The planning application has been referred to Panel as the proposal represents a departure from the development plan (being residential development in the countryside, outside the built up area) which is recommended for approval.

1. **DESCRIPTION OF SITE AND APPLICATION**

1.1 This report relates to a pair of applications for an irregularly shaped site, part of which fronts onto the B1043 (High Street) at the northern edge of Offord Cluny.

1.2 The site includes a large farm building, a small outbuilding which is a curtilage listed building at the south end of the site, a large area of hardstanding, the access from High Street, a hedge to the eastern side of the north boundary and grass.

1.3 The site is bounded by a variety of enclosures. There are residential properties of Asplins Lane, Whitwell Court and High Street to the north-west, west, south and east, by the High Street road frontage and by arable land along part of the northern boundary. The existing dwellings vary in age, layout, design, scale and materials.

1.4 **The planning application** is to:
Demolish the large agricultural building and erect eight dwellings with carports and alter and convert the southern outbuilding to a carport and ancillary residential use.

1.5 **The accompanying listed building application** seeks listed building consent for the alterations and conversion of the outbuilding to a carport and ancillary residential use.
1.6 The eastern part of the site adjoining High Street and the southern part of the site are in the north-western part of Offord Cluny Conservation Area.

1.7 The curtilage listed outbuilding was formerly associated with the Grade II listed Whitwell House at 1 Asplins Lane but the house and outbuilding are no longer in the same ownership.

1.8 208 High Street, which lies south of the entrance to the site and 213/215 High Street, which lie opposite the site frontage are Grade II listed buildings.

1.9 The main east coast railway runs immediately west of Asplins Lane.

1.10 The site is in flood zone 1, the lowest risk category for fluvial flooding.

1.11 The application proposes 2 affordable housing units and 6 market dwellings and retains an open space along the High Street frontage between the access and adjoining listed building. The scheme proposes 2 x 2-bed units, 3 x 3-bed unit and 3 x 4/5 bed properties. The buildings would be finished in a mix of brick, boarding and tiles.

1.12 The application is accompanied by a Design and Access and Heritage statement and a draft S106 obligation relating to affordable housing and provision for residential wheeled bins, Contamination Report dated 2007, phase 2 Survey May 2016 and Bat Roost Assessment May 2016.

1.13 The applicant has amended the plans to include a partial frontage footpath, refuse vehicle manoeuvring space, revised elevations/design, a carport for plots 3-5, and after the national introduction of vacant building credit, reduce the number of affordable units from 3 to 2.

2. NATIONAL GUIDANCE

2.1 The National Planning Policy Framework (2012) sets out the three dimensions to sustainable development - an economic role, a social role and an environmental role - and outlines the presumption in favour of sustainable development. Under the heading of Delivering Sustainable Development, the Framework sets out the Government's planning policies for:

- Promoting sustainable transport;
- Delivering a wide choice of high quality homes;
- Requiring good design;
- Conserving and enhancing the natural environment;
- Conserving and enhancing the historic environment.

2.2 BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings

2.3 BS5837:2012 Trees in relation to design, demolition and construction – Recommendations

For full details visit the government website
3. PLANNING POLICIES

3.1 Saved policies from the Huntingdonshire Local Plan (1995)
- En2: Character and setting of Listed Buildings
- En5: Preserve and enhance conservation area
- En6: Design, scale and form and materials in conservation area
- En9: Street scenes and views into and out of conservation area
- En12: Archaeological Implications
- En17: Development in the Countryside
- En18: Trees and hedges
- En20: Landscaping
- En22: Nature conservation
- En25: General Design Criteria
- H23: Outside Settlements
- H31: Residential privacy and amenity standards
- H37: Pollution
- H38: Noise Pollution
- T18: Access requirements for new development
- T19: Pedestrians
- CS8: Water
- CS9: Flood water management

3.2 Saved policies from the Huntingdonshire Local Plan Alterations (2002)
- HL5 - Quality and Density of Development
- HL6 - Housing Density
- HL10- Housing provision to reflect range of local community need.

3.3 Adopted Huntingdonshire Local Development Framework Core Strategy (2009)
- CS1: Sustainable development in Huntingdonshire
- CS3: "The Settlement Hierarchy"
- CS4: Affordable Housing in Development
- CS10: Contributions to Infrastructure Requirements

3.4 Draft Huntingdonshire Local Plan to 2036: Stage 3 (2013)
- LP 1 Strategy and principles for development
- LP 2 Contributing to infrastructure delivery
- LP 11 Relationship between built-up area and the countryside
- LP 13 Quality of Design
- LP 14 Reducing carbon dioxide emissions
- LP 15 Ensuring a High Standard of Amenity
- LP 17 Sustainable Travel
- LP 18 Parking Provision
- LP 24 Housing mix
- LP 25 Affordable Housing Provision
- LP 26 Homes in the countryside
- LP 28 Biodiversity and protected habitats and species.
- LP 29 Trees, Woodland and Related Features
- LP 31 Heritage Assets and their Settings
3.5 Supplementary Planning Documents -
- Offord Cluny Conservation Area Character Statement 2003 -
  The Statement refers to the varied mix of building scales and ages in the northern part of the conservation area, the loose nature of development and the presence of open space between buildings being a distinctive part of the setting of the northern part of High Street.
- Developer Contributions SPD – December 2011
- Annual Monitoring Report 2015(December) regarding five year housing supply

Local policies are viewable at https://www.huntingdonshire.gov.uk

4. PLANNING HISTORY

K100/72 Agricultural store approved 1972.

0601787FULL Erection of two dwellings refused 2006.


4.1 Adjoining land to south-west (Whitwell Court) formerly in the applicant's ownership:
0402995FULL Erection of eight dwellings approved 2005
0402996CAC Demolition of farm buildings approved 2005.

5. CONSULTATIONS

5.1 Offord Cluny & Offord Darcy Parish Council: Original Plan: Recommend Approval(Copy attached). Amended plan: Any response will be reported to Committee.

5.2 CCC Highways: Original Plan: No objections subject to inclusion of pedestrian link with existing footway network. Amended plan with footpath: Any response will be reported to Committee.

5.3 CCC Archaeology: No objection subject to archaeological investigation condition.

5.4 HDC Housing: Recommend approve subject to securing two 2 bed affordable units (plots 4 and 5) and associated car parking.

5.5 HDC Environmental Protection: No objection subject to a condition to secure further contamination and remediation information and acoustic measures to protecting residents in the proposed dwellings from railway noise.

5.6 HDC Project Engineer (Drainage): No objection
5.7 **HDC Operations:** No objection. However, if the road is to be private a bin collection point by the highway is required.

6. **REPRESENTATIONS**

6.1 Original plans:
3 objections from two properties 204 and 206 High St:
- Contrary to the Design and Access Statement, most of the site falls outside the envelope of the settlement, and therefore the proposal is contrary to policy EN17. The applicant needs to demonstrate what exceptional circumstances apply which will allow this important policy to be over-ridden.
- If the fundamental policy objection can be overcome, object to details, in particular the size/layout of plot 8. Plot 8 is masquerading as a 3 bed detached house however, at over 212m² of internal floor area, it is more representative of a 4/5 bedroom property. It runs the whole length of what is currently an open aspect for us. The angle of our house is 300° NW and such that Plot 8 does not run parallel and our view is directly onto the plot. The rear upstairs windows from our house will look directly into plot 8's living areas. It will be more imposing than the current 7m high barn structure as it is over 6m high and significantly closer, running parallel to the boundary wall of our property. It will vary in distances from 5.2m to 8.5m and contravenes policy H31 "appropriate standards of privacy". The current open aspect from our side garden will be transformed into the view of the full length of plot 8's roof.

6.2 No objections from 208 High Street as long as 208 High St (listed building) is protected adequately from the landscaped development – contrary to para 11.13 of the d and a there is no restriction on access for residents and children
- Concern about risk of fire to thatch
- Concern re loss of light to garden from car port on plot 8
- Concern about risk of asbestos dismantling from grain store.

6.3 1 comment from Whitwell House and 7 Whitwell Court
- This number of properties within such a small space within a conservation area seems excessive.
- Concern regarding the impact on the busy High Street for cars pulling out of access road and the lack of pedestrian ways in the plans.
- The size of the properties also seems out of sync with the surrounding houses and would cause a large visual impact on the properties surrounding it including lack of privacy, particularly as a number of the proposed houses are very close to existing house boundaries.
- Overall the plans look in keeping for the area so no objections in general but concern regarding the following:
  o Has surface water and foul water drainage been adequately considered and has the pumping station in the village adequate capacity to take additional amounts of surface water especially when ground water is high? No properties have been flooded in this area, but there has been pumping of ground water this side of the village in the past few years because of the inadequacy of the pumping station.
o Will sustainable drainage features be added throughout the development to help support the above (for both what is the evidence/assurances?)

o Is the EA happy with the building from a surface water perspective?

o Have this been checked with them to agree recommendations of levels in relation to future climate change scenarios?

o There are bats in the barn - have the bats been considered and an EIA carried out to assess impact?

6.5 Amended plans:

2 objections/concerns- 6 Whitwell Court and 204 High Street

- No objection to the application to housing, however, object to Plot 7 due to its direct impact on 6 Whitwell Court:
  - Loss of light to garden at 6 Whitwell Court.
  - Loss of privacy. Expect 3 rooflights to be at a height above eye level but object to the large 3 panel window which removes privacy.
  - Plot 7 reduced to single storey would remove light and privacy concerns
  - We would like to be informed if the dividing fence between 6 Whitwell Court and Plot 7 will be replaced or altered.
  - As the grain store will be demolished, concerns over the impact of asbestos pollution. We welcome communication as to when this will be conducted and want to see relevant safety precautions imposed and ensured for the local residents.

- Concern regarding the manoeuvring of vehicles into the garages behind plot 7 which is yet to be decided behind 204. Concern about noise if the required route made parking difficult/required several manoeuvres. 204 seek notification of the proposal for this access before any decision is made on this application.

7. ASSESSMENT

7.1 The main issues to be considered are the principle of residential development; s106 obligation for affordable units and wheeled bins, design, impact upon the character and appearance of the Conservation Area and its setting, the setting of adjoining listed buildings and the character and appearance of the curtilage listed outbuilding; access and parking; impact upon residential amenity, impact of railway noise/future occupiers residential amenity; protected species/ bats.

Principle

7.2 The site is outside of the built-up area of Offord Cluny and is not allocated for development within the Local Plan 1995/2002 or the Core Strategy 2009, as such it is considered to be in the countryside. Residential development in the countryside is therefore contrary to Development Plan policies H23, En17 and CS3, and policy LP8 of the Draft Local Plan to 2036 and therefore if the scheme was approved it would be a departure from the development plan.

7.3 As applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise, it needs to be established whether there are any material
consideration that indicate that the application should be approved as a departure from the Development Plan.

7.4 The site adjoins the built up area of Offord Cluny. Offord Cluny is defined by policy CS3 as a smaller settlement where infilling of up to 3 dwellings may be acceptable on suitable sites within the built up area. Therefore the proposed development is not only outside the built up area but also exceeds the usual limit of three dwellings and is not infilling in the usual sense of infill development along a road frontage.

7.5 The NPPF and relevant adopted and emerging local policies seek development in sustainable accessible locations. As Offord has few facilities and a very limited public transport service, the location is not the most sustainable as the occupiers of the site would be likely to rely on motor journeys for access to shops and services, with the nearest larger settlement being Buckden approximately 3km away. The reliance on the private car, is considered to be against the aims of sustainable development and the aims of Policy LP17 but as the DLP is at a relatively early stage, the policy carries limited weight. However, the principle of a residential development in this location has to be adequately justified.

7.6 The site is mostly bounded by residential properties (and most of the part that is not bounded by gardens, and adjoins the open field to the north, is to be retained undeveloped as amenity space) and therefore it is considered that it may be possible to consider an exception to the usual policies of limiting non-essential residential development in the countryside, as the proposal need not harm the character of the countryside and as the provision of additional homes in a range of sizes and the associated employment in construction is encouraged by the NPPF, subject to a further consideration of the other impacts.

7.7 The proposal for 2 affordable homes would be secured through Section 106 Agreement and a planning condition. The LPA has not achieved target levels of affordable housing in the past and there is a substantial backlog of need and extra annual arising need. The average percentage of affordable homes secured between 2002 and 2015 was 21.88%. If this percentage continues there would still be a significant shortfall for 2011-36 of over 3,500 units. The 2 affordable units is also welcome for social reasons and add significant weight in favour of the proposal.

7.8 The principle of a residential development on the part of the site flanked by residential properties (excluding the north-eastern frontage which is more related to open countryside) which secures 2 affordable units is considered to be acceptable subject to a consideration of the following matters.

S106 obligation for affordable units and wheeled bins

7.9 The applicant is willing to enter into a S.106 obligation for affordable housing and wheeled bins. The obligation would be necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development and therefore would meet the Statutory tests set out in the Community Infrastructure Regulations 2010. The provision of two affordable units weights in favour of the development,
and it is for this reason that the affordable housing should be secured by planning condition (as well as in the s.106 legal agreement) to ensure all material planning considerations are revisited in the future in the event that the scheme becomes unviable and could not support the provision of two affordable units.

7.10 The two Gransden and Offords ward members have confirmed that they agree to officers entering into a s106 obligation to secure 2 affordable dwellings and the sum for wheeled bins.

Design, impact upon the character and appearance of the Conservation Area and its setting, the setting of adjoining listed buildings and the character and appearance of the curtilage listed outbuilding

7.11 The site is in a prominent location at the northern edge of the village.

7.12 The demolition of the large 1970’s farm building will enhance the setting of the Conservation Area and adjoining listed buildings at 208 High Street and Whitwell Farmhouse.

7.13 The design of the development suggests an informal group around a small courtyard, akin to a traditional farmyard development. Although the historic development of Offord Cluny was essentially as a linear village, rather than development in depth, the courtyard layout is considered to be acceptable.

7.14 The layout retains the area north of 208 High Street as an open amenity space in response to the appeal decision (0801416FUL) where the inspector noted the desirability of retaining the space in the interests of the character of the area (transition from open country to built settlement), Conservation Area and setting of the adjacent listed building at 208 High Street. The proposed architectural treatment reflects the existing development pattern and design of properties in the village and wider locality. Conditions can secure the details of the external materials, retention of the High Street frontage as an undeveloped area and hard and soft landscaping.

7.15 The curtilage listed building is unused and in poor repair and a return to use and refurbishment is welcome. The alterations to the curtilage listed building are acceptable to the conservation officer and will preserve the character of the heritage asset and the setting of the listed Whitwell farmhouse and the conservation area, subject to conditions on details. A condition can secure the refurbishment prior to the occupation of the adjoining proposed dwelling.

7.16 It is considered that the proposal represents a good quality design and layout. The proposal is considered to be acceptable in terms of its effect on the character and appearance of the area and the character and appearance of the Conservation Area and its setting, the setting of the adjoining listed buildings and the character and appearance of the curtilage listed outbuilding and satisfies the NPPF and policies En2 En5 En6 En9 En25 of the Huntingdonshire Local Plan 1995, CS1 of the Adopted Huntingdonshire Core Strategy 2009, HL5 of the Huntingdonshire Local Plan Alterations (2002) and emerging policy LP1 LP13 LP31 of the Draft Huntingdonshire Local Plan to 2036: Stage 3 (2013).
Access and parking

7.17 The proposed access is acceptable in highway safety terms for the proposed development. The inclusion of a short section of frontage path will help link the site to the footway network and can be secured by condition.

7.18 The proposed level of car parking provided is considered to be reasonable.

7.19 The proposal is considered to satisfy the NPPF, policies T18 T19 of the Huntingdonshire Local Plan (1995), and policies LP17 and LP18 of the Draft Huntingdonshire Local Plan to 2036: Stage 3 (2013) (HLP 2013).

Residential Amenity of neighbours

7.20 The proposal will intensify activity at the site compared to the agricultural activity but it is considered that this activity and disturbance will not cause undue harm to the amenities of the neighbours.

7.21 The third party concerns about the development have been considered but it is considered that the houses are of a suitable scale, design and position, to avoid undue harm to the amenities of the neighbours for example in terms of harm to outlook or overbearing or overshadowing effects. Impact on view is not a planning matter. Asbestos removal is controlled by environmental health legislation. Risk of damage to listed building in this case and fire are not planning matters.

7.22 The proposal is considered to be acceptable in terms of the impact on adjoining residential properties and avoids undue harm. However, some of the proposed houses are very close to existing boundaries and it would be reasonable to remove permitted development rights for extensions and alterations such as rooflights and windows to avoid future overlooking, overshadowing, or other adverse impacts.

7.23 There will be no materially harmful impact on neighbour amenity and the landscaping of the boundary will, in time, enhance the privacy and amenity of the occupiers of that property. The proposal satisfies the NPPF and policies H31 of the Huntingdonshire Local Plan (1995), LP15 of the HLP 2013 and the Huntingdonshire Design Guide 2007.

Railway noise and residential amenity of future occupiers

7.24 The Environmental Health Officer is satisfied that a condition to secure acoustic measures will avoid undue harm to the future occupiers from railway noise e.g. with sealed unit double glazing with acoustically treated trickle vents. A condition can ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, in accordance with the NPPF.

7.25 The proposed layout and design offers good amenities for the future occupiers of the dwellings.

7.26 The proposal is acceptable in terms of residential amenity of future occupiers satisfies the NPPF and policies H31 of the Huntingdonshire

Protected species - bats

7.27 The Bat Roost Assessment May 2016 found evidence of bats in the southern outbuilding and advised that birds are likely to nest in the scruffy areas along the northern boundary of the site.

7.28 The Bat Roost Assessment advises that two emergence surveys are required between May and September, with at least one of the surveys between May and August.

7.29 The Bat Roost Assessment advises that depending on the results of these surveys it is likely that a Bat Low Impact Class Licence from Natural England will be required before the building can be converted. DNA analysis of droppings is likely to be required for the licence application but, on current evidence (the presence of a bat, some droppings and feeding remains) it is probable that a Low Impact licence will be required to undertake works on the building. Further surveys are required to provide more data to inform the licence application.

7.30 Wildlife legislation protects bats. However it would be appropriate to condition the works and future use of the outbuilding pending the outcome of the surveys.

7.31 The recommendations of the Bat Roost Assessment can be secured by condition to avoid harm to bats, birds and their habitats and secure biodiversity enhancements.

7.32 The proposal satisfies policies En22 of the Huntingdonshire Local Plan (1995) and LP28 of the HLP 2013.

Conclusion

7.33 The proposed development is considered to be an acceptable departure from the rural restraint policies En17 and H23 of the development plan and can be approved for the reasons set out above. It is considered that, on balance, the public benefits of the proposal, which include two affordable units and a good quality housing development, outweigh the minor level of harm as set out above.

7.34 Taking national and local planning policies into account, and having regard for all relevant material considerations, it is recommended that planning permission and listed building consent be granted, subject to conditions.

7.35 Recommendation: that the Head of Development be authorized to enter into a S106 obligation to secure the 2 affordable units and wheeled bin contribution and subject to the applicant entering into the agreement, the applications be approved.

8. RECOMMENDATION - APPROVAL to 16/00466/FUL subject to conditions to include the following

- Standard time limit
- Development to be in accordance with approved plans
- Archaeology
- Contamination
- Affordable housing
- Railway noise mitigation acoustic measures
- No works to southern outbuilding prior to bat surveys
- Refurbishment of details of southern outbuilding prior to the occupation of the adjoining proposed dwelling
- Materials
- Remove permitted development rights rear windows/extensions
- Provide parking and turning pre occupation
- Frontage footpath pre occupation
- Provide landscaping and maintain
- Biodiversity measures
- Levels
- Outdoor lighting
- Bin collection point
- No walls or development in High Street frontage amenity space

8. RECOMMENDATION - APPROVAL to 16/00467/LBC subject to conditions to include the following

- Standard time limit 3 years
- Works to be in accordance with approved plans and schedule (except as varied by condition)
- Details of new doorway and double doors in the proposed external north wall of the east part of the outbuilding,
- Details of rooflight in north roof of west part
- Details of works to proposed external wall of east part
- Retain historic fabric

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388388 and we will try to accommodate your needs.

CONTACT OFFICER:
Enquiries about this report to Sheila Lindsay Development Management Officer 01480 388247
Council has met to discuss the following:

Planning Application Ref: 16/00466/FUL – Whitwell Farm:
Council supports this application which is in keeping with the conservation area and in line with Council’s recommendation for development within the Parish. Recommend Approval.

Planning Application Ref: 16/00407/HHFUL – 1 The Paddocks
Council supports this application. Recommend Approval

Regards
Jackie Stanbridge
Clerk to the Council/RFO
Whitwell Farm
Offord Cluny, Cambs.

Scale: 1:100 - A3
Date: Feb 2016
Drawn: KAP
Drawing No: WD/2543/103B

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