

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 October 2015

AUTHOR/S: Planning and New Communities Director

Application Number:	S/3035/14/FL
Parish(es):	Great Wilbraham
Proposal:	Erection of 6 dwellings, carports and associated access
Site address:	Land rear of 12-18 The Lanes, Great Wilbraham
Applicant(s):	Logan Homes
Recommendation:	Approval (with delegated powers to complete a Section 106 legal agreement)
Key material considerations:	Principle of development Density and Housing Mix Affordable Housing Provision Design and scale Character of the conservation area and surrounding area Residential amenity Highway safety Ecology Trees and landscaping
Committee Site Visit:	Yes (previously undertaken)
Departure Application:	No
Presenting Officer:	David Thompson
Application brought to Committee because:	The officer recommendation is contrary to the views of the Parish Council.
Date by which decision due:	03 March 2015

Planning History

1. S/1855/12/OL – residential development for six dwellings (outline – access, layout and scale all considered, other matters reserved) – approved (decision dated 18 Feb 2014)
2. S/1174/75/O – outline planning permission for 1 dwelling – refused (for the reason that it would represent undesirable backland development)

Planning Policies

3. National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)
4. Proposed Local Plan July 2013
 - S/1 Vision
 - S/2 Objectives of the Local Plan
 - S/3 Presumption in favour of sustainable development
 - S/10 Group Villages
 - HQ/1 Design Principles
 - NH/4 Biodiversity
 - NH/8 Mitigating the Impact of development in and adjoining the Green Belt
 - H/7 Housing Density
 - H/8 Housing Mix
 - H/9 Affordable Housing
 - H/11 Residential space standards for market housing
 - NH/14 Heritage Assets
 - TI/2 Planning for sustainable travel
 - TI/3 Parking provision
 - SC/7 Outdoor play space, informal open space and new development
 - SC/8 Open space standards
 - SC/12 Contaminated land
5. Core Strategy, adopted January 2007
 - ST/6 – Group Villages
6. Local Development Framework Development Control Policies 2007
 - DP/1: Sustainable Development
 - DP/2: Design of New Development
 - DP/3: Development Criteria
 - DP/4: Infrastructure and New Developments
 - CH/2 Archaeological sites
 - CH/5 Conservation Areas
 - HG/1 Housing Density
 - HG/2 Housing Mix
 - HG/3 Affordable Housing
 - NE/1 Energy Efficiency
 - GB/3 Mitigating the impact of development adjoining the Green Belt
 - NE/6 Biodiversity
 - NE/9 Water and drainage infrastructure
 - NE/10 Foul Drainage
 - SF/10 Outdoor Playspace, informal open space and new development
 - SF/11 Open Space standards
 - TR/1 Planning for more sustainable travel
 - TR/2 Parking Standards
7. South Cambridgeshire LDF Supplementary Planning Documents (SPD):
 - District Design Guide
 - Development Affecting Conservation Areas
 - Trees and Development sites

Consultation by South Cambridgeshire District Council as Local Planning Authority

Parish Council – Great Wilbraham Parish Council – object to the proposal for the following reasons:

- The scale of the buildings is excessive in relation to the surrounding development and would adversely affect the setting of the Baptist Church
- The previously approved courtyard design was more appropriate
- The two 2 bed properties have only been allocated one parking space each which is unrealistic
- Concerns in relation to the trees to be removed on the southern boundary
- Concerns in relation to foul sewage and surface water drainage
- Replacement planting will take years to establish
- Concerned about the lack of on-site affordable housing provision

7. **CCC Archaeology** – no objection subject to conditions
8. **CCC Highways** - no objection subject to conditions
9. **District Council Environmental Health Officer (EHO)** – no objections subject to conditions
10. **District Council Ecologist** – no objections subject to conditions
11. **District Council Conservation Officer** – no objections following amendments to the scheme
12. **District Council Tree Officer** – no objections subject to conditions
13. **District Council Landscape Design Officer** - no objections subject to conditions
14. **District Council Affordable Housing Officer** – provision of off-site accommodation through commuted sum justified

Representations

15. 3 objections have been received from neighbouring properties highlighting the following concerns:
 - The scale of development is out of keeping with the character of the conservation area
 - The proposal would result in a detrimental impact on the amenity of neighbouring properties
 - The removal of a number of trees will result in the scheme being visible from the south of the site, when viewed within the setting of the listed Parish church
 - The courtyard layout of the previous scheme was more sympathetic to the character of the surrounding area

Planning Assessment

16. The application site is land to the rear of a row of terraced properties – 12 to 18 The Lanes in Great Wilbraham. The site is located within the conservation area, on the northern edge of the village, within the development framework.
17. The applicant seeks full planning permission for the erection of 6 dwellings with carports, vehicular access and associated infrastructure.

Principle of development

18. The site is within the Great Wilbraham development framework. Great Wilbraham is classified as a Group Village under policy ST/6 of the Core Strategy and would retain this status in the emerging Local Plan (policy S/10). The principle of the development of up to 8 dwellings on the site is acceptable, subject to all other material considerations being satisfied.
19. The proposal would result in the provision of 6 dwellings in a sustainable location and would comply with the broad principles of sustainable development as defined by the NPPF, which must be given weight in light of the fact that the District cannot currently demonstrate a five year housing land supply.

Five year housing land supply

20. 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 Great Wilbraham as a Group Village where the construction of new residential dwellings within the framework is supported.
21. The proposed development would have been acceptable in principle having regard to adopted LDF and emerging Local Plan policies, had policies ST/6 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.
22. 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.

Density and housing mix

23. The scheme would be of a lower density than required by policy HG/1 of the LDF and emerging Local Plan policy H/7 (approximately 18 dwellings per hectare as opposed to the policy requirement of 30). However, both policies include the caveat that a lower density may be acceptable if this can be justified in relation to the character of the surrounding locality. Given that the application site is located on the edge of the settlement and within a conservation area, it is considered that this proposal meets the exception tests of the current and emerging policy with regard to the density of development.
24. Under the provisions of policy HG/2, proposals are required to include a minimum of 40% 1 or 2 bed properties. As 3 of the 6 properties in this scheme would have 2 bedrooms, the proposal meets the requirements of that policy. The policy states that approximately 25% of dwellings in residential schemes should be 3 bed and the same threshold applies to 4 or more. Given that 2 of the properties would have 4 bedrooms and 1 would have 3, the scheme is considered to be of a mix that complies with this policy.
25. Policy H/8 of the emerging Local Plan is less prescriptive and states that the mix of properties within developments of less than 10 dwellings should take account of local circumstances and so there would be no conflict with the emerging policy with regard to housing mix.

Affordable housing

26. The applicant has provided an Affordable Housing Statement which indicates that 3 Registered Social Landlords (RSLs) have been approached about the potential of taking ownership of the two affordable units that would be provided as part of the development. Icen Homes, Cambridge and County Developments and Circle Housing were all approached but declined the offer to take ownership of any of the units on the site. It is considered that the applicant has provided sufficient evidence to justify the 'exceptional circumstance' test of criteria 5 of policy HG/3 which states that '...on smaller sites, the Council may accept financial contributions towards an element of off-site provision.'
27. In relation to emerging Local Plan policy H/9, criteria 'f' allows a similar exception on sites where it can be demonstrated that it is 'not possible or appropriate' to build homes on the application site or other sites, in which case an appropriate financial sum for future provision will be sought. The applicant has provided Heads of Terms and is willing to enter into a Section 106 agreement requiring this contribution to be paid and has therefore complied with the requirements of that policy.

Design and scale

28. The proposal is based along similar lines to the 'courtyard' style concept shown on the indicative layout of the extant outline planning permission. This proposal includes two larger properties, one of which would be located in the north western corner, the other in the south eastern corner of the site. A pair of semi-detached 'cottages' would be located at plots 2 and 3, plots 4 and 5 would be semi-detached properties appearing a single 'barn' style unit.
29. It is the case that the design does not follow the plain agricultural style of the 3 adjoined units proposed in that part of the site on the indicative drawings approved in the extant outline permission. However, the scheme has been amended to reduce the ridge height of the large property at plot 1 to 7.1 metres, which is the same height as suggested in that outline scheme, in which the scale of development was approved. It is considered that, whilst the proposed design in this scheme is less simple in form, the use of strong gabled features presents a robustness which is characteristic of traditional agricultural development.
30. The 'cottages' at plots 2 and 3 would be similar in height to the dwelling at plot 1 but would be set back behind the front building line of that dwelling and would be simpler in overall appearance. This would be highlighted by the catslide dormer windows on those properties, in contrast with the more elaborate hipped roofs over the dormer windows and projecting front gable element of the larger property at plot 1.
31. The barn' style building to be split into units 4 and 5 would be 8.75 metres in height, approximately 0.5 metres taller than the indicative scheme which accompanied the extant outline permission. In design terms it would have a simple linear design, with a short gable feature breaking up the mass of the front elevation. The roof of the gable element would sit well below the ridgeline of the main part of the building and so would be a subordinate element of the scheme. The large glazed feature within the front gable and simple arrangement and design of the openings of units 4 and 5 would also draw on the robust architectural style of traditional agricultural buildings.
32. The dwelling at unit 6 in this scheme would be 0.9 metres lower in height to the ridge than the development approved in that location in the indicative design of the

approved outline scheme. That property would include a relatively long rear extension but overall would retain a relatively simple form.

33. Given that scale was one of the matters approved in the extant outline permission, it is considered that the proposed design would not have an overbearing impact on the character of the site, despite its relatively sensitive position on the edge of the settlement and on the northern edge of the conservation area.

Character of site and conservation area

34. The Green Belt is located to the north east of the site, as is Wilbraham Temple (which contains two grade II* listed buildings, the grounds of which are also independently grade II listed on the National Register of Historic Parks and Gardens.) The Parish Church (grade II*) is located approximately 115 metres to the south of the site.
35. The layout of the site provides a looser arrangement than that approved in the extant outline permission, which restricted development to parallel with the northern and eastern boundaries and sited the buildings in the northern part of the site closer to that boundary of the site. The proposed layout in this application would include a row of carports in the south western corner. The carports would be single storey and that the heights of the properties themselves would be only marginally different to the scale of the extant outline permission. It is therefore considered that the overall scheme would not have an overbearing impact on the setting of the church to the south, the listed buildings and gardens at Wilbraham Temple, or views from the Green Belt into the conservation area.
36. The proposed development would be set into the site and only the single storey carports would be directly visible from the street, when passing the entrance of the site. The two storey dwellings at units 4, 5 and 6 would be visible in glimpses from the site entrance on The Lanes and set back when viewed from the south, along Angle End, with the Baptist Church remaining the dominant building in the foreground. It is considered that the 14.75 metre separation distance between the north western elevation of unit 1 and the rear of the existing row of properties at 12-18 The Lanes would mitigate the fact that the proposed building would be 1.6 metres higher than those frontage properties, when viewed within the context of the wider streetscene.
37. The depth of the recess of the development from The Lanes would also help to preserve a sense of openness in terms of the pattern of development and the emphasis on a linear form of development would preserve the predominant character of buildings within this part of the conservation area.
38. The fact that the layout represents a relatively low density form of development and would retain some sense of openness by placing development around the edges of the site ensures that the scheme would not have an adverse impact on the openness of the adjacent Green Belt.

Residential amenity

39. Following the reduction in the height of the scheme, the eaves height of the hipped roof on the north western gable of the property at unit 1 would be 5.5 metres. The separation distance to be retained between the properties to the rear of 12-18 The Lanes and that property (in excess of 14 metres) would be sufficient to avoid unreasonable overshadowing of those properties. Unreasonable overlooking could be avoided through the obscure glazing of all of the first floor windows in the side

elevation of plot 1, which would be reasonable as they serve bathrooms or would be secondary windows.

40. The separation distance between the rear elevations of no. 84 Angle End and the property currently being erected between 76 and 84 on the same street and the first floor level windows in the south western elevation of the rear offshoot of unit 6 would be approximately 20 metres. The main gable of unit 6 would be approximately 16 metres from the rear elevation of no. 84, at an oblique angle and would not contain any windows. The first floor windows could reasonably be obscurely glazed, given that one is a secondary window and the other serves a landing area. Subject to a condition to this effect, it is considered that the proposed development would not result in harm to the amenity of either of those neighbouring properties
41. In terms of the relationships between the dwellings within the proposed scheme, all of the first floor windows in corresponding elevations would serve either en-suite/ bathrooms (unit 1, 4 and 5), hallways (units 2 and 3) or secondary windows (unit 6) and therefore can be obscurely glazed to avoid the possibility of unreasonable overlooking, with suitable boundary treatments preventing overlooking at the ground floor level. These details can both be secured by condition.
42. A separation distance of 13.5 metres would be retained between the gable elevation of plot 3 and the front elevation of unit 4. This separation distance is considered sufficient to prevent an overbearing impact in terms of overshadowing of either of the properties. Overlooking would be prevented by the fact that the only first floor window in the affected gable of unit 3 would serve a landing and can therefore be obscurely glazed. The location of the garage to serve unit 4 would prevent unreasonable overlooking between the properties at ground floor level.

Highway safety

43. The proposal includes 2 parking spaces for units 1, 5 and 6, units 2 and 3 would be served by 1 designated garage space, with 3 visitor spaces shown across the proposed layout. Despite the Parish Council objecting to this element of the scheme, this meets the requirements of the LDF, with 11 spaces in total serving 6 dwellings. A condition relating to the provision of cycle storage is recommended to ensure that adequate facilities are secured for each of the dwellings. The Highway Authority has raised no objections to the scheme, subject to standard conditions being imposed in relation to the construction of the access track and turning area.

Ecology

44. The ecological assessment submitted with the application assesses the potential impact on a number of protected species, but recommends further survey work to establish risks associated with grassland habitats such as the common lizard. The Authority's Ecologist has indicated that any potential impact in this regard could be mitigated and as such has recommended that this survey work be secured by condition.
45. The ecological assessment also highlights the potential for bat and bird nesting in the trees and hedgerows on the site. A condition can be added to the permission to ensure that further survey work is undertaken to establish whether species are currently nesting on the site and if so, that suitable mitigation measures are implemented before any trees are removed and development commences.

46. The Ecologist has raised an issue regard to the 'thinning out' of the boundary hedges and trees. It is considered that the nature of these works can be agreed under a landscaping scheme to be secured by condition.

Trees and landscaping

47. The Authority's Tree Officer has raised no objections to the scheme on the basis that the mitigation measures and recommendations within the report produced by Hayden's, submitted in support of the application, are adopted and this shall be secured by condition. The applicant has confirmed that as part of scheme, they are willing to retain tree coverage on the boundary with Angle End, to preserve the amenity of neighbours and this would overcome the Parish Council concerns in this regard. It is acknowledged that replacement planting will take time to establish, however there is an environmental benefit in replacing the existing Leylandii with native species.
48. The Landscape Design Officer has also raised no objections, subject to the retention of tree coverage on the north eastern and south eastern boundaries of the site and appropriate screening of the garages on the south western boundary. These issues can be addressed in a comprehensive landscaping scheme, to be secured by condition.

Other matters

49. The EHO has raised no objections to the scheme, subject to standard conditions relating to the control of noise and activity during the construction process. The contaminated land assessment submitted with the application is considered to be acceptable, with no further surveys required.
50. Concerns in relation to sewage and ground surface water run-off have been raised by the Parish Council. The EHO has raised no objections in this regard and the site is not located within an area at a high risk of flooding. Conditions requiring details of surface water and foul sewage drainage can be secured by condition.
51. The County Council Archaeology section have raised no objections but have requested that an archaeological assessment of the site is carried out prior to the commencement of development, given the close proximity of a number of listed buildings and the designated park and gardens. This requirement can be secured by condition.

Section 106 Contributions

52. This application came before members at the May 2015 committee meeting, at a time when the PPG stated that for applications of less than 10 dwellings, Local Planning Authorities could no longer require 'tariff based' contributions or affordable housing through Section 106 Agreements. In August 2015, this amendment to the PPG was quashed in the High Court and as a result this element of the guidance has been withdrawn, ensuring a return to a position where contributions can be sought where they are necessary to make the development acceptable in planning terms (in line with the CIL regulations).
53. The South Cambridgeshire District Council Recreation and Open Space Study (2013) identifies a shortfall in play space and informal open space in Great Wilbraham against the recommended standards. The Parish Council has identified specific projects for which they are currently seeking funding, in the form of exercise

equipment to improve the existing formal open space and also the provision of an electronic scoreboard at the cricket ground.

54. Given the size of the development in a Group Village, it is considered that the additional anticipated population arising from the development (approximately 11 people) and the current deficit in provision within the village ensures that a contribution to these facilities is necessary to make the development acceptable in planning terms, therefore complying with the CIL regulations.
55. Following the quashing of the PPG guidance in August, it is considered that a contribution to these facilities be sought, in addition to the off site affordable housing contribution which was approved at the May committee and has already been secured via a Section 106 Agreement.

Conclusion

56. The scheme is considered to be acceptable in principle and would preserve the character of the surrounding conservation area, the amenity of neighbouring properties and the surrounding landscape. Subject to conditions, the scheme would not have an adverse impact on ecology, highway safety, archaeology or environmental health. The revised proposal is therefore considered to accord with local and national planning policy.

Recommendation

57. Approval subject to prior completion of a Section 106 agreement to secure a commuted sum for the provision of off-site affordable housing, a contribution to specific projects to upgrade public open space and the conditions in paragraph 58 below.

Conditions

- a) Time limit
- b) Approved plans
- c) Details of construction materials
- d) Details of cycle storage provision
- e) Details of boundary treatments to be submitted and agreed
- f) Landscaping scheme
- g) Landscaping maintenance
- h) Ecological surveys to be undertaken and any necessary mitigation undertaken before the commencement of development
- i) Archaeological survey to be undertaken and any necessary mitigation undertaken before the commencement of development
- j) Details of driveway construction
- k) Foul sewage drainage details to be submitted and agreed
- l) Surface water drainage details to be submitted and agreed
- m) Obscure glazing of specific windows
- n) Removal of permitted development rights for extensions, alterations and development within the curtilage
- o) Control of noise during construction
- p) Management of traffic and material storage during construction phase

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.

- National Planning Policy Framework
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>
- Local Development Framework, Development Control Policies, Adopted July 2007
<http://www.scambs.gov.uk/content/local-development-framework>
- South Cambridgeshire Local Plan, Proposed Submission July 2013
<http://www.scambs.gov.uk/localplan>
- Planning File Ref: S/0036/15/FL

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