

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

3 December 2014

AUTHOR/S: Planning and New Communities Director

Application Number:	S/2008/14/FL
Parish:	Melbourn
Proposal:	Proposed residential development of 5 dwellings and associated external works
Site address:	The Star, 29 High Street, Melbourn
Applicant:	Cambridge and County Developments
Recommendation:	Delegated Approval
Key material considerations:	Principle, density, mix and affordable housing, character of the area, residential amenity, highway safety and parking, drainage and other matters.
Committee Site Visit:	No
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 Melbourn Parish Council
Date by which decision due:	10 November 2014

Site and Proposal

1. This full application, as amended by drawings received on 17 and 21 November 2014, proposes the erection of 5 new dwellings on land which currently forms part of the car park and garden area of The Star Public House, 29 High Street, Melbourn.
2. The application involves a remodelling of the existing car parking area adjacent to High Street to provide 18 parking spaces, with an additional 2 disabled parking spaces sited adjacent to the public house. It is proposed to have a single point of access from High Street, close to the building, serving the public house and car park, with a roadway running to the rear of the site.
3. The development will comprise a pair of one-bedroom affordable houses sited to the rear of the new car park area, with two 3-bedroom and one 4-bedroom two storey

dwelling sited to the rear of the existing garden of the public house and in the south west corner of the site, grouped around a turning head and parking area.

4. To the north east of the site are the rear gardens of properties in Norgetts Lane. To the south east are the rear gardens of properties in Spencer Drive, and to the south west are the rear gardens of properties in Meadow Way.
5. The density is 29.5 dwellings per hectare.
6. The front section of the site and the rear gardens of the proposed dwellings on Plots 1 and 2 are within the Conservation Area, however the main body of the site is outside.
7. The application is accompanied by a Design and Access and Heritage Statement, and Section 106 Draft Heads of Terms.

Planning History

8. S/1796/12/FL – Erection of 5 dwellings and remodelling of existing public house car park – Approved
9. S/0843/12/FL – Erection of 6 Dwellings and remodelling of existing public house car park – Refused
10. S/1137/95/F – Three dwellings – Withdrawn

Policy

11. **National Planning Policy Framework**
12. **South Cambridgeshire Local Development Framework Core Strategy**
ST/5 – Minor Rural Centres
13. **South Cambridgeshire Local Development Framework Development Control Policies**
DP/1 – Sustainable Development
DP/2 – Design of New Development
DP/3 – Development Criteria
DP/4 – Infrastructure and New Developments
DP/7 – Development Frameworks
HG/1 – Housing Density
HG/2 – 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/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.
14. **South Cambridgeshire LDF Supplementary Planning Documents (SPD)**
Open Space in New Developments - adopted January 2009
Development Affecting Conservation Area – adopted January 2009

Trees and Development Sites - adopted January 2009
Listed Buildings – adopted July 2009
Affordable Housing – March 2010
District Design Guide - adopted March 2010

Consultation by South Cambridgeshire District Council as Local Planning Authority

15. **Melbourn Parish Council** – recommends refusal. “Concerns about the effect of this development and the reduced pub car parking will have on the High Street in this area. We fully support the objections contained in the letter from Mr and Mrs Russell of 8 Spencer Drive.”
16. **Local Highway Authority** – recommends refusal as no drawing is provided showing the required visibility splays of 2.4 metres x 43 metres. Otherwise the proposal should have no significant impact on the public highway.
17. Conditions should be included in any consent regarding the minimum width of the access road, provision of visibility splays, and the fall, levels and construction of the roadway.
18. **Housing Development Officer** – supports the application.
19. **Environmental Health** – no objections. A condition in respect of the glazing for the bedroom window to Plot 5, which overlooks the public house car park, should be imposed to minimise noise disturbance. Other conditions should restrict hours of operation of power driven machinery during the period of construction, and control external lighting. There should be informatives regarding use of driven pile foundations and the burning of waste or use of bonfires during the construction period.

Representations

20. Objections have been received from the occupiers of Nos 3 and 5 Meadow Way, 2 Norgetts Lane, and 7 and 8 Spencer Drive
 - a. Dwellings do not blend into area – bungalows would be more appropriate. The new development will be out of character. Plot 2 is buff brick with shallow pitch roof, which is supposed to echo the public house, even though it will not be seen from it.
 - b. There is now a 4-bedroom house where previously a bungalow was approved. There will be overlooking of properties in Spencer Drive.
 - c. Plans do not take into account rear extension to No. 8 Spencer Drive so the new dwelling will be closer that it appears on the drawing. Plot 2 will be overbearing.
 - d. The Design and Access Statement states that the overall height of buildings has been reduced. Plot 2 as approved was 6.5m high, whereas the proposed building is 7.5m, and Plot 3 is now a two-storey house where previously it was a bungalow.
 - e. Density of development is not in accordance with the surrounding area.

- f. Where is the affordable housing? The application has nothing to do with the well being of the village or the environment, but is greed and money making of the applicant.
- g. More modest housing is needed.
- h. The far right front first floor window of Plots 4 and 5 will overlook the garden of 2 Norgetts Lane. The previous scheme protected privacy.
- i. There will be road safety issues with the increase in traffic on this already busy road, and close to a blind bend.
- j. Loss of off road access for delivery vehicles, which will now have to park on the road close to the blind bend. The new access road is not wide enough.
- k. Decrease in pub car parking will mean more on-street parking. This will be a hazard on the blind bend and affect sight lines for vehicles turning out of Norgetts Lane.
- l. Plan does not accurately show the boundary of No.8 Spencer Drive.
- m. Concerned that the Design and Access Statement states that the previously approved plans did not comply with Building Regulations or HCA requirements.

Planning Considerations

21. The key issues to be considered in the determination of this application are the principle of development, housing mix and density, affordable housing, character of the development; impact on the Conservation Area, neighbour amenity, highway safety (including revised parking for the public house), drainage, and other matters.

Principle of development

22. This proposed development would have been acceptable having regard to adopted LDF and emerging Local Plan policies, had policies ST/5 and DP/7 not become out of date as a consequence of the Council not currently being able to demonstrate a five-year supply of deliverable housing sites. In any event, the principle of the erection of 5 dwellings on this site, within the village framework of Melbourn, has been accepted by the extant planning permission S/1796/12/FL. The site is centrally located within the village in a sustainable location. Melbourn has been identified as a minor rural centre where residential development and redevelopment up to an indicative maximum scheme size of 30 dwellings will be permitted, subject to compliance with other policies in the plan.

Density and Housing Mix

23. Policy HG/1 requires schemes to make best possible use of sites by achieving net average densities of at least 30 dwellings per hectare unless there are exceptional local circumstances that require a different treatment. The density of the scheme is 29.5 dwellings per hectare and officers are of the view that this is acceptable given the location of the site, providing it can be demonstrated that the development will not have an adverse impact on the character of the area and neighbour amenity. These issues are discussed below.

24. In respect of the market housing the application proposes two 3-bedroom and one 4-bedroom house. Although the previously approved 2-bedroom dwelling has been lost from the current scheme, given the scale of the development, which will bring forward two affordable dwellings, officers would not feel confident on opposing the application on the grounds that the market mix is not quite compliant with that sought by Policy HG/2.

Affordable housing

25. Policy HG/3 requires schemes to provide at least 40% of the total number of dwellings proposed as affordable dwellings. This scheme proposes 2 affordable housing from the 5 units proposed and is the percentage that officers would seek from this scale of development. The units (Units 4 and 5) are for rent and are one-bedroom flats. The Housing Development and Enabling Manager supports the scheme. The relationship of these units within the site with existing properties is discussed later in the report.

Character of development and impact on the Conservation Area

26. The proposed buildings which form Units 1 and 2 are now detached units, with maximum ridge heights of 8m and 7.5m respectively, whereas in the approved scheme these units were a pair of semi-detached chalet units with a maximum ridge height of 7.2m. Officers are of the view that the design of the units is more traditional than the previously approved scheme, and will not detract from the character of the Conservation Area, either in scale or form.
27. The proposed dwelling on Plot 3 is now two-storey, with a ridge height of 7.3m, whereas in the approved scheme this plot was a single storey dwelling, ridge height 5.6m. The design and scale of the new dwellings is however considered appropriate for this site in terms of impact on the character of the area, although impact on adjacent properties is discussed below.
28. The pair of affordable dwellings is again of a more traditional design for the site. Materials proposed facing brick and render, with a mixture of plain tiles and slate.
29. The current view of the site from the High Street is of an extensive open area of car parking with some planting beyond, softening the impact of housing development beyond. The proposal will allow for new planting at the front of the site and again at the rear of the car park, which will soften the impact of development when viewed from High Street. The closest dwelling will be 30m from High Street.
30. Officers are of the view that the proposal will preserve the character of the conservation area.

Neighbour Amenity

31. Although the proposed dwellings on Plots 1 and 2 are higher than those previously approved, officers are of the view that, as amended, being over 10m from the boundary of adjacent properties in Norgetts Lane, which themselves are sited some 25m from the site boundary, they will not appear overbearing. There is a single bedroom window in the first floor rear elevations of each of these proposed dwellings, however officers are of the view that with the existing boundary screening, and the new planting shown on the amended drawing, that any overlooking of the rear gardens of properties in Norgetts Lane will not be unreasonable.
32. The proposed house on Plot 2 is set 3.5m from the boundary with the rear of properties in Spencer Drive. The eaves height and ridge height of the proposed dwelling is higher than

the previously approved dwelling on this plot (in respect of the ridge height by 1.5m), however the width of the dwelling when viewed from Spencer Drive has been reduced and the ridge hipped away from the boundary. On balance officers are of the view that the proposed scheme does not materially change the impact of Plot 2 on the rear of properties in Spencer Drive.

33. Plot 3 was previously a single storey dwelling. As amended it is two storey with a ridge height as amended of 7.3m. It will be set 6m from the rear boundary of the gardens of bungalows in Meadow Way. The approved single storey dwelling, although lower in height was sited between 1.5m and 3.5m from the boundary with Meadow Way, although it had a length of 15m along this boundary. The proposed dwelling is gable end to Meadow Way, with a built width of 8m. Again officers are of the view that the proposed dwelling will not result in any materially greater impact on the rear of properties in Meadow Way from that previously approved.
34. The rear of Plot 3 faces the rear garden of 8 Spencer Drive, and will be 6.5m from the boundary. It has been designed so that there are no first floor windows serving habitable rooms facing Spencer Drive. Any windows in the first floor rear elevation can therefore be obscure glazed to prevent overlooking. However, one of reasons for refusing the earlier 2012 application for development of this site was the overbearing impact that a proposed part single storey, part two storey property would have on the rear gardens of properties in Spencer Drive, which at that time would have been 9m from the boundary. Although officers are of the view that the proposed dwelling on Plot 3 does not need to be single storey, the height and scale needs to be reduced from that currently proposed, and further discussions will be held with the applicant.
35. As amended the proposed dwellings on Plots 4 and 5, have an acceptable relationship to the rear of properties in Meadow Way. The first floor windows in the elevation facing Norgetts Lane are 27m from the boundary and therefore no overlooking will result.

Highway Safety and Parking

36. The issues of access and reduction in the car parking provision for the public house were considered when approving the previous application. In this respect the development has not changed, although the issues are rehearsed below.
37. The revised car parking arrangements for the public house provide for 20 spaces, and whilst this is a reduction on the number of spaces currently available, it is compliant with the maximum car parking required by the Council's car parking standards. In addition two disabled spaces are provided by the entrance to the public house.
38. Deliveries to the public house will have to take place from High Street. A bin storage area is provided to the side of the car park, in front of the entrance to the new dwellings.
39. Although the Highway Authority has recommended refusal on the grounds that the required visibility splays are not shown the access has not changed from the previous consent and officers are of the view that this matter can be dealt with by condition.

Drainage

40. The site is identified by the Environment Agency as being within Flood Zone 1. It is therefore not a site where there is a requirement to submit a flood risk assessment or seek the views of the Environment Agency.

41. Officers are aware of the previous local concerns re flooding issues in the area, and that additional hard surfaces within the site will have the potential to exacerbate existing problems, however the applicant will need to implement a surface water drainage scheme that will ensure that existing run off rates are not increased. This can be secured by condition.

Other matters

42. Any adverse impacts of the development are not considered to significantly and demonstrably outweigh the benefits when assessed against the material considerations set out in this report, and the proposed development remains acceptable. As such it is recommended that permission be granted for officers to approve the scheme subject to the completion of a S106 legal agreement securing contributions to cover the required open space and community infrastructure provision required by Policies DP/4 and SF/10. The provision of the 2 affordable units will also be secured on the Agreement.

Conclusion

43. Subject to the further revisions sought to Plot 3 officers are of the view that the scheme as amended is acceptable.

Recommendation

44. Consultation on the amended drawings will be reported. Subject to a reduction in the scale/form of the proposed dwelling on Plot 3 delegated powers to approve the application are sought, subject to the signing of a Section 106 Agreement and conditions

Conditions

45. To include:
- Time limit – 3 years
 - Materials
 - Landscaping (including boundary treatment)
 - Drainage
 - Highway conditions
 - Car Parking
 - Restriction of PD rights and further openings
 - Affordable Housing
 - Contributions

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/2008/14/FL, S/1796/12/FL and S/0843/12/FL

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