

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

1 April 2015

AUTHOR/S: Planning and New Communities Director

Application Number: S/2341/14/FL

Parish: Willingham

Proposal: Erection of 12 semi-detached affordable dwellings and associated works. Access to the site would be via Daniels Close.

Site address: Land north of Daniels Close

Applicant(s): A J Lee (Developments) Ltd

Recommendation: Approval

Key material considerations: Affordable Housing Need
Countryside Impact

Committee Site Visit: None

Departure Application: No

Presenting Officer: Andrew Winter/John Koch

Application brought to Committee because: The recommendation of the Parish Council conflicts with that of Planning Officers

Date by which decision due: 31 December 2014

1. **Planning History**

Planning permission S/2222/10 has been implemented for 19 affordable dwellings at the neighbouring site to the south.

Planning Policies

2. **National Planning Policy Framework (NPPF) 2012**

Local Development Framework Core Strategy 2007:

Policy ST/5 Minor Rural Centres

3. **South Cambridgeshire LDF Development Control Policies DPD, 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/2 Housing Mix
HG/3 Affordable Housing
HG/5 Exception Sites for Affordable Housing
NE/15 Noise Pollution
SF/10 Outdoor Playspace, Informal Open Space and New Developments
SF/11 Open Space Standards
TR/2 Car and Cycle Parking Standards

4. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**

District Design Guide SPD – adopted March 2010
Landscape in New Developments SPD – adopted March 2010
Open Space in New Developments SPD – adopted January 2009
Affordable Housing SPD – adopted March 2010
RECAP Waste Management Design Guide SPD – adopted February 2012

5. **Proposed Submission Local Plan (July 2013)**

S/3 Presumption in Favour of Sustainable Development
S/7 Development Frameworks
S/9 Minor Rural Centres
H/7 Housing Density
H/8 Housing Mix
H/9 Affordable Housing
H/10 Rural Exception Site Affordable Housing
H/11 Residential Space Standards
HQ/1 Design Principles
SC/7 Outdoor Playspace, Informal Open Space, and New Developments
SC/8 Open Space Standards
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision

Consultations

6. **Parish Council** – Recommended refusal to the application as first submitted on the grounds that the extension of the existing small estate into a larger site could ultimately be extended further without due containment.

Updated comments on amended drawings dated 10 Feb 2015 state:

“Willingham Parish Council recommends refusal, because the amended plans were not in accordance with previous discussions held with Mr Lee, and that the proposed changes would still allow for the future development and extension of Daniels Close to the north – to which the Council had already firmly objected.

7. **Cambridgeshire County Council**– No contributions will be required towards education, libraries, lifelong learning or strategic waste as the scheme is 100% affordable housing.
8. **Local Highway Authority** – The Local Highway confirms it will not adopt any part of the development in its present format. It also highlights that the proposed parking

layout appears to show the length of some of the plots driveways are not equally divisible by units of 5m; therefore the proposed layout has the potential to encourage irregular parking which could lead vehicles overhanging pedestrian access routes.

9. **Cambridgeshire Fire and Rescue Service** – The fire authority asks that adequate provision be made for fire hydrants, which may be by way of S106 agreement or a planning condition.
10. **Environment Agency** – Recommends the Local Planning Authority (LPA) refers to its standing advice in respect of flood risk/surface water drainage issues. Foul drainage should be discharged to the public foul sewer unless it can be satisfactorily demonstrated that a connection is not reasonable available. Anglian Water Services Ltd should be consulted by the LPA and be requested to demonstrate that the sewerage disposal systems serving the site have sufficient capacity to cope with the new development. General advice given on pollution prevention to the water environment.
11. **Anglian Water** – The sewerage system has available capacity for the development. The preferred method of surface water disposal is a sustainable drainage system (SUDS) with connection to sewer seen as the last option. The submitted surface water strategy is unacceptable as it not clear how the surface water from the site will be disposed. Anglian Water has no public surface water sewers within close proximity of the proposed development site and therefore recommends that the applicant consults with Anglian Water and the Environment Agency. A condition is recommended to secure an appropriate scheme of surface water management.
12. **Affordable Housing Officer** – Recommends a housing tenure of: 8 x 2 beds; 2 x 1 beds; and 2 x 3 beds to best meet local need.

Representations

13. None

Planning Comments

14. The main issues in this application are:
 - Affordable housing need
 - Countryside impact
 - Residential amenity
 - Parking and highway issues
 - Landscaping
 - Surface water drainage
 - Refuse collection and storage
 - Noise and disturbance
 - Education contributions, open space and indoor community infrastructure

Affordable Housing Need and Countryside Impact

15. The site lies to the north of the existing affordable housing site and is designed to follow the pattern of the existing layout. This comprises a central road with housing either side terminating in a pair of parking spaces. The buildings comprise six pairs of semi-detached properties of relatively simple design constructed in brick under tiled roofs. The existing access off Spong Drove will be used.

16. The Parish Council has raised concern of further housing development to the north of the existing site. This concern would appear to be speculative given the absence of any submitted planning applications or extant planning permissions on this piece of land. Therefore, a refusal on these grounds would not be tenable. Any further housing would of course be subject to a separate planning application to be assessed on its individual merits.
17. Under Policy HG/5 and draft Policy H/10 of the local plan, planning permission may be granted for schemes of 100% affordable housing designed to meet identified local housing needs on small sites within or adjoining villages.
18. The Council's affordable housing team has confirmed there is a genuine need for further affordable housing provision in Willingham with current figures showing the need for 12 x 1 beds, 6 x 2 beds and 1 x 3 bed. The applicant has provided email correspondence from Hundred Houses/Iceni Homes (Affordable Housing Provider) confirming that they are interested in taking the scheme forward.
19. The site is in close proximity to the village framework, which is located approximately 120m to the south. In terms of whether the proposal represents 'sustainable development' in line with the NPPF, the following factors have been taken into consideration:
 - a) the demand for additional affordable housing in Willingham
 - b) the submitted housing mix has been revised in the application to more closely reflect the composition of local housing need, as advised by the Council's affordable housing team. This is confirmed in amended drawing EDG/14/62/55 with the following composition: 2 x 1 bed, 8 x 2 beds and 2 x 3 beds
 - c) the relative close proximity of the site to existing village services and facilities. Willingham is designated as a 'Minor Rural Centre' (Policy ST/5) and therefore performs well in terms of the level of local services and facilities provision
 - d) ease of access to the site from the village via bicycle and foot
 - e) the compatibility of the development with the linear form of the existing development
 - f) the resulting lack of any significant visual impact to the surrounding countryside and the established natural screening in place
20. The above factors, along with the shortfall in affordable housing delivery in Willingham, are considered to weigh strongly in favour of the development in this instance despite the resulting large cluster of affordable units (31 in total) counted alongside the existing affordable units at Daniels Close.
21. Another important material consideration in this instance is the requirement of paragraphs 14 and 47 of the NPPF. The NPPF requires councils to boost significantly the supply of housing and to identify and maintain a five-year housing land supply with an additional buffer as set out in paragraph 47. On the 25th June 2014 two appeal decisions in Waterbeach found that the Council did not have a 5 year supply of housing land. The Council's housing supply policies in adopted and emerging plans are therefore out of date. Where this is the case, paragraph 14 of the NPPF

states that there is a presumption in favour of sustainable development. It says that where relevant policies are out of date, planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or where specific policies in the NPPF indicate development should be restricted.

22. Consequently, the application would lead to a large cluster of affordable housing, but there is not considered to be significant or demonstrable harm in this application that would outweigh the social and economic benefits of the scheme and the delivery of a significant proportion of Willingham's affordable housing need. A condition is recommended to ensure that 100% on-site affordable housing is provided on the site in perpetuity in accordance with Policy HG/5.

Residential Amenity

23. Sufficient rear garden spaces are shown on the amended drawings to meet the requirements of paragraph 6.75 of the District Design Guide 2010, which requires 50m² for one and two bedroom houses and 80m² for three bedroom houses in rural areas.
24. The development is not found to result in unacceptable adverse harm to the residential amenity of immediate neighbours in accordance with Policy DP/3.

Parking and Highway Issues

25. Sufficient car parking is provided for each dwelling in accordance with Policy TR/2 and is located to the side of each dwelling to avoid cars dominating the street in accordance with paragraph 6.82 of the District Design Guide SPD 2010. The comments of the Local Highway Authority are noted in relation to cars overhanging the parking areas. This would be a concern if there was a lack of parking provision; however, sufficient parking is provided for at least two cars per dwelling, which reduces the likelihood of cars being forced to overhang the highway.
26. In response to the Local Highway Authority, the applicant has confirmed that the roads within the development are not being offered for adoption and will be owned/maintained by the registered provider.

Landscaping

27. The landscape officer has no objection in principle but has requested further landscaping details, which can be secured by condition.

Surface Water Drainage

28. The comments of the Environment Agency and Anglian Water are noted and a condition regarding surface water drainage is agreed.

Refuse Collection and Storage

29. The proposal provides potential screened storage of refuse bins to the side and rear of each dwelling. The turning head provides sufficient space to meet the requirements of refuse collection vehicles, as prescribed in Appendix F of the RECAP Waste Management Design Guide SPD 2012.

Noise and Disturbance

30. Conditions are recommended to control noise and disturbance during the construction process. Informatives regarding driven pile foundations are recommended to be relayed to the applicant via planning informative.

Education Contributions, Open Space and Indoor Community Infrastructure

31. The development would provide on-site children's play space in the form of a Local Area of Play (LAP). This play area would measure in excess of 300m² - three times the minimum size required under the Open Space in New Developments SPD 2009. It would also benefit from natural surveillance from the side windows of Plot 8 and the front windows of 4, 5 and 6. Given the generous size of the LAP the requirement for informal open space can also be incorporated in its design, removing the need for financial contributions towards these elements. The requirement for off-site sports space contributions can be secured via a condition.
32. The new development would put extra demand on community infrastructure in Willingham. The applicant has confirmed their willingness to contribute towards this element and also the provision of refuse bins, which can be secured via a condition. The County Council has confirmed that no financial contributions are required towards education facilities in the area as the scheme is 100% affordable housing.
33. Consequently, the development is considered to meet the requirements of Policies DP/4 and SF/10 subject to the necessary section 106 agreement to secure contributions towards off-site sports space, community infrastructure and refuse bin provision.

Other Issues

34. The comments of Cambridgeshire Fire and Rescue Service are acknowledged and the recommended condition securing fire hydrants is agreed.

Conclusion

35. 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.

Recommendation

36. Approval, subject to:

S106 requirements

A scheme for contributions towards off-site outdoor formal sports space, indoor community facilities, waste receptacles and on-site public open space management and maintenance

Conditions

- a) **The development hereby permitted shall be carried out in accordance with the following approved plans: EDF/14/62/1 (Date stamped 26 September**

2014), EDG/14/62/11/a (Date stamped 29 January 2015) and EDG/14/62/55 (Date stamped 29 January 2015).

(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

- b) No development shall take place until details of the materials to be used in the construction of the external surfaces of the buildings, hereby permitted, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

- c) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include details of the Local Area of Play (LAP) and indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.**

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2, NE/6 and SF/10 of the adopted Local Development Framework 2007.)

- d) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.**

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

- e) No development shall take place until a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been implemented.**

(Reason - To ensure an adequate water supply is available for emergency use.)

- f) The development shall not begin until a scheme for the provision of affordable housing on the application site has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning**

Policy Framework 2012 or any future guidance that replaces it. The scheme shall include:

- i.* the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 100% of housing units/bed spaces;**
- ii.* the timing of the construction of the affordable housing;**
- iii.* the arrangements for the transfer of the affordable housing to an affordable housing provider[or the management of the affordable housing] (if no RSL involved) ;**
- iv.* the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and**
- v.* the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.**

(Reason - To ensure the provision of an agreed mix of affordable housing in accordance with Policy HG/3 of the adopted Local Development Framework 2007.)

- g) Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.**

(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)

- h) No development shall commence until details of street lighting have been submitted to and approved in writing by the Local Planning Authority; the street lighting shall be carried out in accordance with the approved details and an agreed timetable for its implementation.**

(Reason - Insufficient information was submitted with the application to assure the Local Planning Authority that the development would provide sufficient lighting for the safety and security of residents and that such lighting does not cause undue light pollution to comply with Policies DP/2 and NE/14 of the adopted Local Development Framework 2007.)

- i) During the period of construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.**

(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

Background Papers

Where 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 Core Strategy DPD 2007
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents
- Draft Local Plan 2013
- Planning File Refs S/1763/07/F and S/2341/14/FL

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