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Reference: Planning application: 20/00630/FUM Brick Lane, Mepal

Erection of 55 dwellings, new access, estate roads, driveways, parking areas, open space, external lighting, substation and associated infrastructure, Site South and West of the Bungalow, Brick Lane, Mepal, Cambridgeshire

Dear Ms Briggs

Thank you for inviting Mepal Parish Council (MPC) to comment on this application.

Mepal wishes to **object** to this application, which is to develop 55 Affordable Homes in a village of 451 homes, in the strongest possible terms for the following reasons:

1. To support the 66 residents/households (as of the date of this letter), who we can see from the planning website, have written individual letters of objection to the application. This seems an extraordinary number for a small village of 451 homes and demonstrates the strength of opposition in the village. There is not one letter of support currently.
2. To support the additional individuals who have contacted the Parish Council asking us to object on their behalf but who have not written objection letters themselves.
3. The application **does not comply** with the National Planning Framework, Feb 2019
4. The application **does not comply** with the East Cambridgeshire Local Plan, 2015, policies HOU 2, HOU 3 and HOU 4
5. The application **does not comply** with the Sutton Neighbourhood Plan, May 2019
6. The density and design of the development shows poor design and is incompatible with and does not respect the local character of the village
7. To support and endorse the key local issues for objection highlighted by residents.

Each of these objection is explained in more detail in the sections 1-7 below, with supporting justification or evidence where applicable.

Important Note

While Mepal Parish Council is objecting to this application, it does not object, in principle, to the development for housing of this site, and previously suggested the site in response to East Cambs 'Call for Sites' as part of the development of the proposed 2017 Local Plan, which was later withdrawn from the process by East Cambs District Council, (leading to the return of the 2015 Plan). The 2017 Plan laid out potential development of ~50 dwellings on the 2.5ha site, subject to policies Mepal1 and Mepal2, which would have enabled development of the site, while protecting it from unsuitable development.

It therefore seems unfair that a site which should have been developed according to defined policies, can now be potentially considered a planning exception site and developed without the constraints of the planning policies which the community worked to establish and have agreed.

Policies Mepal1 and Mepal2 would have ensured that any development of the site would:

- i. directly contribute to maintaining and/or expanding the community facilities present within the village
- ii. respect the local character of the village, giving particular consideration to the built form and use of materials
- iii. contribute towards one or more of the identified priority infrastructure items with the scale of contribution, if deemed necessary and appropriate, proportionate to the scale of development proposed.

Mepal Parish Council does not consider that the development proposal from Havebury would fit within any of these policies, had the 2017 Local Plan been correctly approved and adopted. However the more recent Sutton Neighbourhood Plan does not include the site for development.

Mepal Parish Council would like to propose an alternative form of development for the site, which it is felt would better fulfil the needs of the village and wider community. This proposal is outlined in the Appendix.

Explanation of objections to this application

1. Written objections from residents.

The East Cambridgeshire planning portal, at the date of creating this letter, contains 66 individual letters of objection from Mepal residents and none in support of the development. MPC supports these objections.

<https://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QAL35AGGL0600>

2. Additional objections made to the parish council from residents.

Parish Councillors and the Parish Clerk have received numerous comments from residents opposing the application, but no comments in favour. People who made contact with the Parish Council were advised to make their comments to Planning Services by making a written or emailed objection, clearly some people have done so, but others have not and it is difficult to accurately provide a number for these. MPC wishes to make Planning aware of these further objections.

3. The application does not comply with the National Planning Framework, Feb 2019

Mepal Parish Council has undertaken a basic analysis of the NPPF with respect to 'Exception Sites', as the Applicant has stated they believe the site to be an Exception Site in their Design Access Statement, page 11 section 2.41, and page 15 section 2.56.

The NPPF provides guidance for both entry level exception sites and rural exception sites (NPPF para 71, 77 and definitions pages 66 and 71). The developer does not state which type of exception site he believes it to be, but does state that the objective is 'to meet pre-existing local need' (Affordable Housing Statement para 2.2), and the very heavy proportion of 2 and 1 bed properties (28/55) demonstrates that the development is seeking to fulfil the needs of people seeking their own first homes (rented or purchased) which would normally be served with an Entry Level Exception Site.

Alternatively, the definition of a Rural Exception Site, requires that housing ‘seeks to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection’. The developer acknowledges that there are only 11 such houses needed in Mepal and that the rest will meet ‘need identified in the wider district’. It therefore does not meet the requirements of a Rural Exception Site.

It seems that the proposed development does not meet the definition of a Rural Exception Site, but neither does it fulfil the requirements of an Entry Level Exception Site on the basis that the development does not fulfil the requirement of being **proportionate to the existing settlement**, (as is shown below).

On the basis that it doesn’t fit with either definition of an Exception Site, we believe it should not be considered an exception site at all, and should be subject to local planning policies.

Justification:

Identified housing need (Sutton Neighbourhood Plan) is for a small number of starter homes/shared ownership for residents seeking their first home, and for suitable homes for older residents wishing to downsize for later life. The Havebury proposal does not match these needs.

The proposed development of 55 Affordable homes in a village of 451 homes of predominantly older residents does not seem in any way to be proportionate, and indeed the development unambiguously fails the NPPF definition of ‘proportionate’ contained in footnote 33.

Planning document and requirement	Compliant?	Evidence/Justification
National Planning Policy Framework (NPPF) Dated Feb 2019		
Para 71		Local planning authorities should support the development of entry-level exception sites, suitable for first time buyers (or those looking to rent their first home), unless the need for such homes is already being met within the authority’s area. These sites should be on land which is not already allocated for housing and should:
		a) comprise of entry-level homes that offer one or more types of affordable housing as defined in Annex 2 of this Framework; and

Planning document and requirement	Compliant?	Evidence/Justification
<p>b) be adjacent to existing settlements, proportionate in size to them³³</p> <p>Note ³³ <i>Entry-level exception sites should not be larger than one hectare in size or exceed 5% of the size of the existing settlement.</i></p>	<p>Not compliant.</p> <p>Does not comply with either part of note 33 which defines meaning of 'proportionate'.</p>	<p>Development of 55 houses exceeds 5% of the existing settlement of 451 homes. $55/451 = 12.2\%$.</p> <p>Site is larger than 1 hectare. Havebury states the site is 2.63 ha, independent measurement from the OS map suggests it is 2.47 hectares (see figures 1 & 2 below).</p>
<p>not compromise the protection given to areas or assets of particular importance in this Framework³⁴ and comply with any local design policies and standards.</p>	<p>Does not comply with local planning policies if that is meant by local design policies?</p>	<p>See below.</p>

Figures 1 and 2 – size of development site



A Mepal resident has academic and professional expertise in digital mapping and has used commercial mapping software and Ordnance Survey (OS) maps to calculate the area of the site. The selected polygon on the OS map is 2.47 hectares (24685 sq metres). This differs slightly from the 2.63 hectares declared by Havebury, but both are **more than double the 1 hectare allowed** by the planning policy.

The applicant (diagram of 'Site Plan as proposed' from planning website) is stating the size of the site more generously than that stated in both the 'call for sites' and the 2017 Local Plan (2.81 ha gross, 2.1 net) and the measurement calculated by the Mepal resident (2.47 ha). This suggests that the actual proposed housing density is greater than that stated by the applicant who based their calculations on a site size of 2.63 ha.

Planning document and requirement	Compliant?	Evidence/Justification
National Planning Policy Framework (NPPF) dated Feb 2019 continued...		
Para 77	In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs.	
	Local planning authorities should <u>support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs</u> , and consider whether allowing some market housing on these sites would help to facilitate this.	May not comply depending on what is meant by 'local'. In their Affordable Housing Statement, the applicant has only identified 11 applicants from the housing register with a local connection to Mepal. A total of 83 ticked a location box which included Mepal. We have requested details of how many gave Mepal as their first choice location.
Para 145	A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:	
	(f) <u>limited affordable housing for local community needs</u> under policies set out in the development plan (<u>including policies for rural exception sites</u>)	Does not comply The bulk of the housing would be addressing East Cambs wide needs rather than Mepal's local need.

4. The application does not comply with the East Cambridgeshire Local Plan, 2015, policies HOU 2, HOU 3 and HOU 4

The requirements are considered below in the table below.

Regardless of whether it is an exception site or not, the proposal does not comply with the East Cambs Local Plan.

Planning document and requirement	Compliant?	Evidence/Justification
East Cambridgeshire Local Plan, 2015		
Para 3.7.1	Giving communities greater say and control of their localities is a central theme of Government policy.	East Cambs is compliant East Cambs has encouraged the development of Neighbourhood Plans to enable communities to gain this control. The site is covered by the Sutton Neighbourhood Plan (see next section for noncompliances).

Policy HOU2:	Housing Density The appropriate density of a scheme will be judged on a site-by-site basis taking account of (extract from full set of bullet points):		
	<ul style="list-style-type: none"> The existing character of the locality and the settlement, and housing densities within the surrounding area. 	Not compliant	In contrast to the rest of the village, the development is high density housing, greater than that recommended by East Cambs, even if the applicant's larger area calculation for the site is used.
	<ul style="list-style-type: none"> Levels of accessibility, particularly by public transport, walking and cycling; and 	Not compliant	30 houses are identified as social rented. There is a limited bus service from Mepal which does not support working in Cambridge. The Ely cycleway does not extend to Mepal or from Mepal towards Chatteris. It's a bad deal for any potential residents reliant on public transport for work or shops or doctors or dentists, etc.
	<ul style="list-style-type: none"> The need to ensure that the residential amenity of new and existing dwellings is protected. 	Not compliant	The creation of what resembles an old style council housing estate on the outskirts of Mepal will not encourage inclusivity and will damage amenity for existing residents (see list of residents' objections).
Para 4.4.3	The District Council secures the majority of affordable housing that is built in the district by requiring developers to provide affordable dwellings <u>as part of open market housing developments</u> (through Section 106 agreements). Affordable housing is also delivered on ' <u>exception sites</u> ' as set out in Policy HOU 4 in the next section.	Not compliant	This is not part of an open market housing development.
Para 4.4.4	Affordable housing on development sites are an importance source of supply and can help meet a proportion of this need. <u>Policy HOU 3 sets out the proportion of affordable housing that the Council will seek to secure on development schemes</u> – 40% in the south of the district, and <u>30% in the north</u> .	Not compliant	Proposal is for 100% affordable homes, which exceeds the 30% mandated by this policy as the site is not an 'exception site'.

Para 4.4.9	In general, affordable housing should be provided on the application site <u>as part of well designed, mixed tenure schemes</u> , as this <u>ensures the best prospect of securing mixed, inclusive communities</u> .	Not compliant	The proposal is isolated from the village, not integrated, and is a direct contradiction of this policy. This development more resembles the creation of a 1970's style council housing estate.
Para 4.5.2	<u>Policy HOU 2 sets out the circumstances in which exception sites may be considered appropriate.</u> In assessing such proposals the housing needs of the local community will be carefully considered, and schemes should be designed to include a range of dwelling sizes, types and tenures, <u>appropriate to local need (as demonstrated for example by a local housing need survey)</u> . To ensure priority for the affordable housing is given to people in local housing need, the Council will require the affordable housing provider to enter into a nomination agreement with cascade provisions, under which <u>applicants with a connection to the village (through residence, employment or close family) are given first priority for newly created housing</u> , followed by those with a connection to neighbouring villages, and then those in the wider locality.		
		Not compliant	Not appropriate to local needs, no housing needs survey done for Mepal.
HOU 3	Affordable housing provision All new open market housing developments which incorporate more than 10 dwellings will be required to make appropriate provision for an element of affordable housing, as follows (extract from full set of bullet points):		
	<ul style="list-style-type: none"> • A minimum of 30% of the total number of dwellings to be provided will be sought in the north of the district (ii). 		100% is greater than 30%
	<ul style="list-style-type: none"> • The allocation of affordable housing should give priority to people in local housing need in accordance with the District Council's allocation policy (except where alternative mechanisms involving local connections criteria are proposed for specific sites, as set out in Part 2 of Local Plan). 	Not compliant	Quantity of housing greatly exceeds local need. No sites specified for Mepal in Part 2 of Local Plan (section 8.24), only infill.
	<ul style="list-style-type: none"> • On larger schemes the affordable housing will be provided in phases, as set out in an agreed masterplan or approved planning application. 	Not compliant	No phasing or master plan included in the proposal which, if build, should be phased.
	<ul style="list-style-type: none"> • The affordable housing shall be physically integrated into the open market housing development by using appropriate design methods. 	Not compliant	No open market housing is included

HOU 4	Affordable housing exception sites Affordable housing development on exception sites can make an important contribution to meeting local housing needs, and schemes may be permitted on sites outside settlement boundaries where (extract from full set of bullet points):		
	• There is an <u>identified local need</u> which cannot be met on available sites within the development envelope (including allocation sites), or sites which are part of community-led development.	Not compliant	There is <u>no local need</u> for such development on this scale in Mepal and <u>no evidence has been provided</u> of one by the applicant. Need is only demonstrated for East Cambs as a whole.
	• The site is well related to a village which offers a <u>range of services and facilities, and there is good accessibility by foot/cycle</u> to those facilities.	Not compliant	Mepal has a shop/post office, primary school and a pub. Transport is required to access all other facilities. There is no cycle path from Mepal to Chatteris or to Sutton.
	• <u>No significant harm would be caused to the character or setting of the settlement and the surrounding countryside.</u>	Not compliant	This would be enormously damaging for a tiny village such as Mepal and <u>permanently change the character of the village</u>
	• The <u>scale of the scheme is appropriate to the location and to the level of identified local affordable housing need.</u>	Not compliant	The proposal is completely out of scale as there is <u>possibly</u> a need for 12 houses at most in Mepal (as stated by the applicant in their Affordable Housing Statement).
Para 8.24	Mepal		
<i>This section of the East Cambs local plan discusses Mepal. It describes Mepal as a population of 970 with 430 dwellings and a need for 22 more up to the year 2031. Recent developments have already exceeded this target and Mepal now stands at 451 dwellings.</i>			
Mepal Housing	Mepal is likely to continue to grow at a slow rate, with new housing being built on suitable 'infill' sites within the village. <u>No new housing allocation sites are proposed on the edge of Mepal.</u> A 'development envelope' has been drawn around Mepal to define the built-up part of the village where infill development may be permitted. The purpose is <u>to prevent sprawl into the open countryside.</u> Development on infill sites will need to be in line with Policy GROWTH 2. Outside the development envelope, housing will not normally be permitted – unless there are exceptional circumstances, such as essential dwellings for rural workers, <u>or affordable housing.</u> <u>Housing schemes outside the development envelope will be assessed against Policy GROWTH 2</u> and other Local Plan policies as appropriate.		
		Not compliant	Development is outside the envelope.
Para 8.34	Sutton		
<i>Reference is made to Sutton as this site is within the Sutton Plan. Sutton Policy SUT 1 discusses development of a different area within Sutton of 2.5 hectares (similar size) and requires the creation of a Masterplan and states that development proposals will need to 'Provide an element of affordable housing (currently 30%) as required under Policy HOU 3, with priority being given to people in local housing need'.</i>			
		Not compliant	If this requirement is needed for one site, why is it not for this one?

5. The application does not comply with the Sutton Neighbourhood Plan, May 2019

The Sutton Neighbourhood Plan describes the Brick Lane development site. It describes and is applicable to the development site as the land was until recent boundary changes part of Sutton Parish. (The land is now classified as Mepal, and is outside the development envelope for both Mepal and Sutton.)

Planning document and requirement		Compliant?	Evidence/Justification
Policy NP3	Sutton Development Envelope Land outside the Development Envelope is defined as countryside where development will normally only be allowed for agriculture, horticulture, forestry, outdoor recreation and other uses which can demonstrate a need to be located in the countryside.	Not compliant	Site is outside all development envelopes
Policy NP7	Housing Mix Housing development must contribute to meeting the needs of the village. Planning proposals will be supported where <u>development provides a mix of housing types and sizes that reflects the needs of local people</u> , particularly in the <u>need for two bedroomed dwellings as well as the needs of an ageing population looking to downsize</u> into homes suitable for lifetime occupation.	Not compliant	This correctly describes the need for housing within Mepal. The proposal is that 27 of the 55 houses are 3 to 5 bed. This clearly does not reflect the identified need which is for smaller properties. The proposal does not deliver this.
Para 6.2	Note that objectives 3 and 6 would also be relevant (and failed) if the site was within the development envelope.		

6. The density and design of the development shows poor design and is incompatible with and does not respect the local character of the village

Housing Density Uncertainty: When the site was identified for potential development in the 'call for sites' exercise as part of the development of the (unadopted) 2017 Local Plan, the site was stated to be 2.81 ha gross, 2.1 ha net and suitable for ~50 houses. Recent independent calculation measured the site as 2.47 ha (24685 sq metres). The applicant claims the site as 2.63 ha.

The impact of this uncertainty of site size on the available space per house (assuming no space is needed for roads or open spaces) is as follows:

Site size (ha)	No of houses	Space per house (m ²) <i>assuming none used for roads or green spaces</i>
2.63	55	478
2.47	55	449
2.1	55	381
<i>This is a variation of 97m² or 25%</i>		

This large variation should surely be resolved prior to any permission being granted?

Note that housing in Mepal is characterised by there being a generous or large amount of garden and green spaces, as would be expected in a small village surrounded by countryside and where space is not at a premium. Whatever density this housing is, it is clearly inconsistent with the characteristics of housing layout in Mepal.

Highways: The reply from Highways to East Cambs planning consultation states that:

'The internal estate roads are not adoptable due to their arrangement. There is a proposed three way junction at the centre of the estate. This layout has no priority direction and is potentially unsafe to road users so would not be accepted by the highways authority. There is a standard road arrangement by plot 42 but has no footway on the desire line leading to the shared use area. This would likely result in pedestrian walking in the road to reach this area and would potentially be unsafe. The square raised table / area by plots 20/21 does not appear to be legible or suitably laid out for vehicle use. East Cambs as the parking authority should ensure that the parking spaces shown are large enough so that vehicles do not overhang the footways and they are practically placed and functional so as not to encourage residents to park on the estate roads.'

Clearly insufficient space has been allowed to enable a safe road layout; correcting this would further reduce the space per house.

The developer has stated there will a rule preventing vans from being on the estate overnight. So where will they park? Brick Lane is already narrow, meaning that these vehicles will be a nuisance for existing residents of Mepal and potentially create hazards.

As Highways will not adopt the roads, this means that there is a cost to be borne either by residents in the form of service charges, or by the housing association for road maintenance. Imposition of what may be expensive service charges is not consistent with the concept of affordable housing.

Highways refusal to adopt roads also means that council waste services will not enter the estate to collect rubbish and recycling except by special agreement. If that is not reached, or if the road layout is such that the collection services are unable to safely enter the site, then potentially residents will be required to deposit their waste in Brick Lane – 55 houses worth! That is not realistic.

Poor housing design: During the village consultation meeting, the issue was raised that the houses next to the A142 would suffer from road noise (which is an ongoing issue for existing residents in similar proximity to the A142). This is a year round problem, exacerbated in summer when people would want to be able to open windows. It was suggested to the developer that triple glazing would mitigate the problem. The developer stated they were aware of the problem and were mitigating it by having dual aspect windows at the front and back of the houses, so that people could open the rear windows in summer, but no mitigation in winter when noise from wet roads is likely to be greater. It was also unclear whether this applied to all living spaces or only some.

This seems to be more an admission that the houses are being located too close to the A142 rather than an example of excellent modern design which occupants of affordable housing are surely entitled to.

The space available in the village of Mepal is more than sufficient to avoid the need for a high density housing project of this scale, with the resultant issues that high density housing can cause. Mepal Parish Council requests that if planning is granted, the density of housing be reduced such that the roads are safe and meet Highways criteria for adoption, and can accommodate the vehicles/vans of the estate residents without introducing a nuisance outside of the estate to other Mepal residents, and that housing is laid out such that residents may open any of their windows without suffering from road noise, rather than just a few. Is this unreasonable?

7. To support and endorse the key local issues for objection highlighted by residents.

In addition, the main objections voiced and stated by Mepal residents include:

- a) The proposal for 55 homes (30 social rented, 25 shared ownership) is inappropriate in both scale, density of housing and nature (100% affordable), for a tiny village of 451 homes such as Mepal.
- b) It seems inappropriate and disproportionate for Mepal, one of the smallest settlements in East Cambs, to deliver such a considerable chunk of the social housing need for East Cambs.
- c) The proposal would change the nature of the community in Mepal, which has a higher proportion of Bungalows and elderly population than the East Cambs average.
- d) The proposal would damage the key residential amenity of living in a small and very quiet, closely knit community.
- e) The location of a dense development near to the village entrance would spoil the look of the village as you enter it.
- f) Access to the site via Brick Lane is opposed as the road is narrow. In addition to create the access would destroy a valued hedge and wildlife habitat. The creation of a roundabout to access the site would be welcomed as it would aid the flow of traffic in the village – this was suggested to the developers and refused due to highways considerations.

- g) Concerns over Sewerage. Mepal already has a history of sewage issues, the most recent and most severe of which resulted in toilets overflowing in properties in Bridge Road (the other side of the village nearer the sewerage works). After a long period of difficult investigation, these were found to stem from the sewage pipes in Brick Lane. There are real concerns about the new development connecting into the sewerage system, which is already felt to be operating too close to capacity.
- h) Concerns over access to the A142 at peak times. Villagers already complain they experience delays and difficulties accessing the A142 at peak times. The addition of 55 homes would exacerbate this and the associated problem of traffic using the back road through Witcham as a rat run.
- i) The proposal requires that no works vans are to be allowed on the site overnight (as the roads are small). This would result in them being parked elsewhere in the village, possibly in Brick Lane, but more likely beyond (perhaps on the main village road) as Brick Lane is too narrow. This would be unsightly as well as causing considerable annoyance to current residents.
- j) The development site internal roads would not be adopted by Highways as the roads would not comply with their requirements; therefore Household Waste Refuse collection would not enter the site. How would this be addressed since it is clearly not acceptable for the refuse from 55 houses to be wheeled out, onto and blocking Brick Lane, on collection days?
- k) Housing in Mepal is struggling to sell – what would happen if the shared ownership houses did not sell? Concern is expressed that such properties would be used for Social Housing, thus increasing that proportion of the development even further.

Conclusion

Mepal Parish Council requests that East Cambridgeshire Planning Authority rejects the proposed development as neither fulfilling the requirements of an exception site, or fulfilling those for a development within the planning envelope (as it is not within one) and also on the basis of poor design and overwhelming objections from residents.

Mepal is not against further development of this site, just this implementation of it. (Mepal was unfortunately not engaged in consultation until the second and final proposed layout of the site had been reached. We can only assume that previous discussions had been with Sutton Parish Council, as for some reason this land was included in the Sutton neighbourhood plan.)

Mepal feels that an alternative development of the site would be more appropriate and would like to propose something similar to that outlined in the appendix.

Yours sincerely

Mepal Parish Council

Appendix

In order to address the need for future housing, it would first seem appropriate to firstly review the Sutton Housing needs survey and establish whether a housing needs survey should be conducted for Mepal. A Masterplan should then be developed to take these needs into consideration and provide a framework for compliant development.

It is most likely that development would need to be undertaken in small stages of perhaps 12-15 homes at a time, over a period of perhaps 5-7 years, ideally including a Community Land Trust, and potentially a £100k home, so that Mepal can take control and ensure availability of affordable housing both to meet the needs of younger residents seeking to move into their own first homes, as well as the needs for older residents to downsize.

Such an approach could ensure that development is done with community support while fulfilling the need for Affordable Housing (shared ownership and including an appropriate element of social housing in accordance with East Cambs policies) which would all be much better integrated into the Mepal community.

A benefit of such development would be that it would free up 3 and 4 bed homes elsewhere in the village and in doing so encourage new families into the village, thus encouraging gradual development of the village as well as gradually smoothing out the population age curve in the village.

Mepal Parish Council would hope to work with their district councillors and East Cambs in order to turn these thoughts into the planning framework for Mepal and from there into development.