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9 May 2019

To: Chairman – Councillor John Batchelor
Vice-Chairman – Councillor Pippa Heylings
All Members of the Planning Committee

Quorum: 4

Dear Councillor

This is a supplement to the previously published agenda for the meeting of **PLANNING COMMITTEE**, which will be held on **MONDAY 13 MAY 2019**, at 10am in the Council Chamber, South Cambridgeshire Hall, containing those reports which had not been received by the original publication deadline.

Yours faithfully
Mike Hill
Interim Chief Executive

Requests for a large print agenda must be received at least 48 hours before the meeting. Members of the public wishing to speak at this meeting are requested to contact the Support Officer by no later than noon on Monday before the meeting. A public speaking protocol applies.

AGENDA

4. **S/0559/17/OL - Waterbeach and Landbeach (Waterbeach Barracks and Airfield Site, Waterbeach, Cambridgeshire)**
Outline application for up to 6,500 dwellings (including up to 600 residential institutional units), business, retail, community, leisure and sports uses; a hotel; schools; green open spaces including parks, ecological areas and woodlands; principal new accesses from the A10 and other points of access; associated infrastructure, groundworks and demolition; with all matters reserved except for the first primary junction from the A10 and construction access from Denny End Road.

PAGES
1 - 22

EXCLUSION OF PRESS AND PUBLIC

The following statement must be proposed, seconded and voted upon. The officer presenting to report will provide the paragraph number(s).

"I propose that the Press and public be excluded from the meeting during the consideration of the following item number in accordance with Section 100(A) (4) of the Local Government Act 1972 on the grounds that, if present, there would be disclosure to them of exempt information as defined in paragraph of Part 1 of Schedule 12A (as amended) of the Act."

Notes

- (1) Some development control matters in this Agenda where the periods of consultation and representation may not have quite expired are reported to Committee to save time in the decision making process. Decisions on these applications will only be made at the end of the consultation periods after taking into account all material representations made within the full consultation period. The final decisions may be delegated to the Corporate Manager (Planning and Sustainable Communities).
- (2) The Council considers every planning application on its merits and in the context of national, regional and local planning policy. As part of the Council's customer service standards, Councillors and officers aim to put customers first, deliver outstanding service and provide easy access to services and information. At all times, we will treat customers with respect and will be polite, patient and honest. The Council is also committed to treat everyone fairly and justly, and to promote equality. This applies to all residents and customers, planning applicants and those people against whom the Council is taking, or proposing to take, planning enforcement action. More details can be found on the Council's website under 'Council and Democracy'.

Agenda Item 4

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

13 May 2019

AUTHOR/S: Joint Director for Planning and Economic Development for
Cambridge and South Cambridgeshire

Application Number:	S/0559/17/OL
Parish(es):	Waterbeach, Landbeach
Proposal:	Outline application for up to 6,500 dwellings (including up to 600 residential institutional units), business, retail, community, leisure and sports uses; a hotel; schools; green open spaces including parks, ecological areas and woodlands; principal new accesses from the A10 and other points of access; associated infrastructure, groundworks and demolition; with all matters reserved except for the first primary junction from the A10 and construction access from Denny End Road.
Site address:	Waterbeach Barracks and Airfield Site, Waterbeach, Cambridgeshire
Applicant(s):	Secretary of State for Defence and Urban & Civic Plc (U&C)
Recommendation:	Delegated approval to the Joint Director for Planning and Economic Development subject to conditions and completion of a s106 agreement
Key material considerations:	Principle of development Land use and parameters Housing provision Economic impacts Social and community infrastructure Education Transport Environmental impacts Financial Viability and S106 Obligations
Committee Site Visit:	Yes
Departure Application:	No

Presenting Officer: Andrew Winter, Principal Planning Officer

Application brought to Committee because: Largescale, major development

Date by which decision due: 31 October 2018

Update to Report (in order of sections)

Amendments to Application

1. Minor changes have been submitted to the text of the Outline Sustainability Strategy Addendum (received 29 April 2019), as follows:
2. Amended sustainability strategy under the 'Energy' topic to include:

'Measure of Efficiency. Ambitious BREEAM 2018 targets for all non-residential buildings in future Key Phases will be set with 'Very Good' as a minimum acceptable target to ensure flexible space use. An ambition to meet BREEAM 2018 'Excellent' in the first Key Phase noting the outline planning targets BREEAM 2014 and requirements of flexible small non-domestic land use planned.'
3. Additional sustainability strategy under the 'Energy' topic to include:

Modular building trials. To ensure the scheme is in the position to adapt to changing housing construction methodologies, a trial of modular construction will be undertaken within a defined key stage. Target to work with local partners such as Cambridge Cleantech.'
4. Additional sustainability strategy under the 'Health & Wellbeing' topic to include:

'Ventilation and energy design of buildings to target good indoor air quality and reduction in overheating targeting passive design principles through using the cooling hierarchy. Buildings to use overheating analysis set within the Standard Assessment Procedure and CIBSE TM 52 methodology to meet Part F and Part L requirements of the Building Regulations.'

Further Consultation Responses – Councillors

Cllr Hazel Smith:

5. "I would like to thank the committee for all the time they've spent on this application: everyone has had the opportunity to be really well-briefed on the different aspects of the scheme. I am generally in favour of this application, although the infrastructure challenges have meant that the first phase will be at the furthest point from the current village - this is something we cannot change. The applicants have worked hard to invite local people onto the Camp for sports and other activities, and I hope this engagement with the existing residents will grow so that the new community does not feel too much out on a limb.

6. The plans incorporate the attractive lake and woods on the site, and in general the energy strategy seems forward-thinking. I would like to see ducts in the road, so that changes in the energy supply will not involve digging up the road in future. It may be that a district heat network is available, and if that happens the development must be able to take advantage of it easily. Similarly, if heating is available I'd like to see the first primary school include a heated swimming pool (perhaps this could be negotiated with those providing the heat), and for the County Council to plan in this possibility.
7. On the question of the affordable housing mix, I support the view of the Housing officers, that Option 2 is the preferred option. Whilst it is attractive to say we get 32.5% affordable housing rather than 30% overall, the Affordable Rented houses are 1. cheaper to rent and 2. remain affordable whilst the Rent to Buy houses, while discounted, are 1. more expensive to rent and 2. are designed to become market housing over time, thus in the end the percentage of affordable housing will be lower. Some Rent to Buy clearly helps with viability and increases the potential market, so there's something to suit everyone's financial circumstances."

Further Consultation Responses - Parish Council Consultation

8. Waterbeach Parish Council (30 April 2019): The total number of dwellings is not accepted as being reasonable within the interpretation of SS/6 using the word 'approximately' to increase the overall provision by 20% to 11,000 dwellings. The impact of the development, including 4-8 storey heights, on the village and surrounding rural area is unacceptable having regard to the fen edge setting of Waterbeach and the relationship to the cemetery. There are also concerns that essential infrastructure such as transport and waste water treatment will not be in place from the outset but in a piecemeal fashion. There will not be capacity to service the new town and recent development in the village.
9. Concern is raised in relation to the lack of transparency of the S106 provisions and timing; the provision of new services and impacts on existing services (in particular the first primary school and healthcare facilities). How will the relationship of the new town work in practice with the northern edge of the village and interconnectivity? The precise use of the areas of open space on the parameter plan is of concern as it will have a significant impact on the quality of the development and its relationship to the village. The proximity of the development to the Amey waste plant will also be impacted by odours causing harm to residential amenity.
10. For the above reasons the Parish Council maintains its objection to the application and seeks further discussion on the content of the S106 agreement.

Further Consultation Responses - External Consultees

11. Network Rail Updated Comments (3 May 2019): Formally requests the need for S106 contributions towards staffing/security of the existing station level crossing (£500,000) and access improvements (£1m). With regard to the wider allocation, Network Rail is supportive of housing delivery but further clarity will be required on the funding of the new station. Until this is resolved the decision to grant consent for the current scheme as it stands is not safe and potentially open to challenge for not being compliant with policy, unless the 1,600 units of

Key Phase 1 also contribute to the new station. Any proposed delivery of additional parking spaces at the current station will need to be evidenced, as Network Rail has not agreed to the availability of any land for this purpose.

12. Waterbeach Military Heritage Museum: Requests further S106 funds in the future to help maintain and improve the museum.

Further Consultation Responses - Third Party Representations

13. Three further representations: raising issues already listed in the committee report in relation to: air quality, transport, traffic, highway safety, building heights, housing mix and affordability, local character, sustainability, energy generation, climate change and flood risk.
14. The adjacent land promoter, RLW Estates, has raised further comments in its letter dated 9 May 2019, which is attached to the end of this update.

Principle of Development

15. No further changes

Land Use and Parameters

16. No further changes

Access and Transport

17. The formal S106 request from Network Rail is noted and agreed, as proposed in the S106 Heads of Terms (Appendix I). The requested funding from the development towards the new station within the first 1600 units is not applicable in this instance given the agreed Key Phase 1 transport mitigation measures do not rely on the relocated station to mitigate the highway impacts of the development. Beyond Key Phase 1, the proposal includes a S106 financial contribution to Cambridgeshire County Council towards strategic transport interventions. These are not defined at this point in time and would be subject to future transport assessments to agree the next Key Phase transport mitigation. In any case, funding of the railway station cannot at this point in time be pre-determined by this outline planning application and is subject to separate, ongoing discussions between RLW Estates and the Department for Transport.
18. After Paragraph 282 add the following paragraph:

A scheme of transport monitoring would be required to ensure that the Key Phase 1 development accords with a maximum number of vehicle trips onto the A10 (i.e. vehicle trip cap). To address this it is considered reasonable and necessary to require a scheme of transport monitoring to be submitted prior to first residential occupation, which determines the vehicle trip cap for additional residential development beyond 1000 dwellings within Key Phase 1 (see condition 26). This will need to take account of the Key Phase 1 transport mitigation package and, if necessary, recommend additional transport mitigation measures to avoid severe impacts on the road network.

Economic Impacts

19. Amend last sentence at Paragraph 331 to the following:

A 'Conditions are' therefore recommended to agree ~~Economic Development Strategies at construction stage and occupation stage~~, 'a construction and skills plan including employment uses at each Key Phase (see conditions 9 and 10) and a Town Centre Economic Development Plan (see condition 11) ~~as recommended~~ to address the recommendations of the economic development officer, with separate provisions for the proposed jobs brokerage scheme to be established in the S106 agreement.

Housing Delivery

20. Amend text to paragraph 89 as follows:

Policy H/9 requires ~~all affordable homes and~~ 5% of private new homes on sites of 20 or more to be built to The Building Regulations M4(2) standard, 'split evenly between affordable and market homes'.

Social and Community Infrastructure

21. Amend second sentence of Paragraph 397 to the following:

The details of these areas will be subject to further planning and a condition is recommended '(see conditions 9 and 10)' requiring ~~the indicative outline sports strategy~~ a sports strategy to be updated 'submitted' and approved at the time of Key Phase submission.

22. Amend third sentence of Paragraph 402 to the following:

In the interim, provision for faith groups ~~is to~~ 'can be' made within the community centres, ~~which are tabled in the draft S106 Heads of Terms~~ 'and/or proposed D1 land uses'.

23. Amend last sentence of Paragraph 412 to the following:

...it is considered appropriate to apply ~~a condition seeking a public art strategy at design code stage~~ 'criteria to the design code for each Key Phase seeking the submission of conceptual design and approach to key public spaces including the integration of public art', along with 'separate' a public art delivery plan 'details' at reserved matters stage '(see condition 13[p]).

Environmental Considerations

24. Under 'Archaeology and Heritage' at the start of Paragraph 434 add the following text:

'In assessing applications which affect a listed building or its setting, a local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses (S16 and 66 of the Planning (Listed Building and Conservation Areas) Act 1990). Preservation in this context means not harming the interest in the building as opposed to keeping it unchanged. Decision makers should give considerable important and weight to the desirability of preserving the setting of listed building when carrying out the

balancing exercise. Similarly a local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area.'

25. Correction to Paragraph 436 first sentence to read 'Denny Abbey'.

Add the following text at the end of Paragraph 451:

'Overall, subject to conditions, the proposed development would result in less than substantial harm to designated and non-designated heritage assets which would be outweighed by the public benefits of the scheme summarised at the end of this report.'

Financial Viability / Section 106 Obligations

26. Amendment to Table of Community Infrastructure after Paragraph 580

Additional text in the right hand column (Applicant Offer) of this table titled 'Community Centres' to include:

At early stage (prior to first occupation) community meeting spaces to be made available through:

- Sports hall
- Control tower building
- Museum Building '(with long term provision either in existing building or alternative space to be offered)'

27. The Waterbeach Military Heritage Museum requests further S106 funds in future to help maintain and improve the museum. Provision is being made to secure space for the museum in the short and long term through the S106 agreement. This would be on the basis of the retention of the existing space or an equivalent level of space within a community building on the application site. The heritage museum seeks improvements to the museum generally but does not specify what these improvements are. There is also no strong justification as to why such improvements are necessary to make the development acceptable in planning terms. On this basis, further generic funding towards this facility would not meet the relevant tests set out in paragraph 56 of the NPPF.

Recommendation

28. Amend wording at recommendation a) to read:

DELEGATED APPROVAL 'to the Joint Director of Planning and Economic Development' of outline permission, as amended, subject to:

29. Amend wording at recommendation c) to read:

Contributions to be secured by way of a Section 106 legal agreement as set out in Appendix H (revised 9 May 2019) and Appendix I – final terms to be agreed in consultation with the Chair and Vice Chair prior to the issuing of planning permission.

30. Amend wording at recommendation d) to read:

Summary/progress report on S106 obligation to be referred to Planning Committee after six months from 13 May 2019 in the event that planning permission has not been granted.

Update to Appendices

31. Updated Appendix H – Section 106 Heads of Terms – Summary

See tracked changes in revised Appendix H to ‘Community’ section and inclusion of Waterbeach Military Heritage Museum provisions.

Background Papers:

The following list contains links to the documents on the Council’s website and / or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Plan 2018
- South Cambridgeshire Local Development Framework SPDs
- Waterbeach New Town SPD
- Planning File References: S/0559/17/OL, S/1274/15/FL, S/1305/15/FL, S/2770/16/FL, S/3204/16/FL, S/3247/16/VC, S/3372/17/CW, S/0791/18/FL and S/2075/18/OL

Report Author:	Andrew Winter	Principal Planning Officer
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Appendix H – S106 Heads of Terms – Summary (Revised 9 May 2019)

This schedule contains the summary of the proposed Heads of Terms for the infrastructure requirements for the Waterbeach Barracks and Airfield Outline Planning Application (for which further details are set out in the main body of the committee report). The draft Section 106 agreement will contain further detail and other necessary mechanisms to secure the required obligations. Transport mitigation measures are not included and are summarised separately.

The Community Infrastructure Levy (CIL) Regulation 122 (2) requires planning obligations to be (i.) necessary to make development acceptable; (ii.) directly related to the development and fairly; and (iii.) reasonably related in scale and kind. A brief commentary is made with respect to the Reg 122 tests.

Infrastructure item/s	Triggers (no. of dwellings)	Estimated financial contribution or cost of item (<i>provisional sums - to be finalised in s106 agreement</i>)	CIL REG 122 COMMENTS
EDUCATION			
Early years (included in primary schools and through marketing of commercial units where appropriate)	See primary schools	See primary schools	Education provision is necessary to meet the needs of the new population generated by the development.
Three 3-Form Entry (FE) primary schools; two schools with 4FE core.	Land for schools to be transferred: <ul style="list-style-type: none"> Primary school 1: 10 days after commencement Primary school 2: 1,100 dwellings Primary school 3: 2,800 dwellings. Phased payments. Primary school 1 estimated to be open by first occupation. Primary Schools 2 and 3 estimated to be open by 2400 and 3800 dwellings.	Land plus total contribution of £41,760,000	Provision would be on site. The scale has been determined with reference to CCC guidance and multipliers.
Primary school expansion (up to 2FE)	Reviews to be undertaken at between occupation of 4,000 and 5,000 dwellings.	Land plus up to £4,140,000 contribution.	
One 8-FE Secondary School	Land to be transferred at 1,500 dwellings: Estimated opening of school at 2,000 dwellings.	Land plus £30,000,000	
Secondary school expansion (up to 3FE)	Review to be undertaken not later than 4,000 dwellings.	Land plus up to £13,500,000	
Specials Educational Needs - safeguarded	Review of school timing to be undertaken no	Land plus £6,971,363 contribution (pro-rata of	

Infrastructure item/s	Triggers (no. of dwellings)	Estimated financial contribution or cost of item (<i>provisional sums - to be finalised in s106 agreement</i>)	CIL REG 122 COMMENTS
site	sooner than occupation of 2,000 dwellings and no later than 3,500 dwellings	total cost)	
Post-16 contribution to off-site post 16 centre	Review of school timing to be undertaken no sooner than occupation of 2,000 dwellings and no later than 3,500 dwellings	£7,980,000	
SPORT AND RECREATION			
Strategic open spaces with outdoor pitches	(i.) First strategic open space no later than occupation of 1,600 dwellings. (ii.) Second strategic open space no later than occupation of 3,500 dwellings. (iii.) Third strategic open space no later than occupation of 4,800 dwellings.	As part of development costs.	Outdoor sports facilities are necessary to meet the needs of the new population generated by the development. Provision to include sports, children's play space and allotments/community orchards. Provision would be on site.
Artificial grass pitch, with lighting	No later than occupation of 3,500 dwellings	As part of development costs	The scale has been determined with reference to SCDC policy requirements (in particular, South Cambridgeshire Local Plan Policies SC/7 & SC/8.
Three sports pavilions, with changing rooms <ul style="list-style-type: none"> One at lakeside Two adjoining strategic open space 	Three changing room/pavilion buildings as follows: (i.) Lake side facility: prior to 1,000 dwellings. (ii.) Two pavilions linked to delivery of two of the three strategic open spaces (<i>see above</i>)	As part of development costs	
Physical improvements to existing barracks sports hall	Prior to occupation	£200,000	Early indoor sports facilities are necessary for the early population resulting from the development. The existing sports hall is on-site and the improvements would make the facility more accessible.
Land and contribution towards new leisure centre, including swimming pool. <ul style="list-style-type: none"> 4 court sports hall, 4 lane swimming pool with larger 	Timing of provision and funding to be informed by a strategy to be agreed with the Council with longstop provision of 5,500 dwellings	Land and pro rata contribution (£2, 586,000)	Strategic Leisure Ltd prepared a report (July 2018) for SCDC which indicated a need for new swimming pool and sport facilities. The financial contribution is proportionate to the scale

Infrastructure item/s	Triggers (no. of dwellings)	Estimated financial contribution or cost of item (<i>provisional sums - to be finalised in s106 agreement</i>)	CIL REG 122 COMMENTS
<p>learner pool, 60 fitness stations and activity hall</p>			<p>of the estimated population of the site. The scale and nature of facilities have been directly informed by Strategic Leisure report.</p>
Affordable Housing/Self Build			
<p>Affordable Housing:</p> <p>Minimum provision of 30% Affordable Housing based on:</p> <ul style="list-style-type: none"> • 30% affordable rent • 30% shared ownership • 20% Rent to Buy • 20% Discount Market Sale <p>With the objective to achieve policy compliant 40% affordable housing provision subject to the viability review process.</p>	<ul style="list-style-type: none"> • Provision to commence post first 300 dwellings • Phased triggers for each Key Phase • Triggers for the viability review process will be included 	<p>Subject to review process</p>	<p>Local Plan Policy H/10 requires 40% affordable homes on development sites of 11 dwellings more, subject to viability being demonstrated.</p>
COMMUNITY			
<p>Three Multi-purpose Community Centres (MpCC):</p> <ul style="list-style-type: none"> • Two of minimum size 350sqm. • One of minimum size of 750sqm (to include changing rooms and 2 court sports hall) 	<p>MpCC 1: No later than occupation of 100 dwellings MpCC 2: No later than occupation of 1,850 dwellings MpCC 3: No later than occupation of 4,000</p>	<p>Provisional contribution of £2,950,000 for three buildings with specification to be agreed</p>	<p>Community meeting spaces are necessary to meet the needs of the new population generated by the development.</p> <p>Provision would be on-site.</p> <p>The scale has been determined with reference to SCDC policy requirements.</p>
<p>Space for interim library facility and contribution</p>	<p>Prior to occupation</p>	<p>£28,920</p>	<p>Library facilities are necessary to meet the needs of the new population generated by the development.</p>
<p>Community building containing hub library</p> <ul style="list-style-type: none"> • Multi-purpose building no smaller than 1,050sqm in size. 	<p>Prior to occupation of 5,200 dwellings</p>	<p>Land and pro-rata contribution of £1,576,250*(provisional) for library use (plus additional contribution to be included for provision of community space)</p> <p>OR</p> <p>Construct building to agreed specification and</p>	<p>Provision would be on site.</p> <p>The scale has been determined with reference to CCC guidance.</p>

Infrastructure item/s	Triggers (no. of dwellings)	Estimated financial contribution or cost of item (<i>provisional sums - to be finalised in s106 agreement</i>)	CIL REG 122 COMMENTS
		cost cap (either full building or Shell and Core building and contribution for fit-out)	
Community Development Support Worker	Prior to occupation for first 10 years	£400,000	<p>The support worker is considered necessary to meet the needs of the new population generated through the early phases of the development.</p> <p>The worker would be related to the community on the site.</p> <p>The scale has been determined with reference to South Cambridgeshire Local Plan Policy SC/4.</p>
Space for Waterbeach Military Heritage Museum	Prior to occupation	n/a	Provision for Waterbeach Military Heritage Museum on the application site prior to occupation, with long term provision to be offered either in existing building or alternative building on site.
HEALTH			
Interim Health Facility (space made available on site for supplementary health services)	Prior to occupation of 250 dwellings	£300,000 (provisional)	<p>Interim and longer term health facilities are considered necessary to meet the needs of the new population generated through the different phases of the development.</p> <p>The facilities would be on the site comprising 1810 sqm.</p> <p>The scale has been determined with reference to South Cambridgeshire Local Plan Policy SC/5 and NHS Estates advice.</p>
New Health Centre	Prior to occupation of 1,600 dwellings	Land and £2,055,152 pro-rata contribution towards new health centre for Waterbeach New Town	
Early community support measures (Combination of measures and support projects to develop a healthy and resilient community)	Fund to be made available over phases.	£1,870,757.	<p>The support measures have been identified as necessary by CCC, to meet the needs of the new population generated through the early phases of the development, based on evidence of other new communities in the Cambridge area.</p> <p>The measures would</p>

Infrastructure item/s	Triggers (no. of dwellings)	Estimated financial contribution or cost of item (<i>provisional sums - to be finalised in s106 agreement</i>)	CIL REG 122 COMMENTS
			<p>relate directly to the site and the development.</p> <p>The scale and kind has been determined by CCC in relation to support offered on other sites.</p>
OTHER			
Delivery/Review Groups	Prior to Commencement establish Progress and Delivery Group; Education Review Group and Transport Strategy Review Group	n/a	To assist in delivering comprehensive development and monitor/manage the delivery of necessary infrastructure (Local Plan policy SS/6).
Jobs Brokerage scheme	In phases throughout the development	As part of development costs.	The scheme is necessary to help provide access to local jobs and support communities through build-out of developments (Local Plan policies SS/6 and Policy SC/4).
Refuse Collection Vehicles	At each Reserved Matters Application	Total of £400,855 (<i>£61.67 per dwelling</i>)	The waste contributions have been identified as necessary by CCC, to meet the needs of the new population generated through the development.
Household Waste receptacles	At each Reserved Matters Application	<p>Estimated total of £763,750 (<i>based on average of £117.50 per dwelling</i>).</p> <p>Standard house – 3 bins @ £75 per unit.</p> <p>Flat (Based on 2 bed) - £160 per unit.</p>	<p>The money would be spent on infrastructure relate directly to the site and the development.</p>
Section 106 Monitoring	Prior to occupation of any dwellings	£150,000	The contribution would be directly related to achieving the implementation of the planning obligations
Station Link Road and east/west linkages	A mechanism for securing the delivery of the link road to the new station will be included. Such mechanism shall include timescales and the process for both adjoining landowners to agree appropriate market value to facilitate the provision of the link road (together with other east/west linkages) with referral to an independent expert.	Development cost	To secure the timely provision of infrastructure and comprehensive development in accordance with Policy SS/6

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Date: 9 May 2019
Our Ref: MN/ 14.623

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Joint Director for Planning and Economic Development
South Cambridgeshire District Council
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Dear Stephen

**Re: South Cambridgeshire District Council Planning Committee Meeting 13 May 2019 –
Comments on Report for the Consideration of Application S/0559/17/OL - Waterbeach and
Landbeach Barracks and Airfield Site, Waterbeach, Cambridgeshire**

I write on behalf of RLW Estates to offer comments and observations on the above Committee report to assist in Members' consideration of this Application.

I have concentrated on matters that concern the interpretation of Policy SS/6 in the adopted Local Plan and the adopted SPD for Waterbeach New Town, to ensure the delivery of a development that meets all the requirements set out in Local Plan policy.

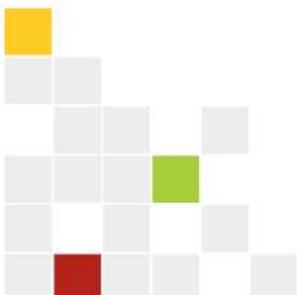
Site Constraints

An assessment of site constraints is set out in paragraphs 25 – 29 of the report. We are concerned that the report has failed to mention a constraint that must be acknowledged and assessed if this application is to be determined based on all the relevant facts.

We are referring here to the documented fact that U&C are seeking a ransom value from RLW Estates for the grant of access rights across the boundary between the two landholdings.

Ransom is a constraint on development and is recognised as such in the Government's Planning Practice Guidance. Moreover, there can be no doubt that this will prejudice delivery of the development and Waterbeach new town in accordance with adopted Local Plan policy requirements.

The Council has in fact obtained legal advice on the existence of this constraint from Douglas Edwards QC and there are also legal opinions from David Elvin QC for U&C and Richard Harwood for RLW.



Indeed, Mr Edwards (for the Council) confirmed that in his view there was, as we always said, no legal bar to the Council preventing one party from ransoming the other, but that it was a planning matter. In reporting to Cabinet in respect of the Waterbeach New Town SPD, it was clearly inferred that the advice from Mr Edwards related to the inappropriateness of the SPD acting on ransom, with an understanding that the matter would be dealt with at the application stage. Since then the basis on which the advice was given has also seemingly changed in that it was said to be predicated on Gerald Eve's reported view that there would be no effect on viability. That clearly is not now the case with U&C, Gerald Eve and SCDC acknowledging that ransom payments will be recycled to provide affordable housing and therefore that ransom does have an impact in this regard (as set out further below).

It therefore cannot be right that this matter of central planning importance is not reported to Members in determining this application, so that they can reach an appropriate conclusion, which in our view is that the plainly harmful effects of ransom should be ruled out so that development can proceed in a seamless manner and without monies being unnecessarily lost from the purse which could have secured affordable housing.

The limited tangential reference that is made to the ransom issue in the report is partial and misleading. Some reference is made to market value being attached for access rights (see paragraph 292) but this does not report the true financial and viability impact of ransom on both applications submitted in pursuance of the Policy SS/6 Local Plan allocation.

In paragraph 577 it is suggested that landowner contributions from the eastern part of the allocation for the granting of access rights will be converted to the delivery of additional affordable housing (through the viability review mechanism). There is, therefore, recognition that "*adjoining landowner contributions from the granting of access rights*" may result in material sums being secured but there is no consideration in the report given to the effect on the RLW proposals of securing those contributions as if they can be secured with no adverse planning consequences. There are in fact fundamentally important and material consequences which could include, in brief:

- Delay to the RLW development due to consequent concerns over viability (without certainty, investors may not be prepared to commit);
- An impact on what the RLW development may be able to deliver by way of physical and social infrastructure (including affordable housing);
- A net reduction in, and an uneven distribution of, affordable housing across the allocation area as a whole;
- The consequence that acceptable development would not come forward in a comprehensive planned manner as required by Policy SS/6 (we expand on this point further below).

Moreover, the declaration of an intention by the applicants to attach a ransom value to movement across landownership boundaries impacts on the deliverability of the U&C application which as a proposal for 6,500 dwellings cannot progress beyond 1,600 dwellings without access to the relocated station.

Members should also be aware that whilst U&C is offering that ransom payments extracted will be taken into account in the operation of their viability review mechanism which holds out the potential for an increase in the amount of affordable housing to 40%, (1) Gerald Eve have reported that only half of the payments extracted will indeed be treated in that way; and (2) plainly, once the 40% figure has been

reached on the U&C site, the balance of payments extracted, U&C will be able to retain any excess whilst there will have been a disproportionate impact on RLW's ability to proceed or deliver affordable housing.

Against the background of the objectives of SS/6, requiring a comprehensive, sustainable, development and against the background of the ransom potential only arising through the allocation itself, and against the background of a decision by members to require an anti-ransom provision in U&C's and RLW's section 106 agreements, I urge you to ensure that this matter is given proper consideration at the Planning Committee meeting.

Phasing

We are concerned that the Section of the report on phasing fails to consider phasing of development across the allocation as a whole. We note the statement in paragraph 270 that the extent of "Key Phase 1" (KP1) has been amended in response to concerns raised during the public consultation that it should be more integrated with the existing village and less isolated. However, this section on phasing does not refer to vital cross boundary connections to ensure access to the station and a properly integrated comprehensive development.

Members need to be certain that the proposals will assist in, rather than prejudice, delivery beyond the initial Key Phase 1 of 1,600 homes. The report should be careful to understand the views of Highways England and the County Council in that respect. At present KP1 remains isolated and does not even extend to the boundary between the two landholdings. There are three possible major adverse consequences:

- That housing delivery will stall, potentially permanently, at 1,600 homes; or
- That development beyond 1,600 dwellings occurs in an unsustainable and unsatisfactory basis, lacking integration and east-west connectivity; or
- If approved, that the definition of the 1,600 homes within KP1 and the associated section 106 provisions within a planning permission do not provide the basis for a wider site build out and sustainable travel via the relocated station, making it very difficult for the authorities to insist on adequate and sustainable arrangements ahead of further phases coming forward.

We consider more time is required to co-ordinate the section 106 provisions and phasing of both U&C and RLW applications to give sufficient confidence that the new town will indeed be delivered in a comprehensive manner, as Policy SS/6 requires. We consider this matter further below.

Section 106

The RLW application is now sufficiently advanced for the Planning Committee to consider how the section 106 agreements relating to each scheme are best co-ordinated. We therefore urge the Committee not to circumscribe the section 106 to the matters in the Heads of Terms listed in Appendix H of the report.

If, notwithstanding our concerns, the Committee resolves to grant permission subject to the completion of a section 106 agreement we urge Members to ensure there is sufficient control over and scrutiny of its final provisions.

Given the scale and complexity of the proposed development and the prescriptions within SS/6 and the SPD, we strongly suggest the Committee resolution requires that the final draft of the Section 106

agreement be brought back before them for sign off. This will ensure Members can be confident that the detailed provisions will meet the requirements of Policy SS/6, that the concerns of Highways England and the County Council have been addressed and that the “access rights” issue has been addressed in a way which does not prejudice delivery of the new town in accordance with the terms of SS/6.

If, by that stage, the RLW application is also subject to resolution to approve, the draft RLW agreement should be considered at the same meeting to ensure consistency of approach and that the arrangements fully dovetail.

The Relocation of Waterbeach Station

One of our primary concerns is that the Policy SS/6 requirement to relocate the railway station and the requirement in the adopted Waterbeach SPD for its early delivery, do not form part of KP1 or figure within the phasing provisions set out in this report.

Paragraph 291 makes clear that an east-west link road to provide access to the relocated station and to integrate the two halves of the allocation site, does not form part of KP1. Instead it constitutes “*out of phase infrastructure*” with particular conditions necessary to secure its provision as an exception before 1,600 homes are built. Without provision for a link road and station access within KP1, this phase remains isolated and could take many years to build out so that the requirement to provide access is delayed indefinitely.

Paragraph 290 suggests that the delivery of the relocated station “*will be subject to agreement of a funding scheme with Network Rail and other potential funding agents*”. This misrepresents the funding position. As a clear Policy SS/6 requirement, the relocation of the station must form part of the section 106 for the funding of essential infrastructure and for this funding to be subject to a trigger within KP1.

We consider this essential to guarantee the principle of sustainable development at Waterbeach. This is at a time when there is acute national concern about the environmental impact of private motor vehicles and the need to secure a shift away from this mode of travel as part of the approval of development proposals.

A further key requirement is to avoid construction traffic impacts on Waterbeach village. Paragraph 297 of the report states: “*Routing of construction traffic through the existing village would result in unacceptable adverse impacts on existing amenity and highway safety and therefore the applicant proposes to enter the site directly off the A10 with complete segregation from the village*”. This does not provide a solution for construction traffic for the building of the relocated station which will impact upon the village unless KP1 is required to provide the necessary access from the A10.

Conclusion

There are significant omissions in the reporting of this application to Committee with important matters and issues not being acknowledged, reported on or properly considered. We consider these omissions must be addressed if the application is to be determined on an informed basis.

Yours sincerely



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Director

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Cc. Andrew Winter – SCDC
Sharon Brown - SCDC
Mike Huntington – SCDC
Chris Goldsmith – RLW Estates
Simon Ricketts – Town Legal

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Waterbeach Parish Council

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**The Old Pavilion
Recreation Ground
Cambridge Road
Waterbeach
Cambridge
CB25 9NJ**

30 April 2019

Ian Senior
Democratic Services
South Cambs District Council

Dear Ian

S/0559/17/OL - Waterbeach New Town.

The Parish Council of Waterbeach requests that the statement below is read out to members of the planning committee, or included in papers to be presented to members in advance of the meeting to discuss the above on the 13 May.

The village of Waterbeach will undoubtedly be significantly impacted by the proposed new town and the Parish Council has consistently commented on planning submissions and has objected to those elements and impacts that are considered to cause unacceptable harm to the village, its setting and its residents.

A key concern of the Parish Council is that of the number of homes proposed both within the overall development and within the Urban and Civic submission; many of the Parish Council's concerns are a direct result of the number of homes proposed. The adopted local plan SS/6 makes provision in Waterbeach for it a 'new town of approximately 8-9 000 dwellings' the Supplementary Planning Document (SPD) and the planning application submissions have extended the number of plots from approximately 8-9000 to approximately 11000. It is fundamentally not accepted as being reasonable, within the interpretation of SS/6, to increase the number of plots by over 20% through the use of the word 'approximately'.

The Parish Council is disappointed that the application does not reflect the agreed Local Plan and SPD which are supposed to control development. The inspector was clear that the character of the village and surrounding countryside should be retained and the increase in numbers has had a consequential impact in terms of the density of development and the height of the development necessary to accommodate this level of development. It remains the view of the Parish Council that the impacts of the development as a whole (and that of the Urban and Civic proposal) on the village and surrounding rural area are unacceptable having regard to the fen edge setting of the village of Waterbeach.

It is not accepted by the Parish Council that the high density 4,5,6,7 and 8 storey development is appropriate for this sensitive fen location. Also the relationship of proposed development of up to 4 storeys in height around the periphery of the site is considered harmful to the setting of the village- particularly in its relationship to the cemetery.

There are also concerns that transport and other essential infrastructures such as waste water treatment are not going to be in place at the outset but developed in a piecemeal fashion. The figures for capacity at the existing WRC do not seem to take account of significant recent development in the village giving rise to concern that the disruption of sewage back up on various houses will become more common. Without significant upgrades to the A10 Waterbeach residents believe there will be a considerable impact on local residents.

The Parish Council remains concerned as to the lack of transparency in respect to the S106 provisions and timing; the provision of new services and impacts on existing overstretched services is a major concern to the Parish Council and residents of the village. In particular the delivery of the first primary school and much needed healthcare facilities are considered critical.

Whilst there are a number of issues that are not clear at this stage given that parameter plans are very much pictorial in nature and do not contain detail- the Parish Council remains concerned as to the relationship of the new town (southern edge) to the northern edge of the village and how the interconnectivity will work in practice. In addition the precise use of the areas of open space shown on the parameter plans is of concern to the Parish Council as this will have a significant impact on the quality of the development and its relationship to Waterbeach village.

The Parish Council remains concerned as to the proximity of the northern part of the site to the Amey waste plant and it is considered that the odours that are regularly caused through this process make will have a significantly harmful impact on the residential amenity to be expected within the northern part of the site irrespective of any other developments on the waste site which may increase the nuisance. The Parish Council notes that key consultees have also expressed reservations with the application and believes these issues must be fully addressed before the application can be considered.

For the above reasons Waterbeach Parish Council maintains its objection to the Urban and Civic submission in terms of numbers of dwellings and density and the unacceptable impacts on the village and its surrounds. It is also worth emphasising that while the S106 may provide further clarification on various mitigation actions and timings to date, Waterbeach Parish Council have not been involved in discussions on the content of this vital document despite District Council promises at the outset that they would be fully consulted. The Parish Council does not believe that the application should be approved until the S106 agreement is available for comment as this is a vital part of the overall development planning.



Shelley Mason