



HEARING STATEMENT

MATTER 7 – PROMOTING HEALTHY COMMUNITIES, DESIGN, NATURAL ENVIRONMENT AND GREEN INFRASTRUCTURE

Examination of the East Cambridgeshire Local Plan

On behalf of:

Orbit Homes (2020) Limited

In respect of:

Land South of Blackberry Lane, Soham

Date:

August 2018

Document Reference:

Reference: GA/DJ/00216/S0003

1.0 INTRODUCTION

- 1.1 This Hearing Statement has been prepared on behalf of our client Orbit Homes (2020) Limited (henceforth 'Orbit Homes') in response to Matter 7 of the Inspector's Matters, Issues and Questions for Discussion at the Examination Hearings for Stage 2 of the examination of the East Cambridgeshire Local Plan (ED033). This Statement is intended to assist the Inspector's consideration of the soundness of the Plan and aid discussion at the examination hearing session for Matter 7 on Tuesday 18th September 2018.

2.0 MATTER 7 – PROMOTING HEALTHY COMMUNITIES, DESIGN, NATURAL ENVIRONMENT AND GREEN INFRASTRUCTURE

Question 18: Are the locally derived parking standards contained within Appendix B of the Local Plan effective, justified and suitably flexible?

- 2.1 Policy LP26 states that "*New development should, where appropriate: ... xii. Provide attractive accessible and integrated vehicle and cycle parking which also satisfies the standards in Appendix B*". Appendix B lists several additional points of guidance for parking spaces which we consider to be overly onerous and not in accordance with best practices in urban design. We did not make representations towards Appendix B in our initial submission but were made aware during the consideration of our client's application at planning committee on 6th June 2018 that members intend to apply this guidance in strict and inflexible terms and not as general guidance that should be considered in line with other elements of good urban design. In this context, we consider the proposed criteria to be unjustified, ineffective at delivering high quality design and inflexible as set out in the table below.

Guidance Criteria	Comment and Recommendations
<ul style="list-style-type: none">• Single garages of any size do not count as a parking space;• Double garages count as one parking space;• Car ports do not count if the car port has doors, gates, or is clearly insufficient in size to accommodate a car (including access to and around a parked car within it);	<p>It is understood that the Council proposes to introduce these additional criteria to respond to an identified trend in garages and gated car ports being used for storage rather than for parking cars which leads to an increase in on-street parking. We do not object to this as a policy aim but consider the proposed restrictions on garages and closed car ports to be to be far from the most appropriate strategy to achieve this aim.</p> <p>In accordance with paragraph 182 of the NPPF, to be considered justified, and therefore sound, policies must present the most appropriate strategy when considered against reasonable alternatives. In this respect, a reasonable alternative that is used widely elsewhere in Cambridgeshire and further afield is to set minimum size requirements for garages and car ports which ensures that they</p>

Guidance Criteria	Comment and Recommendations
	<p>provide both usable car parking spaces and additional space for storage, thereby reducing the incidence of people with garages parking on the road. Such a policy approach also avoids placing a disincentive on the provision of garages which are widely considered to play a positive design role in reducing the visual impact of parked cars.</p> <p>Recommendation It is recommended that the Council revise these criteria to set minimum standards for garage and car port sizes in line with standards widely employed in other areas.</p>
<ul style="list-style-type: none"> Parking spaces should ideally be on-plot, with two-spaces directly accessible on to the highway (i.e. avoid tandem end-to-end parking, or other scenarios whereby one space 'blocks' the exit and entry to the highway for another space); 	<p>This requirement is unsound as it is unjustified and would render the emerging Local Plan ineffective at delivering its required housing numbers. The use of tandem parking is widely considered to be a positive design response that enables the more efficient use of housing land without creating layouts that are dominated by parked cars.</p> <p>If the use of tandem parking is restricted, the gap between properties would either have to be very large which would remove any street presence from the design or alternatively there would be a need to bring car parking spaces in front of dwellings, increasing the size of front gardens and likely reducing both the size of rear gardens and the back to back distances between properties. By creating inefficient parking arrangements, both these options would lead to lower densities and would restrict the ability of housebuilders to deliver the required number of homes on allocated sites. This criteria is clearly inflexible and would restrict the design options available. It is not the most appropriate strategy in design terms and would render the plan ineffective at delivering the required density of housing on allocated sites. It is therefore unsound and should be deleted.</p> <p>Recommendation We recommend that this criteria be deleted.</p>
<ul style="list-style-type: none"> On-plot spaces should ensure sufficient room for access to and around the parked car, including by bicycle. This means spaces should be around 6.5m x4.1m (where bicycle access is also required over this space) or 6.0m x 3.6m (where bicycle access is not required); 	<p>This size requirement is excessive, not justified by the evidence base and should be reduced in line with industry standards.</p> <p>Recommendation We recommend the following standard is set for minimum parking spaces (taken from Leicestershire's successful 6Cs Design Guide): 2.4m x 5.5m add 0.5m if bounded by a wall, fence, hedge, line of trees or other similar obstruction on 1 side, 1m if bounded on both sides.</p>

2.2 It is understood that the Council does not propose to make changes to Appendix B in their suggested modifications. These modifications would not therefore resolve our concerns.

Question 22: Is the wording of Policy LP26 effective, and is the policy justified by technical evidence and consistent with national policy with particular reference to the use of mechanical ventilation?

- 2.3 Policy LP26 sets out the Council's approach to noise mitigation for development located adjacent to main transportation routes. The requirements set by this policy are generally considered sound except for the statements regarding mechanical ventilation and the use of buffer zones as open space.
- 2.4 We made detailed comments on this policy in our previous representations on behalf of Orbit Homes, which are summarised below.

Mechanical Ventilation

- 2.5 The policy states:

Mechanical ventilation of homes will not be approved as a mitigation measure, except in very exceptional circumstances (for example, when the public interest in developing the site outweighs the environmental and amenity impact of providing mechanical ventilation).

- 2.6 This is a very important issue given the number of sites allocated in the Plan next to busy roads which, because of the prevailing Fenland topography, can only be protected from adverse effects of road noise by the use of mechanical ventilation or relatively tall noise barriers, or a combination of both. To start from a policy position that one well recognised means of noise attenuation for domestic premises can only be used in exceptional circumstances rigidly dictates design solutions without full regard to site specific considerations and could lead to unsustainable solutions. This is a matter for sensitive site by site solutions to be identified using the principles of high quality modern design.
- 2.7 This requirement is not considered sound as it is not in accordance with the ProPG professional practice guidance on planning and noise which was jointly published by the Chartered Institute of Environmental Health (CIEH), Institute of Acoustics (IOA) and Association of Noise Consultants (ANC) in May 2017.
- 2.8 The National Planning Policy Framework (NPPF) encourages improved standards of design. The CIEH, IOA and the ANC have worked together to produce this guidance which encourages better acoustic design for new residential development and aims to protect people from the harmful effects of noise. Good acoustic design is about more than the numbers. It is a holistic design process that creates places that are both comfortable and attractive to live in, where acoustics is considered integral to the living environment. The ProPG guidance allows for using the building envelope to mitigate noise to acceptable

levels (e.g. through mechanical ventilation) at paragraphs 2.33 and 2.34:

"2.33 *It should be noted that the acoustic performance of the building envelope will be reduced in the event windows are opened for ventilation or cooling purposes, typically reducing the insulation to no more than 10 to 15 dB(A). Most residents value the ability to open windows at will, for a variety of reasons, and LPAs should therefore normally request that designers principally aim, through the use of good acoustic design, to achieve the internal noise level guidelines in noise-sensitive rooms with windows open. Where internal noise levels are assessed with windows closed the justification for this should be included in the ADS [Acoustic Design Statement].*

2.34 *Where the LPA accepts that there is a justification that the internal target noise levels can only be practically achieved with windows closed, which may be the case in urban areas and at sites adjacent to transportation noise sources, special care must be taken to design the accommodation so that it provides good standards of acoustics, ventilation and thermal comfort without unduly compromising other aspects of the living environment. In such circumstances, internal noise levels can be assessed with windows closed but with any façade openings used to provide "whole dwelling ventilation" in accordance with Building Regulations Approved Document F (e.g. trickle ventilators) in the open position".*

2.9 This guidance clearly sets appropriate safeguards to prevent against the unnecessary use of mechanical ventilation, while still allowing for some mechanical ventilation to be used as part of a comprehensive package of good acoustic design measures. It is therefore considered that following the ProPG guidance in setting the requirements of Policy LP26 would result in a far more positive approach to development than the current policy wording that would restrict all uses of mechanical ventilation except in very exceptional circumstances.

2.10 While not official government policy, the ProPG is the most up-to-date professional guidance used by the industry generally and by Environmental Health Officers. It would be unsound for the Plan to depart from this recent and authoritative guidance without some exceptional justification. In order that Policy LP26 can be considered to be justified by professional evidence and therefore sound, we therefore recommend that it is amended as follows:

Mechanical ventilation of homes should only be considered once other design and layout

~~options have been considered and when it is demonstrated that the accommodation would provide good standards of acoustics, ventilation and thermal comfort without unduly comprising other aspects of the living environment in accordance with the ProPG: Planning & Noise (May 2017). will not be approved as a mitigation measure, except in very exceptional circumstances (for example, when the public interest in developing the site outweighs the environmental and amenity impact of providing mechanical ventilation).~~

Buffer Zones as Open Space

2.11 The policy states:

The buffer zone is unlikely to count towards the necessary open space requirements for the development proposal (see LP21), unless it is clearly demonstrated that the open space is usable and fit for purpose as an open space."

2.12 This requirement is not considered to be positively prepared and is therefore unsound. It is entirely possible and indeed likely that a buffer zone could be designed to fulfil both noise mitigation requirements and meet the required standards for public open space. The policy should therefore be revised as follows:

~~If the~~ The buffer zone is proposed to ~~unlikely to~~ count towards the necessary open space requirements for the development proposal (see LP21), ~~unless it~~ the applicant will be required to ~~is clearly~~ demonstrated that the open space is usable and fit for purpose as an open space."

2.13 It is understood that the Council does not propose to make changes to Policy LP26 in their suggested modifications. These modifications would not therefore resolve our concerns.