

MAIN CASE

Proposal: Construction of 6 affordable houses, two 3 No bed houses & four 2No bed houses.

Location: Land To Southwest Sheriffs Court Burrough Green Suffolk

Applicant: The Sanctuary Group

Agent: Mr D Proctor

Reference No: 12/00747/FUL

Case Officer: Sue Finlayson

Parish: Burrough Green
Ward: Bottisham
Ward Councillor/s: Councillor Robert Stevens
Councillor Kevin Ellis

Date Received: 16 August 2012 Expiry Date: 11 October 2012

[M229]

1.0 **EXECUTIVE SUMMARY**

- 1.1 This application has been brought before Members at the request of Councillor Robert Stevens, due to the level of local concern about the proposals.
- 1.2 The application proposes the construction of 6 affordable dwellings on land outside the settlement boundary of Burrough Green. The proposal complies, in the main, with affordable housing 'exceptions' policy H4 and it is considered that with appropriate planning conditions, the application should be supported. The application is therefore recommended for APPROVAL, but as a s106 legal agreement is required in respect of the details of securing the affordable housing in perpetuity, and provision and maintenance of open space on the site, the final approval should be delegated to the Head of Planning and Sustainable Development, upon the successful completion of the legal agreement.
- 1.3 A site visit has been arranged for 10.55am.

2.0 **THE APPLICATION**

- 2.1 The proposed dwellings would be in pairs, with two pairs of 2 bedroom properties facing Sheriff's Court, but set back some 17m from the boundary. These would have a footprint of 10.2m wide and 8.4m deep. The front elevation would have a timber porch over the front door and equally spaced windows, two to the first floor and one to the ground floor. The two 3 bedroom properties would have their side gable end to

the boundary with Sheriff's Court, set back 8m from it, and although slightly bigger, with a footprint of 11m x 8.8m, they would have the same elevational details as the two bedroom properties. The ridge height would be 9.1m and eaves height 5.2m. All would have chimneys and photovoltaic roof panels to the rear and be finished in render over a red brick plinth.

- 2.2 Access would be via the existing farm access to the north of the site, with a new road and turning area running parallel to Sheriff's Court. Each property would have 2 parking spaces by the side of each property and all would have a shed to store cycles. The access would continue to serve the farmland to the rear, with a separate gate being created within the site. An area of some 444sqm of open space is to be created to the north of the site, adjacent to the access. The existing planting along the highway edge is to be retained, but trimmed. The existing right of way which runs along the frontage of half of the site, will be retained and improved. It is proposed that each property would have an air source heat pump.
- 2.3 The application is accompanied by a Planning Statement, a Design and Access Statement, an Ecological Assessment, a Utility Services Report, a Foul and Surface Water Drainage Strategy, a preliminary and a Phase 2 Contamination Assessment, and a Remediation Strategy. An archaeological report was submitted whilst the application was being determined, and further details have been provided in respect of the drainage strategy. Amended plans have also been received to improve the design, and to address concerns of the Highway Authority. The properties will be for rent.

3.0 **THE APPLICANT'S CASE**

- 3.1 The applicants Design and Access statement can be seen on the Public Access pages of the website via the following link: <http://pa.eastcambbs.gov.uk/online-applications/>
- 3.2 Summary of applicant's case in support of these proposals:
- The proposals will meet an identified need for affordable homes to serve the local community.
 - They will fill a need arising from the housing needs survey and housing need register.
 - There is a need especially from young people who cannot afford to move out of the family home, the proposals are tailor made for people such as these in the village who cannot afford their own home.
 - The Parish and local community have been involved in these considerations from the outset.
 - Homes will be made available on a local connection basis.
 - The site is outside but adjacent to the village framework, it needs to be outside because of land values/viability and to qualify as an "exception" site.
 - Proposals are to a high standard of design and materials.
 - This is a sustainable location in the centre of the village benefiting from proximity to services and facilities available and the existing sheltered dwellings adjacent to the application site.
 - Sanctuary have built small scale general needs developments next to existing sheltered schemes in other locations (e.g. Witchford) which have worked well.
 - The site is very discrete; the proposals will have very limited visual impact and little or no impact on residential amenity.

- There are no constraints to the immediate development of the application site as proposed. All utilities are at or can be made readily available to the site.
- Access and parking are to meet full standards.
- The Proposals are fully in accord with planning policy at both National and Development Plan levels.
- There are no better placed sites within the village for this provision.
- The proposals provide a fair and just solution to meeting the identified needs.

4.0 **THE SITE AND ITS ENVIRONMENT**

4.1 The site, of some 0.3 hectares, comprises part of an agricultural field used as paddock land. It is outside the settlement boundary, on the edge of the settlement, to the west of Sheriff's Court, a sheltered housing development of bungalows. The site is relatively flat, with a prominent tree/hedge area of planting on the eastern boundary. To the south and west is agricultural land, and to the north, approximately 13m away from the northern boundary of the site, are the gardens of properties fronting Church Lane. The site is close to, but not within, the Conservation Area, and is in Flood Zone 1. There is an overhead power line running across the northern corner of the site, a ditch running along the eastern boundary with Sheriff's Court, and a public right of way runs through the southern half of the site parallel to the boundary, which exits the site via a wooden bridge over the ditch.

5.0 **PLANNING HISTORY**

5.1

91/00108/OUT	ERECTION OF 28 NO NEW DWELLINGS (1.47HA)		06.06.1991
91/00470/FUL	New Stallion Unit and Manager's House.	Refused	10.02.1993
88/00700/OUT	RESIDENTIAL DEVELOPMENT AND DEMOLISH HALL COTTAGE	Refused	04.10.1988

6.0 **REPLIES TO CONSULTATIONS**

- 6.1 Site notice posted on a telegraph pole at the entrance to Sheriff's Court and 25 neighbouring properties consulted. A petition with 96 signatures received stating:
- The planned development will not satisfy local housing need
 - The village has insufficient facilities and infrastructure to support further housing
 - There are little, if any job opportunities in the village
 - There are few public transport options, making it difficult for individuals without a job to seek work or get to existing jobs/shops, the proposal is therefore unsustainable
 - Additional children through the village green may put children and other residents at risk

- The abundance of wildlife inhabiting the village will be adversely affected
- There are other more suitable sites already identified by the Council.

Thirty six replies have been received from 25 different addresses. One letter of support has also been received. The responses echo the issues raised in the petition and also the following concerns:

- The Cambridgeshire ACRE survey needs to be investigated further. There is no apparent need for affordable housing in the village. People are too well off to qualify for affordable housing. The survey shows people want to buy. Bringing in new people will result in them being 'lost' in a rural community.
- There is already affordable housing in the village and the owner of land adjacent to the Brinkley Road site would be happy to sell land with access, drainage, bus stop and footpath already in situ. Contrary to the applicant's statement, there is a tarmac footpath from that site to the village centre. The distance to the school is 0.6 mile.
- There is standing water on land in Sheriff's Court during heavy rain, the ditch cannot cope with the drainage and this problem will be exacerbated. The costs of proposed drainage are prohibitive, will it be maintained and have all landowner consents been obtained?
- The road across the green is narrow, gets congested, and is not suitable for additional traffic.
- Planning policy states that only 2 dwellings should be allowed in small villages, but this is relaxed for affordable housing. The village already has 8 exception scheme dwellings – 14 would not be a modest increase over the 2 dwelling limit. This increase cannot be justified.
- There are 149 dwellings in the village, 45 of which are a mix of social/affordable and council housing – a proportion of 30%. This should surely satisfy need.
- Unfortunately the 2 homes rented since 2008 were let to non-local people, further angering the community and garnering mistrust of the claim that the proposed properties would be let to local people.
- There is a pond with great crested newts living in a garden in Church Lane and in the field behind. They would be under threat together with other wildlife, especially migrating frogs which have to cross the approach road to the site to make their way from Church Lane to the pond on the village green
- There are no amenities in the village apart from the school and pub. The nearest small shop is 2.8 miles away and large food store is 5 miles away. People need a car to live in the village and those needing affordable housing will not be able to afford to run a car. Those needing affordable housing should live in towns or big villages where there are facilities
- Sanctuaries have a duty of care. The residents of the sheltered housing in Sheriff's Court will be adversely affected by increased noise and disturbance and traffic, and loss of privacy. Parking of mobility aids for occupiers close to the access, and for other residents parking will be severely restricted.
- The school and pub are the only job opportunities in the village – there are no jobs. People will commute, proving the houses are not needed here.
- People have to rely on neighbours for transport to shops, although the milkman delivers 3 times a week. It costs £30 for a return trip to Newmarket – how will those on lower incomes cope?

- The majority of pupils at the school are bussed in or brought by car. Parking occurs on the access road to Sheriff's Court, the traffic from the new development will affect highway safety
- The proposal will ruin views from properties in Church Lane
- Sanctuary already have difficulty letting homes in the village, due to remoteness and lack of facilities – I moved 60 miles to live here (resident of Sheriff's Court)
- The ratio of affordable homes to private dwellings is already very high
- The application states there is no planning history, but an application for 28 houses was submitted and withdrawn in the past.
- The access road is too narrow
- The profits of the landowner are gained at the expense of the village and the exercise does not fulfil local needs.
- The mains water pressure is very low
- The site is outside the building line, it will be difficult to defend further development, the whole field will be full of low quality homes
- Contrary to RSS policy which focuses development in towns
- Contrary to Core Strategy policies CS1, CS2, CS6, CS8, H2, H4, S7, EN1, EN2, EN5, EN6, and the NPPF

Comment in support: All Councillors should support the application as the area needs affordable housing and the socio-economic diversity it will bring to the village.

- 6.2 **Ward Member:** Councillor Stevens has requested the case be brought to Planning Committee in the light of considerable public concern.
- 6.3 **Parish Council:** The Parish Council objects to the proposal. This is a misconceived proposal – the survey by ACRE in 2009 was not soundly undertaken and the interpretation of the results is not credible, we therefore do not believe local housing need exists. Sanctuary had difficulty letting existing units to local people and some have gone to 'outsiders'. The Parish Council advised the applicant that they strongly disagreed with the alleged identified need. The responses to the questionnaire have been grossly exaggerated and distorted. The application appears to be driven by pressure from the landowner and not genuine housing need. More land might be available adjacent to the affordable housing site in Brinkley Road. There are also concerns about the inadequate nature of the water supply as there are regular episodes of sub-regulation water pressure. There is only a school and a pub, the village does not have good facilities and public transport is poor, the proposal is therefore not sustainable as occupiers would need to own a car.
- 6.4 *Comments following receipt of revised elevational details, drainage strategy and archaeology report:* No objection to the amendments but previous objections remain. Foul water drainage, groundwater issues, surface water drainage. The water pressure should be tested and recorded in this application.
- 6.5 **Environmental Health:** The submitted contamination report has been reviewed and is acceptable. The condition in respect of any unexpected contamination found during construction should be imposed. If the road is to be un-adopted, then waste would only be collected from within 5m of the highway. A bin store may be necessary. Construction hours condition should also be imposed.

- 6.6 **Conservation Officer:** The application site lies just outside the Conservation Area and therefore should not have a detrimental impact on views into or from it. The impact on the Conservation Area will be limited to the scale and design of the proposed dwellings. Amendments to the fenestration, porches and chimneys are needed. *Following receipt of amended drawings:* The amended plans improve the appearance of the dwellings and address the concerns previously raised.
- 6.7 **Housing Enabling Officer:** I have considered the application, the Housing Needs Survey (HNS) carried out by Cambridgeshire ACRE and the existing housing stock in Burrough Green. There have been only 2 re-lets of general needs rented homes since 2008, therefore the opportunities for local residents to find affordable rented homes in the village are scarce. The scale of the proposal is appropriate. A s106 is needed to address various issues such as nomination rights. *Further comments regarding need:* The HNS shows a typical response rate of 24% and the methodology has been used for many years. Some of the figures are small and may therefore lack statistical rigour, but a larger response could not have shown fewer households in need. The HNS was sent only to village residents, not those with a local connection through employment, family or previous residency, therefore need may have been underestimated, not overestimated. A needs assessment should take account of supply as well as demand. Need can be caused by homelessness, overcrowding, cost of private renting, need for security of rented property. There has to be a supply of homes to enable local people to stay in the community or move near to family or work. High property prices means more demand for rented properties. There has been no real opportunity for local people to establish a home in the village in recent years. This lack of opportunity affects perceived demand: a shortage of properties means people are less likely to apply for them by joining the housing register.
- 6.8 *Further comments regarding sustainability:* The development is aimed at people already living/working in the village who will already be addressing the sustainability issues of the location. Current tenants are remaining in the village, only 2 properties have been re-let since 2008, suggesting they are managing the locational issues. New tenants are unlikely to be different. Some may have a car and those who do not are already living locally without a car. Allowing people to remain in the village may improve sustainability by supporting the local community, businesses and school.
- 6.9 *Further comments regarding community stability:* As the village is on the border of East Cambridgeshire I recommend that additional measures be put in place to help maintain local community stability and character. The nomination rights should be altered to give first priority to those who live, work or have a strong connection to Burrough Green or Westley Waterless. Then the local connection criteria should cascade to those who live or work in nearby parishes in the three other close districts as well as East Cambridgeshire. Some survey respondents expressing housing need are social rented tenants in the village in unsuitable accommodation (overcrowded or under-occupying), therefore movement of tenants will create vacancies. I therefore recommend that Sanctuary be requested to agree to a 'Local Lettings Plan' where re-lets are offered to new tenants in accordance with the local connection criteria.
- 6.10 **County Highways:** No objections in principle, but the scheme would not be adopted due to the drainage issue. More information is required regarding the visibility splay to the north, widths and radii should be clearly dimensioned, and the footway running

north along Sheriff's Court is shown as far as the proposed crossing point. *Comments following receipt of revised plans:* The revised plan is acceptable. Issues regarding the drainage ditch need to be resolved. Conditions requested regarding road construction, parking, the public right of way, off site highway works, kerb radii and visibility splays.

- 6.11 **County Archaeology:** Although a survey has been carried out which found little presence of archaeology in the southern and mid bounds of the site, further investigation is required in the northern area, and therefore an archaeological condition should be imposed.
- 6.12 **Countryside Access Team:** We are pleased that Public Footpath No 11 is to be accommodated within this development. If planning permission is granted we would request informatives in respect of ensuring the footpath remains open at all times, no parking or storage on the footpath, no alteration of the surface without consent.
- 6.13 **Ramblers Association:** This Association should have been advised of this application. This is a well used route and the footpath should remain open through the construction period.
- 6.14 **Police Architectural Liaison Officer:** Burrough Green has a low level of crime. I note the scheme is to meet the Code for Sustainable Homes (Level 4/5), and I therefore look forward to receiving a Secured by Design application.

7.0 **THE PLANNING POLICY CONTEXT**

7.1 **East Cambridgeshire Core Strategy 2009**

CS1	Spatial Strategy
CS2	Housing
CS6	Environment
CS7	Infrastructure
CS8	Access
H4	Affordable housing exceptions
S6	Transport impact
S7	Parking provision
EN1	Landscape and settlement character
EN2	Design
EN3	Sustainable construction and energy efficiency
EN5	Historic conservation
EN6	Biodiversity and geology
EN7	Flood risk
H1	Housing Mix and Type
H2	Density
S4	Developer contribution

7.2 **Supplementary Planning Documents**

Design Guide

7.3 **National Planning Policy Framework 2012**

	Core Planning Policies
6	Delivering a wide choice of high quality homes
7	Requiring good design
11	Conserving and enhancing the natural environment
12	Conserving and enhancing the historic environment

8.0 **PLANNING COMMENTS**

8.1 The site is outside the settlement boundary in 'open countryside' but close to the Conservation Area. The main planning considerations are therefore considered to be:

- The principle of the development in policy terms
- The design, layout and appearance of the proposals and the impact on the landscape and the Conservation Area
- The impact on residential amenity
- The impact on highway safety
- The impact on trees, hedges, nature conservation and biodiversity
- Impact on flood risk and drainage
- Sustainability
- Other issues

8.2 **The principle of the development in policy terms:** Policy CS1 strictly limits development outside village development envelopes. However certain exceptions are allowed under policy CS2, and one of those is affordable housing schemes compliant with Policy H4. That policy states that:

- The site must be adjoining or in close proximity to the built up framework of the settlement
- No significant harm should be caused to the character and setting of the settlement and the surrounding countryside
- The scale of the scheme should be broadly related to the settlement hierarchy status of the settlement and to the scale of identified local affordable housing needs
- It should incorporate a range of dwelling sizes, types and tenures appropriate to identified local need
- The dwellings should be made available to those in local housing need at an affordable cost for the lifetime of the property
- It can be demonstrated that no land in a more suitable location is available

8.3 This proposal has generated considerable local opposition from the Parish Council and local residents, mainly because it is considered that there is no local village affordable housing need, and that a substantial number of previously built affordable homes are accommodating those who are not local to the village. In terms of the above policy, and addressing the criteria in turn: the site adjoins the village envelope along its eastern boundary. It is as close to the facilities within the village as the sheltered housing on the other side of the road. The issue of impact on the character of the settlement is addressed in paragraph 8.5 below. Burrough Green is designated a 'smaller village' where on non-allocated sites up to 2 dwellings would be considered appropriate, however the proposal is relatively small scale, being 6 dwellings in total. This number is not considered to adversely affect the character of the settlement. The Housing Needs Survey undertaken showed a need for 1 x 1

bedroom property, 3 x 2 bed properties and 1 x 3 bed property. However the proposed 4 x 2 bed and 2 x 3 bed provision allows for flexibility of movement between dwellings in the village, those in over or under occupancy would be able to transfer to more appropriate accommodation. The Council's Housing Enabling Officer supports the number and type of dwellings proposed as meeting current and future needs. The Housing Enabling Officer has advised that the ratio of general needs rented accommodation in the village is actually 12.6% when the special needs and shared ownership housing (16 and 8 dwellings respectively) are omitted as they are not strictly speaking 'affordable' housing. This is in line with provision in other parts of the district. A s106 agreement is proposed to ensure the properties are affordable in perpetuity, and secure the nomination rights and tenure. It can be seen from the comments made by the Housing Enabling Officer (paras 6.7 - 6.9) that in this case, special provision should be made within the s106 in respect of the nomination rights to ensure local people occupy the dwellings.

- 8.4 With regard to the final criterion, the applicant states that other sites in the village have been considered and discounted for the following reasons:
- Brinkley Road – 1 mile from and poorly connected to village centre on a fast road with no footpaths. Drainage is poor and the land is not for sale.
 - Hartfield Road - 1 mile from and poorly connected to village centre on a fast road with no footpaths. The site will take a maximum of 2 new homes. Road widening and visibility splays required – not viable.
 - Walnut Tree Cottages Back Lane – Access not wide enough, insufficient visibility splays and third party land needed for access – not viable.
 - Back Lane – Access not wide enough. The site is too large for current requirements and the vendors wish to sell the whole site. Partial development for affordable housing would prejudice development of the rest of the site.

The Parish Council, and many of those making comments, dispute this analysis, stating that affordable housing should be located in larger settlements with more facilities. One area of confusion appears to have arisen over the applicant's comment in his Planning Statement that the vendor of the application site wishes to sell the whole field. The applicant has now clarified the position, and only the application site land is to be sold, to substantiate this position an access to the field is to be created leading from the site access, next to the proposed open space land, to facilitate continued access to the remaining land. It is considered that there is no reason to dispute the applicant's sequential test analysis and that the proposed site does appear to be the most sustainable site available.

- 8.5 **The design, layout and appearance of the proposals and the impact on the landscape and the Conservation Area:** Policies EN1, EN2 and EN5 address these issues. They require that the settlement edge and the wider landscape setting should be preserved or enhanced, with high quality design and materials, reinforcing local distinctiveness. The site is well screened along Sheriff's Court frontage and along its boundary to the north by substantial tree and hedgerow cover, which is to be retained. It will be seen from the public footpath which runs to the south, within the boundary hedgerow, but this view can be softened by planting to the southern boundary of the site. There are no public views from the west. Built form already exists on the opposite side of the access road in Sheriff's Court, albeit that those dwellings are bungalows. The proposed development is well spaced, with a substantial area of open space to the north, thus improving the relationship with properties fronting Church Lane. The density of the site is 18 dwellings per hectare,

reflecting its rural location. The buildings will be rendered under a red brick plinth, and are set back from the boundary by 17m in the case of the two pairs of 2 bedroom properties, and 8m in respect of the side gable elevation of the two 3 bedroom properties. With regard to the impact on the Conservation Area, the Conservation Officer requested amendments of windows, porches and chimneys. Those amendments were made and the Conservation Officer now considers the amended plans improve the appearance of the dwellings and address her previous concerns. There will be some impact on the character of the area as the site is currently an open field, but the density of the dwellings, their design and the retention of existing landscape features will ensure that the impact is minimised.

- 8.6 **The impact on residential amenity:** Policy EN2 seeks to ensure that there is no significantly detrimental impact on the residential amenity of nearby occupiers. In this case, there will be separation from adjoining residents in Sheriff's Court by the retention of the extensive boundary vegetation, and the setting back of the properties from the eastern boundary. Properties to the north will be similarly protected from any adverse impact by positioning of the northern boundary some 11m away from the boundary with the properties on Church Lane. In addition, the positioning of the open space to the northern part of the site means the nearest property on the site would have its gable end some 32m away from the adjacent property boundary to the north. There would therefore be no overshadowing or loss of privacy to adjacent properties. There will be some increased noise and disturbance from traffic movements and general occupation of the proposed dwellings, but this should only have an impact where the access road joins Sheriff's Court, as gardens and amenity areas are sited to the west and south of the development, away from the boundaries with existing properties. With regard to the amenity of the proposed occupiers, it is considered that the properties have a good relationship with each other, provide appropriate garden and parking space, and the provision of the open space on the site will provide a good amenity space on which to play and relax.
- 8.7 **Impact on highway safety:** Policies CS8, S6 and S7 aim to improve accessibility, reduce car reliance and ensure appropriate levels of parking. Access to the site would be taken from the existing access road to Sheriff's Court, and in to the site via the existing farmland access. County Highways have no objection to this. Following receipt of amended plans addressing their concerns about highway width, visibility splays and kerb radii, their only remaining concern is the drainage of the site. They will not adopt the new access road until an appropriate drainage scheme, and its maintenance, has been agreed. This is a matter which is discussed in more detail in paragraph 8.10 below. Should the access road not be adopted then Sanctuary would be responsible for its maintenance and a bin store would be required close to the entrance to the site. It is considered that this issue could be addressed by a precautionary planning condition. However, if the highway is not proposed for adoption, then a less engineered access road would be acceptable.
- 8.8 The development allows 2 parking spaces for each dwelling, which meets current parking standards. The spaces are located beside the dwellings to allow easy access and for security. There is ample turning space within the site. The existing public right of way, Footpath No 11, is to be retained and improved using bark chippings or gravel finish, the details of which will need to be agreed with the County Council. Additionally a 10m footpath is to be created adjacent to the northern side of the access to the site and an informal crossing place provided across Sheriff's Court consisting of dropped kerbs and tactile paving, to link with the existing footpath

leading from Sheriff's Court to the village centre. County Highways have asked for a number of planning conditions to be imposed to ensure the access is laid out according to the submitted plans. It is considered that the additional traffic generated by 6 new dwellings would not adversely impact on highway safety in the area. Residents of Sheriff's Court have raised issues about the impact of the proposal on current parking. Disabled residents in Nos 1 and 2 currently park outside their properties, opposite to where the access to the new dwellings would be. Having discussed this matter with Sanctuary, it is proposed that this matter will be investigated further, and should alternative parking arrangements be required, these may be provided either within the proposed site, or on other land close by. A planning condition is proposed to address this matter.

- 8.9 **The impact on trees, hedges, nature conservation and biodiversity:** Policies CS6, and EN6 look to protect priority habitats and species, and development proposals will be expected to maximise retention of biodiversity and landscape features, protecting or enhancing them and providing appropriate mitigation measures to address any potential adverse effects rising from development. The main landscape features on the site, the boundary trees and hedges are to be retained. Additional planting will be secured by planning condition together with a softer, planted boundary treatment to improve wildlife migration and habitat. A Phase 1 Habitat Survey was carried out in June last year. No evidence of any protected species was found. However it was suggested that the site could be suitable for reptiles and amphibians (and this is reiterated in the public comments made on the application). The report states that this highlights the potential for an offence under wildlife legislation to occur, should site clearance works not be undertaken with appropriate mitigation measures in place. The report therefore recommends that a further survey of reptiles and Great Crested Newts should be carried out between March and June, with most site visits in April/May, to determine if there is a presence and detail any mitigation measures necessary. It is proposed that this issue could be addressed by planning condition. The report also proposes mitigation measures to improve wildlife habitat, and it is therefore proposed to secure this by planning condition.
- 8.10 **Impact on flood risk and drainage:** Policy EN7 seeks to ensure that all proposed development provides effective arrangements to accommodate surface water run-off. Ideally this should be within the site by means of Sustainable Drainage Systems, unless soil conditions dictate otherwise. Concerns have been raised by the Parish Council and local residents about surface water evacuation, foul water drainage and low water pressure. Photographs have been submitted showing standing water on land in Sheriff's Court. The site is in Flood Zone 1 and less than 1 hectare in area and therefore a flood risk assessment is not required. Due to the underlying clay the site is not suitable for disposal of surface water run-off to be contained via soakaways. A ditch of approximately 0.9m in depth runs along the eastern boundary of the site. The applicant has stated that this ditch, which it appears has not been adequately maintained, takes surface water from Sheriff's Court. The lack of maintenance may be why standing water has occurred. A Drainage Strategy has been provided within the application and this has been updated. This states that attenuation of 5 litres per second of water run-off is required from the site. It has been proposed that this will be achieved by one or more of the following options – by attenuation storage crates under the car parking area adjacent to the 3 bedroom dwellings; an attenuation pond on site, or a new drainage ditch running alongside the existing. However during the writing of this report, Sanctuary has confirmed that the

new ditch will be provided together with the attenuation crates, and it is not yet known if the attenuation pond will be required. As proposals have not yet been finalised it is proposed that a pre-commencement condition to agree a scheme, and a clause in the s106 agreement to address the creation of the new ditch and its maintenance, would be needed to fully address the surface water drainage issues to ensure there was no impact from the development, and potentially to improve the situation on Sheriff's Court itself.

- 8.11 The application is accompanied by a utilities report, in which Anglian Water Services (AWS) state that there is sufficient water resource to supply the site, and this can be provided from the main in Sheriff's Court, which has adequate capacity. In respect of pressure, AWS state that they are required under the Water Industry Act 1991 and Ofwat Level of service Indicator, to provide a 10m head of pressure at the external stop tap, at flow of 9 litres per minute. If water pressure requirements exceed that then the developer is required to provide a booster to the site. As the buildings are only 2 storey, they would not have any particular additional requirements to existing buildings in the village, and therefore any low pressure problems should be addressed to AWS. AWS also state that there is sufficient capacity in Burrough Green sewage treatment works to cope with the waste water from the site. The sewage system has available capacity for gravity flows from the site, via an existing manhole in Sheriff's Court. There should be sufficient fall, but if pumping is required then AWS will need to re-assess the impact of flows and agree a pumping rate. The public foul sewer is to the north-east of the site. It is considered that with appropriate pre-commencement planning conditions the foul and surface water drainage issues can be adequately addressed.
- 8.12 **Sustainability:** In terms of design and layout of the site, Policy EN3 states that all development proposals should maximise energy efficiency and minimise energy demand and resource use through sustainable design and construction. The proposal will minimise energy consumption by providing photovoltaic cells to the roofs of all properties. All will have air source heat pumps, and all will have water butts to collect rainwater. In terms of design, the proposal appears to meet the requirements of this policy.
- 8.13 With respect to sustainability in general terms, it is accepted that Burrough Green does not have a shop, but similarly neither do many small villages in the district, as the pattern of shopping has forced the demise of numerous small local shops. However the village does have a school and a pub, facilities which many villages do not have. The applicant states that there is a bus service to Cambridge, Newmarket, Haverhill and Dullingham, and timetables are detailed on the County Council website. The site is within easy walking distance of the school, church, pub and bus stop. The NPPF centres on sustainability, but sees this as encompassing economic, environmental and social sustainability, not just the need to reduce car borne traffic. The point has been made by the Parish Council and objectors to the proposals that there is no employment in the village, and people will have to travel to work. Again this is true of most villages in the district, and Burrough Green appears to have a better bus service than many local villages. It remains the case that people still want to live in a locality in which they are familiar, and the provision of limited new housing in small villages can help to retain existing facilities and help community cohesion as families are able to support each other. It might be considered ideal to locate all development in large towns and villages where facilities are more easily accessible, and indeed that is the general thrust of local plan policies. However, in small villages,

where only very limited amounts of market housing are permitted, affordable housing exception sites are often the only mechanism to provide new housing in order to keep small villages and facilities viable and vital. The pattern of habitation in small villages across the district, and the cost of properties in such villages, including Burrough Green, shows that people want to live there. The Housing Enabling Officer has addressed this point in his comments in paragraphs 6.8 and 6.9 above. He has further added that the two properties let that are referred to, did not go to local people because there is currently no local connection restriction – they are available to anyone in the District. There are no general needs rent properties where people with a connection to Burrough Green, Westley Waterless, Brinkley or Dullingham would have any local priority under the present system. However, with special nomination criteria in place, occupation of the proposed properties will be by local people who are already dealing with their location, and any freeing up of existing properties in the village will be addressed by an agreement with Sanctuary to ensure local people benefit. This proposal should not have a detrimental impact on the environment, will provide social benefit in the form of new housing at affordable rent, and will at worst have a neutral impact on economic prosperity. It is therefore considered to be ‘sustainable’ in its widest sense.

8.14 **Summary:** The application proposes the construction of 6 affordable dwellings on land outside the settlement boundary of Burrough Green. The proposal complies, in the main, with affordable housing ‘exceptions’ policy H4. There are issues to be addressed with regard to drainage but it is considered that with appropriate planning conditions, the application should be supported. The application is therefore recommended for APPROVAL, but as a s106 legal agreement is required in respect of the details of securing the affordable housing in perpetuity, nomination rights, tenure etc., the creation of the new drainage ditch and its maintenance, and provision and maintenance of open space on the site, the final approval should be delegated to the Head of Planning and Sustainable Development, upon the successful completion of the legal agreement.

9.0 **RECOMMENDATION** APPROVAL, subject to the imposition of the following conditions and the successful completion of a s106 legal agreement. The final decision should therefore be delegated to the Head of Planning and Sustainable Development upon completion of the s106.

1.0 The development hereby permitted shall be commenced within 3 years of the date of this permission.

1.0 Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.

2.0 No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. All development shall be carried out in accordance with the approved details.

2.0 Reason: To safeguard the character and appearance of the area, in accordance with policy EN2 of the East Cambridgeshire Core Strategy 2009.

3.0 No development shall take place until full details of soft landscape works to the site, including the public open space, and the boundary treatments of the site, have been submitted to and approved in writing by the Local Planning Authority. These details shall include planting plans; a written specification; schedules of plants noting species, plant sizes, proposed numbers/densities; an implementation programme and a scheme of

maintenance and management. The details shall also indicate all existing trees and hedgerows on the land and details of any to be retained. The works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed with the Local Planning Authority.

3.0 Reason: To safeguard the character and appearance of the area, and to improve wildlife habitat and migration in accordance with policies EN2 and EN6 of the East Cambridgeshire Core Strategy 2009.

4.0 No development shall take place until a surface water drainage scheme for the site, together with details of future maintenance, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

4.0 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies EN3 and EN7 of the East Cambridgeshire Core Strategy 2009.

5.0 No development shall take place until a scheme to dispose of foul drainage has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved prior to occupation of the dwellings.

5.0 Reason: To provide appropriate infrastructure and prevent the increased risk of pollution, in accordance with policies CS7 and EN8 of the East Cambridgeshire Core Strategy 2009.

6.0 Prior to first occupation of any dwelling, the road and footway shall be finished up to and including binder course level between the dwelling and the existing highway of Sherriffs Court

6.0 Reason: In the interests of highway safety, in accordance with policies S6 and S7 of the East Cambridgeshire Core Strategy 2009

7.0 The road width, kerb radii, footway width and visibility splays shall be laid out in accordance with the approved plan reference E018-1040 rev E.

7.0 Reason: In the interests of highway safety, in accordance with policies S6 and S7 of the East Cambridgeshire Core Strategy 2009.

8.0 No development shall take place until the details of the vehicular crossing of the ditch / watercourse along the frontage of the site has been constructed in accordance with a scheme to be submitted to and agreed in writing with the Local Planning Authority, in consultation with the Drainage Authority and the Highway Authority.

8.0 Reason: In the interests of highway safety, in accordance with policies S6 and S7 of the East Cambridgeshire Core Strategy 2009.

9.0 Prior to the first occupation of the development sufficient space shall be provided within the site to enable vehicles to enter, turn and leave the site in forward gear and to park clear of the public highway. The area shall be levelled, surfaced and drained and thereafter retained for that specific use.

9.0 Reason: In the interests of highway safety, in accordance with policies S6 and S7 of the East Cambridgeshire Core Strategy 2009

10.0 The public right of way crossing the site shall be retained on its existing alignment and maintained free from obstruction unless an alternative way has been provided under the appropriate legal procedure.

10.0 Reason: In the interests of highway safety, in accordance with policies S6 and S7 of the East Cambridgeshire Core Strategy 2009.

11.0 The off-site highway works shall be completed to the written satisfaction of the LPA prior to first occupation. Such works to comprise the provision of a 10m length of footway (measured from the northern tangent point of the proposed junction) on the west side of Sherriffs Court and an informal crossing place of Sherriffs Court consisting of dropped kerbs and tactile paving.

11.0 Reason: In the interests of highway safety, in accordance with policies S6 and S7 of the East Cambridgeshire Core Strategy 2009.

12.0 No development shall begin until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. The archaeological work shall be carried out in accordance with the approved details.

12.0 Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy EN5 of the East Cambridgeshire Core Strategy 2009.

13.0 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing to the Local Planning Authority within 24 hours. An investigation and risk assessment must be undertaken and approved in writing by the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. The necessary remediation works shall be undertaken, and following completion of measures identified in the approved remediation scheme a verification report must be prepared, and approved in writing by the Local Planning Authority.

13.0 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy EN8 of the East Cambridgeshire Core Strategy 2009.

14.0 Prior to commencement of works:

a) an ecological survey, as detailed in paragraph 6.2.1 of the submitted Ecological Assessment Report dated June 2012 shall be carried out on the site to ascertain the presence of any reptiles and amphibians. The subsequent report and any mitigation measures required shall be submitted to the Local Planning Authority for approval, and the approved details fully implemented; and

b) details of proposed ecological enhancement of the site, as suggested in paragraph 6.2.4 of the submitted Ecological Assessment Report dated June 2012 shall be submitted to the Local Planning Authority for approval and the agreed scheme thereafter fully implemented.

14.0 Reason: To preserve and enhance the ecology of the site and surrounding area in accordance with Policy EN6 of the East Cambridgeshire Core Strategy 2009.

15.0 In the event that the access road is not adopted by the Local Highway Authority, then details of any proposed external lighting on the site, and full details of the provision of a

bin store which shall be located within 5m of the adopted highway, shall be submitted to and approved in writing by the Local Planning Authority. The approved schemes shall thereafter be fully implemented

15.0 Reason: To ensure no adverse impact on nearby residents from light pollution, and to ensure the appropriate infrastructure is in place, in accordance with policies EN2, EN8 and CS7 of the East Cambridgeshire Core Strategy 2009.

16.0 Prior to occupation of the dwellings hereby approved, a review of the parking arrangements for residents in Sheriff's Court shall be carried out and the results submitted to the Local Planning Authority. Any additional parking requirements shall be agreed with the Local Planning Authority and thereafter provided.

16.0 Reason: In the interests of highway safety, and residential amenity, in accordance with policies EN2, S6 and S7 of the East Cambridgeshire Core Strategy 2009.

17.0 Prior to commencement of development a survey of the numbers, time and location of parking of vehicles in Sheriff's Court shall be carried out. If, as a result of the survey it is proposed to provide extra parking spaces on the site over and above those shown on the layout plan E018-1040 rev E, a scheme shall be submitted for the written approval of the Local Planning Authority. Once agreed the approved scheme shall be implemented prior to occupation of the new dwellings.

17.0 Reason: In the interests of residential and visual amenity, in accordance with policy EN2 of the East Cambridgeshire Core Strategy 2009.

18.0 The public open space shown on plan E018-1040 rev E shall be provided prior to first occupation of the dwellings and thereafter maintained.

18.0 Reason: In order to provide appropriate infrastructure and enhance residential amenity in accordance with policies EN2 and CS7 of the East Cambridgeshire Core Strategy 2009.

<u>Background Documents</u>	<u>Location(s)</u>	<u>Contact Officer(s)</u>
Case file E/12/00747/FUL	Room No. 011 The Grange Ely	Sue Finlayson Team Leader, Development Control 01353 665555 sue.finlayson@eastcamb.gov.uk