as baseline for the development of the site.
66. The applicant has recognised the need to contribute towards public open space, public art etc and these matters could be secured by requiring a scheme through condition of any consent.

Conclusion

67. This is a case where a balance needs to be made against any harm identified arising as a result of the proposed development, and the public benefits that the scheme might bring forward if approved. The starting point for decision must be the development plan and a decision should be made in line with its policies unless there are material considerations that indicate otherwise. This approach is reinforced by the NPPF.
68. Officers have identified above what they consider to be the harm that will result to the character and appearance of the Conservation Area if the proposed development were to proceed. In coming to this view officers have recognised the improvements to the design of the houses, the materials proposed, and the setting back of the community building, amongst other matters, as a result of the revised drawings, but are of the view that these are not sufficient to fully address the concerns raised.
69. Set against this concern is the undoubted benefit in the provision of 13 affordable houses, on a site where the Local Planning Authority would normally only be able to secure the 40% of the total number of dwellings approved as affordable units. Although persons with a connection would not get priority of allocation in this case 13 affordable units would be added for those in housing need in the District as a whole.
70. In this case officers are of the view that having balanced these issues the harm to the character of the Conservation Area and setting of listed buildings, of the scheme as currently proposed outweighs the public benefits of the proposal.
71. Officers are of the view that it would be possible to negotiate a more appropriate scheme for the site, including housing and the community building, but to do this would require a reduction in the total number of units proposed, with the probable introduction of some market housing to aid the viability of the scheme. The information submitted by the Housing Association sets out why it would not wish to take this option at this stage and officers understand that position.

Recommendation

72. That the application is refused for the following reason:
1. The site in its current form, with a mixture of buildings in a low density setting, with landscaping and open grassed areas either side of the access road, enhances the character and appearance of this part of Melbourn Conservation Area, and forms

part of the setting of adjacent Grade II listed buildings at 32 High Street, The Longhouse, 2 Meadow View, and Lordship Farm.

The redevelopment of the site by the number of buildings proposed will result in an increased density of development on the site, bringing development closer to the High Street frontage, leading to the loss of trees and open spaces within the site, and a cramped form of development, which in respect of the housing element, will be dominated by the car parking areas at the front of dwellings. As a result the development will neither preserve or enhance the existing character of the Melbourn Conservation Area, and will detract from the setting of adjacent listed buildings, contrary to the aims of Policies CH/4 and CH/5 of the adopted Local Development Plan Policies 2007 and advice contained in the National Planning Policy Framework.

The Local Planning Authority recognises that the harm identified above needs to be balanced against the public benefits which will accrue from the provision of 13 affordable houses and a community building for the village, however in this case the Local Planning Authority is of the view that these benefits do not outweigh the harm and that the application should be refused.

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- Planning File Ref: S/0571/12/FL

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