

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

5 August 2015

AUTHOR/S: Planning and New Communities Director

Application Number:	S/0810/15/OL
Parish:	Papworth Everard
Proposal:	Outline application for the erection of up to five dwelling houses and associated works and infrastructure following demolition of existing buildings (all matters reserved apart from access)
Site address:	84 Ermine Street, Papworth Everard
Applicant:	Cambridgeshire Constabulary
Recommendation:	Delegated Approval
Key material considerations:	Principle of development, affordable housing, impact of character of the area, impact on residential amenity, and highway safety
Committee Site Visit:	Yes
Departure Application:	No
Presenting Officer:	Paul Sexton
Application brought to Committee because:	The officers recommendation of delegated approval is contrary to the recommendation of Papworth Everard Parish Council
Date by which decision due:	22 May 2015

Planning History

1. S/1772/13/FL – Proposed residential development – Refused.
2. This full application sought consent for the erection of 5 dwellings and was refused on grounds of highway safety and failure to provide an appropriate level of affordable housing.
3. S/2399/12/FL – Proposed residential development – Withdrawn

Policy

4. **National Policy**
National Planning Policy Framework
5. **South Cambridgeshire Local Development Framework Core Strategy**
ST/5 – Minor Rural Centres
6. **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 in 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/2 Renewable energy
NE/6 Biodiversity
TR/1 Planning for more Sustainable Travel
TR/2 Car and Cycle Parking Standards
CH/4 Development within the curtilage or setting of a Listed Building
7. **South Cambridgeshire LDF Supplementary Planning Documents (SPD)**
District Design Guide SPD – Adopted March 2010
Trees and Development Sites SPD – Adopted March 2010
Biodiversity SPD – Adopted 2009
Landscape in New Developments SPD – Adopted March 2010
Affordable Housing SPD – Adopted March 2010
8. **Draft Local Plan**
S/9 Minor Rural Centre
HQ/1 Design Principles
H/7 Housing Density
H/8 Housing Mix
H/9 Affordable Housing
TI/2 Planning for Sustainable Transport
TI/3 Parking Provision

Consultation by South Cambridgeshire District Council as Local Planning Authority

9. **Papworth Everard Parish Council** – recommends refusal of the application as originally submitted for the following reasons:
10. 'There appears to have been no significant change in the proposed vehicular access for the site between the current application and the previous application (S/2399/12/FL).
11. We doubt very much the reality of the figures the applicant puts forward for daily vehicular movements to and from the site (see current Transport Statement March 2015).

12. A two-bedroom house may generate two vehicle movements per day.
13. Even if the applicant's figures for vehicular movements are correct the access arrangements are not acceptable. Because the vehicle movements will be greater than the applicant proposes the access arrangements are very likely to result in collisions.
14. The two-bedroom housing alone could generate two vehicle movements at peak hours. Given the relatively high prices of houses in the district it is very likely that both partners in a couple will be employed. In large family-sized houses, if there is one member working outside the village, the other is almost certainly transporting children to school in the peak morning period. The primary school is 1km from the application site, and therefore likely to generate vehicle movements from the application site. (The village primary school is already at capacity, even before already approved developments take place. Therefore, any child of primary school age from this application may need to be taken to a different village for schooling).
15. Although there are hourly bus services to central Cambridge on weekdays, this is unlikely to be used by those who work on the periphery of the city, and is, of course useless for those employed in Huntingdon, St Neots, Royston or in any other towns and villages that are off the route.
16. To imply there is cycle access to Cambridge is misleading. The end of the cycle path at Caxton Gibbet is approximately one mile from the application site along an undulating, single carriageway road (A1198) with a 70 mph speed limit. It is likely to attract many cyclists from Papworth Everard.
17. The employment base in Papworth will not be high in comparison to the population, once the Hospital has moved to Cambridge in April 2017.
18. Density of dwellings – The density of dwellings on this development will be considerably higher than the neighbouring older village to the north of the application area and even higher than the average density of the Summersfield housing area, currently under construction, which adjoins the application site in its southern and western boundaries. It is likely to produce a built form that will therefore be unacceptable in a village location.
19. There is a large well-grown willow tree towards the front of the application area, which is greatly appreciated by village residents and an important element in the street scene on Ermine Street South. This will be put under pressure of modification or removal with a high density development.'
20. In response to the revised details, which relate to the removal of the existing traffic calming feature on the A1198, north of the site access the Parish Council has submitted the following comments.
21. 'It is alarming that the applicant is proposing the removal of an element of village traffic calming, and such a move is strongly opposed by the Parish Council. This 'give way' feature is at the village entry and therefore key to the whole traffic calming scheme. Any reduction in the severity of the village traffic calming will mean that its primary objectives – to slow speeds through the village and to encourage traffic to use the bypass (which is considerably longer than the route through the village) – will be at risk.

22. This entry feature is matched by an identical one at the northern end of the village and is an integral part of the scheme. The feature was put forward by both the police and the county highways team as necessary to reduce the speed limit on Ermine Street from 40mph to 30mph (together with the remaining features and the spacing – all specified in the highways manual). Further, the Parish Council funded a significant part of the scheme (£50,000), and secured grant funding from county highways for the rest.
23. Owing to the configuration of the road (Ermine Street South) at this point, the Parish Council understands that it would be impossible to relocate this feature.'
24. **Local Highway Authority** – requests that the application as originally submitted is refused as it fails to provide a drawing showing the proposed development site in any context in respect of the proposed layout in conjunction with the existing public highway. Comments on the revised access details will be reported.
25. **Housing Development Officer** – confirms that the scheme should provide 2 affordable dwellings, which should comprise 2 x 2-bed units (1 rented and 1 shared ownership). There is a high demand for affordable housing in South Cambs, with over 1,700 applicants on the housing register who require affordable housing. The application does not currently propose affordable housing and is therefore not supported by the Housing Strategy and Development Team.
26. **Environmental Health Officer** - No objection subject to a condition restricting the hours of operation of power driven machinery during the period of construction, and informatives relating to the burning of waste, the use of driven pile foundations and the need for a Demolition Notice.
27. **Trees Officer** – had no objection to the 2013 scheme, but commented that the Willow tree should be protected.
28. **Historic Environment Team – Cambridgeshire County Council** – identifies the site as being within an area of high archaeological potential and considers that the site should subject to an archaeological investigation, to be secured by condition.

Representations

29. Letters have been received from the occupiers of 84 Ermine Street South and 2 Haymans Way commenting on the following grounds:
- i. Loss of light to side window of 84 Ermine Street. Property will be hemmed in by new development
 - ii. Access cannot cope with number of additional houses proposed.
 - iii. Movements in and out at peak times will cause problems as entrance is directly by traffic calming feature, which is already an inconvenience
 - iv. Traffic assessment submitted with application is hypothetical as Police Station not currently in use, and when it was the traffic calming bollards did not exist, there were no traffic lights or Summersfield development, and the Stirling Way Industrial Estate was much smaller
 - v. Inadequate parking space without obstructing entrance. Bins for collection will cause obstruction
 - vi. Builders traffic will cause obstruction. Construction work will cause noise and dust, and possible structural damage.

Site and Proposal

30. The 0.13ha site is located to the west of Ermine Street towards the southern edge of the village. It currently contains two single-storey flat roofed brick built former police station buildings. Access to the site is from Ermine Street South and is shared with No.84 Ermine Street South, a detached two-storey house to the north. The access is located 10m south of an existing traffic calming feature.
31. There is a mature willow tree in the front north east corner of the site.
32. This outline application, as amended by details received on 24 June 2015, proposes the erection of a 5 dwellings following the demolition of the existing former police station buildings. The illustrative layout shows a terrace of 3 dwellings and a pair of houses (3 x 2-bed, 1 x 3-bed and 1 x 4-bed). A total of 10 car parking spaces are shown.
33. Access to the site will be via the existing entrance to Ermine Street, which will be widened to 5m. In total the access will serve 6 dwellings.
34. The density of the scheme is 38 dph.
35. All matters are reserved, apart from access, although the application is accompanied by an illustrative layout and elevations. These drawings are the same as those submitted with the earlier withdrawn application S/1772/13/FL.

Planning Considerations

36. The key issues for Members to consider in this case are the principle of development, affordable housing, impact on the character of the area, residential amenity and highway safety.
37. The 2013 application is a material consideration. This application was a full application for the erection of 5 dwellings, and the layout and elevation details submitted with that application are the same as those submitted for illustrative purposes with the current outline application. The 2013 application was refused on grounds of access and lack of affordable housing. The application was not refused of grounds of layout, design, character of the area, or the impact on residential amenity.

Principle of development

38. The NPPF advises that every effort should be made to identify and then meet the housing needs of an area, and respond positively to wider opportunities for growth. Additionally the Development Plan (Core Strategy Development Plan Document adopted January 2007 and Development Control Policies Development Plan adopted January 2007) identifies Papworth Everard as Minor Rural Centre, where the construction of new residential dwellings within the framework is supported.
39. The proposed development within the village framework would have been acceptable in principle 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.

Affordable housing

40. Under Policy HG/3 of the adopted Local Development Framework and Policy H9 of the Draft Local Plan 2013, 2 affordable dwellings should be provided on site.

41. In the original submission the applicant took the view that given the advice in the Governments National Planning Practice Guidance that, given the scale of the proposal, there was no need to provide affordable housing. In a subsequent letter the applicant's agent has confirmed that a 'Grampian' style condition to secure affordable housing would be acceptable
42. Notwithstanding the advice in the National Planning Practice Guidance and a recent appeal decision, in the light of the Judicial Review against the Guidance, for which a decision is still awaited, the Council has currently resolved to maintain its position of seeking affordable housing on sites where there is a net gain of 3 or more dwellings.
43. The condition suggested to secure affordable housing is taken from the model condition used by the Planning Inspectorate, and has been revised to refer to the specific details of affordable housing required in this case. In the absence of a decision in respect of the Judicial Review, Members will need to confirm that they are happy for this matter to be dealt with by condition, rather than legal agreement.

Impact on character of the area

44. The previously refused scheme for the redevelopment of this site for 5 dwellings did not refer to any adverse impact on the character of the area in the decision notice. The illustrative details are the same as for the earlier application.
45. The land to the south and west of the site forms part of the Summersfield site. The land immediately to the south of the site is currently being developed and will comprise a flat roofed block of flats, rising to a height of 10m at the junction of Ermine Street and Summersfield, although dropping to 6m adjacent to the site boundary. To the west (rear) are houses in Mill Court.
46. The scheme for 5 dwellings in 2013 was considered to maintain the well-established building line extending north of the site, with parking provision to the front of the site, and private gardens to the rear. The height, form and massing of the two buildings proposed, which are now only indicative, were considered to be similar to those adjoining, with the detailed design and appearance appropriate subject to a condition requiring details of external materials to be agreed. The scheme was summarised as not being of high quality, but appropriate within its context and represented an enhancement over the existing buildings.
47. There has been no material change in circumstances to warrant officers coming to a different view on this point.

Residential amenity

48. The impact of the illustrative scheme on the amenity of adjacent properties has not changed from the refused 2013 scheme. There is a first floor landing window in the south facing elevation of No.84 Ermine Street South, which will lose some light from the dwelling proposed on the plot on the north boundary of the site. However, this impact was not considered sufficient to warrant refusal of the 2013 application, and there has been no material change in circumstances to warrant officers coming to a different view on this point.
49. The rear elevation of the existing property No.1 Mill Court is within 6m of the west boundary of the site, and has first floor windows that will overlook the rear of the proposed dwellings in the southern part of the site. The illustrative layout plan shows

proposed planting and outbuildings at the rear of the gardens of the proposed dwellings to reduce overlooking from the existing dwelling. The rear two storey elevation of the proposed dwellings is shown as being 23m from the rear wall of No.1 Mill Court, which would not comply with the minimum 25m distance sought between facing first floor windows in the District Design Guide. However, this relationship is the same as that shown and accepted in the 2013 application.

Access and highway safety

50. The 2013 application was refused on the grounds that the proposal would result in an intensification of vehicle movements during peak times directly onto a 'giveaway' at the junction of the site entrance with Ermine Street, resulting in an unacceptable danger to highway safety.
51. The current application is accompanied by a Transport Assessment. The local concern about the accuracy of the figures used in that assessment in respect of the historic movements to and from the site is shared by the Local Highway Authority. However, it has indicated that in assessing the potential traffic generation from 5 new dwellings, it is reasonable to consider what the likely level of traffic use might be if the site was to re-open as a police station.
52. The recommendation of refusal from the Local Highway Authority was based on the uncertainty over whether the applicant was suggesting the removal of the existing traffic calming feature or not. The applicant has revised the application to refer to the removal of this feature, which would be secured by planning condition and the Local Highway Authority has previously indicated that this would overcome its objection in principle to the proposal.
53. The formal comments of the Local Highway Authority will be reported. It has been supplied with a copy of the updated comments from the Parish Council so that it can deal with the matters raised in its response.
54. 10 car parking spaces are provided within the site, which meets the adopted standards.

Other matters

55. The Willow tree in the front south east corner of the site is a significant feature in the street scene, and should be retained as part of any redevelopment. The Trees Officer did not object to the proposed layout of the site for the 2013 application in so far as it impacted on the Willow tree, subject to conditions relating to tree protection and 'no-dig' construction.
56. The scale of development means that there is no requirement for contributions to public open space and community facilities.

Conclusion

57. The comments of the Local Highway Authority, which will need to have regard to the concerns raised by the Parish Council, will be key to the final recommendation. However, as noted above, it has previously indicated that the removal of the traffic calming feature is likely to overcome its objection to the application.

58. In other respects 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.

Recommendation

59. That subject to the further comments of the Local Highway Authority the application is approved subject to:

Conditions

- a) Approval of the details of the layout of the site, the scale and appearance of buildings, and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
(Reason - The application is in outline only.)
- b) Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
(Reason - The application is in outline only.)
- c) The development hereby permitted shall be carried out in accordance with the following approved plans: (To be specified)
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
- d) 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.)
- e) The landscaping scheme to be submitted under Condition 1 above shall include 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 and NE/6 of the adopted Local Development Framework 2007.)
- f) No construction works shall commence on site until a Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority.
The principle areas of concern that should be addressed are:
 - i) Movements and control of muck away lorries (all loading and unloading should be undertaken off the adopted public highway)
 - ii) Contractor parking, for both phases all such parking should be within the curtilage of the site and not on street

- iii) Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway)
 - iv) Control of dust, mud and debris. (Note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.)
(Reason - In the interests of highway safety.)
- 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) During the period of construction, no power operated machinery shall be operated on the site, and there shall be no construction related deliveries taken at or dispatched from 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.)
- i) No development shall take place on the application site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.
(Reason - To secure the provision of archaeological excavation and the subsequent recording of the remains in accordance with Policy CH/2 of the adopted Local Development Framework 2007.)
- j) No demolition, site clearance or building operations shall commence until tree protection comprising weldmesh secured to standard scaffold poles driven into the ground to a height not less than 2.3 metres shall have been erected around trees to be retained on site at a distance agreed with the Local Planning Authority following BS 5837. Such fencing shall be maintained to the satisfaction of the Local Planning Authority during the course of development operations. Any tree(s) removed without consent or dying or being severely damaged or becoming seriously diseased during the period of development operations shall be replaced in the next planting season with tree(s) of such size and species as shall have been previously agreed in writing with the Local Planning Authority.
(Reason - To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)
- h) The development shall not begin until a scheme for the provision of affordable housing as part of the development 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. The scheme shall include:
 - i. The numbers, type, tenure and location on the site of the affordable housing provision to be made, which shall in this case be 2x2-bedroom units, one of which will be for rent and one for shared ownership;

- ii. The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market dwellings;
- iii. The arrangements for the transfer of the affordable housing to an affordable housing provider;
- iv. The arrangements to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing; and
- v. The occupancy criteria to be used for determining the identity of prospective and successive occupiers of the affordable housing, and the means by which such occupancy 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.)

+ Highway Conditions and No-dig construction

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/0810/15/OL, S/1772/13/FL and S/2399/12/FL

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