

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2 April 2014

AUTHOR/S: Planning and New Communities Director

Application Number: S/1504/13/FL

Parish: Caxton

Proposal: Residential Development (10 affordable dwellings)

Site address: Ermine Street, Caxton

Applicant: Mr G and Mr D Brown and South Midlands Development Ltd/Bletsoe

Recommendation: Delegated Approval

Key material considerations: Principle and criteria of Policy HG/5, residential amenity, setting of listed building, and highway safety

Committee Site Visit: Yes

Departure Application: No

Presenting Officer: Paul Sexton

Application brought to Committee because: The officer recommendation of delegated approval is contrary to the recommendation of refusal from Caxton Parish Council

Date by which decision due: 30 October 2013

Planning History

1. No relevant history

Planning Policies

2. *National Planning Policy Framework*
3. *Local Development Framework*

ST/7 – Infill Villages

DP/1 – Sustainable Development

DP/2 – Design of New Development

DP/3 – Development Criteria
DP/4 – Infrastructure and New Developments
DP/7 – Development Frameworks
HG/1 – Housing Density
HG/5 – Exception Sites for Affordable Dwellings
NE/1 – Energy Efficiency
NE/3 – Renewable Energy Technologies in New Development
NE/6 – Biodiversity
SF/10 – Outdoor Playspace, Informal Open Space and New Developments
SF/11 – Open Space Standards
CH/4 – Development Within the Curtilage or Setting of a Listed Building
TR/2 – Car and Cycle Parking Standards

4. *Draft Local Plan*

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

5. *Supplementary Planning Documents*

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

Consultations

6. **Caxton Parish Council** – recommends refusal of the application as originally submitted (8 affordable dwellings and 2 market dwellings):

“The recent Needs Survey showed a need for 2 and 3 bedroom houses but these are smaller and so not suitable to satisfy the need.

Those who need the houses are likely to be older people, who will put a strain on the Doctors Surgery, and there is a lack of bus provision in the village.

The application does not comply with HG5 or the proposed H10 Policy.

The Parish Council has not seen a viability statement. If one has not been submitted this may set a planning precedent.”

7. Comments on the amended scheme will be reported at the meeting.

8. **Housing Development Officer** – ‘the proposal is for 10 affordable dwellings on an exception site. This is in accordance with the Affordable Housing SPD which states that 100% affordable housing should be provided on an exception site to meet local housing need. I can confirm that currently there are 7 applicants who have a village connection to Caxton, and who are registered on homelink, and have a housing need for rented social housing.
9. The council does not keep a separate register of applicants who have expressed an interest for shared ownership accommodation; they are instructed to register with Orbit who are, government appointed home buy agents. I am awaiting information to confirm the number of applicants they have registered for shared ownership, and who have a village connection to South Cambridgeshire. However, I can confirm that shared ownership in the South Cambs district on recently completed exceptions sites, such as Meldreth, have been over-subscribed.
10. The applicant’s agents have consulted with strategic housing and we are happy with the mix and tenure proposed by the registered provider, who is Cambridge and County developments.
11. We are aware that the applicant had in initially proposed 8 affordable units and 2 market units, which contravenes current policy of 100% affordable housing on an exception site.
12. Whilst the Affordable housing SPD states that the tenure split for affordable housing should be 70/30, there is flexibility to go to 60/40 and then 50/50 in order for an registered provider to make a scheme viable. Especially as many registered providers have little or no grant provided by Government, and they have to rely on cross subsidising through shared ownership.
13. We are happy to support the proposal on the basis that, 100% affordable housing is being provided on an exception site.
14. The demand for 1 and 2 bedroom accommodation is predominant across the South Cambridgeshire district, since the welfare reform legislation, and this is also reflected in the local need within Caxton.
15. The properties should be built to HCA design and quality standards and should be allocated to those applicants who have a village connection to Caxton as a priority’.
16. An update in respect of housing need for Caxton will be presented at the meeting, taking into account the additional information requested from Orbit and a housing needs survey by Acre for Caxton.
17. **Conservation Manager** – identifies the site as being within the wider setting of the Grade II listed Old Courthouse to the north, and recommended refusal of the application as originally submitted on the basis that the proposal would fail to preserve or enhance the setting of the listed building due to the deep development of the site, which would lead to the reduction the open field and hedgerow setting, and loss of break in the frontage development.
18. The Conservation Manager has been involved in the formation of the revised scheme and his further comments will be reported at the meeting.

19. **Local Highway Authority** – no objections, but confirms that it will not be adopting the any part of the development. It requests conditions securing vehicular and pedestrian visibility splays, closure of the existing site access to the south, a Traffic Management Plan, improved footway link to the south, turning facilities, and construction of the access.
20. **Environment Agency** – has no objection but sets out informatives to be included in any consent.
21. **Anglian Water** – no objection subject to a condition requiring adherence to the surface water/flood risk assessment submitted with the application.
22. **Architectural Liaison Officer, Cambridgeshire Constabulary** – has no issues with the layout of the site and general surveillance, but suggests that the eastern boundary of the site be secured by 1.8m high close boarded fencing.
23. **Environmental Health Officer** – no comments received
24. **Ecology Officer** – the field is clearly ancient ridge and furrow, which can be important for flora due to the unploughed nature of the soil, however the application is accompanied by an ecological statement which does not attach any significance to the sites flora, and having viewed the site its contents are accepted. It is likely that the site's flora has been reduced due to historic soil improvement and/or intense grazing by horses. The most important features are likely to be the boundary hedges and small clusters of trees, which should be retained. If possible the opportunity to secure ecological enhancement of the remaining paddocks as compensatory measure should be sought.
25. **Cambridgeshire Archaeology** – comments that the site is an area of high archaeological potential and recommends that it is subject to a programme of archaeological investigation prior to commencement of development, which can be secured by condition.

Representations

26. Letters of objection to the application as originally submitted were received from the occupiers of Nos.160 and 176 Ermine Way, Caxton, Maple Cottage, The Drift Elsworth, and 77 High Street, Hardwick
 - a. The application does not meet either the March 2009 'Caxton Housing Needs Survey', which identified a need for five dwellings over the following five year period, or the 2012 housing register, which showed 8 households with a local connection in need of housing, in terms of number of houses or mix. The application is therefore contrary to Policy HG/5 1b.
 - b. Site not well related to the built-up area, and does not reflect existing liner form of development. Development in depth is out of character – contrary to Policy HG/5 1c. There are better sites in the village.
 - c. The site is not well related to existing services in the village. There is no school, and is over 1km from the nearest LEAP, to reach which would involve crossing the A1198, which is still a dangerous road. The proposal is therefore contrary to Policy HG/5 1d.

- d. Will damage village character – ecological assessment does not mention that the site is currently ridge and furrow land, which is in decline, and which English Heritage and DEFRA have been tasked with protecting.
- e. The existing access is not to be used – the proposed access is at a pinch point specifically created to reduce speed on the A1198. Will this be re-created elsewhere?
- f. No justification for the inclusion of two market dwellings – therefore contrary to policy.
- g. The occupiers of 176 Ermine Way state that before they purchased the property SCDC advised it would be unlikely that the land to the south would be developed, and if it were development would follow the existing linear pattern. The proposal contradicts that statement and if approved could set further precedents in the village.
- h. The proposed boundary treatment to the north of Plot 1, and the rear boundary, is unclear.
- i. Would be more logical to locate the development in Cambourne where there are better facilities. The consultation on the SHLAA, which called for housing sites in the District, did not seek sites in the smallest villages where services are very limited. The fact that the emerging plan proposes additional housing west of Cambourne adds further to the question of why this site needs to be developed.
- j. Plots 1 and 2 (original layout), have poor parking arrangements with no rear garden access. Plots 7 and 8 (original layout) would overlook the rear garden of 160 Ermine Street. Hedge screening cannot be relied upon in the winter. Parking for Plot 7 is contrived.
- k. Does not provide for 10% renewable energy reduction therefore contrary to policy.
- l. Agricultural Holdings Certificate not signed.

Planning Comments

- 27. The full application, as amended by drawings received 13 March 2014, proposes the erection of 10 affordable dwellings on a 0.39ha area of paddock land to the east of Ermine Street, Caxton. As originally submitted the application proposed 8 affordable dwellings and 2 market dwellings, however the application as amended proposes 100% affordable dwellings. 5 dwellings are for to be for rent and 5 for shared ownership.
- 28. To the south the site adjoins the side and rear gardens of properties in Ermine Street and at the very rear, Brockholt Road. To the north is a detached cottage, beyond which is the Old Court House, a Grade II listed building. To the rear of the site is paddock land. At the current time there is a line of planting across the rear section of the site.
- 29. The development, as amended proposes 2 x one-bedroom houses, 6 x two-bedroom houses and 2 x three-bedroom houses. A central access road is proposed, with seven of the dwellings facing Ermine Street, in the form of two pairs and a terrace of

three dwellings, served by internal access driveways either side of the site entrance. The central access roadway extends into the rear section of the site to serve a terrace of three of three dwellings in the southern section of the site, and provide access to the land at the rear. Two areas of open space are provided at the rear of the site

30. The dwellings will be brick, with a concrete interlocking tile roof, and have ridge heights between 7.8 and 8.1m. Two parking spaces are provided for each dwelling. The dwellings have been designed to incorporate a CO₂ reduction of 25% compared with Building Regulation requirements to provide homes designed under Code for Sustainable Homes Level 4.
31. The application is accompanied by a Design and Access Statement, Heritage Statement, Affordable Housing Statement, Sustainability and Energy Statement, Open Space Statement and Ecological Appraisal.
32. The site is outside the village framework but adjacent to it on its southern boundary.

Principle of development and Policy HG/5

33. Policy HG/5 accepts that, as an exception to the normal operation of the policies of the Development Plan, schemes of 100% affordable housing which are designed to meet identified local housing needs on small sites within or adjoining villages, can be granted so long as five criteria are met.
34. The Housing Development Manager supports the application and has confirmed that the application meets the identified need for rental units in Caxton in terms of numbers and mix. Confirmation of the demand for shared ownership units will be given at the meeting, however the Housing Development Manager is of the view that the information requested from Orbit, and the housing needs survey carried out by ACRE, will confirm support for the 5 shared ownership units as proposed.
35. It is essential that the number, mix and tenure of the units proposed accords with the housing needs identified for Caxton in order to comply with the first two criteria of Policy HG/5.
36. The applicant has requested that Council agrees to the inclusion of a Mortgage in Possession (MIP) Clause within any S106 Agreement, similar to that approved under planning reference S/2379/13/FL for 15 affordable dwellings in Orwell. The Housing Association has been asked to provide further information as to why this clause is required and Members will be updated at the meeting on this matter.
37. The third of the criteria requires the site to be well located to the built-up area of the village, and the scale of the scheme to be appropriate to the size and character of the village. Caxton is classified as an infill village however schemes for 100% affordable housing of this scale have been consented in such villages and officers are therefore of the view that the scale of the scheme is appropriate in this respect.
38. The site abuts the village framework on its south boundary, with additional development beyond the site to the north. Officers are of the view that the site is well related to the built-up area of the village.
39. The fourth of the criteria requires the site to be well related to facilities and services within the village. Caxton is a village where services are limited, and its status as an infill village reflects this, although the public house has recently re-opened, albeit as a

restaurant. The existing open space provision in the village is limited and some way from the site, although the site itself provides an area of open space at the rear. For other services Caxton is reliant on adjoining villages, such as Cambourne.

40. The policy of allowing sites for affordable housing in villages for people in housing need in that particular village is an exception to the normal operation of the policies of the Local Development Framework and can result in a scale of development being permitted that is in excess of that which would normally be allowed, providing the scheme addresses the criteria in Policy HG/5.
41. The fifth of the criteria requires that the development does not damage the character of the village or the rural landscape. The existing site does form a gap between development at the edge of the village framework and the properties to the north. Existing development along Ermine Street is relatively linear in form, although to the south east of the site the housing in Brockholt Road extends further east in depth. The scheme as revised includes a terrace of three dwellings to the rear of the frontage development, in the south section of the site, but retains the frontage only form in the north part of the site. Officers are of the view that although the present gap will be lost, views through the site to the countryside beyond will be retained at the point of access, and with use of appropriate materials and landscaping, are of the view that the development will not materially damage the character of the village or rural landscape.

Residential amenity

42. Officers are of the view that the scheme, as amended, will not have a significant direct effect on the amenity of adjacent residents in terms of overlooking, loss of light or overbearing impact, although it will result in a material change to the existing open character of the site. The rear of the houses on Plots 8-10 are a minimum of 16m from the boundary with existing properties in Ermine Street and Brockholt Road. There are no windows at first floor level in the side elevation of Plots 7, which faces existing properties in Ermine Street. The north elevation of Plot 1, which faces No.176 Ermine Street, contains a landing window, which can be required to be fixed and obscure glazed by condition. Appropriate boundary fencing will be required.

Setting of Listed Building

43. The Old Courthouse, now occupied as a dwelling, is an important 19th Century listed building at the north end of Caxton. At the present time, although the building is not immediately adjacent the site, views are afforded of its south elevation, across the application site, when approaching from the south. These views will be partly lost as a result of the proposed development along the site frontage. Development in depth within the site has been kept to the southern part of the site, away from the listed building, and the revised layout has been the subject of discussion with the Conservation Manager, whose updated comments will be reported at the meeting. There will be some harm to the setting of the listed building which will need to be balanced against the public benefits of the proposal.
44. In this case officers are of the view that the benefit of the provision of the affordable housing outweighs the harm to the setting of the listed building, although more traditional roofing materials should be used than the concrete tiles currently suggested, so that they are more compatible with listed building.

Highway safety and parking

45. The Local Highway Authority has not objected to the application, which demonstrates that safe access can be provided to the site. Conditions suggested by the Highway Authority can be included in any consent.

Other matters

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

Conclusion

49. Approval should not be granted for 10 affordable dwellings on this site unless it can be demonstrated that the scheme is in accordance with identified local need in respect of the numbers, mix and tenure of units proposed. Members will receive an update at the meeting with regard to the need for the five shared ownership dwellings. An update will also be given concerning the MIP clause.
50. In all other respects officers are of the view that the scheme complies with Policy HGG/5 and other material planning considerations.
51. The consultation responses to the revised scheme will be reported at the meeting.

Recommendation

52. That subject to the application being confirmed as compliant with the identified local housing need, that delegated powers of approval are granted subject to the prior signing of a Section 106 Agreement, and subject to the following conditions

Conditions (to include)

- (a) Time limit – 3 years
- (b) List of approved plans
- (c) External Materials
- (d) Landscaping
- (e) Surface water drainage
- (f) Highway conditions
- (g) Restrict hours of operation of power driven machinery
- (h) Archaeological investigation
- (i) No further openings – first floor – north elevation Plot 1 and south elevation Plot 7
- (j) Fixed and obscure glazing – first floor – north elevation Plot 1
- (k) Renewable energy and water conservation

Background Papers

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

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

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Plan Proposed Submission July 2013
- South Cambridgeshire Supplementary Planning Documents
- National Planning Policy Framework 2012
- Planning File References: S/504/13/FL

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