

South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA

t: 03450 450 500

f: 01954 713149

www.scambs.gov.uk



28 June 2016

To: Chairman – Councillor David Bard
Vice-Chairman – Councillor Kevin Cuffley
All Members of the Planning Committee - Councillors John Batchelor, Hazel Smith (substitute for Anna Bradnam), Brian Burling, Pippa Corney, Sebastian Kindersley, David McCraith, Des O'Brien, Deborah Roberts, Tim Scott and Robert Turner

Quorum: 3

Dear Councillor

You are invited to attend the next meeting of **PLANNING COMMITTEE**, which will be held in the **COUNCIL CHAMBER, FIRST FLOOR** at South Cambridgeshire Hall on **WEDNESDAY, 6 JULY 2016 at 10.30 a.m.**

Members are respectfully reminded that when substituting on committees, subcommittees, and outside or joint bodies, Democratic Services must be advised of the substitution *in advance of* the meeting. It is not possible to accept a substitute once the meeting has started. Council Standing Order 4.3 refers.

Yours faithfully
JEAN HUNTER
Chief Executive

The Council is committed to improving, for all members of the community, access to its agendas and minutes. We try to take all circumstances into account but, if you have any specific needs, please let us know, and we will do what we can to help you.

AGENDA

PAGES

PUBLIC SEATING AND SPEAKING

Public seating is available both in the Council Chamber (First Floor) and the Public Gallery / Balcony (Second Floor). Those not on the Committee but wishing to speak at the meeting should first read the Public Speaking Protocol (revised June 2015) attached to the electronic version of the agenda on the Council's website.

PROCEDURAL ITEMS

1. **Apologies**
To receive apologies for absence from committee members.
2. **Declarations of Interest**
 1. **Disclosable pecuniary interests ("DPI")**
A DPI is where a committee member or his/her spouse or

partner has any kind of beneficial interest in the land under consideration at the meeting.

2. Non-disclosable pecuniary interests

These are interests that are pecuniary involving a personal financial benefit or detriment but do not come within the definition of a DPI. An example would be where a member of their family/close friend (who is not their spouse or partner) has such an interest.

3. Non-pecuniary interests

Where the interest is not one which involves any personal financial benefit or detriment to the Councillor but arises out of a close connection with someone or some body /association. An example would be membership of a sports committee/ membership of another council which is involved in the matter under consideration.

3. Minutes of Previous Meeting

1 - 4

To authorise the Chairman to sign the Minutes of the meeting held on 1 June 2016 as a correct record.

PLANNING APPLICATIONS AND OTHER DECISION ITEMS

4. S/0746/15/OL - Whittlesford,(Lion Works, Station Road West)

5 - 26

Redevelopment of site for residential use (outline planning application, all matters reserved)

5. S/0238/16/OL - Whittlesford (83, Moorfield Road)

27 - 50

Outline planning permission with all matters reserved apart from access for the erection of up to eighteen dwellings and associated infrastructure and works

6. S/2830/15/OL - Balsham (Land at 22 Linton Road)

51 - 70

Outline application for residential development and details of means of access up to 29 dwellings

7. S/2510/15/OL - Caldecote, (Land East of Highfields Road)

71 - 128

Outline planning permission for up to 140 residential dwellings, (including up to 40% affordable housing), removal of existing temporary agricultural structures and debris, introduction of structural planting and landscaping, informal public open space and children's play area, community orchard and allotments, surface water flood mitigation and attenuation, vehicular access points from Highfields Road and associated ancillary works. All matters to be reserved with the exception of the main site access

8. S/3190/15/OL - Orwell (Land at, Hurdleditch Road)

129 - 178

Outline planning application for up to 49 dwellings, community car park and coach drop-off facility, pumping station and associated infrastructure

9.	S/3181/15/FL - Great Abington (Land to the North of Pampisford Road) 20 Dwellings	179 - 202
10.	S/2588/15/RM - Waterbeach (Bannold Drove) 57 Dwellings	203 - 214
11.	S/1275/15/FL - Fulbourn (Land to the East of Cox's Drove) Full Planning – Erection of 6 Dwellings with associated works including access alterations and landscaping following the removal of existing timber yard and associated structures.	215 - 250
12.	S/0119/16/FL - Fulbourn (9, Church Lane) Change of use of offices to school	251 - 262
13.	S/2512/15/FL - Little Eversden (Church Lane) Proposed erection of a live/work unit with associated parking and landscaping including the demolition of 7 silos.	263 - 280

ENFORCEMENT ACTION

14.	Great Abington (45 North Road)	281 - 286
15.	Cottenham (The Maltings)	287 - 304

MONITORING REPORTS

16.	Enforcement Report (Updates)	305 - 312
17.	Appeals against Planning Decisions and Enforcement Action	313 - 322

OUR LONG-TERM VISION

South Cambridgeshire will continue to be the best place to live, work and study in the country. Our district will demonstrate impressive and sustainable economic growth. Our residents will have a superb quality of life in an exceptionally beautiful, rural and green environment.

OUR VALUES

We will demonstrate our corporate values in all our actions. These are:

- Working Together
- Integrity
- Dynamism
- Innovation

GUIDANCE NOTES FOR VISITORS TO SOUTH CAMBRIDGESHIRE HALL

Notes to help those people visiting the South Cambridgeshire District Council offices

While we try to make sure that you stay safe when visiting South Cambridgeshire Hall, you also have a responsibility for your own safety, and that of others.

Security

When attending meetings in non-public areas of the Council offices you must report to Reception, sign in, and at all times wear the Visitor badge issued. Before leaving the building, please sign out and return the Visitor badge to Reception.

Public seating in meeting rooms is limited. For further details contact Democratic Services on 03450 450 500 or e-mail democratic.services@scambs.gov.uk

Emergency and Evacuation

In the event of a fire, a continuous alarm will sound. Leave the building using the nearest escape route; from the Council Chamber or Mezzanine viewing gallery this would be via the staircase just outside the door. Go to the assembly point at the far side of the staff car park opposite the staff entrance

- **Do not** use the lifts to leave the building. If you are unable to use stairs by yourself, the emergency staircase landings have fire refuge areas, which give protection for a minimum of 1.5 hours. Press the alarm button and wait for help from Council fire wardens or the fire brigade.
- **Do not** re-enter the building until the officer in charge or the fire brigade confirms that it is safe to do so.

First Aid

If you feel unwell or need first aid, please alert a member of staff.

Access for People with Disabilities

We are committed to improving, for all members of the community, access to our agendas and minutes. We try to take all circumstances into account but, if you have any specific needs, please let us know, and we will do what we can to help you. All meeting rooms are accessible to wheelchair users. There are disabled toilet facilities on each floor of the building. Infra-red hearing assistance systems are available in the Council Chamber and viewing gallery. To use these, you must sit in sight of the infra-red transmitter and wear a 'neck loop', which can be used with a hearing aid switched to the 'T' position. If your hearing aid does not have the 'T' position facility then earphones are also available and can be used independently. You can get both neck loops and earphones from Reception.

Toilets

Public toilets are available on each floor of the building next to the lifts.

Recording of Business and Use of Mobile Phones

We are open and transparent about how we make decisions. We allow recording, filming and photography at Council, Cabinet and other meetings, which members of the public can attend, so long as proceedings at the meeting are not disrupted. We also allow the use of social media during meetings to bring Council issues to the attention of a wider audience. To minimise disturbance to others attending the meeting, please switch your phone or other mobile device to silent / vibrate mode.

Banners, Placards and similar items

You are not allowed to bring into, or display at, any public meeting any banner, placard, poster or other similar item. Failure to do so, will result in the Chairman suspending the meeting until such items are removed.

Disturbance by Public

If a member of the public interrupts proceedings at a meeting, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room. If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared. The meeting will be suspended until order has been restored.

Smoking

Since 1 July 2008, South Cambridgeshire District Council has operated a Smoke Free Policy. No one is allowed to smoke at any time within the Council offices, or in the car park or other grounds forming part of those offices.

Food and Drink

Vending machines and a water dispenser are available on the ground floor near the lifts at the front of the building. You are not allowed to bring food or drink into the meeting room.

EXCLUSION OF PRESS AND PUBLIC

The law allows Councils to consider a limited range of issues in private session without members of the Press and public being present. Typically, such issues relate to personal details, financial and business affairs, legal privilege and so on. In every case, the public interest in excluding the Press and Public from the meeting room must outweigh the public interest in having the information disclosed to them. The following statement will be proposed, seconded and voted upon.

"I propose that the Press and public be excluded from the meeting during the consideration of the following item number(s) 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(s) of Part 1 of Schedule 12A of the Act."

If exempt (confidential) information has been provided as part of the agenda, the Press and public will not be able to view it. There will be an explanation on the website however as to why the information is exempt.

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'.

This page is left blank intentionally.

Agenda Item 3

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee held on
Wednesday, 1 June 2016 at 10.30 a.m.

PRESENT: Councillor David Bard – Chairman
Councillor Kevin Cuffley – Vice-Chairman

Councillors: John Batchelor Anna Bradnam
Brian Burling Sebastian Kindersley
David McCraith Charles Nightingale (substitute)
Deborah Roberts Tim Scott
Robert Turner

Officers in attendance for all or part of the meeting:

Julie Ayre (Planning Team Leader (East)), Julie Baird (Head of Development Management), Thorfinn Caithness (Principal Planning Officer), Alistair Funge (Planning Enforcement Officer), John Koch (Planning Team Leader (West)), Stephen Reid (Senior Planning Lawyer) and Ian Senior (Democratic Services Officer)

1. APOLOGIES

Councillors Pippa Corney and Des O'Brien sent Apologies for Absence. Councillor Charles Nightingale substituted for Councillor O'Brien.

2. DECLARATIONS OF INTEREST

Councillor Sebastian Kindersley declared a non-pecuniary interest in Minute no. 7 (S/2689/15/FL - Haslingfield (115 New Road)) as Cambridgeshire County Councillor for the Electoral Division of Gamlingay, which covers the parish of Haslingfield. He was uncertain whether or not he had been present at Parish Council meetings at which this application had been discussed but, in any event, was considering the matter afresh.

3. MINUTES OF PREVIOUS MEETING

The Committee authorised the Chairman to sign, as a correct record, the minutes of the meeting held on 11 May 2016 (contained in the Agenda Supplement dated 27 May 2016) subject to the following additions:

Minute 12 - S/2403/15/FL – Fowlmere (Deans Farm, Long Lane)

In the paragraph beginning “ Councillor Lawrence Wragg...”, replace “His concern related to the increase in traffic: the site was accessible only by car as there was no footpath” with “He voiced the Parish Council’s strong concerns relating to

- The conflict with planning policy
- Implications for future applications by setting a precedent
- the increase in traffic
- accessibility of the site by car only as there was no footpath”

4. S/2510/15/OL - CALDECOTE, (LAND EAST OF HIGHFIELDS ROAD)

Members visited the site on 31 May 2016.

The Committee noted that this application had been **withdrawn from the agenda**.

In respect of application S/2830/15/OL in Balsham (Land at 22 Linton Road), the Planning Lawyer had advised that this was the safest course of action following the receipt of legal advice from Queen's Counsel that would require careful consideration by planning officers. Given the similar issues, and the implications for similar planning applications in Group Villages, planning officers withdrew application S/2510/15/OL from the agenda.

5. S/3190/15/OL - ORWELL (LAND AT HURDLEDITCH ROAD)

Members visited the site on 31 May 2016.

The Committee noted that this application had been **withdrawn from the agenda**.

In respect of application S/2830/15/OL in Balsham (Land at 22 Linton Road), the Planning Lawyer had advised that this was the safest course of action following the receipt of legal advice from Queen's Counsel that would require careful consideration by planning officers. Given the similar issues, and the implications for similar planning applications in Group Villages, planning officers withdrew application S/3190/15/OL from the agenda.

6. S/2830/15/OL - BALSAM (LAND AT 22 LINTON ROAD)

Members visited the site on 31 May 2016.

The Committee noted that this application had been **withdrawn from the agenda**.

The Planning Lawyer had advised that this was the safest course of action following the receipt of legal advice from Queen's Counsel that would require careful consideration by planning officers.

7. S/2689/15/FL - HASLINGFIELD (115 NEW ROAD)

Mr. Miller (applicant) addressed the meeting. He said that the application reflected pre-application comments.

The case officer provided an update, confirming receipt of a Heritage Statement from the applicant. This has been considered by the Council's Historic Buildings Team and there are no objections.

Committee Members sought assurances over the retention of the existing trees and hedges along the boundary with 117 New Road. The case officer confirmed that the application had been considered on the basis that there were no trees to be removed, however there was a landscaping pre-condition in place to agree an appropriate quality landscaping scheme for the site, and this would ensure satisfactory retention and supplementary planting.

The Committee **approved** the application subject to the Conditions and Informatives set out in the report from the Planning and New Communities Director.

8. ENFORCEMENT REPORT

The Committee **received and noted** an Update on enforcement action.

In respect of enforcement action being pursued at The Maltings, Millfield, Cottenham, the

Planning Lawyer referred Members to an information report contained in the agenda supplement, giving notice of the next steps to be taken.

9. **APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION**

The Committee **received and noted** a report on Appeals against planning decisions and enforcement action.

The Planning Team Leader (West) gave a PowerPoint presentation relating to recent appeal decisions at Shepreth Road, Foxton and Boxworth End, Swavesey.

The Foxton appeal related to an application from Gladman Developments Ltd. for up to 95 homes, with access and public open space, with an alternative proposal for 76 dwellings. The Appeal was refused. The main issues were

- Character of surrounding area
- Impact on Foxton House (Listed Grade II)
- Housing land supply – 3.9 years
- No relevant planning history
- Weight to be given to “out of date” policies

Foxton had been identified as a Group Village, and the proposed site was outside the village framework. Local services were considered to be within an “acceptable distance” from the site. Wider employment opportunities existed and bus and train services were available. It was intended that pedestrian and cycle links, together with public transport, should be improved. The Inspector gave Policies ST/6 and DP/7 limited weight at best. The presentation touched on the character of the surrounding area, densities and the limited visual envelope. It explored the setting of Foxton House, the removal of trees, its visual and historic relationship with the appeal site, and the serious harm that the development would have on Foxton House. The Inspector’s key conclusions were

- The need to give due weight and understand the Section 66 test
- Although there was a “significant” housing need, housing would be “general benefit which could be located on any sustainable site in the area”
- Sustainability “roles should not be undertaken in isolation, because they are mutually dependent.”

The Swavesey appeal had been conducted by written representations, and allowed. It had been against the refusal of an outline application for 30 dwellings, public open space and a children’s play area. Swavesey was a Group village and the site was outside the village framework. The main issues were five-year housing land supply, character and appearance of the area, and precedent.

Swavesey was due to be upgraded to a Minor Rural Settlement. The Inspector said existing housing policies should be given “limited weight”. The presentation considered the character of the surrounding area, and the potential for setting a precedent. The Inspector concluded that the five-year housing land supply issue outweighed any potential limited harm to the environment. Would a hearing have resulted in the appeal being refused?

10. **PAUL SEXTON - PRINCIPAL PLANNING OFFICER**

Councillor Deborah Roberts noted that, had Application S/2510/15/OL (Caldecote) not been withdrawn from the agenda, this would have been Paul Sexton’s last Planning Committee meeting before his retirement.

Councillor Roberts paid tribute to Paul, wishing him all the very best for the future. She observed that there had never been a cross word between them, and described Paul

Sexton as a gentleman.

The Chairman and Committee endorsed Councillor Roberts' comments.

The Meeting ended at 11.23 a.m.

Agenda Item 4

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6th July, 2016

AUTHOR/S: Planning and New Communities Director

Application Number:	S/0746/15/OL
Parish(es):	Whittlesford
Proposal:	Redevelopment of site for residential use (outline application, all matters reserved)
Site address:	Lion Works, Station Road East, Whittlesford.
Applicant(s):	Mr D Milne, Rivertree Developments Ltd.
Recommendation:	Delegated Approval
Key material considerations:	The key considerations are whether the proposed development would provide a suitable site for housing, having regard to housing land supply, the principles of sustainable development, scale of development and impact on townscape and landscape character, contamination issues, site viability, services and facilities, access and transport.
Committee Site Visit:	31 May, 2016
Departure Application:	Yes
Presenting Officer:	Graham Nourse, Planning Team Leader
Application brought to Committee because:	The application is a significant departure to planning policy.
Date by which decision due:	1 st August, 2016 (extension of time)

Executive Summary

1. This application seeks outline permission with all matters reserved for a residential development of 60 dwellings, comprising of 42 houses and 18 flats, within the existing framework of Whittlesford, a Group village, where normally residential development to a maximum of 8 dwellings is permitted as identified in the adopted and emerging plans. The development would not normally be considered acceptable in principle when set against current adopted policy as a result of its scale. However significant weight should be given to its existing use as a scrap yard and the potential for the scheme to remove an unneighbourly use from the locality. In addition significant weight should also be given to the fact that the district does not currently have a 5 year housing land supply, and therefore the adopted LDF policies in relation to the supply of housing are considered not up to date. The local planning authority must

determine the appropriate weight to apply to relevant development plan policies even where out of date. The NPPF states there is a presumption in favour of sustainable development, and where relevant policies are out of date, planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

2. It is considered in this case that the removal of the scrapyards use and the fact that Whittlesford does have some service provision in terms of local services and good communication links, makes the scheme acceptable in principle for housing. The benefits of removing the scrapyards use and the contribution made by the new development to the five year housing supply target are considered to outweigh the fact that the scale of the proposed development would be contrary to adopted policy in this case.

Planning History

3. Recent planning history includes:

S/2416/12/FL – Erection of 2.5m acoustic fence – approved June, 2013.
S/1544/01/F – Change of use of existing building to B1 Use and erection of 2 x B1 use buildings – approved November 2001.
S/0483/01/F – Change of use to B1 –approved May 2001.
S/1932/99/F – Proposed Waste Transfer Station and Recycling Plant – refused March 2000.

Planning Policies

4. The following paragraphs are a list of documents and policies that may be relevant in the determination of this application. Consideration of whether any of these are considered out of date in light of the Council not currently being able to demonstrate that it has an up to date five year housing land supply, and the weight that might still be given to those policies, is addressed later in the report.
5. *National Planning Policy Framework
Planning Practice Guidance*
6. *South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007*
ST/1 Green Belt
ST/2 Housing Provision
ST/6 Group Villages
7. *South Cambridgeshire LDF Development Control Policies, adopted July 2007*
DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/4 Infrastructure and New Developments
DP/7 Development Frameworks
GB/3 Mitigating the impact of development adjoining the Green Belt
HG/1 Housing Density
HG/2 Housing Mix
HG/3 Affordable Housing

SF/6 Public Art and New Development
 SF/10 Outdoor Play space, Informal Open Space, and New Developments
 SF/11 Open Space Standards
 NE/1 Energy Efficiency
 NE/3 Renewable Energy Technologies in New Development
 NE/4 Landscape Character Areas
 NE/6 Biodiversity
 NE/9 Water and Drainage Infrastructure
 NE/10 Foul Drainage – Alternative Drainage Systems
 NE/11 Flood Risk
 NE/12 Water Conservation
 NE/14 Light Pollution
 NE/15 Noise Pollution
 CH/2 Archaeological Sites
 TR/1 Planning for More Sustainable Travel
 TR/2 Car and Cycle Parking Standards
 TR/3 Mitigating Travel Impact
 TR/4 – Non-motorised Transport

8. *South Cambridgeshire LDF Supplementary Planning Documents (SPD)*
 Open Space in New Developments SPD - Adopted January 2009
 Affordable Housing SPD - Adopted March 2010
 Trees & Development Sites SPD - Adopted January 2009
 Landscape in New Developments SPD - Adopted March 2010
 Biodiversity SPD - Adopted July 2009
 District Design Guide SPD - Adopted March 2010
 Health Impact Assessment – Adopted March 2011

9. *Draft Local Plan*

S/1 Vision
 S/2 Objectives of the Local Plan
 S/3 Presumption in Favour of Sustainable Development
 S/5 Provision of New jobs and Homes
 S/7 Development Frameworks
 S/10 Group Villages
 S/12 Phasing, Delivering and Monitoring
 CC/1 Mitigation and Adaptation to Climate Change
 CC/3 Renewable and Low Carbon Energy in New Developments
 CC/4 Sustainable Design and Construction
 CC/6 Construction Methods
 CC/7 Water Quality
 CC/8 Sustainable Drainage Systems
 CC/9 Managing Flood Risk
 HQ/1 Design Principles
 HQ/2 Public Art and New Development
 NH/2 Protecting and Enhancing Landscape Character
 NH/4 Biodiversity
 NH/6 Green Infrastructure
 NH/8 Mitigating the impact of development in and adjoining the green belt.
 NH/14 Heritage assets
 H/7 Housing Density
 H/8 Housing Mix
 H/9 Affordable Housing
 SC/8 Open space standards

SC/11 Noise pollution
T/I Parking provision

Consultations

10. Whittlesford Parish Council – Initial response from the Parish Council noted that they welcome this application for change of use from scrapyards to housing but objects to:
 1. The proposal to build 60 dwellings would be overdevelopment of the site in view of the fact that there is no provision for an equipped play area for children. The nearest play facilities are either at The Lawn in Whittlesford or in Duxford, both approximately 1 mile away.
 2. The primary schools in both Whittlesford and Duxford are over-subscribed with waiting lists and could not accommodate few if any children from the proposed development.
 3. The ground contamination of the site is also of concern to the Parish Council.
 4. A traffic assessment should also be made focussing in part on the limited visibility for traffic exiting Station Road West and turning right at the crossroads to enter Duxford Road.
 5. If eventually some development is allowed the Parish Council requests that at least half of the Affordable properties are reserved for people with strong connections to Whittlesford or Duxford.

11. An additional response has recently been received from the Parish Council as follows:
 1. The Parish Council is disappointed that there will be no affordable dwellings in the 61 now proposed and ask that the financial aspects of this Application be reviewed on a regular basis as the development proceeds, and if the development provides a better return than that put forward in previous discussions the SCDC has had with the site owner and developer, the SCDC take steps to secure a larger S106 contribution. For instance if the site clean-up costs are below the projected £3.5M the monetary difference should be split with the SCDC taking at least a 50% share. If when all the building is completed the return to the Developer is greater than 20% the SCDC should take steps to secure an additional S106 contribution. Since the proposed development is now 61 “open market” dwellings, as a check on the adequacy of the S106 contribution the Parish Council ask that the contribution be assessed on the basis of the CIL charge being in place. Since this is an Outline Application typical floor areas for the different types of dwelling would have to be used to provide a ball-park figure.
 2. Play Area - the revised site layout Drawing: PLAYAREA SCENARIO 03. The Play area should be fenced for the safety of children with a hedge either inside or outside the fence to cut down noise intrusion into the adjacent dwellings.
 3. A scheme for administering and maintaining the Play Area and its equipment to the satisfaction of both the SCDC and Whittlesford Parish Council should be set in place before building commences. Such a scheme might involve the Responsibility being transferred to the Parish Council together with a commuted sum to ensure the future maintenance and safety of the ground, fence, and equipment.
 4. All internal roads on the site should be constructed such that they could be adopted by the County Council and maintenance would not be the responsibility of the residents.

5. Street Lighting to County Council standards should also be a requirement.
6. The Parish Council is concerned that the roads on site will become clogged with parked cars associated with commuters who use Whittlesford Parkway railway station. Restrictive parking measures need to be built into Development permission.
7. The Parish Council would point out once again that the village primary school is full and that many children from the dwellings would be required to travel to Duxford or Sawston.
12. Local Highways Authority – Although access detail would have been preferable at this stage rather than Reserved Matters stage it is noted that the access design should include traditional construction 5 metre carriageway with 2 metre footways both sides and for shared surfaces a 6 metre carriageway with 500mm strip either side. It should be ensured via condition that no domestic dwellings should be served by the existing track to the east. At detailed stage the proposed highway design should be to adoptable standard to facilitate highway adoption. The applicant has submitted a proposed site access detail (drawing 14055/1) which the Highway Authority has stated is acceptable. It is suggested that an informative is attached to the Planning Permission requesting that drawing 14055/1 is adhered to at Reserved Matters stage.
13. Cambridgeshire County Council Transport Assessment Team – No objection but require Travel Plan and bus stop improvements secured through condition/s106 agreement
14. Anglian Water – no objection but request attachment of surface water disposal condition.
15. Cambridgeshire County Council Flood and Water team – No objection subject to surface water drainage scheme condition.
16. Environment Agency – No objection but require conditions relating to contamination remediation and surface water disposal
17. Police Architectural Liaison Officer – No objection to proposed layout but raises concern in relation to surveillance of car parking spaces provided close to entrance of site. This should be addressed at Reserved Matters stage.
18. Suffolk County Council Historic Environment Team – No objection to development but require a planning condition securing programme of archaeological investigation prior to commencement of development.
19. Network Rail – Do not raise objection but note that the developer should contact the Network Rail Asset Protection team prior to any development commencing and agree to an Asset Protection Agreement.
20. NHS England – No objection noting that Sawston Medical Centre has significant capacity and can accommodate the level of development proposed.
21. Housing Officer – Note this scheme generates need for 24 affordable dwellings with a 70/30 split in favour of rented property.
22. Urban Design Officer – Notes that the principle of residential development is acceptable taking into account the sustainable location and the brownfield nature of

the site. However concern is expressed to proposed density (54 dwellings per hectare) which is significantly higher than adjoining development along Station Road. It is suggested that the density should be reduced. The need for extensive landscaping particularly adjoining the edge of the Green Belt may put further pressure on the ability of the site to accommodate the proposed level of development. Concern is also raised at small garden sizes, proximity to existing chalk cliff and to the railway line. Improvements to the parking arrangement are also suggested.

23. Landscape Officer – Care required in constructing access close to retained hedge near site access. Requires improvements to car parking arrangements and relationship between dwellings. Need for buffer between new dwellings and industrial buildings to north. Concern at lack of on site open space.
24. Trees Officer – need for comprehensive planting scheme at Reserved Matters stage.
25. Cambridgeshire County Council Education – Require:
 - Early Years Education - £126,000
 - Primary Education - £176,000
 - Strategic Waste - £503.40
 - Monitoring Fees - £200
26. Environmental Health Officer – No objection in principle but requires necessary planning conditions to secure noise mitigation measures for the detailed dwelling design at Reserved Matters stage.
27. Contaminated Land Officer – No objection subject to conditions associated with the remediation of the site.
28. Representations

6 letters have been received from the occupiers of nearby residential or commercial occupiers. Objections/comments include the following:

- i. Duxford Hire and Supply suggest that their entrance and exit not shown clearly on plan, suggest there may be encroachment onto their land, plans need more consideration.
- ii. No objection to change of use to residential, however 60 dwellings considered overdevelopment.
- iii. The school is oversubscribed.
- iv. Traffic safety concerns.
- v. Site contamination concerns.
- vi. Suggest need for 'baffle fence protection' in unlikely event that 57 Station Road East is affected.
- vii. Conditions required regarding excessive noise or mud on road during construction.

Site and Proposal

29. The site comprises 1.11 ha and is currently used as a scrapyards with a small number of trees on the site. The site is a former quarry (chalk pit) with farmland immediately to the north and east which is located within the Green Belt. A railway station (Cambridge to Liverpool Station Line) is located immediately to the east of the site with commercial development immediately to the north. Residential development is

located to the south of the site which fronts Station Road (A505). There is no through road to the railway Station from this site.

One notable feature of the site is a steep embankment to the north and west site boundaries which rises up to the adjoining agricultural land. Due to previous use as a quarry the site therefore sits at a lower level to other adjoining land.

The application is in outline form with all matters reserved and proposes up to 60 dwellings for which the indicative mix is 42 houses (a mix of 2,3 and 4 bedrooms) and 18 (2 bedroom) flats. The density and layout of the site has been guided to a certain extent by viability considerations which demonstrate considerable cost in terms of site clearance and contamination remediation. This is discussed later in this report. Vehicular and pedestrian access is provided via a new access which necessitates removal of an existing dwelling fronting 39a Station Road West, the proposed access is only consider in principle within this application. This junction is set some 10 metres to the west off the access to the railway station and car park. An area of public open space is identified within the indicative masterplan.

30. The application includes an illustrative masterplan and is accompanied by a Planning Statement, Design and Access Statement, Contamination Reports, Transport Statement and Tree Plan.

Planning Assessment

Housing Land Supply

31. The National Planning Policy Framework (2012) (NPPF) requires councils to boost significantly the supply of housing and to identify and maintain a five-year housing land supply with an additional buffer as set out in paragraph 47.
32. The Council accepts that it cannot currently demonstrate a five year housing land supply in the district as required by the NPPF, having a 3.9 year supply using the methodology identified by the Inspector in the Waterbeach appeals in 2014. This shortfall is based on an objectively assessed housing need of 19,500 homes for the period 2011 to 2031 (as identified in the Strategic Housing Market Assessment 2013 and updated by the latest update undertaken for the Council in November 2015 as part of the evidence responding to the Local Plan Inspectors' preliminary conclusions) and latest assessment of housing delivery (in the housing trajectory November 2015). In these circumstances any adopted or emerging policy which can be considered to restrict the supply of housing land is considered 'out of date' in respect of paragraph 49 of the NPPF.
33. Further guidance as to which policies should be considered as 'relevant policies for the supply of housing' emerged from a recent Court of Appeal decision (Richborough v Cheshire East and Suffolk Coastal DC v Hopkins Homes). The Court defined 'relevant policies for the supply of housing' widely so not to be restricted to 'merely policies in the Development Plan that provide positively for the delivery of new housing in terms of numbers and distribution or the allocation of sites,' but also to include, 'plan policies whose effect is to influence the supply of housing by restricting the locations where new housing may be developed.' Therefore all policies which have the potential to restrict or affect housing supply may be considered out of date in respect of the NPPF. However even where policies are considered 'out of date' for the purposes of NPPF paragraph 49, a decision maker is required to consider what (if any) weight should attach to such relevant policies.

34. In the case of this application policies which must be considered as potentially influencing the supply of housing land include ST/1, ST/2 and ST/6 of the adopted Core Strategy and adopted policies DP/1 and NE/17 of the adopted Development Control Policies. Policies S/7, S/8, S/10 and NH/3 of the draft Local Plan are also material considerations but are also considered to be relevant (draft) policies for the supply of housing.
35. Paragraph 14 of the NPPF states that there is a presumption in favour of sustainable development. It says that where relevant policies are out of date, planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or where specific policies in the NPPF indicate development should be restricted (which includes land designated as Green Belt in adopted plans for instance).

Principle of development

36. The application site is located within the village framework for Whittlesford and is bounded to the north and west by Green Belt. As noted above policy ST/6 of the LDF and Policy S/10 identifies Whittlesford as a group village where development would normally be limited to groups of eight dwellings. In exceptional circumstances a development of 15 dwellings would be acceptable on a brownfield site. Development of 60 dwellings would therefore not normally be acceptable due to the relatively low level of services within the village however this must be assessed against the lack of a five housing land supply figure and the special circumstances associated with this site.
37. The planning objective in relation to the recycling of brownfield land remains important and is consistent with the NPPF presumption in favour of sustainable development, by limiting the scale of development in less sustainable rural settlements with a limited range of services to meet the needs of new residents in a sustainable manner. However in this case as noted significant weight should also be given to potential removal of a scrapyards and therefore a marked improvement to the amenity of the local area.
38. Significant weight should be therefore, be given to the fact that the site is brownfield in nature with significant remediation issues but, within the development framework and its use as a scrapyards is considered unneighbourly due to its proximity to residential property. The Local Planning Authority has dealt with a considerable number of complaints in recent years regarding the operations of this site. Removal of this use would significantly enhance the amenity of the locality and improve the visual appearance of the site.
39. It therefore falls to the Council as decision maker to assess the weight that should be given to the existing policies in the context of the lack of a five year land supply and taking into account the nature of the site in this case. The Council considers this assessment should, in the present application, have regard to whether the policies continues to perform a material planning objective and whether it is consistent with the policies of the NPPF. Whittlesford Group Village status under Policy ST/6 of the LDF and Policy S/8 of the Draft Local Plan is considered a less sustainable settlement than Rural Centres and Minor Rural Centres, having fewer services and facilities and allowing only some for the day-to-day needs of residents to be met without the need to travel outside the village. However, it should be noted Whittlesford does have good access to public transport and has some local facilities such as a primary school, shop, post office and public house. It boasts direct connections to significant

employment centres, due to the proximity of the railway station and its network.

Deliverability

40. Although there will be significant work required to remediate the site in terms of contamination it is considered that the site can be delivered in a reasonable time scale whereby significant weight can be given to the contribution the proposal could make to the 5 year housing land supply. A condition could be used in order to ensure that the site would come forward within an agreed timescale.

Sustainability of development

41. The NPPF states that there are 3 dimensions to sustainable development, economic, social and environmental. The aspects are considered in the assessment of highlighted issues below.
42. Policy DP/1 of the adopted Local Development Framework and Policy S/3 of the Draft Local Plan set out the principle of sustainable development. Although in respect of DP/1 1a. the policy relates to the supply of housing, in that it refers to the sequential approach to development, and therefore in this respect can be considered out of date, the remainder of the objectives of the policy are consistent with the aims of the NPPF in promoting sustainable development. Some weight can be given to this policy in respect of this application however this must be balanced against the benefit of removing the current site use from the locality.

Economic.

43. The provision of 60 new dwellings will give rise to employment during the construction phase of the development, and has the potential to result in an increase in the use of local services and facilities, both of which will be of benefit to the local economy.

Social.

Provision of new housing

44. The development would provide a clear benefit in helping to meet the current housing shortfall in South Cambridgeshire through delivering up to 60 residential dwellings. It is accepted that due to site viability there will be no affordable housing provision, either on site or by way commuted sum, however a mix of housing will be provided in accord with Policy HG/2 and provides a range of small units which will help meet the housing need.
45. Public open space is shown on the indicative layout plan, and this will need to be secured through a Section 106 agreement, along with off-site and maintenance contributions where appropriate. It will be utilised by occupiers of the proposed development and it would be possible for occupiers of other dwellings in the locality to use this facility.
46. The location of the railway provides a good communication links to a wide range of local services and employment opportunities, which is discussed further below. The also village benefits from a good bus service provision

Environmental.

Impact on character of the village and landscape

47. The application proposes a relatively high density of development at 54 dwellings per hectare. Although policy HG/1 requires new developments to make best use of the site by achieving average net densities of at least 30 dph unless there are exceptional local circumstances that require a different treatment. Policy H/7 of the Draft Local Plan confirms that density requirement, but states that it may vary on a site where justified by the character of the locality, the scale of the development or other local circumstances. In this case the costs of developing the site necessitate a higher density of development than perhaps would normally be expected due to the development cost issues associated with developing this site. Again this factor must be weighed against the removal of a particularly unneighbourly use and the benefits to the wider amenity of the village.
48. The developer has submitted a comprehensive viability report which sets out the costs associated with the reclamation of the site for the purposes of residential which is detailed later in this report. These figures are based on a 60 unit development. A lower density would not be cost effective in ensuring that a reasonable developer profit could be delivered and whilst being able to mitigate the risks taken in developing as site of this nature.
49. Policy DP/2 of the LDF states that all new developments should preserve or enhance the character of the local area; conserve or enhance important environmental assets of the site; and be compatible with its location in terms of scale, mass and form.
50. Policy DP/3 of the LDF states that planning permission will not be granted where the proposed development would, amongst other criteria, have an unacceptable adverse on village character, the countryside and landscape character.
51. In this case due to the location and physical nature of the site it is quite self contained and does not have a wide impact in terms of public views. There will however be a need to consider a sensitive landscape scheme at Reserved Matters stage and to carefully consider the relationship of the development particularly to the north and western boundaries. Although the site does benefit from some existing landscaping to the site boundaries there is an opportunity to develop a high quality sensitive landscaping scheme which, as well as adding quality to the new development, will also enhance the setting of the Green Belt in this location. This detail can be secured at Reserved Matters stage. The concerns of the urban design officer are noted in terms of the density of development and the conflict with much lower densities in the immediate locality. Again the benefits of redeveloping the site are considered to outweigh density concerns in this case.
- Residential amenity*
52. The application is in outline only and therefore the layout plan submitted is for illustrative purposes only. However, officers need to be satisfied at this stage that the site is capable of accommodating the amount of development proposed, without having a detrimental impact on the residential amenity of occupiers of adjacent properties.
53. The site adjoins just one residential dwelling immediately to the south as well as the station car park and other commercial property. The site is visible from residential dwellings located on Station Road West. There is a clear benefit in being able to remove the existing site use improving residential amenity both in terms of visual appearance and noise generation. Although accepting the site is at a higher density than would normally be acceptable, the significant improvement to residential amenity

is a major benefit of the development.

Services and Facilities

54.

Paragraph 55 of the NPPF seeks to promote sustainable development in rural areas advising '*housing should be located where it will enhance or maintain the vitality of rural communities*', and recognises that where there are groups of smaller settlements, development in one village may support services in a village nearby.

55.

Whittlesford has a reasonable level of service provision which includes a Primary School, shop, social club, art gallery, petrol station, public house, village hall and recreation field. It is well served by public transport provision having a train station and bus service with regular hourly bus services to Cambridge. It is however accepted that there are limited employment facilities within the village and residents are required to commute away from the village to gain access to a wider range of services. This reflects the designation of Whittlesford as a group village where levels of new development would normally be restricted.

Access and Transport

56.

The applicant has provided a full Transport Assessment for the scheme and following submission and assessment of additional information the Highway Transportation team have indicated that they do not wish to raise objection. The Highways Development Management team have indicated that a detailed access design would have been preferable at outline application stage rather than at Reserved Matters stage and have advised that the main site access should be a minimum 5 metres in width with 2 metre footpaths on either side. The final estate design should be completed to adoptable standard. As noted previously the access will be created following demolition of an existing property (39a) fronting Station Road West. On assessment a key factor is the current level of traffic created by the existing site use. It is estimated that the site currently generates between 80 and 100 vehicle visits per day which includes HGVs, commercial vehicles and staff vehicles. At present this traffic uses the joint access shared with the Station car park and other commercial units to the east of the application site access. It is proposed that the new access will exclusively for use by the new homes. The scheme is estimated to generate approximately 125 visits per day. Although in excess of the current usage the removal of significant numbers of HGVs and commercial vehicles from the locality is considered a positive benefit. It is understood that the existing access to the site will remain but will be used by the existing industrial units only.

57.

The Highway Authority have requested provision of a travel plan and bus stop improvements to be secured by condition or s106 agreement.

Surface water drainage

58.

The site lies in Flood Zone 2 the applicant submitted a Flood Risk Assessment and a Surface Water Drainage Strategy which demonstrated that the site is feasible no objection to the development has been raised by the Lead Local Flood Authority, Anglian Water or the Environment Agency subject to appropriate planning conditions securing detailed surface water drainage scheme and a remediation strategy that includes components to deal with the risks associated with contamination of the site. The developer has indicated that the site will feature the use of surface water drainage features such as swales within the site for storage and running land drainage along the lines of the retained landscape corridors. The sustainable drainage strategy will ensure that the surface water run-off generated in the post development situation

will not be higher than the existing conditions, which is consistent with the Environment Agency Guidance.

Foul water drainage

59. Anglian Water has stated that there is currently capacity to deal with foul drainage flows from the development. Whittlesford Water Recycling Centre is considered to have appropriate capacity. Proposed condition 7 secures the provision of foul drainage detail at Reserved Matters stage.

Heritage Assets

60. The County Council archaeological team have no objection to the application subject to imposition of an archaeological investigation condition requiring appropriate investigation prior to commencement of development.

Noise

61. A full noise acoustic assessment was submitted with the application which provided details of the levels of noise anticipated within the site it considered the proposal, including nearby industrial/commercial noise source from Lion Works, Village vets, Whittleford Parkway Station and the Cambridge to Liverpool railway line it concluded that the assessment was robust and confirmed that the large range of acoustic/noise mitigation measures proposed were acceptable in order to mitigate the impact of noise on the new dwellings and across the site. Which include a Noise and Vibration Impact assessment, Construction Noise/Vibration Assessment, construction/demolition informatives.

62. In addition as the proposals involve the closure and demolition of Cambridge Metal Recycling, which is a relatively noisy operation that has been subject to a number of complaints to the Local Authority from local residents the proposal would result in a significant improvement to the noise local noise environment of existing residents.

Contamination

63. A Phase I Desk Top Study and Chemical Interpretive Report was submitted with the application. Further information is required to confirm that the site can be made suitable for its proposed end use without posing unacceptable risks to receptors.

64. Initially a Remedial Method Statement would be required which should include details of any remedial work to be undertaken through the proposed development including details of the shallow soil strip and clean cover system while also outlining how contamination will be dealt with.

65. Any imported soils for use within domestic gardens/ areas of soft landscaping should be of suitable quality with laboratory analysis, which should include, but not be limited to, a UKAS accredited asbestos screen.

66. Further groundwater monitoring is likely to be required to further assess the risks to controlled waters.

67. In the Chemical Interpretive Report, inaccurate data has been presented with respect to Light Non Aqueous Phase Liquid thicknesses. Gas protection measures are appropriate given the current data set although this should be reassessed following completion of the ground gas monitoring programme.

68. Through development of the Conceptual Site Model the risk of neighbouring site users inhaling site derived vapours has been identified although no discussion regarding this plausible contaminant linkage has been forthcoming. It is recommended that this potential contaminant linkage be further scrutinized.

69. In summary a condition should be attached to any consent to ensure the site is properly investigated for contamination prior to the commencement of any development unless the information is provided prior to determination of the application. The planning condition shall include the need for a full remediation method statement to be provided and fully implemented prior to commencement of development. The statement shall include groundwater monitoring, gas protective measures, water supply pipe categorisation, soil strip and full remedial measures taking into account outcomes from gas and water monitoring.

Trees

70. There are a limited number of trees located close to the site boundary which will be retained if possible within a detailed landscape scheme to be submitted at Reserved Matters stage. The arboricultural officer has not raised objection.

Renewable Energy

71. The applicant has indicated that the scheme will comply with the need to provide renewable energy generation technology and has suggested the use of solar thermal energy. This would enable the scheme to meet the 10% carbon reduction target. Again full detail would be expected at Reserved Matters stage and secured by condition. Water conservation measures will also be incorporated at detailed design stage.

Site Viability

72. The site and proposed development has been subject to a detailed viability assessment by the applicant. The viability assessment has been in turn assessed by the Councils independent assessor Carter Jonas. They conclude that taking into account the exceptionally high cost for land contamination remediation the development would not be viable with an obligation for any affordable dwellings. In addition taking into account the existing site value as a recycling centre and allowing for a profit margin below normal levels, this results in a section 106 obligation to pay £417,000. These figures are based on a 60 unit development. A lower density would not be cost effective in ensuring that a reasonable developer profit could be delivered and whilst being able to mitigate the risks taken in developing as site of this nature. It is however recommended that a clause is inserted into the s106 agreement that following completion of the remedial works and site clearance a cost review is undertaken by the developer and submitted for assessment by the Council. If the figure is between 0% and 10% less than the current estimates for site clearance then the difference is payable by way of commuted sum payment to the Council. In the event that more than 10% is saved then this will trigger a fresh viability review which may lead to at least some on site affordable housing. In addition if the gross development value exceeds the figure currently being quoted then the difference is payable by way of commuted sum payment.

Planning Obligations

73. As noted above due to the high site remediation costs the proposed development only

generates limited s106 contributions. There will be no affordable housing provision. In terms of education provision there are currently 2 planning applications within the village of Whittlesford which combined generate in the region of between 20-28 primary school children. The Lion Works development would generate 21 primary (based on an unknown housing mix) or 13 (based on a possible mix put forward by the applicant). The William Westley primary school in Whittlesford is operating at capacity, and has no ability to expand, therefore Cambridgeshire County Council have requested developer contributions in order to provide primary school places at Bellbird Primary School in Sawston. District officers are mindful of the fact that of the 204 children attending William Westley, 96 of these children are from villages served by other primary schools. At the moment there are 31 children from the Bellbird primary school in Sawston who are being educated in Whittlesford. 35 come from Duxford. Primary schools in Duxford and Sawston are operating at capacity. The County Council are therefore proposing an area wide solution to what is an area wide problem. In order to secure a developer contribution the decision maker needs to be satisfied that this request is not sought to mitigate an existing problem and that the proposed mitigation is directly related to the development.

74.

Officers are concerned that this approach appears to be inconsistent with the approach adopted by the County Council on a number of recent applications and appeals where the County Council has said that schools outside the catchment area that the development is in will not be considered, regardless of whether they have a surplus of places or not. If a contribution is secured on this development it may prejudice the ability of the County Council from securing developer contributions on other proposals where neighbouring villages has primary school capacity. The County Council have however provided a legal view that this approach to securing an education contribution is compliant with CIL Regulation 122.

75.

At the time of writing this report an alternative solution to consider whether there is physical capacity to extend the William Westley school is being undertaken by the County Council. An update will be provided to Members as to whether this solution is feasible.

The total s106 contribution sought is £416,828. This consists of an education contribution as follows:

Early years - £121,828 towards early years places
Primary school - £195,000 towards primary school places

Other contributions include:

Sports space - £70,000 towards upgrading the existing tennis courts to make the facility suitable for wider use and towards an upgrade to the pavilion.

Children's play space - Onsite local equipped play area

Indoor community space - £30,000 towards a wide range of significant internal improvements to Whittlesford Memorial Hall and which may include an extension to the building

Conclusion

76.

In conclusion key factors for consideration are the lack of a five year housing land supply and the potential benefits of removing a nuisance site from this locality.

77.

The following relevant adopted development plan policies are to be regarded as out of

date while there is no five year housing land supply:

ST/6: Group Villages – indicative maximum scheme size of 8 dwellings or 15 dwellings for brownfield sites.

DP/1 – Sustainable Development

GB3 – Mitigating the impact of development on Green Belt.

HG/1: Density

HG/2: Housing Mix

This means that where planning permission is sought which would be contrary to the policies listed above, such applications must be determined against paragraph 14 of the NPPF.

For the reasons outlined above although some weight could be given to the above policies taking into account the relatively low level of services within Whittlesford, this is outweighed by the significant benefits that would derive from removal of the current use from this locality. The improvement to existing residential amenity which would include noise reduction, reduction in HGV movements, improved visual appearance of the site as well as enhancement of land adjoining the Green Belt is considered to outweigh concerns relating to the scale and density of the proposed development. It is also accepted that due to the exceptionally high costs of land remediation then a significant reduction in s106 contributions (based on site viability) is also acceptable.

Recommendation

78.

It is recommended that the Planning Committee grants officers delegated powers to approve the application subject to the following conditions and section 106 agreement.

Conditions

- a) Approval of the details of the layout of the site, the scale and appearance of buildings, the means of access and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
(Reason - The application is in outline only.)
- b) Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
(Reason - The application is in outline only.)
- c) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan X1129-000; Drawing Nos X1129 –SK008
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
- d) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

- e) No development shall take place until a plan showing the finished floor levels of the proposed dwellings in relation to the existing and proposed ground levels of the surrounding land has been submitted to and agreed in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

(Reason - In the interests of residential/visual amenity, in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

- f) Piling or other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

(Reason - To protect and prevent the pollution of controlled waters from potential pollutants associated with the current and previous land use in line with National Planning Policy Framework paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP/3)).

- g) Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.

(Reason - To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policy NE/10 of the adopted Local Development Framework 2007.)

- h) No development shall be commenced until details of the surface water drainage works have been submitted to and approved in writing by the Local Planning Authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework and the National Planning Policy Guidance, and the results of the assessment provided to the Local Planning Authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event + 30% allowance for climate change. The submitted details shall be in accordance with Flood Risk Assessment ref. 41323 dated July 2015 and:

i) Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

ii) Provide a management and maintenance plan for the lifetime of the development.

(Reason - To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity).

- i) No demolition or construction works shall commence on site until a Traffic

Management Plan has been submitted to and approved in writing by the Local Planning Authority. The principle areas of concern that should be addressed are:

- i) Movements and control of muck away lorries (all loading and unloading should be undertaken off the adopted public highway)
- ii) Contractor parking, for both phases all such parking should be within the curtilage of the site and not on street
- iii) Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway)
- iv) Control of dust, mud and debris. (Note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.)
(Reason - In the interests of highway safety.)
- j) Unless otherwise agreed in writing with the Local Planning Authority, no development shall take place until a scheme for the provision of on-site renewable energy to meet 10% or more of the projected energy requirements of the development has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.
(Reason - To ensure an energy efficient and sustainable development in accordance with Policies NE/1 and NE/3 of the adopted Local Development Framework 2007.)
- k) No external lighting shall be provided or installed within the site other than in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.
(Reason -To minimise the effects of light pollution on the surrounding area in accordance with Policy NE/14 of the adopted Local Development Framework 2007.)
- l) The dwellings, hereby permitted, shall not be occupied until parking for cars, and covered and secure cycle parking has been provided within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.
(Reason - To ensure the provision of covered and secure cycle parking in accordance with Policy TR/2 of the adopted Local Development Framework 2007.)
- m) No development shall take place until a scheme of ecological enhancement has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the features to be enhanced, recreated and managed for species of local importance both in the course of development and in the future. The scheme shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.
(Reason - To enhance ecological interests in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)
- n) Any removal of trees, scrub or hedgerow shall not take place in the bird breeding season between 15 February and 15 July inclusive, unless otherwise inspected by a suitably qualified ecologist and found not to be providing for nesting birds, or a mitigation scheme for the protection of bird-nesting habitat has been previously

submitted to and approved in writing by the Local Planning Authority.
(Reason - To avoid causing harm to nesting birds in accordance with their protection under the Wildlife and Countryside Act 1981 and in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

- o) No development shall take place until a scheme for the siting and design of the screened storage of refuse has been submitted to and approved in writing by the Local Planning Authority. The screened refuse storage [for each dwelling] shall be completed before that/the dwelling is occupied in accordance with the approved scheme and shall thereafter be retained.
(Reason - To provide for the screened storage of refuse in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- p) No development including demolition or enabling works shall take place until a Site Waste Management Plan for the demolition and construction phases has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be implemented in full.
(Reason - To ensure that waste arising from the development is minimised and that which produced is handled in such a way that maximises opportunities for re-use or recycling in accordance with Policy DP/6 of the adopted Local Framework 2007.)
- q) During the period of demolition and construction, no power operated machinery shall be operated on the site, and no construction/demolition dispatches from or deliveries to the site shall take place before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
- r) No development shall commence until a programme of measures to minimise the spread of airborne dust (including the consideration of wheel washing and dust suppression provisions) from the site, during the demolition/construction period, or relevant phase of development, has been submitted to and approved in writing by the Local Planning Authority. Works shall be undertaken in accordance with the approved details/scheme unless the Local Planning Authority approves the variation of any detail in advance in writing.
(Reason – To protect the amenities of nearby residential properties in accordance with Policies NE/15 and NE/16 of the adopted Local Development Framework 2007.)
- s) Prior to the occupation of any dwelling, an assessment of the noise impact of plant and/or equipment, including any renewable energy provision sources such as any air source heat pump, on the proposed and existing residential premises, and a scheme for insulation as necessary, in order to minimise the level of noise emanating from the said plant or equipment, shall be submitted to and approved in writing by the Local Planning Authority. Any noise insulation scheme as approved shall be fully implemented before the use hereby permitted is occupied, and shall thereafter be maintained in strict accordance with the approved details and shall not be altered without prior approval.
(Reason – To protect the amenities of nearby residential properties in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

- t) No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall be submitted to and approved, in writing by the Local Planning Authority:
1. A Preliminary Risk Assessment (PRA) including a Conceptual Site Model (CSM) of the site indicating potential sources, pathways and receptors, including those off site.
 2. The results of a site investigation based on (1) and a detailed risk assessment, including a revised CSM.
 3. Based on the risk assessment in (2) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long term monitoring and maintenance plan as necessary.
 4. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the remediation strategy in (3). The long term monitoring and maintenance plan in (3) shall be updated and be implemented as approved.

(Reason – To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).

- u) No dwellings shall be occupied until a Travel Plan for both residents and visitors has been submitted to and approved in writing by the Local Planning Authority. The Plan shall be implemented in accordance with the approved details.
(Reason: To reduce car dependency and to promote alternative modes of travel in accordance with Policy TR/3 of the adopted Local Development Framework 2007.)

- v) All development hereby approved shall be served solely via the proposed site access and by no other means of access.
(Reason: In the interests of highway safety)

- w) Prior to commencement on site a detailed programme for delivery of the site shall be submitted to and agreed in writing by the Local Planning Authority. This programme shall clearly set out the delivery of the site within the next 5 years. The site shall then be complete in accordance with that programme unless otherwise agreed in writing with the Local Planning Authority.
(Reason: To ensure the effective delivery of housing in accordance with National Planning Policy Framework).

Requirements under Section 106 of the Town and Country Planning Act 1990

- (a) Education contribution
- (b) Open Space
- (c) Community Facilities

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.

- National Planning Policy Framework (NPPF)
- South Cambridgeshire Local Development Framework Core Strategy DPD 2007
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents
- South Cambridge Local Plan Submission 2014
- Planning File References S/0746/15/OL

Report Author:Graham Nourse - Planning Team Leader
Telephone Number: 01954 713142



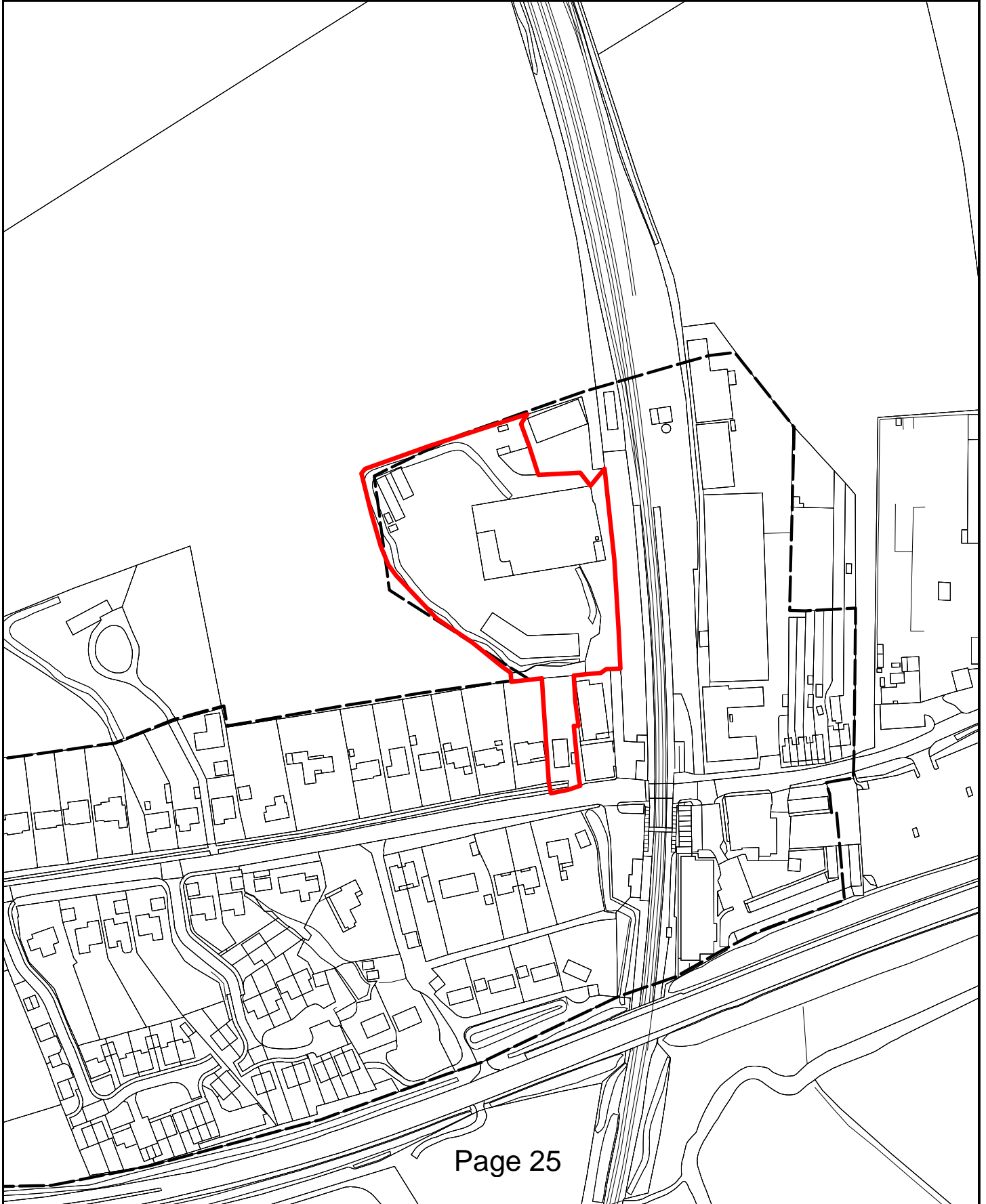
Scale - 1:2500
Time of plot: 10:23

Date of plot: 19/05/2016



South
Cambridgeshire
District Council

© Crown copyright [and database rights] (2015) OS (100022500)



This page is left blank intentionally.

Agenda Item 5

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6 July 2016

AUTHOR/S: Planning and New Communities Director

Application Number:	S/0238/16/OL
Parish(es):	Whittlesford
Proposal:	Outline planning permission with all matters reserved apart from access for the erection of up to eighteen dwellings and associated infrastructure works.
Site address:	83, Moorfield Road, Whittlesford, CB22 4PP
Applicant(s):	Dernford Estates Ltd
Recommendation:	Approval
Key material considerations:	The main issues are whether the proposed development would provide a suitable site for housing, having regard to housing land supply, the principles of sustainable development, scale of development and impact on townscape and landscape character, drainage issues, services and facilities, access and transport and ecology.
Committee Site Visit:	5 th July 2016
Departure Application:	Yes
Presenting Officer:	James Platt, Senior Planning Officer
Application brought to Committee because:	The application proposal raises considerations of wider than local interest.
Date by which decision due:	6 th August 2016

Executive Summary

1. This proposal seeks outline permission (access only for approval) for a residential development of up to 18 dwellings on a greenfield site within the countryside, outside the designated Development Framework of a Group village as identified in the adopted and emerging plans. The development would not normally be considered acceptable in principle when set against current adopted policy as a result of its scale and location. It is recognised that the district does not currently have a 5 year housing land supply, and therefore the relevant adopted LDF policies in relation to the supply of housing are considered not up to date for the purposes of the NPPF.
2. However, the local planning authority must still determine the appropriate weight to apply to relevant development plan policies even where out of date. In this instance

whilst Policies ST/6 and DP/7 of the adopted Core Strategy and adopted Development Control Policies which influence the supply of housing land, are considered out of date, they continue to perform a material planning objective, consistent with the policies of the NPPF, in forming part of a suite of policies to control the distribution and scale of new housing by ensuring that development is sustainably located and unsustainable locations are avoided. The Policies thereby are afforded considerable weight.

3. Paragraph 14 of the NPPF states there is a presumption in favour of sustainable development, and where relevant policies are out of date, planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
4. In this case, whilst Whittlesford, having regard to the level of services and facilities in the village, is a less location for the scale of development proposed, due to the accessibility to necessary services and facilities, including employment opportunities an secondary education, by sustainable modes of transport, the proposal site, on balance, would not result in significant harm in terms of an unsustainable location.
5. Officers are of the view that the benefits of the proposal, including a contribution of up to 18 dwellings towards the required housing land supply, and provision of 40% affordable dwellings (7 units), outweighs any harm from the proposal.

Planning History

6. None

Planning Policies

7. The following paragraphs are a list of documents and policies that may be relevant in the determination of this application. Consideration of whether any of these are considered out of date in light of the Council not currently being able to demonstrate that it has an up to date five year housing land supply, and the weight that might still be given to those policies, is addressed later in the report.
8. *National Planning Policy Framework
Planning Practice Guidance*
9. *South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007*
ST/2 Housing Provision
ST/6 Group Villages
10. *South Cambridgeshire LDF Development Control Policies, adopted July 2007*
DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/4 Infrastructure and New Developments
DP/7 Development Frameworks
HG/1 Housing Density
HG/2 Housing Mix
HG/3 Affordable Housing
SF/10 Outdoor Play space, Informal Open Space, and New Developments
SF/11 Open Space Standards

NE/1 Energy Efficiency
 NE/3 Renewable Energy Technologies in New Development
 NE/4 Landscape Character Areas
 NE/6 Biodiversity
 NE/9 Water and Drainage Infrastructure
 NE/10 Foul Drainage – Alternative Drainage Systems
 NE/11 Flood Risk
 NE/12 Water Conservation
 NE/14 Light Pollution
 NE/15 Noise Pollution
 NE/17 Protecting High Quality Agricultural Land
 CH/2 Archaeological Sites
 TR/1 Planning for More Sustainable Travel
 TR/2 Car and Cycle Parking Standards
 TR/3 Mitigating Travel Impact
 TR/4 – Non-motorised Transport

11. *South Cambridgeshire LDF Supplementary Planning Documents (SPD)*
 Open Space in New Developments SPD - Adopted January 2009
 Affordable Housing SPD - Adopted March 2010
 Trees & Development Sites SPD - Adopted January 2009
 Landscape in New Developments SPD - Adopted March 2010
 Biodiversity SPD - Adopted July 2009
 District Design Guide SPD - Adopted March 2010
 Health Impact Assessment – Adopted March 2011
12. *Draft Local Plan*
 S/1 Vision
 S/2 Objectives of the Local Plan
 S/3 Presumption in Favour of Sustainable Development
 S/5 Provision of New jobs and Homes
 S/7 Development Frameworks
 S/10 Group Villages
 S/12 Phasing, Delivering and Monitoring
 CC/1 Mitigation and Adaptation to Climate Change
 CC/3 Renewable and Low Carbon Energy in New Developments
 CC/4 Sustainable Design and Construction
 CC/6 Construction Methods
 CC/7 Water Quality
 CC/8 Sustainable Drainage Systems
 CC/9 Managing Flood Risk
 HQ/1 Design Principles
 NH/2 Protecting and Enhancing Landscape Character
 NH/3 Protecting Agricultural Land
 NH/4 Biodiversity
 NH/6 Green Infrastructure
 NH/14 Heritage Assets
 H/7 Housing Density
 H/8 Housing Mix
 H/9 Affordable Housing
 SC/8 Open space standards
 SC/11 Noise pollution
 T/I Parking provision

Consultations

13. Whittlesford Parish Council - Raises an objection on the following planning grounds;
 - Highways safety concerns regarding inadequacy of access, traffic and lack of visibility
 - Fails to meet the requirements of Policy ST/6 and DP/7 of the Development Framework

14. Affordable Housing Officer - Comments that the application complies with 40% requirement for affordable housing. The preferred tenure split for the rented affordable properties should consist of two one bedroom, two bedroom and one three bedroom property.

15. Urban Design Officer – Raises no objection to the principle of housing on this site. The number of dwellings (18) / density given this edge of village location, and the linear nature of the site and narrow access appear acceptable. Raises the following concerns to be addressed at reserved matters stage:
 - Dwelling to boundary distances
 - Gardens appear to only meet minimum requirements
 - The road appears over engineered and dominates the development
 - Visitor parking is required
 - Opportunities to increase permeability is strongly encouraged

16. Ecology Officer – Raises no objection to the proposal subject to conditions regarding controlling removal of vegetation during the bird breeding season and a scheme of ecological enhancement.

17. Landscape Officer – Raises no objection to the proposal. Comments that the following concerns to be addressed at reserved matters stage:
 - Entrance route shown is tight and close to the existing property boundaries to the north. This combined with the parking arrangement between plots 2 and 3 and the exposed acoustic would not make an attractive introduction to the site.
 - Public open space shown is not viable in this location.
 - Plots 1-2 look difficult; they are close to the entrance road to the north, are far closer to the A505 than any other dwellings in the area and have no buffer between the dwellings and the acoustic fence.
 - Given the access point from a spur off of Moorfield Road, it is not clear whether the road is to be adopted or not. If not it may be possible for more flexibility in the road/footway design – perhaps shared surfaces etc. – allowing a less engineered appearance.
 - The rear garden plots generally appear too small, and plots 8 -10 would not be large enough to accommodate meaningful planting as shown.
 - Plots such as 14 would be in almost permanent shade.
 - The existing conifer hedge along the southern boundary is presumably to be retained as a screen to the acoustic fence. Maintenance arrangements for this hedge must be put in place as left unchecked it will soon affect light and amenity to plots on the south of the site.
 - The use of the orchard area as Public Open Space is welcome. The Reserved Matters should demonstrate how this area will be used, and by who.
 - Space should be found within the layout for a limited number of some trees which will help to anchor and link the scheme to the surrounding landscape.

18. Tree Officer - Raises no objection to the proposal. Comments that the following

matters to be addressed at reserved matters stage:

- Application expected to include an updated arboricultural report and tree protection strategy/ plan reflecting the final layout. It must be established how the hedge alongside the A505 is to be maintained in perpetuity.

19. Local Highways Authority – Raises no objection to the proposal subject to the imposition of conditions.
20. Cambridgeshire County Council Historic Environment Team – Raises no objection to the proposal.
21. Environment Agency – Raises no objection to the proposal.
22. Anglian Water – Raises no objection to the proposal.
23. Cambridgeshire County Council Flood and Water Team – Raises no objection to the proposal subject to the imposition of conditions.
24. Environmental Health Officer and Health & Environmental Services – Raises no objection to the proposal subject to the imposition of conditions regarding pile foundations, airborne dust, a construction management plan, a desk study and site walkover, a noise assessment and an air quality impact assessment.
25. Cambridgeshire County Council Education, Waste & LLL S106 Requirements – The following contributions are required:

Early Years need

£69,616

Primary need

£105,000

Secondary need

None required

Libraries and lifelong learning

None required

Strategic Waste

Five contributions pooled, therefore prevented from seeking further S106 strategic waste contribution.

26. Section 106 Officer - Comments that contributions are required towards off-site open space, community facilities and monitoring to ensure that the development is Acceptable in planning terms. A meeting has been held with Whittlesford Parish Council to identify projects and details and costings have been submitted.

Representations

27. Seven letters of representation have been received from third parties, objecting to the proposal on the following grounds;
 - Highways safety concerns
 - Existing infrastructure has no capacity

- Harm to the character and appearance of the village
- Overdevelopment
- Loss of trees
- Light pollution
- Alternative sites available
- Overlooking
- Overshadowing
- Noise disturbance

Site

28. The site is within the countryside, adjacent and opposite the Whittlesford Bridge Development Framework. Whittlesford Bridge, whilst located some 440 metres to the south of the main Village, forms part of the wider village settlement of Whittlesford. The site is comprised of approximately 0.72 hectares of land situated on Moorfield Road, immediately north of the A505, consisting of a paddock, to the south and west of property 83 Moorfield Road. There are existing hedgerows and trees on all boundaries of the site, including a dense coniferous hedge to the road frontage. The site is bounded by the highway to the south and east, an area of woodland and planting to the west and residential properties to the north. Further residential development is located opposite, on the eastern side of Moorfield Road.
29. District Design Guide SPD Adopted March 2010 has assessed the site area as 'The Chalk lands'. Key characteristics of this designation include rolling chalk hills and gently undulating plateau. The site itself however is of a flatter topography with a slight undulation towards the north.

Proposal

30. The proposal seeks outline planning permission for the residential development of Land at 83 Linton Road for up to 18 dwellings and details of vehicular access from Moorfield Road. The appearance, landscaping, layout and scale remain reserved. Affordable housing is to be provided at 40% of the total proposed units (7 units) and is comprised of tenure of 70% social rented and 30% intermediate/shared ownership.

Planning Assessment

Housing Land Supply

31. The National Planning Policy Framework (2012) (NPPF) requires local planning authorities to boost significantly the supply of housing, to achieve this a five-year housing land supply with an additional buffer, as set out in paragraph 47, should be identified and maintained.
32. The local planning authority accepts that it cannot currently demonstrate a five year housing land supply in the district as required by the NPPF, having a 3.9 year supply using the methodology identified by the Inspector in the Waterbeach appeals in 2014. This shortfall is based on an objectively assessed housing need of 19,500 homes for the period 2011 to 2031 (as identified in the Strategic Housing Market Assessment 2013 and updated by the latest update undertaken for the Council in November 2015 as part of the evidence responding to the Local Plan Inspectors' preliminary conclusions) and latest assessment of housing delivery (in the housing trajectory November 2015). In these circumstances any adopted or emerging policy which can be considered to restrict the supply of housing land is considered 'out of date' in respect of paragraph 49 of the NPPF.

33. Further guidance as to which policies should be considered as 'relevant policies for the supply of housing' emerged from a recent Court of Appeal decision (*Richborough v Cheshire East and Suffolk Coastal DC v Hopkins Homes*). The Court defined 'relevant policies for the supply of housing' widely so not to be restricted to 'merely policies in the Development Plan that provide positively for the delivery of new housing in terms of numbers and distribution or the allocation of sites,' but also to include, 'plan policies whose effect is to influence the supply of housing by restricting the locations where new housing may be developed.' Therefore all policies which have the potential to restrict or affect housing supply may be considered out of date in respect of the NPPF.
34. However, the Court of Appeal has confirmed that even where policies are considered 'out of date' for the purposes of NPPF paragraph 49, a decision maker is required to consider what (if any) weight should attach to such relevant policies.
35. In the case of this application policies which must be considered as potentially influencing the supply of housing land include ST/2 and ST/6 of the adopted Core Strategy and adopted policies DP/7 and NE/17 of the adopted Development Control Policies. Policies S/7, S/8, S/10 and NH/3 of the draft Local Plan are also material considerations but are also considered to be relevant (draft) policies for the supply of housing.
36. Paragraph 14 of the NPPF states that there is a presumption in favour of sustainable development. It says that where relevant policies are out of date, planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or where specific policies in the NPPF indicate development should be restricted (which includes land designated as Green Belt in adopted plans for instance).
37. Whilst paragraph 2. Of Policy ST/6 of the adopted Core Strategy, permits some residential development within the village framework and the site is located outside, given the adjacency of the site to the village framework, the site is relatable to the village geographically and in its dependency upon services/facilities. ST/6 also forms part of a suite of policies, which operate to direct new development to settlements which have an appropriate level of services to meet the requirements of new residents. As such, it is considered that ST/6, which reflects the relatively limited level of service at group villages to serve residential development, is material to development both within the village framework and development which proposed as a residential extension to that village framework, as proposed here.

Principle of development

38. Although adjacent and opposite on its northern and eastern boundaries to the Whittlesford Bridge Development Framework, the site is located in the countryside, where Policy DP/7 of the LDF and Policy S/7 of the Draft Local Plan states that only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted. The erection of a residential development of up to 18 dwellings would therefore not under normal circumstances be considered acceptable in principle. However, this policy is considered out of date due to the current lack of a 5 year housing land supply as set out above.
39. It falls to the local planning authority as decision maker to assess the weight, if any,

that should be given to the existing policies. The Council considers this assessment should, in the present application, have regard to factors including whether the policies continue to perform a material planning objective and whether it is consistent with the policies of the NPPF. Whittlesford is identified as a Group Village under Policy ST/6 of the LDF and Policy S/8 of the Draft Local Plan, one of four categories of rural settlements. The rural settlements, in terms of preference for housing provision, are placed behind the edge of Cambridge and new town of Northstowe. Group Villages are less sustainable settlements than Rural Centres and Minor Rural Centres, having fewer services and facilities and allowing only some of the day-to-day needs of residents to be met without the need to travel outside the village. As noted under paragraphs 65-75, Whittlesford whilst having relatively limited facilities and services, with no secondary school, it is subject to sources of employment within the locality and offers alternative methods of transport by way of good public transport links and public rights of way.

40. Development in Group Villages is normally limited to schemes of up to 8 dwellings, or in exceptional cases 15, where development would make best use of a single brownfield site. This planning objective remains important and is consistent with the NPPF presumption in favour of sustainable development, by limiting the scale of development in less sustainable rural settlements with a limited range of services to meet the needs of new residents in a sustainable manner. Therefore existing Policies ST/6 and DP/7 which form part of a suite of policies to control the distribution and scale of new housing can be afforded considerable weight since it contributes to ensuring that development is sustainably located and unsustainable locations are avoided. In this case the proposal to develop a scheme for up to 18 dwellings, in a less sustainable location when considering the relatively low level of services and facilities in the village (see paras 65 – 67), would not lead to significant harm due to the accessibility to necessary services and facilities by sustainable modes of transport. Any harm through a less sustainable location, due to lower level of services, is therefore outweighed by the need for additional housing land in this instance.
41. The Local Plan Village Classification Report June 2012, informed by the Village Services and Facilities Study, reviewed the settlement hierarchy in the adopted Core Strategy 2007, and as part of this considered where individual villages should sit within the hierarchy. The NPPF requires that ‘planning policies and decisions should actively manage patterns of growth to make fullest use of public transport, walking and cycling, and focus development in locations which are or can be made sustainable.’
42. Whilst the village of Whittlesford was not referenced specifically within the Report, the document did however provide criteria used in the assessment of the sustainability of settlements within the district. These were public transport, secondary education, village services and facilities, and employment. Furthermore the Report concluded that Whittlesford did not merit consideration for a higher status within the settlement hierarchy, remaining as classified as a Group Village.
43. The field was received during the call for sites and tested in the SHLAA, which concluded that it had no development potential, this was primarily based upon the sites failure, at that time, to provide safe highways access.

Deliverability

44. There are no known technical constraints to the site’s delivery. Officers are therefore of the view that the site can be delivered within a timescale whereby significant weight can be given to the contribution the proposal could make to the 5 year housing land

supply.

45. A reduced time limit for the submission of a reserved matters application is recommended in order to ensure the early delivery of housing as to address the five year housing land supply shortfall.

Sustainability of development

46. The NPPF states that there are 3 dimensions to sustainable development, economic, social and environmental. The aspects are considered in the assessment of highlighted issues below.
47. Policy DP/1 of the adopted Local Development Framework and Policy S/3 of the Draft Local Plan set out the principle of sustainable development. Although in respect of DP/1 1a. the policy relates to the supply of housing, in that it refers to the sequential approach to development, and therefore in this respect can be considered out of date; the remainder of the objectives of the policy are consistent with the aims of the NPPF in promoting sustainable development. Officers are therefore of the view that this policy can be given significant weight in the determination of this application.

Economic.

48. The provision of 18 new dwellings will give rise to employment during the construction phase of the development, and has the potential to result in an increase in the use of local services and facilities, both of which will be of benefit to the local economy.

Social.

Provision of new housing

49. The development would provide a clear benefit in helping to meet the current housing shortfall in South Cambridgeshire through delivering up to 18 residential dwellings. 40% of these units will be affordable (7 units). The applicant indicates that the mix of housing will be in accordance with Policy HG/2. The affordable housing can be secured through a Section 106 Agreement. Officers are of the view the provision of up to 18 houses, including the affordable dwellings, is a benefit and significant weight should be attributed this in the decision making process.
50. Public open space is shown on the indicative layout plan, and this will need to be secured through a Section 106 agreement, along with off-site and maintenance contributions where appropriate. It will be mainly utilised by occupiers of the proposed development, and is not likely to become used by the wider population of the village, given its location at the edge of the village.
51. Paragraph 7 of the NPPF states that the social dimension of sustainable development includes the creation of a high quality built environment with accessible local services. The Urban Design Officer has raised no objection about the proposed development of the site for 18 dwellings, in terms of the resultant form of development.
52. The matter of the sustainability of the site in terms of access to local services is discussed further below.

Environmental.

Impact on character of the village and landscape

53. The application proposes new housing at a density of approximately 25 dwellings per hectare (dph). Policy HG/1 requires new developments to make best use of the site by achieving average net densities of at least 30 dph unless there are exceptional local circumstances that require a different treatment. Policy H/7 of the Draft Local Plan confirms that density requirement, but states that it may vary on a site where justified by the character of the locality, the scale of the development or other local circumstances.
54. Both Policy HG/1 and H/7 are considered to be policies that relate to the supply of housing, and are therefore to be considered as being out of date. However, one the aims of the policy is to the need to respond to local character, which is supported by the aims of the NPPF as identified below, and Policies DP/2 and DP/3 of the adopted LDF. Policies DP/2 and DP/3 are not considered to be housing supply policies and are not therefore considered to be out of date. Officers are of the view that considerable weight can therefore be given to Policy HG/1 and H/7 where the proposed density of a particular development compromises local character and the aims of paragraph 58 of the NPPF which states that it should be ensured that developments respond to local character, and history, and reflect the identity of local surroundings and materials.
55. Policy DP/2 of the LDF states that all new developments should preserve or enhance the character of the local area; conserve or enhance important environmental assets of the site; and be compatible with its location in terms of scale, mass and form.
56. Policy DP/3 of the LDF states that planning permission will not be granted where the proposed development would, amongst other criteria, have an unacceptable adverse on village character, the countryside and landscape character.
57. The site is bounded by residential development to the north and opposite the proposed access and the A505 to the south. Furthermore, the site is subject to extensive hedging and planting to the southern and western boundaries. The presence of existing and surrounding residential properties, the A505 and extensive planting combined with the appearance of the paddock land opposed to the open agricultural fields, means the site does not read as part of the wider countryside.
58. The built form within the locality is traditionally linear, however more recent development at The Moraine (approved under planning reference S/0572/09/F) and Knights Orchard (approved under planning reference S/0990/09/F) introduced 16 and 18 dwellings respectively, consisting of close type development with access off Station Road. The introduction of these developments has contributed to a more varied character and an accepted pattern of residential development in proximity to the A505.
59. The Urban Design and Landscape Team raised no objection to the proposal.
60. Officers are of the view that the illustrative scheme demonstrates that the site is capable of providing the proposed number of dwellings, having regard to the constraints of the site, and in manner which would not materially detract from the character of the area or setting of the village, in accordance with the aims of Policies DP/2 and DP/3.

Residential amenity

61. The application is in outline only and therefore the layout plan submitted is for illustrative purposes only. However, officers need to be satisfied at this stage that the

site is capable of accommodating the amount of development proposed, without having a detrimental impact on the residential amenity of occupiers of adjacent properties.

62. The submitted drawings demonstrate that the site could accommodate the amount of development proposed without having an unreasonable impact on residential amenity through overlooking or overbearing impact. In accordance with the relevant amenity criteria of policy DP/3 of the Local Development Framework

Services and Facilities

63. Paragraph 55 of the NPPF seeks to promote sustainable development in rural areas advising *'housing should be located where it will enhance or maintain the vitality of rural communities'*, and recognises that where there are groups of smaller settlements, development in one village may support services in a village nearby.
64. An appeal against the refusal of planning permission for the erection of 26 dwellings on a site at 7 Station Road Over was dismissed in February 2013 (S/0440/12/FL). In dismissing the appeal the Inspector identified 3 key areas where he considered Over being deficient in terms of meeting the requirements for a sustainable location, those being; sources of employment in the vicinity; the nearest secondary school; and services fulfilling anything other than the most basic shopping trips. These requirements and the criteria outlined within The Local Plan Village Classification Report June 2012 (see para 41 - 42) have informed the assessment of whether Whittlesford is a sustainable location.
65. Whittlesford is served by relatively few services and facilities but includes a village hall, church, primary school, social club, pavilion, post office/village stores, two pubs, vets, art gallery, hotel and a petrol garage. With respect to employment opportunities within the immediacy of the village itself, Whittlesford is further limited.
66. This relative lack of services and employment opportunities is reflected in Whittlesford being designated a 'Group Village' in the Core Strategy settlement hierarchy. Group villages are described as *'generally less sustainable locations for new development than Rural Centres and Minor Rural Centres, having fewer services and facilities allowing only some of the basic day-to-day requirements of their residents to be met without the need to travel outside the village'*, and new housing proposals are restricted to limited development which will help maintain remaining services and facilities.
67. Whilst the village is served by some community and social facilities, it is deficient in its function to provide significant sources of employment, secondary education and services to fulfil other than the most basic shopping trip. As such, journeys out of the village would be a regular necessity for the majority of residents in order to access many day-to-day services.
68. The proposal site, situated to the southern tip of the village, is located approximately 0.7 miles from the village of Duxford. Services within Duxford include a primary school, village store, funeral directors, hairdressers, beauty salon, car servicing, hotel and three pubs. Duxford is similarly designated as a 'Group Village' and whilst those services are limited they do provide a supplementary offering outside of the Village of Whittlesford.
69. Employment is limited within the village; however there are various opportunities within the locality. The Volvo Construction Equipment plant and Welch's Transport Ltd

are situated to the south, approximately 0.1 miles from site, within Duxford, 1 Mile to the south, Huntsman Advanced Ltd, CIBA Chemical Ltd and Hexcel Composites Ltd are based, whilst approximately 1.8 miles to the west, lies Duxford Aerodrome and a number of commercial operations including the Duxford Motor Group.

70. The nearest settlement that would offer services and social facilities, sources of employment and secondary education, to possibly meet day-to-day needs would be the Rural Centre of Sawston, located approximately 1.6 miles to the north.
71. The proposal site is located approximately 2.9 miles from Sawston Village College Secondary School. A school bus service connects Whittlesford to the college.
72. There is a train station, Whittlesford Parkway, approximately 0.3 miles from the site. The station is connected to Cambridge, via the Rural Centre of Great Shelford, with a service operating every half an hour from 6:25am to 12:40pm Monday – Saturday. Sunday services again operate every half an hour but between the hours of 9:10 and 11:30 pm. Approximate journey times to Cambridge are 13 minutes. A service to London is also provided every half an hour between the hours of 4:55am and 11:00pm Monday – Saturday, Sunday services operate similarly, however commence at 7:45am. Approximate journey times to London are one hour.
73. There is a bus stop opposite the Red Lion Hotel, approximately 0.6 miles from the site. A service connects Whittlesford to the Rural Centre of Sawston and city of Cambridge and operates hourly between 8:25am and 12:10am, once at 14:10pm and once again hourly thereafter until 17:55pm with the final service at 19:14pm, Monday – Friday. The service operates hourly on a Saturday between the hours of 09:40am and 10:55 am, once at 12:10am and once again hourly until 15:25pm.
74. Duxford Road and Station Road is subject to a public footpath, connecting to Moorfield Road. The provision of the public footpath to the front of the proposal site, which forms part of this proposal, would connect the site to services in the village, approximately 0.7 miles to the north. Further public footpath links connect the site to the Villages of Duxford, Sawston and those employment sites as identified above.
75. Whilst the settlement of Whittlesford is deficient in its function to provide significant sources of employment, secondary education and services to fulfil other than the most basic shopping trip, due to the existing public footpath network and the proximity of settlements and infrastructure that meet those functions as outlined above, there is significant potential for journeys by bicycle or by foot. The bus stop and station are within a convenient distance and accessible given the public footpath. The routes available provide some offering and are frequent. Whilst Journey times, particularly by train, are short. Furthermore, 2011 Census data regarding modes of transport to work indicate a lower than average reliance on private vehicles, with 65.8. % of the working population traveling by car or van (District average 67.87%). Given the above, alternative means of transport to private vehicles would provide a sufficiently attractive or convenient option for residents.
76. In conclusion, the proposal site whilst having regard to the level of services and facilities in the village, is a less sustainable location for the scale of development proposed, conflicting with the aims of Policies DP/7 and ST/6 of the adopted Local Development Framework 2007, due to the accessibility to necessary services and facilities by sustainable modes of transport, the proposal site, on balance, would not result in significant harm in terms of a less sustainable location. As such, the harm resulting from the less sustainable location is not significant and would not demonstrably outweigh the benefits of the proposal.

Access and Transport

77. The Highways Authority raises no objection to the proposal subject to the imposition of conditions regarding construction of the proposed drive and submission of a traffic management plan. The proposal is thereby acceptable in this regard.
78. A footpath is provided from the proposed access to join up with the existing footpath which currently ends on the eastern side of Moorfield Road, to the front of number 88. This can be secured by condition.

Surface water drainage

79. The site lies in Flood Zone 1.
80. The Lead Local Flood Authority raises no objection to the proposal, subject to the imposition of conditions regarding restriction in run-off and surface water storage and details of long term maintenance arrangements for any parts of the surface water drainage system which will not be adopted. The proposal is thereby acceptable in this regard.

Foul water drainage

81. Anglian Water raises no objection to the proposal, stating their is capacity for Wastewater Treatment and Foul Sewerage. The proposal is thereby acceptable in this regard.

Heritage Assets

82. The Historic Environment Team raises no objection to the proposal. The proposal is thereby acceptable in this regard.

Ecology

83. The Ecology Officer raises no objection to the proposal. The proposal is thereby acceptable in this regard.

Renewable Energy

84. The applicant has indicated that the scheme will have regard for Policy NE/3 and the requirement of renewable technologies, but has stated that this can only be resolved at the detailed stage as further design and layout information becomes available.
85. Officers are of the view that this matter can be dealt with by condition, however the detailed layout and orientation of dwellings should seek to maximise energy saving possibilities.

Protecting High Quality Agricultural Land

86. The site is classified as Grade 2 agricultural land. Policy NE/17 states that planning permission should not be granted or development that would result in its irreversible loss, unless the land is allocated for development, or sustainability considerations and the need for development are sufficient to override the need to protect the agricultural value of the land.

87. Policy NE/17 is considered to be a policy that restricts the supply of housing, and is therefore considered out of date. Officers are of the view that due to the limited size of the site, which does not form part of a larger area of agricultural land, means that the loss for agricultural use is not significant, and there very little weight can be given to Policy NE/17 in this case.

Planning Obligations

88. From 6 April 2015, the use of 'pooled' contributions toward infrastructure projects has been restricted. Previously, LPAs had been able to combine planning obligation contributions towards a single item or infrastructure 'pot'. However, under the Community Infrastructure Levy Regulation 123(3), LPAs are longer be able to pool more than five planning obligations together if they were entered into since 6 April 2010, and if it is for a type of infrastructure that is capable of being funded by the CIL. These restrictions apply even where an LPA does not yet have a CIL charging schedule in place.
89. The Council can confirm that there have been 5 Section 106 agreements in respect of developments in the village of Whittlesford since 6 April 2010 contributing towards (i) offsite open space and (ii) offsite indoor community space improvements. As such the CIL Regulations prevent the LPA from lawfully securing further tariff style contributions towards unidentified offsite open space improvements in accordance with development control policies and the open space in new development SPD.
90. The LPA recognises that the Planning Practice Guidance requires that 'In all cases, including where tariff style charges are sought, the local planning authority must ensure that the obligation meets the relevant tests for planning obligations in that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind'. It goes on to say that 'Planning obligations must be fully justified and evidenced' and as such the LPA take the view that a project should be identified in order to ensure CIL compliance.
91. Appendix 1 provides details of the developer contribution required to make the development acceptable in planning terms in accordance with Policy DP/4 of the LDF and paragraph 204 of the NPPF.

Other Matters

92. Recent appeal decisions within the district at Foxton (APP/W0530/W/15/3084325) and Swavesey (APP/W0530/W/15/3139078) have been considered in the context of determining this application.
93. The Foxton appeal decision related to an application for outline planning permission for up to 95 dwellings (reduced to 75) at Land off Shepreth Road, within the countryside. Foxton is a designated Group Village. The appeal was dismissed with the inspector concluding, due to serious harm to the setting of Foxton House, the proposal does not comprise sustainable development.
94. The Swavesey appeal decision related to an application for outline planning permission for up to 30 dwellings, at 18 Boxworth End, the majority of the site is located within the countryside. Swavesey is designated as a Group Village. The appeal was allowed and planning permission granted, with the inspector concluding that the development would represent sustainable development.

95. In both instances limited weight is given to the out of date policies DP/7 and ST/6 and that development of the scale proposed was not considered to result in harm by way of an unsustainable location, comparable to this application given that Swavesey and Foxton are designated similarly as Group Villages within the adopted Core Strategy.
96. The Foxton appeal started on the 31st July 2015, with statements due on the 11th September 2015 and the inquiry evidence given on the 12th January 2016 and held on the 9th February 2016. The Swavesey appeal started on the 14th December 2015, with final comments due on the 19th February 2016.
97. Given those dates of the appeals, as referenced above, it is considered that the applications and appeals pre-date the Court of Appeal decision (Richborough v Cheshire East and Suffolk Coastal DC v Hopkins Homes) dated 17th March 2016. As such the local authority in presenting the statements and inquiry evidence and the inspectors assessment of these particulars, did not benefit from this ruling and in particular to recognition by the Court of Appeal that out of date housing supply policies can still be given weight- even considerable weight – if they still maintain a planning function. It is considered that policy ST/6 and DP/7 still maintain an important and valid function because they ensure that development is sustainably located and unsustainable locations are avoided. This matter is not addressed or considered in the two appeals. As such, the relevance of those earlier decisions and the desirability in principle of consistency in decision making is outweighed by the fact that this important factor was not addressed or considered in earlier appeal decisions. Following the decision of the Court of Appeal, it is necessary in all cases to consider what weight should be attached to out of date housing supply policies having regard inter alia to whether they still fulfil a planning function.
98. With respect to those appeal sites not being considered unsustainable locations, their individual merits in terms of availability and accessibility of services, public transport links and employment opportunities are not fully comparable in this instance. Furthermore, each site is assessed on its individual merits.
99. A note of advice has been prepared by Douglas Edwards Q.C on behalf of the Local Authority, dated 22 June 2016. The note of advice, whilst specifically addressing matters raised by the applicant under application reference S/2830/15/FL, is relevant to this application in addressing the weight that can be given to out of date housing policies, and has informed this recommendation to Planning Committee.
100. Members should be aware that another appeal decision (App/W0530/W/15/3138791) has recently been issued in respect of Duxford, the impact of that appeal decision on this application, will be provided in an update report and will be considered as part of the decision making on this application.

Conclusion

101. In considering this application, the following relevant adopted development plan policies are to be regarded as out of date while there is no five year housing land supply:

ST/6: Group Villages – indicative maximum scheme size of 8 dwellings
 DP/1 – Sustainable Development
 DP/7: Village Frameworks
 HG/1: Density
 HG/2: Housing Mix
 NE/1: Biodiversity

NE/17: Protecting High Quality Agricultural Land
CH/2: Archaeological Sites

102. This means that where planning permission is sought which would be contrary to the policies listed above, such applications must be determined against paragraph 14 of the NPPF.
103. For the reasons outlined in paragraphs 40 above, officers are of the view that significant weight can be given to Policies ST/6 and DP/7 in this case. Officers have identified in the report, that whilst the services in Whittlesford have been found deficient in three areas, which are likely to generate regular journeys, these being the lack of significant sources of employment in the village, the nearest secondary school being Sawston Village College, and that anything other than the most basic shopping trip not being able to be fulfilled within the village, due to the existing public footpath network, availability, range and frequency of public transport and the proximity of settlements and infrastructure that meet those functions as outlined above, alternative means of transport to private vehicles would provide a sufficiently attractive or convenient option to future residents. The proposal site, on balance, would not result in significant harm in terms of an less sustainable location
104. In coming to this view officers have had regard to the recent Court of Appeal decision in assessing the weight that can be given to housing supply policies that are out of date.
105. These adverse impacts must be weighed against the potential benefits of the development outlined in the preceding section of this report.
106. In this case the adverse impacts, from the site being a less sustainable location for the scale of development proposed due to the level of services and facilities in the village are considered to not significantly and demonstrably outweigh the benefits of the development, when assessed against the policies in the NPPF taken as a whole.
107. Planning permission should therefore on balance be granted because material considerations do not clearly outweigh any harm identified.

Recommendation

108. Officers recommend that the Planning Committee should approve the proposal subject to the following conditions:
 - a) Approval of the details of the layout of the site, the scale and appearance of buildings and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
(Reason - The application is in outline only.)
 - b) Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of one year from the date of this permission.
(Reason - The application is in outline only. A reduced time limit for the submission of a reserved matters application is imposed in order to ensure the early delivery of housing as to address the present absence of a five year housing land supply)
 - c) The development hereby permitted shall be carried out in accordance with the

following approved plans:

Location Plans drawing no.3911/DH/15/001 Revision A

Existing Site Layout drawing no.13693/JD/1

Proposed Access Arrangement and Visibility Plan Revision B

Swept Path Analysis of a Large Car and a 3 Axle Refuse Vehicle drawing no.SP01 Revision C

Swept Path Analysis of a 3 Axle Refuse Vehicle drawing no.SP02 Revision A

Proposed Access Arrangement 25m Forward Visibility drawing no.PL02 Revision B

Flood Risk Assessment & Drainage Strategy prepared by TPA

TS & AIA drawing no.4992-D

Archaeological Evaluation prepared by Britannia Archaeology Ltd

Noise Impact Assessment prepared by Cambridge Acoustics

Transport Statement prepared by TPA

Ecology Report prepared by Applied Ecology Ltd

(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

- d) No development shall take place until a plan showing the finished floor levels of the proposed dwellings in relation to the existing and proposed ground levels of the surrounding land has been submitted to and agreed in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.
(Reason - In the interests of residential/visual amenity, in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- e) No development shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
- f) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
- g) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment [for each dwelling] shall be completed before that/the dwelling is occupied in accordance with the approved details and shall thereafter be retained.
(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

- h) No development shall take place until a scheme for the provision of on-site renewable energy to meet 10% or more of the projected energy requirements of the development has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.
(Reason - To ensure an energy efficient and sustainable development in accordance with Policies NE/1 and NE/3 of the adopted Local Development Framework 2007.)
- i) No external lighting shall be provided or installed within the site other than in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.
(Reason -To minimise the effects of light pollution on the surrounding area in accordance with Policy NE/14 of the adopted Local Development Framework 2007.)
- j) The development hereby permitted shall not commence until details of the detailed design, implementation, maintenance and management of a surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority and Lead Local Flood Authority (LLFA). Those details shall include
- a) Information about the design storm period and intensity (1 in 30 & 1 in 100 (+ an appropriate allowance for Climate Change)), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance, the methods employed to delay and control surface water discharge from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface water.
 - b) Flood water exceedance routes, both on and off site;
 - c) A timetable for implementation;
 - d) Site Investigation and test results to confirm infiltration rates;
- (Reason - To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off site resulting from the proposed development.)
- k) Details for the long term maintenance arrangements for any parts of the surface water drainage system which will not be adopted (including all SUDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings hereby permitted. The submitted details should identify runoff subcatchments, SUDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.
(Reason - To ensure the satisfactory maintenance of unadopted drainage systems in accordance with the requirements of paragraphs 103 and 109 of the National Planning Policy Framework.)
- l) Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.

(Reason - To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policy NE/10 of the adopted Local Development Framework 2007.)

- m) No development shall take place until a scheme of ecological enhancement has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the features to be enhanced, recreated and managed for species of local importance both in the course of development and in the future. The scheme shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.

(Reason - To enhance ecological interests in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

- n) Any removal of trees, scrub or hedgerow shall not take place in the bird breeding season between 15 February and 15 July inclusive, unless a mitigation scheme for the protection of bird-nesting habitat has been previously submitted to and approved in writing by the Local Planning Authority.

(Reason - To avoid causing harm to nesting birds in accordance with their protection under the Wildlife and Countryside Act 1981 and in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

- o) No development shall be commenced, unless otherwise agreed, until:

a) The application site has been subject to a detailed desk study and site walkover, to be submitted to and approved by the Local Planning Authority.

b) The application site has been subject to a detailed scheme for the investigation and recording of contamination and remediation objectives have been determined through risk assessment and agreed in writing by the Local Planning Authority.

c) Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation method statement) have been submitted to and approved in writing by the Local Planning Authority.

d) The works specified in the remediation method statement have been completed, and a Verification report submitted to and approved in writing by the Local Planning Authority, in accordance with the approved scheme.

e) If, during remediation works, any contamination is identified that has not been considered in the remediation method statement, then remediation proposals for this material should be agreed in writing by the Local Planning Authority.

(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 DP/1 of the adopted Local Development Framework 2007

- p) Before the development hereby permitted is commenced, a simple air quality

impact assessment should be carried out and submitted, in writing, to the Local Planning Authority for approval. The assessment should have regard to the National Air Quality Objectives and include a detailed investigation into the existing local background air quality conditions, the potential impact of the development on the nearest sensitive receptors and should explore mitigation measures if necessary. SCDC consider that an emphasis on the actual implementation of mitigation measures to achieve betterment of local air quality together with compliance with relevant policies particularly important. The air quality assessment may require, if appropriate, the use of detailed air pollution modelling and details of stack/flue height calculations, where appropriate as well as account for any on-site combustion plant.
(Reason – To ensure compliance with the Councils Policy NE/16 and Section 124 of the National Planning Policy Framework.)

- q) Prior to the first occupation of development a post construction noise assessment shall be carried out to demonstrate that the noise criteria outlined in the Noise Impact Assessment prepared by Cambridge Acoustics dated November 2015 can be achieved.
(Reason - In the interest of the residential amenity of future occupants in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- r) Prior to commencement of development an Operational Noise Minimisation Management Plan / Scheme shall be submitted in writing to the Local Planning Authority for approval. This shall include details of site wide measures to be undertaken and implemented to minimise and mitigate noise activities / operations as far as is reasonably practicable. The approved plan / scheme shall be retained thereafter unless otherwise approved in writing by the Local Planning Authority and shall be reviewed and revised as necessary at the reasonable request of the Local Planning Authority following the receipt of any justified noise complaints.
(Reason - In the interest of the residential amenity of neighbouring properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- s) No development shall commence until a programme of measures to minimise the spread of airborne dust (including the consideration of wheel washing and dust suppression provisions) from the site during the construction period or relevant phase of development has been submitted to and approved in writing by the Local Planning Authority. Works shall be undertaken in accordance with the approved details / scheme unless the Local Planning Authority approves the variation of any detail in advance and in writing.
(Reason - In the interest of the residential amenity of neighbouring properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- t) In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the Local Planning Authority with a report / method statement for approval, detailing the type of piling and mitigation measures to be taken to protect local residents noise and or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5528, 2009 - Code of Practice for Noise and Vibration Control on Construction and Open Sites Parts 1 - Noise and 2 -Vibration (or as superseded). Development shall be carried out in accordance with the approved details.

(Reason - In the interest of the residential amenity of neighbouring properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

- u) Prior to the first occupation of development, the proposed highways works shall be carried out and completed in full accordance with drawing no. PL01 Rev B.
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

- v) Prior to the first occupation of development, visibility splays shall be provided on each side of the vehicular junction in full accordance with drawing no. PL01 Rev B. The splays shall thereafter be maintained free from any obstruction over a height of 600mm above the level of the adjacent highway carriageway.
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

- w) The surface of the proposed access hereby approved shall be constructed on a level that prevents surface water run-off onto the highway and shall be constructed from a bound material so as to prevent displacement of material onto the highway. The development shall be retained as such thereafter.
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007 and the National Planning Policy Framework.)

- x) No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Local Planning Authority. The principle areas of concern that should be addressed are:
 - (i) Movements and control of muck away lorries (all loading and unloading shall be undertaken off the adopted highway)
 - (ii) Contractor parking, for both phases all such parking shall be within the curtilage of the site or within the car hire yard and not on the street at any time.
 - (iii) Movements and control of all deliveries (all loading and unloading and storage of materials shall be undertaken off the adopted public highway and should be carried out within the car hire yard.
 - (iv) Control of dust, mud and debris, in relationship to the functioning of the adopted public highway.
(Reason - In the interests of highways safety and the residential amenity of neighbouring properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

Note: The granting of a planning permission does not constitute a permission or licence to carry out any works within, or disturbance of, or interference with, the Public Highway, a separate permission must be sought from the Highway Authority for such works.

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 Development Framework Core Strategy (adopted January 2007)

- South Cambridgeshire Local Plan 2004
- Planning File Ref: S/0238/16/OL

Report Author:

James Platt

Telephone Number:

Senior Planning Officer
01954 713159



FOR INTERNAL USE ONLY

Scale - 1:2500

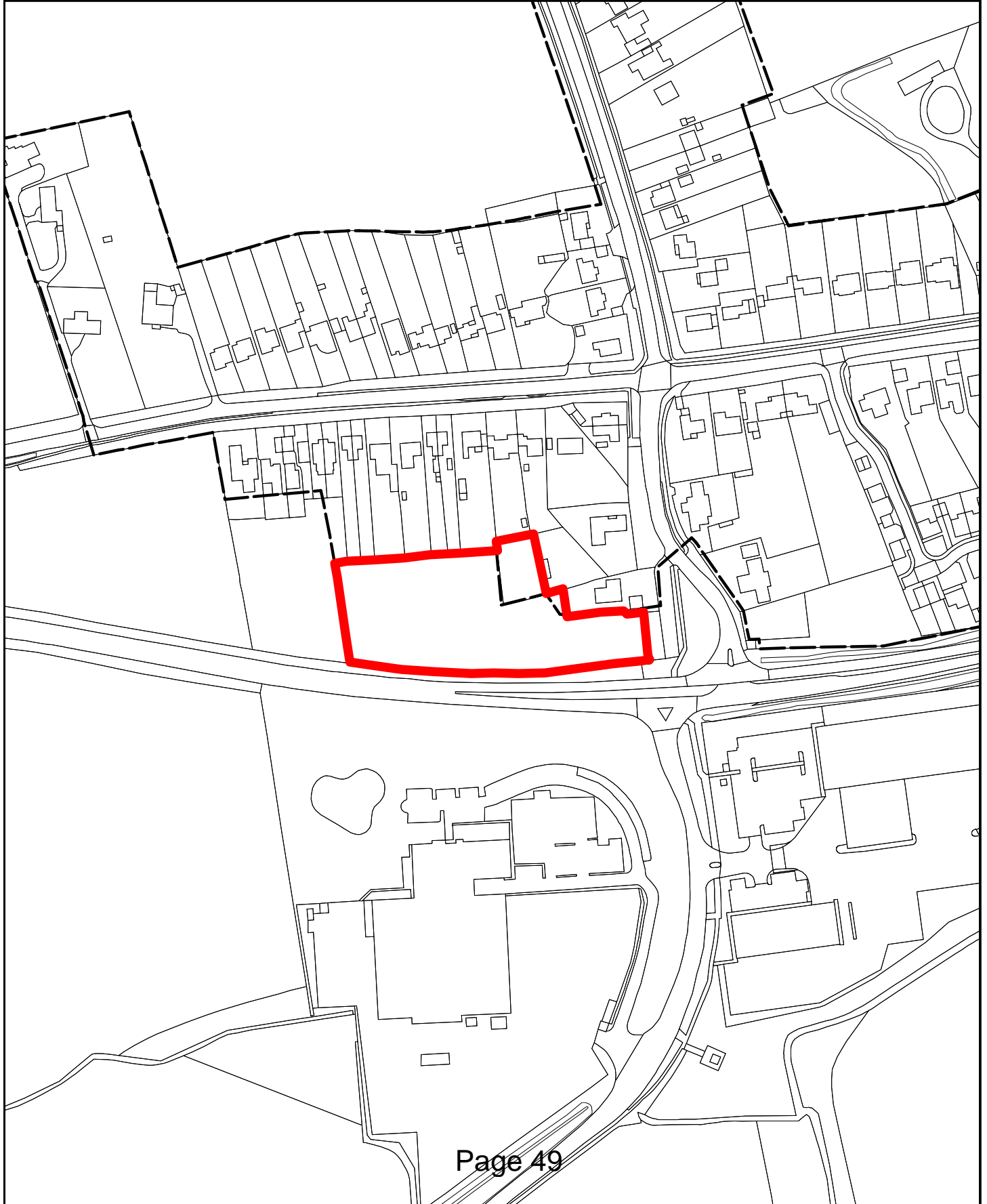
Time of plot: 08:34

Date of plot: 20/06/2016



**South
Cambridgeshire
District Council**

© Crown copyright [and database rights] (2015) OS (100022500)



This page is left blank intentionally.

Agenda Item 6

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6 July 2016

AUTHOR/S: Planning and New Communities Director

Application Number:	S/2830/15/OL
Parish(es):	Balsham
Proposal:	Outline application for residential development and details of means of access
Site address:	Land at 22 Linton Road, Balsham, CB21 4HA
Applicant(s):	Endurance Estates Strategic Land Ltd
Recommendation:	Refusal
Key material considerations:	The main issues are whether the proposed development would provide a suitable site for housing, having regard to housing land supply, the principles of sustainable development, scale of development and impact on townscape and landscape character, drainage issues, services and facilities, access and transport and ecology.
Committee Site Visit:	5 th July 2016
Departure Application:	Yes
Presenting Officer:	James Platt, Senior Planning Officer
Application brought to Committee because:	The application proposal raises considerations of wider than local interest.
Date by which decision due:	Extension of time requested until 8 th July 2016

Executive Summary

1. This proposal seeks outline permission (access only for approval) for a residential development of up to 29 dwellings on a greenfield site within the countryside, outside the designated Development Framework of a Group village as identified in the adopted and emerging plans. The development would not normally be considered acceptable in principle when set against current adopted policy as a result of its scale and location. It is recognised that the district does not currently have a 5 year housing land supply, and therefore the relevant adopted LDF policies in relation to the supply of housing are considered not up to date for the purposes of the NPPF.
2. However, the local planning authority must still determine the appropriate weight to apply to relevant development plan policies even where out of date. In this instance whilst Policies ST/6 and DP/7 of the adopted Core Strategy and adopted

Development Control Policies which influence the supply of housing land, are considered out of date, they continue to perform a material planning objective, consistent with the policies of the NPPF, in forming part of a suite of policies to control the distribution and scale of new housing by ensuring that development is sustainably located and unsustainable locations are avoided. The Policies thereby are afforded considerable weight.

3. Paragraph 14 of the NPPF states there is a presumption in favour of sustainable development, and where relevant policies are out of date, planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. It is considered that Balsham is not a sustainable location for the scale of development proposed, having regard to the level of services and facilities in the village and the accessibility to necessary services and facilities by sustainable modes of transport.
4. In this case, the location and scale of the development are such that officers are of the view that the harm arising from the unsustainable location, significantly and demonstrably outweighs the benefits of the proposal. These include a contribution of up to 29 dwellings towards the required housing land supply, and provision of 40% affordable dwellings (12 units).

Planning History

5. SC/0582/72/O – Residential Development - Refused
SC/1070/73/O – Erection of One Farmworkers Dwelling – Approved
SC/1343/73/D – Erection of One Farm Workers Dwelling - Approved

Planning Policies

6. The following paragraphs are a list of documents and policies that may be relevant in the determination of this application. Consideration of whether any of these are considered out of date in light of the Council not currently being able to demonstrate that it has an up to date five year housing land supply, and the weight that might still be given to those policies, is addressed later in the report.
7. *National Planning Policy Framework*
Planning Practice Guidance
8. *South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007*
ST/2 Housing Provision
ST/6 Group Villages
9. *South Cambridgeshire LDF Development Control Policies, adopted July 2007*
DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/4 Infrastructure and New Developments
DP/7 Development Frameworks
HG/1 Housing Density
HG/2 Housing Mix
HG/3 Affordable Housing
SF/10 Outdoor Play space, Informal Open Space, and New Developments

- SF/11 Open Space Standards
 - NE/1 Energy Efficiency
 - NE/3 Renewable Energy Technologies in New Development
 - NE/4 Landscape Character Areas
 - NE/6 Biodiversity
 - NE/9 Water and Drainage Infrastructure
 - NE/10 Foul Drainage – Alternative Drainage Systems
 - NE/11 Flood Risk
 - NE/12 Water Conservation
 - NE/14 Light Pollution
 - NE/15 Noise Pollution
 - NE/17 Protecting High Quality Agricultural Land
 - CH/2 Archaeological Sites
 - TR/1 Planning for More Sustainable Travel
 - TR/2 Car and Cycle Parking Standards
 - TR/3 Mitigating Travel Impact
 - TR/4 – Non-motorised Transport
10. *South Cambridgeshire LDF Supplementary Planning Documents (SPD)*
- Open Space in New Developments SPD - Adopted January 2009
 - Affordable Housing SPD - Adopted March 2010
 - Trees & Development Sites SPD - Adopted January 2009
 - Landscape in New Developments SPD - Adopted March 2010
 - Biodiversity SPD - Adopted July 2009
 - District Design Guide SPD - Adopted March 2010
 - Health Impact Assessment – Adopted March 2011
11. *Draft Local Plan*
- S/1 Vision
 - S/2 Objectives of the Local Plan
 - S/3 Presumption in Favour of Sustainable Development
 - S/5 Provision of New jobs and Homes
 - S/7 Development Frameworks
 - S/10 Group Villages
 - S/12 Phasing, Delivering and Monitoring
 - CC/1 Mitigation and Adaptation to Climate Change
 - CC/3 Renewable and Low Carbon Energy in New Developments
 - CC/4 Sustainable Design and Construction
 - CC/6 Construction Methods
 - CC/7 Water Quality
 - CC/8 Sustainable Drainage Systems
 - CC/9 Managing Flood Risk
 - HQ/1 Design Principles
 - NH/2 Protecting and Enhancing Landscape Character
 - NH/3 Protecting Agricultural Land
 - NH/4 Biodiversity
 - NH/6 Green Infrastructure
 - NH/14 Heritage Assets
 - H/7 Housing Density
 - H/8 Housing Mix
 - H/9 Affordable Housing
 - SC/8 Open space standards
 - SC/11 Noise pollution
 - T/I Parking provision

Consultations

12. Balsham Parish Council - Raises no objection, however makes the following comments:-
 - The density of the houses should be reduced and the layout should be amended to the higher density of properties to be further away from the Cambridge Road properties.
 - Concerns about the drainage and the ongoing maintenance of the on-site drainage and sewage capacity.
 - The maintenance of the play area and ditches to be set out in a legal agreement for perpetuity.
 - All properties should be no more than two-storeys high
 - Non-return value must be put on the properties to protect No 10 Cambridge Road
 - Traffic calming is required on Linton Road in the form of a chicane to physically slow

13. Affordable Housing Officer - Comments that the application of 40% affordable housing applies to the net increase in dwellings. The tenure split for the affordable properties should be 70/30. Therefore 70% of these should be rented and 30% should be provided as intermediate/shared ownership. The highest demand for housing is for 1 and 2 bedroom properties, this is reflective of most of the villages in South Cambridgeshire. The applicants have proposed a mix of 1 and 2 bedroom dwellings this is in line with the housing need. A registered provider should be appointed to take forward the affordable housing.

14. Urban Design Officer – Raises no objection to the principle of housing on this site, it is immediately adjacent to the village framework, and relatively well screened from the open fields to the south by a relatively mature hedge. The number of dwellings (29) / density appears acceptable given this edge of village location, and the mix of house types is encouraged. Raises the following concerns:
 - Lack of permeability to the west of the site
 - Parking arrangements
 - Amount of hard landscaping around the central 'T' junction
 - Houses should address the LAP

There are some strong ideas emerging in respect of developing a contemporary response to the village vernacular, and this should not be lost at reserved matters stage.

15. Ecology Officer – Raises no objection to the proposal.

16. Landscape Officer – Raises no objection to the proposal. Comments that the site is situated to the south west of Balsham. It is a rectangular open field used for grazing and hay. It is located between Hildersham Road and Linton Road. The site contains an overhead power line running parallel with the existing southern tree belt boundary. On the eastern and western boundary are native hedgerows and ditches. To the north the site borders residential dwellings and their plot boundaries (a mixture of hedgerows and c/b fencing) located on Cambridge Road. The site is not within the Conservation Area or Green Belt. There are no Public Rights of Way running through or immediately adjacent to the site boundaries. There are also no TPO's within or adjacent to the site. The features that will be introduced include 29 new dwellings, introduction of structural planting and landscaping, informal public open space, surface water flood mitigation and attenuation, vehicular access point from Linton Road and retention of some boundary hedgerows. The site is relatively enclosed and I

welcome the retention of the tree belt and hedgerows. However, the applicant has indicated the removal of the existing hedgerow to the east of the site. This is an important landscape and habitat feature and should be retained along the road frontage.

17. Tree Officer - Raises no objection to the proposal subject to the imposition of a condition regarding an updated arboricultural report at reserved matters stage.
18. Local Highways Authority – Raises no objection to the proposal subject to the imposition of conditions regarding a traffic management plan and levels of access road.
19. Cambridgeshire County Council Historic Environment Team – Raises no objection to the proposal subject to the imposition of a condition regarding a programme of archaeological investigation.
20. Environment Agency – Raises no objection to the proposal.
21. Anglian Water – Raises no objection to the proposal.
22. Cambridgeshire County Council Flood and Water Team – Raises no objection to the proposal subject to the imposition of conditions regarding restriction in run-off and surface water storage and details of long term maintenance arrangements for any parts of the surface water drainage system which will not be adopted.
23. Drainage Manager – Raises no objection to the proposal subject to the imposition of a condition regarding details of the surface water drainage system.
24. Environmental Health Officer and Health & Environmental Services – Raises no objection to the proposal subject to the imposition of conditions regarding hours of construction work, pile foundations, airborne dust, a construction programme, a lighting scheme, a desk study and site walkover and a noise assessment of plant and or equipment.
25. Cambridgeshire County Council Education, Waste & LLL S106 Requirements – No financial contributions required.
26. Section 106 Officer - Comments that contributions are required towards off-site open space, community facilities, burials and monitoring to ensure that the development is acceptable in planning terms. A meeting has been held with Balsham Parish Council to identify projects and details and costings have been submitted.

Representations

27. Eight letters of representation have been received from third parties, with 7 of those objecting to the proposal on the following grounds;
 - Highways safety concerns
 - Contribute to on street parking issues
 - Existing infrastructure has no capacity
 - Drainage and flooding
 - Harm to the character and appearance of the village
 - Archaeological value of the area
 - Light pollution
 - Alternative brownfield sites available

- Loss of privacy
- Noise disturbance

Site

28. The site is within the countryside, adjacent and opposite the Balsham Development Framework. It is comprised of approximately 1.83 hectares of land positioned between Hildersham Road and Linton Road towards the western side of the village, consisting of a single dwelling forming 22 Linton Road, encompassed by a paddock. The site is bounded by agricultural land to the south, the highway to the east and west and residential properties to the north. Further residential development is located opposite, on the eastern side of Linton Road, forming Queens Close.
29. There are existing hedgerows and trees on all boundaries of the site, with an award ditch along the eastern boundary. There is an existing field access to the site from Hildersham Road in the south west corner.
30. District Design Guide SPD Adopted March 2010 has assessed the site area as 'The Chalk lands'. Key characteristics of this designation include rolling chalk hills and gently undulating plateau. The site itself however is of a flatter topography with a slight incline towards the north.

Proposal

31. The proposal seeks outline planning permission for the residential development of Land at 22 Linton Road for up to 29 dwellings and details of vehicular access from Linton Road. The existing dwelling at 22 Linton Road is to be retained, providing a residential unit total of 30 dwellings. The appearance, landscaping, layout and scale remain reserved. Affordable housing is to be provided at 40% of the total proposed units and is comprised of tenure of 70% social rented and 30% intermediate/shared ownership.

Planning Assessment

Housing Land Supply

32. The National Planning Policy Framework (2012) (NPPF) requires local planning authorities to boost significantly the supply of housing, to achieve this a five-year housing land supply with an additional buffer, as set out in paragraph 47, should be identified and maintained.
33. The local planning authority accepts that it cannot currently demonstrate a five year housing land supply in the district as required by the NPPF, having a 3.9 year supply using the methodology identified by the Inspector in the Waterbeach appeals in 2014. This shortfall is based on an objectively assessed housing need of 19,500 homes for the period 2011 to 2031 (as identified in the Strategic Housing Market Assessment 2013 and updated by the latest update undertaken for the Council in November 2015 as part of the evidence responding to the Local Plan Inspectors' preliminary conclusions) and latest assessment of housing delivery (in the housing trajectory November 2015). In these circumstances any adopted or emerging policy which can be considered to restrict the supply of housing land is considered 'out of date' in respect of paragraph 49 of the NPPF.
34. Further guidance as to which policies should be considered as 'relevant policies for the supply of housing' emerged from a recent Court of Appeal decision (Richborough

v Cheshire East and Suffolk Coastal DC v Hopkins Homes). The Court defined 'relevant policies for the supply of housing' widely so not to be restricted to 'merely policies in the Development Plan that provide positively for the delivery of new housing in terms of numbers and distribution or the allocation of sites,' but also to include, 'plan policies whose effect is to influence the supply of housing by restricting the locations where new housing may be developed.' Therefore all policies which have the potential to restrict or affect housing supply may be considered out of date in respect of the NPPF.

35. However, the Court of Appeal has confirmed that even where policies are considered 'out of date' for the purposes of NPPF paragraph 49, a decision maker is required to consider what (if any) weight should attach to such relevant policies.
36. In the case of this application policies which must be considered as potentially influencing the supply of housing land include ST/2 and ST/6 of the adopted Core Strategy and adopted policies DP/7 and NE/17 of the adopted Development Control Policies. Policies S/7, S/8, S/10 and NH/3 of the draft Local Plan are also material considerations but are also considered to be relevant (draft) policies for the supply of housing.
37. Paragraph 14 of the NPPF states that there is a presumption in favour of sustainable development. It says that where relevant policies are out of date, planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or where specific policies in the NPPF indicate development should be restricted (which includes land designated as Green Belt in adopted plans for instance).
38. Whilst paragraph 2. of Policy ST/6 of the adopted Core Strategy, permits some residential development within the village framework and the site is located outside, given the adjacency of the site to the village framework, the site is relatable to the village geographically and in its dependency upon services/facilities. ST/6 also forms part of a suite of policies, which operate to direct new development to settlements which have an appropriate level of services to meet the requirements of new residents. As such, it is considered that ST/6, which reflects the relatively limited level of service at group villages to serve residential development, is material to development both within the village framework and development which proposed as a residential extension to that village framework, as proposed here.

Principle of development

39. The site is located in the countryside, outside the Balsham Development Framework, although adjacent to and opposite on its northern and eastern boundaries respectively, where Policy DP/7 of the LDF and Policy S/7 of the Draft Local Plan states that only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted. The erection of a residential development of up to 29 dwellings would therefore not under normal circumstances be considered acceptable in principle. However, this policy is considered out of date due to the current lack of a 5 year housing land supply as set out above.
40. It falls to the local planning authority as decision maker to assess the weight, if any, that should be given to the existing policies. The Council considers this assessment should, in the present application, have regard to factors including whether the policies continue to perform a material planning objective and whether it is consistent

with the policies of the NPPF. Balsham is identified as a Group Village under Policy ST/6 of the LDF and Policy S/8 of the Draft Local Plan, one of four categories of rural settlements. The rural settlements, in terms of preference for housing provision, are placed behind the edge of Cambridge and new town of Northstowe. Group Villages are less sustainable settlements than Rural Centres and Minor Rural Centres, having fewer services and facilities and allowing only some of the day-to-day needs of residents to be met without the need to travel outside the village. As noted under paragraphs 66-73, Balsham has only relatively limited facilities and services, with no secondary school, and limited easily accessible public transport services.

41. Development in Group Villages is normally limited to schemes of up to 8 dwellings, or in exceptional cases 15, where development would make best use of a single brownfield site. This planning objective remains important and is consistent with the NPPF presumption in favour of sustainable development, by limiting the scale of development in less sustainable rural settlements with a limited range of services to meet the needs of new residents in a sustainable manner. In this case the proposal to develop a scheme for up to 29 dwellings is not considered sustainable due to the relatively low level of services and facilities in the village (see paras 66 – 76). Therefore existing Policies ST/6 and DP/7 which form part of a suite of policies to control the distribution and scale of new housing can be afforded considerable weight since it contributes to ensuring that development is sustainably located and unsustainable locations are avoided. When set against the NPPF the proposal also therefore fails as it cannot be considered to be a sustainable location capable of supporting a development of this size. These facts therefore outweigh the need for additional housing land in this instance.
42. The Local Plan Village Classification Report June 2012, informed by the Village Services and Facilities Study, reviewed the settlement hierarchy in the adopted Core Strategy 2007, and as part of this considered where individual villages should sit within the hierarchy. The NPPF requires that ‘planning policies and decisions should actively manage patterns of growth to make fullest use of public transport, walking and cycling, and focus development in locations which are or can be made sustainable.’
43. Whilst the village of Balsham was not referenced specifically within the Report, the document did however provide criteria used in the assessment of the sustainability of settlements within the district. These were public transport, secondary education, village services and facilities, and employment. Furthermore the Report concluded that Balsham did not merit consideration for a higher status within the settlement hierarchy, remaining as classified as a Group Village.
44. A representation received comments on the site not being considered appropriate for development during the draft Local Plan process. The field was received during the call for sites and tested in the SHLAA, which concluded that it had no development potential.

Deliverability

45. There are no known technical constraints to the site’s delivery. Officers are therefore of the view that the site can be delivered within a timescale whereby significant weight can be given to the contribution the proposal could make to the 5 year housing land supply.

Sustainability of development

46. The NPPF states that there are 3 dimensions to sustainable development, economic, social and environmental. The aspects are considered in the assessment of highlighted issues below.
47. Policy DP/1 of the adopted Local Development Framework and Policy S/3 of the Draft Local Plan set out the principle of sustainable development. Although in respect of DP/1 1a. the policy relates to the supply of housing, in that it refers to the sequential approach to development, and therefore in this respect can be considered out of date; the remainder of the objectives of the policy are consistent with the aims of the NPPF in promoting sustainable development. Officers are therefore of the view that this policy can be given significant weight in the determination of this application.

Economic.

48. The provision of 29 new dwellings will give rise to employment during the construction phase of the development, and has the potential to result in an increase in the use of local services and facilities, both of which will be of benefit to the local economy.

Social.

Provision of new housing

49. The development would provide a clear benefit in helping to meet the current housing shortfall in South Cambridgeshire through delivering up to 29 residential dwellings. 40% of these units will be affordable (12 units). The applicant indicates that the mix of housing will be in accordance with Policy HG/2. The affordable housing can be secured through a Section 106 Agreement. Officers are of the view the provision of up to 29 houses, including the affordable dwellings, is a benefit and significant weight should be attributed this in the decision making process.
50. Public open space is shown on the indicative layout plan, and this will need to be secured through a Section 106 agreement, along with off-site and maintenance contributions where appropriate. It will be mainly utilised by occupiers of the proposed development, and is not likely to become used by the wider population of the village, given its location at the edge of the village.
51. Paragraph 7 of the NPPF states that the social dimension of sustainable development includes the creation of a high quality built environment with accessible local services. The Urban Design Officer has raised no objection about the proposed development of the site for 29 dwellings, in terms of the resultant form of development.
52. The matter of the sustainability of the site in terms of access to local services is discussed further below.

Environmental.

53. *Impact on character of the village and landscape*

The application proposes new housing at a density of approximately 16 dwellings per hectare (dph). Policy HG/1 requires new developments to make best use of the site by achieving average net densities of at least 30 dph unless there are exceptional local circumstances that require a different treatment. Policy H/7 of the Draft Local Plan confirms that density requirement, but states that it may vary on a site where justified by the character of the locality, the scale of the development or other local circumstances.

54. Both Policy HG/1 and H/7 are considered to be policies that relate to the supply of housing, and are therefore to be considered as being out of date. However, one the aims of the policy is to the need to respond to local character, which is supported by the aims of the NPPF as identified below, and Policies DP/2 and DP/3 of the adopted LDF. Policies DP/2 and DP/3 are not considered to be housing supply policies and are not therefore considered to be out of date. Officers are of the view that considerable weight can therefore be given to Policy HG/1 and H/7 where the proposed density of a particular development compromises local character and the aims of paragraph 58 of the NPPF which states that it should be ensured that developments respond to local character, and history, and reflect the identity of local surroundings and materials.
55. Policy DP/2 of the LDF states that all new developments should preserve or enhance the character of the local area; conserve or enhance important environmental assets of the site; and be compatible with its location in terms of scale, mass and form.
- Policy DP/3 of the LDF states that planning permission will not be granted where the proposed development would, amongst other criteria, have an unacceptable adverse on village character, the countryside and landscape character.
56. The site is subject to residential development, albeit a single dwelling, whilst being bounded by residential development to the north and opposite at Queens Close. Furthermore, the site is subject to extensive hedging to the southern and western boundaries. The presence of existing and surrounding residential properties and extensive planting, combined with the appearance of the paddock land opposed to the open agricultural fields to the south, means the site does not read as part of the wider countryside.
57. The built form within the locality is somewhat varied, with linear development bounding the site to the north, whilst a cul-de-sac development at Queens Close is positioned opposite on Linton Road. The presence of two storey development is however consistent.
58. The Urban Design and Landscape Team raised no objection to the proposal, noting the screened nature of the site.
59. Officers are of the view that the illustrative scheme demonstrates that the site is capable of providing the proposed number of dwellings, having regard to the constraints of the site, and in manner which would not materially detract from the rural character of the area or setting of the village, in accordance with the aims of Policies DP/2 and DP/3.

Residential amenity

60. The application is in outline only and therefore the layout plan submitted is for illustrative purposes only. However, officers need to be satisfied at this stage that the site is capable of accommodating the amount of development proposed, without having a detrimental impact on the residential amenity of occupiers of adjacent properties.
61. The submitted drawings demonstrate that the site could accommodate the amount of development proposed without having an unreasonable impact on residential amenity through overlooking or overbearing impact. In accordance with the relevant amenity criteria of policy DP/3 of the Local Development Framework

Services and Facilities

62. Paragraph 55 of the NPPF seeks to promote sustainable development in rural areas advising *'housing should be located where it will enhance or maintain the vitality of rural communities'*, and recognises that where there are groups of smaller settlements, development in one village may support services in a village nearby.
63. An appeal against the refusal of planning permission for the erection of 26 dwellings on a site at 7 Station Road Over was dismissed in February 2013 (S/0440/12/FL). In dismissing the appeal the Inspector identified 3 key areas where he considered Over being deficient in terms of meeting the requirements for a sustainable location, those being; sources of employment in the vicinity; the nearest secondary school; and services fulfilling anything other than the most basic shopping trips. These requirements and the criteria outlined within The Local Plan Village Classification Report June 2012 (see para 42 - 43) have informed the assessment of whether Balsham is a sustainable location.
64. Balsham village is served by relatively few services and facilities but includes a village hall, church, primary school, recreation ground, butchers (currently closed and for sale), post office/village stores, two pubs and small number of shopping/retail services, consisting of a kitchen interiors shop, antique pine shop and a dairy. There are very limited employment opportunities within the village.
65. This relative lack of services and employment opportunities is reflected in Balsham being designated a 'Group Village' in the Core Strategy settlement hierarchy. Group villages are described as *'generally less sustainable locations for new development than Rural Centres and Minor Rural Centres, having fewer services and facilities allowing only some of the basic day-to-day requirements of their residents to be met without the need to travel outside the village'*, and new housing proposals are restricted to limited development which will help maintain remaining services and facilities.
66. Whilst the village is served by some community and social facilities, it is deficient in its function to provide significant sources of employment, secondary education and services to fulfil other than the most basic shopping trip. As such, journeys out of the village would be a regular necessity for the majority of residents in order to access many day-to-day services.
67. The nearest settlement that would offer services and social facilities, including sources of employment and secondary education, to possibly meet day-to-day needs would be the Minor Rural Centre of Linton, located approximately 3 miles to the south.
68. The proposal site is located approximately 3.5 miles from Linton Village College Secondary School. A school bus service connects Balsham to the college.
69. The applicant has drawn particular attention to the presence of Granta Park and its role in providing employment opportunities. The Park is some distance from the site, situated approximately 5.5 miles to the west.
70. There is a bus stop on the High Street, approximately 300m from the site. A service connects Balsham to the Minor Rural Centre of Linton and larger market town of Haverhill in Suffolk and operates hourly between 7:12am and 9:12 am and twice hourly thereafter until 17:12pm, Monday – Friday. The service does not operate at weekends. Alternative bus routes serving Balsham include a connection to the City of Cambridge, operating once daily Monday –Saturday and the town of Newmarket,

operating once daily Monday- Friday.

71. It is noted that the High Street is subject to a public footpath and street lights, connecting to Linton Road. The provision of the public footpath to the front of the proposal site, which forms part of this proposal, would connect the site to the bus stop but also to services in the village.
72. In the absence of a footpath for pedestrian or cycle use and the distance to settlements that meet those functions as outlined above, the nearest being Linton, and employment opportunities, including Granta Park, there is little potential for journeys by bicycle or by foot. Whilst the bus stop is within a convenient distance and accessible given the public footpath and street lighting, the choice of routes and frequency are limited, whilst the journey times to the larger settlements of Haverhill (39 minutes), Cambridge (38 minutes) and Newmarket (36 minutes) are extended. Furthermore, 2011 Census data regarding modes of transport to work indicate a reliance on private vehicles, with 80.1% of the working population traveling by car or van. Given the above, alternative means of transport to private vehicles would not provide a sufficiently attractive or convenient option for residents.
73. Whilst Balsham is subject to a school bus service to Linton, providing some offering to students opposed to private vehicular transport, the limited potential for journeys by bicycle or by foot, as identified above, remains relevant.
74. In conclusion, the proposal site is an unsustainable location for the scale of housing proposed, conflicting with the aims of the NPPF, failing to meet the environmental role of sustainable development and the aims of Policies DP/1, DP/7 and ST/6 of the adopted Local Development Framework 2007. As such, the harm resulting from the unsustainable location is significant and demonstrably outweighs the benefits of the proposal.

Access and Transport

75. The Highways Authority raises no objection to the proposal subject to the imposition of conditions regarding construction of the proposed drive and submission of a traffic management plan. The proposal is thereby acceptable in this regard.
76. A footpath is provided from the proposed access to join up with the existing footpath which currently ends just south of the junction onto Cambridge Road/High Street. This can be secured by condition.

Surface water drainage

The site lies in Flood Zone 1.

77. The Lead Local Flood Authority raises no objection to the proposal, subject to the imposition of conditions regarding restriction in run-off and surface water storage and details of long term maintenance arrangements for any parts of the surface water drainage system which will not be adopted.
78. The Council's Drainage Manager raises no objection to the proposal, subject to the imposition of a condition requiring details of the surface water drainage system. The proposal is thereby acceptable in this regard.

Foul water drainage

79. Anglian Water raises no objection to the proposal, stating there is capacity for Wastewater Treatment and Foul Sewerage. The proposal is thereby acceptable in this regard.

Heritage Assets

80. The Historic Environment Team raises no objection to the proposal, subject to the imposition of a condition regarding a programme of archaeological investigation. The proposal is thereby acceptable in this regard.

Ecology

81. The Ecology Officer raises no objection to the proposal. The proposal is thereby acceptable in this regard.

Renewable Energy

82. The applicant has indicated that the scheme will have regard for Policy NE/3 and the requirement of renewable technologies, but has stated that this can only be resolved at the detailed stage as further design and layout information becomes available.
83. Officers are of the view that this matter can be dealt with by condition, however the detailed layout and orientation of dwellings should seek to maximise energy saving possibilities.

Protecting High Quality Agricultural Land

84. The site is classified as Grade 2 agricultural land. Policy NE/17 states that planning permission should not be granted or development that would result in its irreversible loss, unless the land is allocated for development, or sustainability considerations and the need for development are sufficient to override the need to protect the agricultural value of the land.
85. Policy NE/17 is considered to be a policy that restricts the supply of housing, and is therefore considered out of date. Officers are of the view that due to the limited size of the site, which does not form part of a larger area of agricultural land, means that the loss for agricultural use is not significant, and there very little weight can be given to Policy NE/17 in this case.

Planning Obligations

86. From 6 April 2015, the use of 'pooled' contributions toward infrastructure projects has been restricted. Previously, LPAs had been able to combine planning obligation contributions towards a single item or infrastructure 'pot'. However, under the Community Infrastructure Levy Regulation 123(3), LPAs are longer be able to pool more than five planning obligations together if they were entered into since 6 April 2010, and if it is for a type of infrastructure that is capable of being funded by the CIL. These restrictions apply even where an LPA does not yet have a CIL charging schedule in place.
87. The Council can confirm that there have been 5 Section 106 agreements in respect of developments in the village of Balsham since 6 April 2010 contributing towards (i) offsite open space and (ii) offsite indoor community space improvements. As such the CIL Regulations prevent the LPA from lawfully securing further tariff style contributions towards unidentified offsite open space improvements in accordance with

development control policies and the open space in new development SPD.

88. The LPA recognises that the Planning Practice Guidance requires that 'In all cases, including where tariff style charges are sought, the local planning authority must ensure that the obligation meets the relevant tests for planning obligations in that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind'. It goes on to say that 'Planning obligations must be fully justified and evidenced' and as such the LPA take the view that a project should be identified in order to ensure CIL compliance.
89. Appendix 1 provides details of the developer contribution required to make the development acceptable in planning terms in accordance with Policy DP/4 of the LDF and paragraph 204 of the NPPF.

Other Matters

90. The officer's recommendation, as published for the purposes of the June 2016 Planning Committee, was subject to challenge from the applicants Endurance Estates Strategic Land Ltd. A note of advice produced by Rupert Warren Q.C on behalf of the applicants, in response to the officer's committee report, was submitted to the Local Authority on the 31st May 2016.
91. The note refers particularly to recent appeal decisions within the district at Foxton (APPW0530/W/15/3084325) and Swavesey (APP/W0530/W/15/3139078) and the relevancy of these decisions in the determination of this application.
92. The Foxton appeal decision related to an application for outline planning permission for up to 95 dwellings (reduced to 75) at Land off Shepreth Road, within the countryside. Foxton is a designated Group Village. The appeal was dismissed with the inspector concluding, due to serious harm to the setting of Foxton House, the proposal does not comprise sustainable development.
93. The Swavesey appeal decision related to an application for outline planning permission for up to 30 dwellings, at 18 Boxworth End, the majority of the site is located within the countryside. Swavesey is designated as a Group Village. The appeal was allowed and planning permission granted, with the inspector concluding that the development would represent sustainable development.
94. The applicant has raised that in both instances limited weight is given to the out of date policies DP/7 and ST/6 and that development of the scale proposed was not considered to result in harm by way of an unsustainable location, comparable to this application given that Swavesey and Foxton are designated similarly as Group Villages within the adopted Core Strategy.
95. The Foxton appeal started on the 31st July 2015, with statements due on the 11th September 2015 and the inquiry evidence given on the 12th January 2016 and held on the 9th February 2016. The Swavesey appeal started on the 14th December 2015, with final comments due on the 19th February 2016.
96. Given those dates of the appeals, as referenced above, it is considered that the applications and appeals pre-date the Court of Appeal decision (Richborough v Cheshire East and Suffolk Coastal DC v Hopkins Homes) dated 17th March 2016. As such the local authority in presenting the statements and inquiry evidence and the inspectors assessment of these particulars, did not benefit from this ruling and in

particular to recognition by the Court of Appeal that out of date housing supply policies can still be given weight- even considerable weight – if they still maintain a planning function. It is considered that policy ST/6 and DP/7 still maintain an important and valid function because they ensure that development is sustainably located and unsustainable locations are avoided. This matter is not addressed or considered in the two appeals. As such, the relevance of those earlier decisions and the desirability in principle of consistency in decision making is outweighed by the fact that this important factor was not addressed or considered in earlier appeal decisions. Following the decision of the Court of Appeal, it is necessary in all cases to consider what weight should be attached to out of date housing supply policies having regard inter alia to whether they still fulfil a planning function.

97. With respect to those appeal sites not being considered unsustainable locations, their individual merits in terms of availability and accessibility of services, public transport links and employment opportunities are not comparable in this instance. Furthermore, each site is assessed on its individual merits.
98. A note of advice, addressing those matters raised by Rupert Warren Q.C on behalf of the applicants, has been prepared by Douglas Edwards Q.C on behalf of the Local Authority, dated 22 June 2016. The note of advice has informed the approach to this recommendation to Planning Committee.
99. Members should be aware that another appeal decision (App/W0530/W/15/3138791) has recently been issued in respect of Duxford, the impact of that appeal decision on this application, will be provided in an update report and will be considered as part of the decision making on this application.

Conclusion

100. In considering this application, the following relevant adopted development plan policies are to be regarded as out of date while there is no five year housing land supply:

ST/6: Group Villages – indicative maximum scheme size of 8 dwellings
DP/1 – Sustainable Development
DP/7: Village Frameworks
HG/1: Density
HG/2: Housing Mix
NE/1: Biodiversity
NE/17: Protecting High Quality Agricultural Land
CH/2: Archaeological Sites
101. This means that where planning permission is sought which would be contrary to the policies listed above, such applications must be determined against paragraph 14 of the NPPF.
102. For the reasons outlined in paragraphs 39 above, officers are of the view that significant weight can be given to Policies ST/6 and DP/7 in this case. Officers have identified in the report the areas where they consider that significant and demonstrable harm will result from proposal, in terms of the unsustainable location for a development of the scale proposed.
103. In coming to this view officers have had regard to the recent Court of Appeal decision in assessing the weight that can be given to housing supply policies that are out of date.

104. These adverse impacts must be weighed against the potential benefits of the development outlined in the preceding section of this report.
105. In this case the adverse impacts of the development are considered to significantly and demonstrably outweigh the benefits of the development, when assessed against the policies in the NPPF taken as a whole. Although the development would provide a larger number of dwellings to meet the identified shortfall in supply and this is a benefit, this increase would equally compound the concerns that Balsham is not a sustainable location for the scale of development proposed.
106. Planning permission should therefore on balance be refused because material considerations do not clearly outweigh the substantial harm identified, and conflict with out of date policies of the LDF. Officers have outlined in paragraphs 41 why Policies ST/6 and DP/7 should still be given significant weight in this case.

Recommendation

107. Officers recommend that the Planning Committee should refuse the proposal for the following reasons.
108.
 1. Balsham is identified as a Group Village in the Adopted Core Strategy DPD 2007, where Policy ST/6 states that development is normally restricted to groups of a maximum scheme size of 8 dwellings within the village framework. The proposed site is outside the village framework of Balsham where DP/7 of the adopted Development Control Policies DPD development restricts development to uses which need to be located in the countryside. The Council recognises that the aforementioned policies are currently considered out of date, and that the application therefore needs to be determined in accordance with paragraph 14 of the National Planning Policy Framework, with the presumption in favour of sustainable development, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. However, the Council is of the view that considerable weight can be given to Policies ST/6 as it continues to fulfil a planning objective in and is consistent with the NPPF presumption in favour of sustainable development, by limiting the scale of development in less sustainable rural settlements with a limited range of services to meet the needs of new residents in a sustainable manner. Some weight can also be given to Policy DP/7 as it continues to fulfil a planning objective of limiting development, and is also consistent with the NPPF presumption in favour of sustainable development. The Council also recognises that Policy DP/1 is out of date in so far as DP/1 1a. relates to the supply of housing, however in all other respects the Council is of the view that Policy DP/1 is consistent with the aims of the NPPF in respect of the presumption in favour of sustainable development, and therefore significant weight can be given to Policy DP/1 as it continues to fulfil a planning objective consistent with the NPPF.

In this case the scale of the development proposed is not considered to represent a sustainable form of development as Balsham. Although some local community and social facilities are available, the services in Balsham have been found deficient in three areas, which are likely to generate regular journeys. These are the lack of significant sources of employment in the vicinity, the nearest secondary school being Linton Village College, and that anything other than the most basic shopping trip not being able to be fulfilled within the village. As such, journeys out of the village would be a regular

necessity for the majority of residents in order to access many day-to day services. Furthermore, due to the absence of a public footpath and poor public transport links to those settlements that would meet those everyday needs as identified above, alternative means of transport to private vehicles would not provide a sufficiently attractive or convenient option to future residents. On this basis the proposal is considered to materially and demonstrably conflict with the aims of the NPPF as it fails to meet the environmental role of sustainable development and Policies DP/1, DP/7 and ST/6 of the adopted Local Development Framework 2007, which are all policies which are considered to continue to fulfil a planning objective in terms of securing development is located sustainably. Any benefits arising from the development are considered to be significantly and demonstrably outweighed by the identified harm.

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 Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Plan 2004
- Planning File Ref: S/2830/15/OL

Report Author:

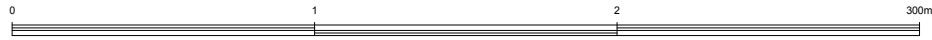
James Platt

Telephone Number:

Senior Planning Officer

01954 713159

This page is left blank intentionally.



FOR INTERNAL USE ONLY

Scale - 1:2500

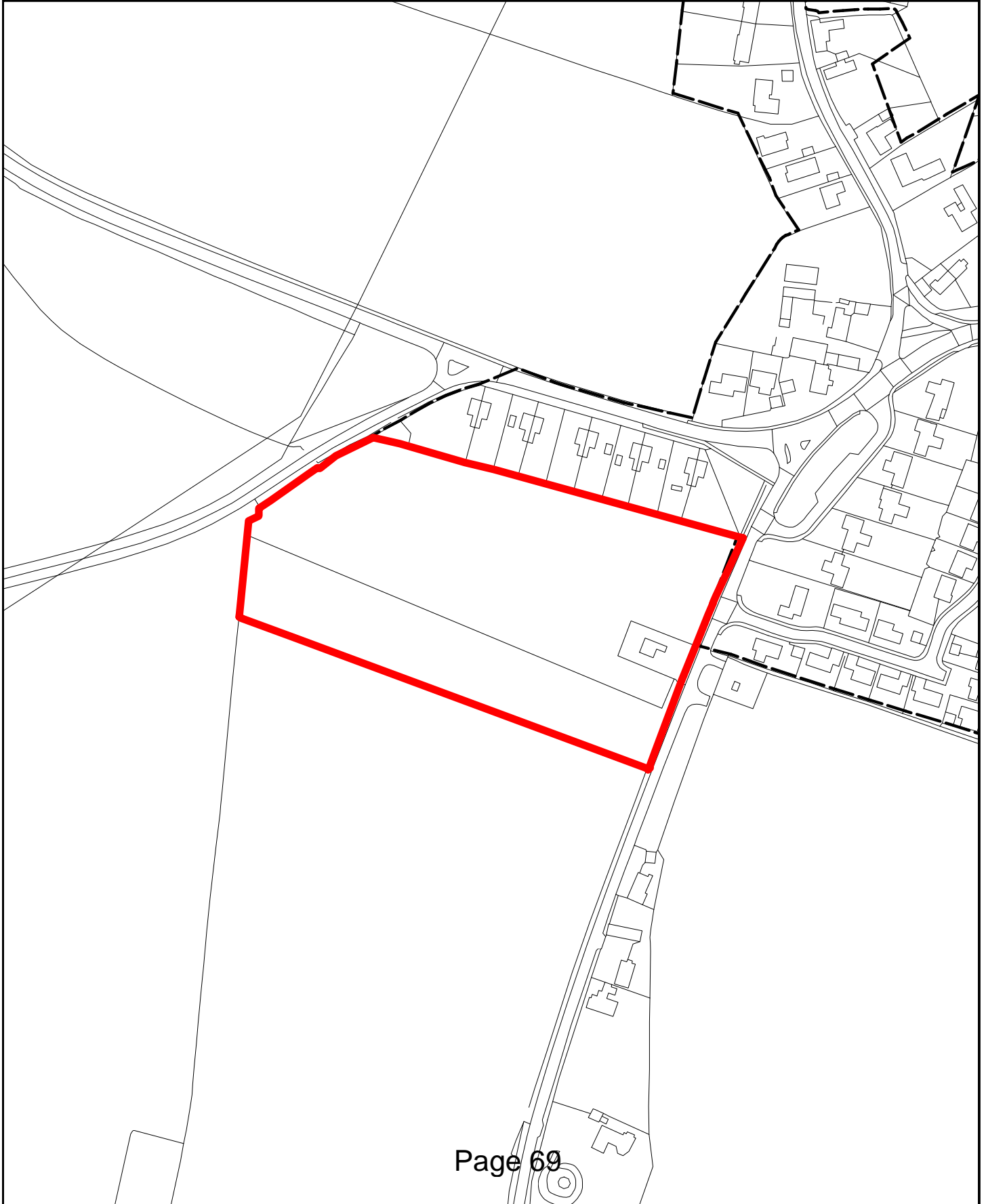
Time of plot: 08:38

Date of plot: 20/06/2016



**South
Cambridgeshire
District Council**

© Crown copyright [and database rights] (2015) OS (100022500)



This page is left blank intentionally.

Agenda Item 7

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6 July 2016

AUTHOR/S: Planning and New Communities Director

Application Number:	S/2510/15/OL
Parish(es):	Caldecote
Proposal:	Outline planning permission for up to 140 residential dwellings (including 40% affordable housing), removal of existing temporary agricultural structures, introduction of structural planting and landscaping, informal public open space and children's play area, community orchard and allotments, surface water flood mitigation and attenuation, vehicular access points from Highfields Road, and associated ancillary works. All matters to be reserved with the exception of the main site access.
Site address:	Land East of Highfields Road, Highfields, Caldecote
Applicant(s):	Gladman Developments Ltd
Recommendation:	Minded to Refuse
Key material considerations:	The main issues are whether the proposed development would provide a suitable site for housing, having regard to the principles of sustainable development and housing land supply, scale of development and impact on character and landscape, residential amenity, drainage issues, services and facilities, access and transport, heritage assets and ecology.
Committee Site Visit:	Tuesday 31 May
Departure Application:	Yes
Presenting Officer:	John Koch, Team Leader
Application brought to Committee because:	The application is a significant departure to planning policy.
Date by which decision due:	28 December 2015

Executive Summary

1. This proposal, as amended, seeks outline permission (access only for approval) for a residential development of up to 140 dwellings outside the framework of a Group village and in the countryside, on a greenfield site, as identified in the adopted and emerging plans. The development would not normally be considered acceptable in

principle when set against current adopted policy as a result of its scale and location. It is recognised that the district does not currently have a 5 year housing land supply, and therefore the adopted LDF policies in relation to the supply of housing are considered not up to date for the purposes of the National Planning Policy Framework (NPPF).

2. However, the local planning authority must still determine the appropriate weight to apply to relevant development plan policies even where out of date. Paragraph 14 of the NPPF states there is a presumption in favour of sustainable development, and where relevant policies are out of date, planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. It is considered that Caldecote is not a sustainable location for the scale of development proposed, having regard to the level of services and facilities in the village and the accessibility to necessary services and facilities by sustainable modes of transport.
3. While policies ST/6 and DP/7 7 of the adopted Core Strategy and adopted Development Control Policies DPDs in particular are considered out of date having regard to the NPPF, they continue to perform a material planning objective, consistent with the policies of the NPPF, in forming part of a suite of policies to control the distribution and scale of new housing by ensuring that development is sustainably located and unsustainable locations are avoided. The Policies thereby are afforded considerable weight.
4. In this case, the location and scale of the development are such that officers are of the view that the harm resulting from the unsustainable location significantly and demonstrably outweighs the benefits of the proposal. These include a contribution of up to 140 dwellings towards the required housing land supply, including the provision of 40% affordable dwellings, and the potential surface water drainage improvements proposed by the applicant.

Site and Proposal

5. The site comprises 7.17 hectares of agricultural land on the east side of Highfields Caldecote, at the north end of the village. The site is bounded on the east by Highfields Road, with residential properties opposite. To the south the site adjoins the boundaries existing residential properties in Clare Drive and Damms Pastures.
6. To the north the site adjoins an unadopted roadway leading from Highfields to St Neots Road, which serves a number of residential properties. It is also the line of Public Footpath No.1 Caldecote. To the west is agricultural land.
7. There is a tall mature hedgerow and ditch on the west boundary of the site fronting Highfields, and a hedgerow on the south boundary with existing properties. There is also a hedgerow on the western section of the north boundary, with a block of woodland planting on the eastern section of that boundary. The block of woodland planting extends along part of the east boundary, with the remainder of that boundary being more sporadically planted.
8. The outline application, with all matters reserved with the exception of access, proposes development of the site by up to 140 dwellings (including 40% affordable dwellings, removal of existing temporary agricultural structures and debris, introduction of structural planting and landscaping, informal public open space and children's play area, community orchard and allotments, surface water flood mitigation

and attenuation, vehicular access points from Highfields Road and associated ancillary works. Vehicular access will be from Highfields Road in two locations. The application includes an illustrative masterplan, which includes an area of public open space, incorporating an existing pond in the south west section of the site, with a community orchard and allotments in the south east corner.

9. The application is accompanied by a Planning Statement, Design and Access Statement, Landscape and Visual Assessment, Transport Assessment, Travel Plan, Ecological Report, Arboricultural Report, Phase 1 Site Investigation Report, Flood Risk Assessment, Heritage Assessment, Archaeological Assessment, Noise Assessment, Statement of Community Involvement, Sustainability Appraisal, Socio-Economic Sustainability Assessment, and Foul Drainage Report.

Planning History

10. On Friday 9 May 2016, officers received confirmation that the applicant has lodged an appeal against the Council's failure to determine this application. As such the Planning Committee cannot formally determine the application. It is, however, required to make a recommendation, to inform the Council's stance when the Secretary of State considers the appeal.
11. In addition, the applicant has recently submitted a duplicate application. This is, understood to be a negotiating tool for agreeing a smaller development on the site, should the original application be considered unacceptable by members. The latest application is currently at consultation stage.
12. There is no other relevant planning history for the site.

Planning Policies

13. The following paragraphs are a list of documents and policies that may be relevant in the determination of this application. Consideration of whether any of these are considered out of date in light of the Council not currently being able to demonstrate that it has an up to date five year housing land supply, and the weight that might still be given to those policies, is addressed later in the report.
14. **National Planning Policy Framework
Planning Practice Guidance**
15. **South Cambridgeshire Local Development Framework (LDF) Core Strategy,
adopted January 2007**
ST/2 Housing Provision
ST/6 Group Villages
16. **South Cambridgeshire LDF Development Control Policies, adopted July 2007**
DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/4 Infrastructure and New Developments
DP/7 Development Frameworks
HG/1 Housing Density
HG/2 Housing Mix
HG/3 Affordable Housing
SF/6 Public Art and New Development
SF/10 Outdoor Playspace, Informal Open Space, and New Developments

SF/11 Open Space Standards
NE/1 Energy Efficiency
NE/3 Renewable Energy Technologies in New Development
NE/4 Landscape Character Areas
NE/6 Biodiversity
NE/9 Water and Drainage Infrastructure
NE/10 Foul Drainage – Alternative Drainage Systems
NE/11 Flood Risk
NE/12 Water Conservation
NE/14 Light Pollution
NE/15 Noise Pollution
NE/17 Protecting High Quality Agricultural Land
CH/2 Archaeological Sites
TR/1 Planning for More Sustainable Travel
TR/2 Car and Cycle Parking Standards
TR/3 Mitigating Travel Impact
TR/4 Non-motorised Transport

17. **South Cambridgeshire LDF Supplementary Planning Documents (SPD)**

Open Space in New Developments SPD - Adopted January 2009
Affordable Housing SPD - Adopted March 2010
Trees & Development Sites SPD - Adopted January 2009
Landscape in New Developments SPD - Adopted March 2010
Biodiversity SPD - Adopted July 2009
District Design Guide SPD - Adopted March 2010
Health Impact Assessment – Adopted March 2011

18. **Draft Local Plan**

S/1 Vision
S/2 Objectives of the Local Plan
S/3 Presumption in Favour of Sustainable Development
S/5 Provision of New jobs and Homes
S/7 Development Frameworks
S/10 Group Villages
S/12 Phasing, Delivering and Monitoring
CC/1 Mitigation and Adaptation to Climate Change
CC/3 Renewable and Low Carbon Energy in New Developments
CC/4 Sustainable Design and Construction
CC/6 Construction Methods
CC/7 Water Quality
CC/8 Sustainable Drainage Systems
CC/9 Managing Flood Risk
HQ/1 Design Principles
HQ/2 Public Art and New Development
NH/2 Protecting and Enhancing Landscape Character
NH/3 Protecting Agricultural Land
NH/4 Biodiversity
NH/6 Green Infrastructure
NH/14 Heritage assets
H/7 Housing Density
H/8 Housing Mix
H/9 Affordable Housing
SC/8 Open space standards
SC/11 Noise pollution
T/I Parking provision

Consultation

20. **Caldecote Parish Council** - objects strenuously to this application, and recommends that it be refused.
21. *Policy* – Housing development outside the village framework is not permitted.
22. This is a Greenfield site that was still used for arable farming up until 2014. The site is not within the development framework of the village as indicated in the 2007 Local Plan's Adopted Proposals Map published February 2012, and the Proposed Submission Policies Map of July 2013.
23. Policy DP/7 of the 2007 Local Plan says: Outside urban and village frameworks, only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted.
24. Policy S/7 of the emerging Local Plan (proposed submission with illustrated changes, March 2014) states: Outside village frameworks, only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside or where supported by other policies in this plan will be permitted.
25. The application is not in line with the current Local Plan (2007) and Core Strategy DPD which states: ST/6 Group Villages includes Highfields Caldecote. Development or re-development up to a maximum of 8 dwellings, with a maximum of 15 dwellings where this would make best use of a Brownfield site.
26. The status of Caldecote as a Group Village is repeated at Policy S/10 of the emerging Local Plan.
27. Both the 2007 and the emerging Local Plan say that Group Villages are less sustainable than Rural Centres and Minor Rural Centres because they have fewer services and facilities. This indicates that growth beyond that permitted for Group Villages would not be sustainable in Caldecote.

Need

28. In South Cambridgeshire: The current Local Plan and the emerging Local Plan together demonstrate sufficient 5 year housing land supply for South Cambridgeshire, without the need for additional *ad hoc*, unsustainable developments of this nature.
29. There is no need for this housing in the village. There are already two potential other developments in the village that will bring approximately 68 homes, which is a 7% increase.
30. Total increase for the village if the Application is approved: 21%. There will be a corresponding 21% increase in pressure on all of the infrastructure and services for the village, all of which are already at capacity due to the huge growth in the size of the village (more than 300%) before the adoption of the 2007 Local Plan.
31. The Cambridge Acre Survey of housing need for Caldecote Village published in 2013 advises that there is need for only 13 more affordable homes. The Housing Statistical Information Leaflet published by SCDC in December 2014 increases this by 6 to 19. These can be provided either on the two existing planning applications or in the areas to be developed nearby such as West Cambourne. 40 affordable homes are clearly not needed for the village and sufficient supply will be created when other

developments in South Cambridgeshire are built in the near future.

32. Houses built to be sold into private ownership are not needed due to ongoing development of Cambourne West (3 miles away; 1,200 dwellings, Bourn Airfield (less than 1 mile away; 3,500 dwellings) and Northstowe.

Lack of sustainability

33. The NPPF outlines the three dimensions for sustainable development which are economic, social and environmental (page 2, para 7). This document, and in particular the issues outlined below, provides evidence that the proposal is not sustainable by any of these three dimensions.

Highways

34. One main entrance and exit way is provided. A secondary access road for emergency purposes is included. The plans do not indicate that safety of those using the development, or Highfields Road and pathways adjacent to it, has been considered.
35. A 14% increase in cars in the village, particularly using the junctions in the Access Solution will:
- Increase danger on Highfields Road to pedestrians and other vehicles
 - Cause significant congestion through the village particularly in the morning when the majority of vehicles use the northern exit from the village to access the A428 to go to work
 - There are already significant safety issues along that part of Highfields Road – blind turnings at several points – and the development will exacerbate those problems.

Drainage – surface water

36. In August 2014 Highfields Caldecote experienced a serious flash flood which caused 11 houses on Highfields Road to be flooded internally and rendered uninhabitable for a period of months.
37. There have in the last 30 years been other flooding events that have affected homes and the northern and southern parts of the village regularly flood in times of heavy rainfall.
38. The plans as they appear on the SCDC planning website indicate a poorly thought through drainage system as it is reliant on ditches adjacent to the boundaries of existing properties. Further the boundary ditch system does not take account of:
- The contouring of the land
 - The composition of the soil
 - The waterlogged nature of the land for the majority of the year
 - The volume of flow that will be generated during heavy rainfall on waterlogged soil
 - The run off via streams through the neighbouring village of Toft and into Bourn Brook which is known to suffer from flooding on a regular basis
 - The need to permanently maintain the system so that it does not silt up
 - The need to ensure against flood risk to houses in wider village and beyond

39. The proposed surface water system will lead to greater risk of flooding to houses surrounding the development, the remainder of Caldecote lying to the south of the site, and to Toft and outlying houses.

Foul water drainage

40. Bourn sewage works are at capacity and need to be upgraded to cope with increase in volume
41. The pumping station at the southern end of Highfields Caldecote is not working properly and more pressure on this is likely to lead to further leakage of sewage on to the road which may affect nearby homes. This already happens periodically, particularly when there has been a lot of rainfall.
42. No attempt to deal with these issues has been made by the applicant.

School places

43. School capacity – 210 current population -197
44. At least one new class would be added to the estimated influx of new children living on the development.
45. If the children living on the other two developments are added that would be a further 21 children, meaning closer to two classes will be needed. In practical terms this would require the school moving to a two form entry, i.e. a capacity of 420 pupils. The school site is clearly not large enough to cope with this expansion.
46. There is nowhere for parents to park at the school so Highfields Road will become more congested and dangerous.

Water and Gas supplies

47. The existing supplies of water from Bourn Reservoir Distribution Zone and the water towers that serve Cambourne may not be sufficient to supply the new development.
48. The plans propose taking gas supply from the existing supply on Highfields Road. There is no evidence the pressure will be sufficient for the new homes.

Doctor's surgeries

49. Comberton Surgery in Little Eversden has only 2 GPs and 9,214 patients. Bourn Surgery in Bourn has only 4 GPs and 5,936 patients. There is no surgery in Caldecote The development will add further pressure to these surgeries by increasing the patient numbers by 336 at least. Adding the residents from the other two developments this swells to 500.

Public transport

50. Caldecote is served by a once a day bus service at the two stops on Highfields Road. On St Neots Road, villagers can catch the Citi 4 (every 20 minutes Monday-Friday) or the 1/3 (every hours Monday to Friday). Villagers report difficulty boarding the buses in rush hour because they are full before they arrive at the stop. There is no employment in Caldecote so those living on the development would need to travel to work outside. If they worked in Cambridge they would be faced with a choice of trying to catch a bus, which will probably be full; cycling 10km on roads without cycle paths,

or driving. The majority will drive because of the poor alternatives available to them. This will increase traffic danger and congestion in the village.

Conclusion

51.
 - i. The proposed development:
 - ii. Is not within the development framework under either existing of the emerging Local Plan and therefore should not be permitted.
 - iii. Is not sustainable in Highfields Caldecote.
 - iv. Would not be in line with decisions of the Planning Committee of SCDC over the last 10 years.
 - v. Is not needed or warranted by local residents (69 assertions of objection via the village Facebook page; 23 written objections; unknown number of objections to Gladman's webpage; consensus of opinion of the public (approximately 15 people) and full Parish Council at the meeting held on 5 November 2015 at which Gladmans were present.
 - vi. Will seriously increase flood risk to properties within the village and neighbouring settlement of Toft.
 - vii. Is not necessary in view of the fact that :
 - viii. There will be 3,500 new homes built on Bourn Airfield, less than a mile away
 - ix. There are multiple locations where planning is already being considered to comply with the Council's need to fulfil its 5 year housing supply – Northstowe, West Cambourne for example ;
 - x. It is on greenfield land, designated for agricultural use. Is out of character with the remainder of the village because of its high density housing.
52. **Cambridgeshire County Council Highways Development Control** – has no objection to the proposed accesses to Highfields Road, subject to conditions.
53. However, it strongly recommends that the applicant engages with the Council to progress a suitable internal arrangement prior to submitting a reserved matters application.
54. Originally commented that it did not accept the 'proposed' site access and more details was required i.e. written dimensions, radii, and with sufficient detail to be able to carry out a stage II Road Safety Audit, and not just suggested dimensions within a key at the side of the drawing.
55. Manual for Streets is not acceptable in this location and the Design Manual for Roads and Bridges be used.
56. It states that it has severe reservations with regards connectivity within the site as shown on the indicative master plan. The Highway Authority has a hierarchy which places pedestrian at the top of that hierarchy, and this is not addressed at all within the submitted drawing. It is strongly recommended that the applicant engage with the SCDC Urban Design Team and the Highway Authority to progress a more suitable internal arrangement.

57. **Cambridgeshire County Council Transport Assessment Team** – originally lodged a holding objection.
58. It did not accept the information in respect of existing traffic conditions, person trips, access by foot, cycle and public transport, impact assessment, accident data. It states that it did not review the Travel Plan given the other outstanding issues.
59. Following the receipt of additional information the Transport Assessment Team questions the low number of trips made by parent walking from the development to the primary school estimated by the report. Given the number of early years and primary school children identified as part of the education contribution calculation, would expect to be higher, and the figure is therefore not accepted. However, it states that it will be for the Travel Plan to encourage those travelling to the school to do so by sustainable modes.
60. The County Council is concerned by the connectivity of the site to the Sustrans recognised local on-road cycle route on St Neots Road and onward routes to Cambridge. The development does not propose any mitigation measures to encourage journeys by cycle. Therefore the developer will be required to provide a shared pedestrian/cycle facility on the west side of Highfields Road from the site entrance to the St Neots Road/Highfields Road roundabout through direct implementation prior to occupation of the development. This is to encourage residents from this development and existing residents in Highfields to travel by cycle in place of car, and further improve access and the attractiveness of the route to the bus stops on St Neots Road.
61. The developer is required to upgrade the two closest unmarked bus stops in Highfields Caldecote prior to occupation of the development through direct implementation. The design of the stops should be agreed with the County Council and Parish Council. It is recommended that the stops include flags, bus timetable information and bus shelters, subject to agreement with the County Council. A commuted sum will be secured towards the maintenance of any bus shelters installed.
62. The developer should provide a contribution of £27,000 to the County Council for the installation and maintenance of real Time Passenger Information at the Cambridge bound bus stop on St Neots Road.
63. The Travel Plan should be secured through planning condition or Section 106 for agreement prior to occupation of the development.
64. It confirms that its holding objection has been overcome subject to the above obligations
65. **SCDC Urban Design**
- Layout and scale*
66. Officers acknowledge that this is an outline application and the layout is indicative. However, it is important that it demonstrates how the 6 ha site can satisfactorily accommodate up to 140 dwellings taking into account the site's immediate and wider context. Some of the proposed grouping of dwellings is not considered satisfactory, and may result in poor quality private amenity space to most dwellings. Therefore it is important that at reserved matters stage the applicant work closely with officers on the layout to ensure that the standards set out in the SCDC District Design Guide SPD is

achieved.

67. To achieve the 140 dwellings as shown several of the 'dwellings' will be apartment blocks. There is a need to ensure that as the design progresses, there is sufficient space for car parking and communal amenity space for the apartment blocks.
68. Page 39 of the DAS states that the proposed development would comprise of three main character areas: Primary Route, Green Lanes and Village Green, however, officers do not consider Primary Route and Green Lanes to be appropriate areas as these are merely road networks. Character areas should relate to the site's immediate landscape or historic features.
69. In terms of building heights, Page 40 of the DAS states that the proposed dwellings will be 2-3 storeys in height. However, there are little precedents locally for 3-storey buildings. Therefore 3-storey buildings should be limited to a few key locations to form landmark buildings. It is important to note that the site remains a rural village edge and the scale of buildings must be appropriate to the location.

Public open space

70. The rationale of including a large area of informal open space incorporating a natural play space is supported. Officers also welcome the inclusion of Greenways to enhance the connectivity of the proposed development.

Public art

71. Preliminary information on Public Art should also be provided at Reserved Matters stage to show the types of public art that can be incorporated within the proposed development.

Design standard

72. The rationale of referring to Building for Life 12 in the design and layout of the proposed development is supported. However, to maintain impartiality, it is important that at Reserved Matters stage, and independent BfL assessor is engaged to score the development. In addition, at detailed design stage, the applicant should refer to the District Design Guide SPD which sets out design standards that new developments should aim to achieve, e.g. the minimum back-to-back distances between dwellings and minimum private garden standards.

Design review

73. It is disappointing that the applicant rejected the offer of presenting the proposed scheme to the Council's Design Enabling Panel at the pre-application stage in order to obtain an independent review of the design merits of the scheme. The applicant is encouraged to refer the scheme at detailed planning and design stage.

Conclusion

74. Officers do not object to the approval of the proposed outline planning application. However, it is recommended that a condition be placed to require the applicant to submit a design code at reserved matters stage to ensure that the aspirations for quality and quantity for the proposed development, as set out in the DAS, are actually realised in the final scheme

75. **SCDC Landscape Officer** - It is noted that the applicant has addressed points raised at the pre-application stage. These include retention of the Highfields Road frontage hedge, enhancement and thickening of boundary hedges, green connections across the site linking with the central green/public space and green footpath connections to the Public Right of Way to the east. However, there are still some areas that require further attention.
76. The allotments and community orchard are awkwardly sited. These would be better located on the eastern boundary where they can provide better access to residents, some screening to the development, and help integrate the proposed development into the wider landscape.
77. The attenuation pond is remote from the proposed development and the space in which it is set is not sufficiently large to develop and appropriate landscape setting. This pond will be better integrated with the landscape closer to the development.
78. The proposed development must allow sufficient space to provide a SuDs system in the form of swales or other open green areas. Piped drainage and storage crates should be avoided.
79. There appears to be limited space for street trees within the proposed development, especially large native trees which would link visually with surrounding woodland and hedgerows.
80. The proposed layout of the dwellings, particularly those facing the 'village green', appears over-complicated and will create a number of difficult spaces.

Conclusion

81. In principle, development would be possible on this site providing that a strong and comprehensive landscape scheme is provided. This must include sufficient space for screening and filtering planting on the boundaries, and space within the proposed development for large native trees.

SCDC – Ecology Officer

82. The development is near to a number of ponds, some of which have been identified as providing breeding habitat for the protected great crested newt. The applicant's ecologist has concluded that (with regard to great crested newt conservation)
83. Given the location and proximity of the ponds to the proposed development area it is likely that the very difficult to prevent an offence occurring under the Habitats Regulations in the absence of mitigation. It is therefore considered that a Natural England derogation licence will be required in order to comply with the relevant legislation.
84. Due to the clearance of terrestrial habitats that could be used as resting/hibernation places by GCN's, it is considered that a Natural England European Protected Species (EPS) licence will need to be secured for the proposals to proceed. A detailed mitigation strategy (Method Statement) will also need to be produced in support of the licence application. The mitigation approach will be to avoid killing or injuring GCNs and to minimise the impact on the GCN population in order to maintain their 'Favourable Conservation Status' in their natural range.
85. The following condition should be used to address this issue:

Where an offence under Regulation 41 of the Habitats and Species Regulations 2010 is likely to occur in respect of this permission, hereby granted, no works of site clearance, demolition or construction shall take place which are likely to impact upon any great crested newt (*Triturus cristatus*) unless a licence to affect such species has been granted in accordance with the aforementioned Regulations, and a copy thereof has been submitted to the local planning authority.

86. It is the intention that the existing on-site pond will be retained and enhanced, and incorporated into a scheme which provides habitat connectivity to the wider landscape. Enhancements in this area will include the thinning of over-shading vegetation and removal of silt and litter. Terrestrial habitat enhancement will include gapping-up of hedgerows, planting of native scrub species and provision of hibernacula and refuge piles.
87. An important question needs to be answered before we can consider natural habitat enhancement to the pond. What is the current water source? If it is supplied by local land drainage then that supply of water will need to be maintained. There is a serious risk that as land is built-up around the pond it will lose its supply water. A holding objection is raised until this matter is resolved.
88. Numerous field signs of badgers were recorded within the site, including a latrine, snuffle holes, paths, and a single main sett. The sett was recorded adjacent to the pond within dense scrub. Given the evidence of regular and continuous use, the sett is considered to be an active main sett. The current proposal is to retain the sett in situ. This matter should have a greater degree of consideration at this stage so that the applicant is clear as to how they will retain the badger sett amongst a residential development. A holding objection is raised as it is considered that this issue has yet been properly resolved. For example, what direction do badgers currently go when leaving their sett; how can this habitual route be maintained; what habitat connections/underpasses are to be provided so that the badgers can still have access to open countryside and areas for foraging; what forage area is to be retained for the badgers; what measures are to be put in place to stop badgers becoming a nuisance in people's back gardens of the properties nearest to the sett; what is the extent of undeveloped buffer zone adjacent to the sett? We should not allow this development to enclose this main badger sett without retaining meaningful feeding areas and connection to the wider landscape.
89. If this information cannot be provided then there is no reassurance that is required to conserve a main badger sett and we should refuse the application.
90. If the above matters can be addressed then it will be necessary to attach a pre-commencement condition as such:
91. Prior to any ground investigation, ground preparation works or development, a repeat badger survey of the site shall be undertaken. The results of the badger survey shall be provided to the Local Planning Authority for approval. If a new sett is discovered it may be necessary to propose specific mitigation measures. Such mitigation measures shall be agreed in writing with the Local Planning Authority prior to undertaking any activity likely to disturb badgers.
92. Trees within the site were mainly restricted to hedgerows. The hedgerows are a large size both in height and width. These hedgerows should be retained and not incorporated into private gardens so as to retain the rural feel to the edge of Caldecote, and to maximise the ecological value of the hedgerows. Has this been achieved in the layout?

93. Trees T1 and T2 have low bat roost potential but as they are expected to be retained they have not been surveyed in detail. Can it be confirmed that T1 and T2 will be retained and are not subject to disturbance (inc lighting) in any way?
94. The standard condition with regard to the control of vegetation removal during bird nesting season should be used.
95. A condition should be attached requiring a scheme of ecological enhancement to be submitted for approval. This scheme would clarify the extent of works to the retained pond, the scope of bird and bat box erection on retained hedgerow trees, and the extent of wildflower meadow habitats to be provided.
96. The indicative drainage strategy (within the DAS) shows the use of a remote off-site attenuation pond, Why is the pond located so far from the development? Why is the pond not integrated within the development so as to deliver biodiversity gain and landscape enhancement?
97. Furthermore, so as to further enhance green corridors through the site can it be confirmed that open ditch systems will be used as opposed to piped systems so as to provide habitat connectivity and to reduce the risk of great crested newts becoming trapped within piped systems as they move towards water bodies. Further clarity is needed on this matter otherwise GCN may come to harm when the issue could be designed out.
98. **Cambridgeshire County Council Education**
- Early Years need*
99. The development is expected to generate a net increase of 22 early years aged children. There is insufficient capacity in the area to accommodate these places, and only 10 can be accommodated. The identified project by the education team is to expand the existing facilities at Caldecote Primary School by 12 places. This work will involve the relocation of the boiler and internal modifications of walls, materials etc. The project, which is at a very early stage, will cost £240,000, hence the price per place is higher than the tariff which is used when the project is unknown.
100. The trigger point for the payment should be 50%. It confirms that there are not 5 signed S106 Agreements in place for this project.
- Primary need*
101. The development is expected to generate around 49 primary school places.
102. The County Council does not consider that there is a need to extend Caldecote Primary School, and that it can accommodate the pupils generated by this development within the school. It confirms that the current and future capacity has been looked at in more detail as a result of this application.
103. It states that Caldecote Primary School has a Published Admission Number (PAN) of 30 and a capacity of 210. The pupil role was 196 in January 2015 and 197 in September 2015. It is forecast to fall to around 180 by 2019/20. The school is recognised as good by Ofsted at its last inspection in September 2011.
104. In January 2015, there were 198 children aged 4-10 living in the catchment compared

to 196 on roll. 172 of the 196 pupils on roll came from within the catchment. The school took 10 children from Cambourne, but 6 children from Caldecote attended Cambourne schools. 13% of children from the catchment attended other schools. The catchment population is forecast to fall to around 175 by 2023/24.

105. The development is expected to increase the primary-aged population to around 210-215. Therefore, allowing for the forecast fall in the catchment population and out-catchment options, there should be sufficient space in the school to accommodate the children from this development. The situation will be tight, and there may be a need to plan to accommodate some year groups bigger than 30. Some children, who move into the development older than reception age, may not be able to gain a place if the school fills to its admission number with out-catchment options.
106. The additional primary aged pupils which the development will generate mean that neither the school nor County Council would look to provide an additional classroom. This would require a very complex class organisation, which would be financially unviable.

Secondary need

107. The development is expected to generate a net increase of 35 secondary school places. The catchment area is Comberton Village College, and it has been confirmed that there is sufficient capacity over the next five years to accommodate the places generated by this development

Libraries and Lifelong Learning

108. The proposed increase in population from this development (140 dwellings x 2.5 average household size = 350 new residents) will put significant pressure on the library and lifelong learning service in the village, which is currently served by 1 mobile library stop.
109. The County Council's proposed solution to mitigating this impact would be to enhance the existing mobile stop to serve the residents of the proposed development. A contribution of £4.08 per increasing population towards the cost of this project is required (total £1,428).
110. There are not 5 signed S106 Agreements in place for this project.

Strategic Waste

111. This development falls within the Cambridge and Northstowe HRC catchment area for which there is currently insufficient capacity. The development would require a contribution of £25,200. However, as the HRC already has 5 S106 contributions pooled the County Council is unable to seek a further S106 Strategic Waste contribution. The County Council H&CI Committee decision on 7 July 2015 is to depart from the existing policy that commits the County Council to providing new sites around Cambridge and at Northstowe, and instead use developer contributions to provide one new site to cover the Northstowe development and act as a replacement for Milton.

Monitoring Fees

112. The County Council will agree a monitoring charge by negotiation with the developer having regard to the complexity of development/resources e.g. multiple/different

triggers, size of development, ongoing monitoring etc. The basis of the charge would be an officer rate of £50 an hour. The monitoring fee for this S106 would be £700.

113. **Cambridgeshire Archaeology** – comments that the site is located in an area of high archaeological potential. Archaeological investigations to the south have consistently revealed evidence of Iron Age and Roman settlement and agriculture, as well as evidence of medieval and post medieval settlement and occupation. An archaeological evaluation along the A428 also revealed evidence of Iron Age and Roman settlement, and medieval and post-medieval occupation. In addition, within and surrounding the application area is evidence of medieval and post-medieval cultivation, present as ridge and furrow.
114. It is therefore recommended that the site is subject to an archaeological evaluation to be carried out prior to the granting of planning permission. The results should allow for fuller consideration of the presence/absence, nature, extent, quality and survival of archaeological remains in the development area. An informed judgement can then be made as to whether any planning consent will need to include provisions for the recording and, more importantly, the preservation of important archaeological remains *in situ*.
115. The applicant has now carried out an archaeological evaluation and Cambridgeshire Archaeology has confirmed that it has identified that there is significant evidence for Late Iron Age settlement in the northern part of the site, but nothing that would prevent the development from occurring.
116. In view of this evidence it recommends that further archaeological work is required in advance of construction, which can be secured by a pre-commencement condition.
117. **Cambridgeshire County Council Flood and Water (LLFA)** – originally objected on the grounds that the applicant had not demonstrated that the storage volume required to attenuate surface water run-off from the critical 1 in 100 chance in any year storm event, with appropriate allowance for climate change, can be provided on site.
118. Additionally it was not demonstrated that the correct number of SuDS treatment stages would be provided before discharge into a watercourse. Under the Water Framework Directive it is important that no activities such as development could cause detriment to the water quality or geomorphological status of a waterbody.
119. The applicant needs to demonstrate through its surface water strategy that the proposed development will not cause an increased risk of flooding from surface water. The surface water strategy should be carried out in accordance with the NPPF, giving preference to infiltration over discharge to a watercourse, which in turn is preferable to discharge to surface water sewer.
120. The surface water strategy should clearly show that surface water for up to the 1 in 100 chance in any year storm event, including an allowance for climate change, can be safely contained on site. It is acceptable to partially flood the site during this event, ensuring that buildings are not affected by flooding and the site can be safely navigated by users. Where this flooding will be within roads or pathways, the applicant must ensure that safe access and egress is still available. For residential developments a climate change allowance of 30% should be added to the peak rainfall intensities for the purpose of sizing the attenuation features.
121. It is strongly recommended that the applicant uses linear SuDs features such as swales to discharge water into the attenuation pond instead of a surface water drain.

Alternatively it is advised that the applicant provides source control upstream e.g. through the use of rain gardens, and then discharge into the attenuation pond via the proposed surface water drain. If these options are not practicable then the applicant should look to options such as dividing the attenuation pond into multiple ponds or wetland systems.

122. Under the requirement of the Water Framework Directive and as detailed in The SuDS Manual (CIRIA C697) the applicant must provide at least two levels of water treatment stages for the site prior to it entering the watercourse. This will improve the water quality of the water entering the pond and the watercourse.
123. The applicants approach to the site in relation to where the surface water outfall is located in the south-east corner of the site is supported. This will help to reduce pressure on the watercourse which runs along Highfields Road. The LLFA is aware of multiple incidents of surface water flooding to properties in this vicinity. The measures to further improve the drainage system around the site boundary, and to adjust levels on the Highfields Road watercourse to allow overtopping into this ditch system are also welcomed.
124. Following receipt of additional information/clarification from the applicant the LLFA initially confirmed that the applicant had met the minimum requirements of the NPPF, and its objection was removed, subject to a condition being included in any consent requiring submission of a detailed surface water drainage scheme. Before the scheme is submitted an assessment should be carried out of the potential for disposing of surface water by means of a sustainable drainage system, which should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event, plus a 30% allowance for climate change. The condition should require information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site, the measures taken to prevent pollution of the receiving groundwater and/or surface waters, and provide a management and maintenance plan for the lifetime of the development.
125. However, following the receipt of new information relating to potential drainage issues at the site, which were unrelated to its previous objection, the LLFA requested that a holding objection was re-imposed.
126. It commented that a number of large, shallow trenches had been excavated across the site which were, in places, filling with water. It was unclear what the precise source of the water was, however it could have been due to high groundwater levels in the area. Of those trenches inspected, the water level was estimated to be in the region of 0.6m below ground level. This was of particular concern as the proposed surface water drainage system includes an attenuation basin which is likely to be in excess of 0.6m deep. High groundwater levels across the site have the potential to compromise the adequate functioning of the proposed surface water drainage system.
127. A water table that is near to the surface has the potential to cause flooding or damage to deep SuDS features. An appropriate assessment (e.g. an intrusive site investigation) should be undertaken to determine groundwater levels across the site, and evidence should be provided to demonstrate that the proposed development and its associated drainage system will have no adverse impact on local flood risk either on or off the site (including from groundwater).
128. The presence of high groundwater levels does not preclude the use of SuDS altogether, however it must be ensured that features that are selected are appropriate

based on site specific conditions.

129. The LLFA has now advised that following further discussion with the applicant's drainage consultant, and the submission of a geological statement, it has been agreed that in addition to the proposed ditches along the north east boundary, the proposed development will provide land drainage as required to ensure any residual flows are safely conveyed through the development to the boundary ditch system.
130. Based on the above agreement, and the detail within the geology statement, the LLFA confirms that it is again satisfied that the applicant has met the minimum requirements of the NPPF and its holding objection is removed.
131. Any consent should include the condition referred to at paragraph 137 above.
132. **Drainage Manager** – supports the comments of the County Council as the Lead Local Flood Authority. It has thoroughly assessed the proposed surface water layout and investigated the concerns at local level. The Drainage Manager is happy that the application has been given due consideration and has no further comments.
133. **Environment Agency**
Foul water drainage

No objection to the proposed development in isolation. However, connection of foul drainage into the Bourn WRC may prejudice other allocated development sites which have been identified for connection into the STW.
134. Joint Position Statement on foul water and environmental capacity in relation to proposed development with South Cambridgeshire District issued by the EA and Anglian Water in Jan 2014, states that there is limited capacity at Bourn WRC.
135. Standard informatives are provided in respect of surface water drainage, potential ground contamination, and pollution prevention.
136. **Anglian Water** – The foul drainage from this development is in the catchment area of Bourn Water Recycling Centre, which currently does not have capacity to treat flows from the development site. Anglian Water are obligated to accept the flows from development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should planning consent be granted.
137. The sewerage system at present has available capacity for these flows
138. **Environmental Health (Contaminated Land Officer)** – comments that the Phase 1 Geo-environmental assessment (desk study) makes recommendation for an intrusive site investigation and this should be secured by condition, and should include any contamination remediation measures required.
139. **Environmental Health Officer** – states that on balance there are no objections in principle to the development, but the following issues need to be considered and effectively controlled in order to protect the quality of life/amenity and health of existing and proposed residential uses/premises and the wider community/environment, and which are paramount in facilitating a sustainable high quality development.

140. Conditions should be imposed in respect of hours of operation of power driven machinery during the period of construction, noise attenuation measures for the new properties, artificial lighting details, no bonfires and burning of waste during the period of construction, and the use of driven pile foundations, and control of any noise generated by potential renewable energy technologies employed, should be included in any consent.
141. **Housing Development Officer** – comments that the proposed site is located outside of the village framework and should therefore be considered as an exception site for the provision of 100% affordable housing for the purposes of meeting the local housing need in Caldecote. This is in accordance with H/10 of the emerging Local Plan.
142. However, should this application not be determined as an exception site, then the council will seek to secure 40% affordable housing. The developer is proposing up to 140 dwellings, including 56 affordable properties, which complies with the 40% requirement.
143. There are approximately 1,700 applicants registered on Homelink who are in housing need in South Cambridgeshire. The greatest demand in South Cambs is for 1 and 2 bedroom units, however for such a large affordable housing scheme there should be a good mix of housing to ensure that the development is sustainable.' In order to ensure sustainable communities affordable housing should be integrated with market housing in small group or clusters between 6 - 8 units' as stated in Chapter 3, Paragraph 3.25 of the Affordable Housing SPD.
144. The preferred mix and tenure split is rented 14x 1 bed, 20 x 2 bed, 5 x 3 bed and shared ownership 10 x 3 beds and 7 x 2 beds. The district wide tenure split is 70/30 in favour of rented.
145. Properties should be built in accordance with the DCLG Technical Housing Standards and the national space standards.
146. A registered provider will need to be appointed to take forward the affordable housing. We would appreciate being notified once an RP has been appointed so that we can have further discussions with them over the delivery of the Affordable Housing and to ensure that the mix is in accordance with housing need.
147. The rented properties should be available to all applicants registered on Homelink in South Cambs and the shared ownership properties should be advertised through the homebuy agent operating in this region which currently is (Bedfordshire Pilgrims Housing Association)
148. The applicants have mentioned in accompanying information that they would consider providing a commuted sum in lieu of some on site affordable housing. This approach does not comply with policy. This is stated in Chapter 5, paragraph 5.21 of the Affordable Housing SPD 'It will not be appropriate for major developments (10 or more dwellings) to provide financial contributions in lieu of on-site provision.'
149. Therefore, full on site provision of the affordable housing should be provided.
150. **NHS England** – In an updated response, it concludes that the proposed development is likely to have an impact on the services of Comberton Surgery, which does not have capacity for the additional growth resulting from this development, which is expected to generate 343 residents.

151. A developer contribution of £47,040 is therefore sought towards mitigation of the impacts of the proposal, which would be by way of extension, refurbishment or reconfiguration at Comberton practice.
152. **Environmental Health (Public Health Specialist)** – comments that the submitted Health Impact Assessment has been assessed as grade A, which meets the required standard of the Health Impact Assessment SPD.
153. **Environmental Health (Air Quality)** – has no objection in respect of air quality. However, for the purpose of ensuring that the sensitive receptors within the vicinity of the development are not affected by the negative impact of the construction work, such as dust and noise, as well as ensuring that the applicant complies with the Council's policy on Low Emission Strategy for a development of this magnitude, conditions should be imposed requiring a Construction Environmental Management Plan/Dust Management Plan, and an electric vehicle charging infrastructure strategy and implementation plan.
154. **Cambridgeshire County Council – Asset Information Definitive Map Officer** – comments that the site is adjacent to Public Footpath No.1 Caldecote, It runs in an approximately north-easterly direction from Highfields Road along the northern boundary of the application site to St Neots Road. The Public Footpath must legally remain unobstructed and open for public access, Informatives should be included in any consent regarding the footpath.
155. **Crime Prevention Design Team, Cambridgeshire Constabulary** – no objection at the outline stage.

Representations

156. 42 letters have been received from occupiers of properties in Caldecote, and combined representation from 62 residents (some of whom have written individually and are included in the 42 letters), objecting to the application on the following grounds:
- a) Site is outside the village framework. It is a greenfield site and productive agricultural land. It is not included in the Draft Local Plan.
 - b) Contrary to the status of Caldecote as a Group Village – far greater than the 8 dwellings permitted. It is an unsustainable proposal. The 2013 SHLAA listed Caldecote as unsustainable for further development. Caldecote has suffered from continual piecemeal development and has grown too far too fast.
 - c) Too many dwellings on a small site. Density is too high. With an average of 2.4 persons per household it will result in an extra 330 people and may also mean 280 more vehicles. Density is higher than that of surrounding developments.
 - d) Represents a 14% increase in the population, which would cause a similar increase in demand for school places, waste, and traffic.
 - e) The Caldecote Local Housing Needs Survey 2013 only found a need for 13 new affordable homes in the village
 - f) Will adversely affect the character of the village which will change from relatively small one to a medium/large one overnight, and the surrounding

developments. It is out of scale and character with existing development.

- g) The representation on behalf of 140 local residents contains a detailed assessment of surface water drainage and flooding issues, and these are produced in full in Appendix 1. A summary of other drainage comments is set out below.
- h) Flooding – high water table – area prone to flooding. Extra drainage was installed in the form of a balancing pond and a powerful pumping station when the village was expanded previously, but this still does not cope in times of very heavy rainfall. In August 2014, houses along Highfields Road opposite the site suffered flooding both of their gardens and in many cases the houses themselves. Had this development existed the flooding would have been much worse. A development of this size on land which floods, and with additional hard landscaping, will make further flooding in the village more likely.
- i) The drainage system will be unsustainable and unmanageable with the current mains drainage being under Highfields Road, and partly in private ownership.
- j) Much of the existing flooding problems in the village is caused by the site being waterlogged due to its composition of heavy border clay, with the field to the east being the same. It is understood that archaeological digs on the site had to be aborted as the trenches filled with water, which is indicative of the existing situation. New hardstandings will create faster run-off and more flooding to properties downhill in Clare Drive and Damms Pasture.
- k) The applicants plans for a new ditch system on the southern boundary include a 90 degree bend which will inhibit flow, and the proposed system requires water go uphill towards the attenuation pond. As a result water will pool behind the north east corner of Clare Drive/Damms Close, causing flooding problems to adjoining properties
- l) The proposed attenuation pond may flood if it is not properly maintained. The Parish Council has carried out extensive investigations into the Award Ditch which runs north to South through the village, and established that there are a number of blockages and inadequate piping. This cannot be relied on to take any more water which will come from this development. There is no evidence that the proposed flood mitigation will mitigate the risk of flooding, and existing houses near the proposed new ditch will be at higher risk.
- m) The local pumping station requires pumping out regularly. It frequently breaks down, causing considerable leakage and nuisance. During flooding, or even heavy rain, sewerage overflows from the drains and from the pumping station. The Bourn treatment works is at capacity. The plans mention providing a pumping station, but it is not shown on the plans.
- n) When the village expanded in 1990's it was concluded that 400 extra houses were the maximum the village infrastructure could cope with. Anglian Water increased the supply of water to the village to cope with the increased demand in line with the agreed maximum expansion, however water pressure is still low
- o) Impact on local road systems, which are already at capacity. There is only one exit from the site. It is at the north end of the village – people commuting to work in the morning are likely to block traffic down through the village as they

leave the development. There is no evidence that the entrance and exit to the site will be safe for those using that road or Highfields Road. The access road should not be placed directly opposite and existing driveway.

- p) There is insufficient room for the pavement/walkway from the site along Highfields Road because there is a ditch where they want to place it. There are no proper cycleways from the village to Cambridge.
- q) Policies TR/1 and TR/2 of the adopted Local Development Framework state that permission will not be granted for developments likely to give rise to a material increase in travel demands unless the site has (or will attain) a sufficient standard of accessibility to offer an appropriate choice of travel by public transport, or other non-car travel modes, and that development must be located and designed to reduce the need to travel, particularly by car. The submitted Transport Assessment (TA) estimates only 3 occupants will use the bus. The TA and Travel Plan suggest that in future many more people may use the bus, but refers to a survey of Suburban Areas and Edge of Town users. This usage stops at Hardwick, and the fare to Cambridge from Caldecote is twice that from Hardwick. Buses at peak times are full. There may be scope to increase the bus availability, but it is not in place, and in fact the timetable has been reduced, with fewer evening buses, and none on Sundays.
- r) Lack of parking provision.
- s) The Primary School is at capacity, and further expansion would be difficult.
- t) Impact of health services in the area. It is already very hard to get an appointment in less than two to three weeks.
- u) There is no doctor's surgery, library, post office or public house in the village, and only one shop. The bus only operates twice daily.
- v) Other village amenities are very limited – there is a social club and the village hall is already too small so that many events have limitations on entry. There will also be an impact on other local amenities such as play and youth activity, child care and the village hall. There are no proposals to expand these. Lack of facilities for younger persons will result in an increase in vandalism
- w) Currently the only S106 requirements for this development is to enhance the mobile library stops
- x) There are no places at the dentists in the area.
- y) Loss of privacy to adjoining houses due to increased noise and disturbance, overlooking and overshadowing.
- z) Adverse impact on quality of life for existing and proposed residents.
- aa) Adverse visual impact on the area/surrounding countryside. This will be severe, contrary to the conclusion in the Landscape and Visual Impact Assessment. The application refers to 2.5/3 storey high properties which are out of keeping with the village.
- bb) The scheme does not satisfy Building for Life criteria.

- cc) The amount of open space claimed (40.5%) is misleading as this includes all roadways, hedges, and drainage areas. The attenuation pond and drainage ditch, which are not suitable for public use.
- dd) Lack of local employment opportunities. People will have to travel outside the village for work.
- ee) Loss of hedgerow along Highfields Road to provide access will decrease attractiveness of the village, and affect habitat for the local wildlife. Great Crested Newts have been identified in the immediate area
- ff) Impact on badger sett in the middle of the site. The Ecological Report fails to identify a latrine on the immediately adjacent land.
- gg) Impact on other wildlife in the area
- hh) Archaeological site – Highfields Caldecote was likely the site of a Roman settlement and there may be a need for the land to be investigated before it is developed
- ii) Impact on social and police services in the area. Increase security risk to existing properties
- jj) There is already a play area for under twelves, a recreation and sports field, as well as a multiple use sports facility. Any additional area would be superfluous. It is proposed to put the play area close to houses, which will result in noise disturbance, and there are no security measures to prevent vandalism
- kk) There have been planning applications refused for development in Highfields since the development of Caldecote started for reasons of sustainability, drainage, lack of infrastructure, excessive growth in the village, and the traffic generated. An appeal was rejected in 2010 and included reasons of housing density; development in a group village contrary to the LDF Core Strategy; and “the lack of essential services and facilities within the village already mean that residents need to travel outside the village for their day-to-day needs.....proposed development would therefore amount to unsustainable development....”
- ll) Applicant’s Arboricultural Report refers to trees being retained which are within the gardens of adjoining properties, which are out of its control.
- mm) Flooding problems will affect property values and result in difficulties obtaining insurance.
- nn) Internet speed in the village is slow
- oo) There are other sites in the village that could be developed i.e. land between Clare Drive and Blythe Way. There are also sites at West Cambourne, Bourn Airfield and Northstowe that could be developed
- pp) 50% of residents who responded to the survey for the Parish Plan said that they did not want more houses.
- qq) The retained agricultural land will be less viable as arable fields, being not large in modern farming terms and the access proposed through the

development may prove impractical.

rr) Only reason for this application is the District Councils lack of a 5 year housing land supply, and delays in the Local Plan process. Residents have a right to feel aggrieved by this process, which is now having a direct impact on villages like Highfields Caldecote.

ss) Loss of view

157. 33 letters (21 from households in Caldecote and 11 from households in Hardwick) have been received supporting the application on the following grounds:

a) The scheme includes 40% affordable housing element on site

b) The development would make the community more self-sufficient/sustainable

c) Established hedgerow and trees will be retained and improved to screen the site and reduce any visual impact.

d) The entire site being developed for housing is within flood zone 1 (lowest probability of flooding). The proposals will provide a significant level of betterment to the surface water flooding situation in and around Highfields Caldecote. The application proposals provide a ditch system to the northern and eastern boundaries, allowing incoming land drainage flows to be directed away from the village into a watercourse system to the south east. This will lead to betterment in the village, particularly in an area of historical surface water flooding, which is a significant benefit.

e) The development proposals provide 40.5% new public open space and a new equipped children's play area.

f) A new public right of way will be provided across the site, improving connectivity with the existing footpath network.

158. The Headteacher, Caldecote Primary School in a letter to Cambridgeshire County Council, is concerned about the response of the Education Authority. The playgroup is on the school site, and there is no capacity for it to expand or use any other space on site. The current prediction for the reception class going forward is that it will be up to capacity (30) for the next four years. It is queried how the additional 12 places required will be accommodated.

159. There is concern about the additional 49 primary school places predicted, as for many years the demographer's predictions have been inaccurate. Caldecote is rated as 'good' at its last Ofsted, and more recently has been deemed to be outstanding by the Local Authority. The school is also within the catchment of Comberton Village College, and a high number of parents choose to send their children to Caldecote for that reason. Both these factors have an influence on the numbers. Admissions have informed the school that the classes that are "full" all have at least one child on the waiting list for that class. Some of these families have appealed and the school has been forced to go over the PAN of 30.

160. Even if the Year 1 and Year 5 classes were full to capacity this would only mean an additional 14 children, and the school would be extremely short of space. In 2012, when there were 207 children on the roll, it was a struggle to have the whole school assembly in the hall. The school only just managed to accommodate all its school

lunches, and that was prior to the Universal Infant Free School Meals. Since then it has to extend its lunch breaks in order to accommodate the increase in meal uptake.

161. A 20% increase in school numbers is unrealistic and unmanageable for many reasons:
- a) Space around the school for group or individual work.
 - b) A hall that is unable to accommodate over 200 children
 - c) Office capacity, including physical space, to accommodate the additional administration
 - d) Playground space as the field can only be used in the summer time
 - e) Car parking is a major concern; the increased pupil numbers would result in more traffic and congestion, resulting in increased probability of accidents
 - f) Increased numbers will require extra staff, and there is not sufficient parking for the staff already employed. Many have to park on the road causing a nuisance to residents and a hazard for children who have to cross to school between parked cars
 - g) Increase traffic will add to congestion that it contact outside the school, and will increase the potential of a serious accident.
162. Flooding – although the school has not suffered from a ground flood, the playground is constantly under water during the autumn and winter months. An engineer’s report and investigations have been undertaken, but the conclusion is that it is a problem which is not easily solved, and is caused by the wider issues of flooding in the village. To address this issue would involve major engineering and reconstruction of the village drainage. More housing is going to increase the risk of flooding – how will this be addressed?
163. Sewerage – this is a problem across the village and the school is no exception, It regularly has problems with the toilets and sewerage backflow.
164. There are many other smaller building proposals around the village. If these are successful then the possible numbers of primary aged children far exceeds 49. There is no possibility that the school in its current form could contemplate accommodating this increase. It needs a substantial building programme, which is not feasible on the current site.
165. Councillor Tumi Hawkins urges the District Council to refuse the application on the following grounds:
- a) The proposal is for 140 dwellings in a village that is classified as a Group Village, Policy ST/6. Development allowable is up to an indicative maximum size of 8 dwellings on new sites, and up to 15 on brownfield sites.

Group villages are by definition “less sustainable locations” for new development, having fewer services, allowing only some of the basic day-to-day requirements of their residents to be met without the need to travel outside the village.

Highfields Caldecote currently comprises circa 600 dwellings, no shop, no doctor’s

surgery, a primary school that is full to capacity, no bus transport through the village, long-standing drainage problems, and a sewerage pumping station that is not fit for purpose.

Therefore, it is evident that adding a further 140 dwellings, an increase of 23% on the current numbers, will be extremely detrimental to the well-being of all residents due to the lack of services and facilities.

- b) The proposed development site is outside the development framework of Highfields Caldecote. Policy DP/7. Whilst the District Council may not currently have a 5-year housing land supply, the Council should be doing its best to preserve the integrity of the current policy.
- c) The is insufficient infrastructure capacity to support such a development
 - i) The primary school is full to capacity. The neighbouring schools in Bourn and Hardwick are also full to capacity. There is no space in the school grounds to extend the school (it has already been extended significantly when the three new housing estates were built).
 - ii) Residents of the village share the doctor's surgeries at Bourn and Comberton respectively. Both of these are already full to capacity. Comberton is facing having a development of up to 90 houses and will require the surgery to be relocated as there is no space to extend it. Likewise, Bourn surgery has no room to expand, and is prone to flooding.
 - iii) Poor Drainage has been a long standing problem in the village. The village was severely flooded in August 2014, and the ditches cannot cope with the surface water run-off when heavy rains occur. The subsoil is clay, which is impervious, and so rain water does not drain down into the soil. The land being proposed for development has a low water table and has standing water in most parts for most of the winter. Therefore, building on this land will only shift the water elsewhere and it is apparent from the submission that the mitigation proposal is not workable.
 - iv) In conjunction with the above drainage issue, the sewerage pumping station is not fit for purpose and has not been for several years. Anglian Water is well aware of the problem, and although pump parts have been replaced from time to time, the station is usually overwhelmed especially when incidents of heavy rain occur.
 - v) Transport – there is no bus service that runs through the village. The only available service being the No.4 bus that travels along the old St Neots Road. Residents have to walk anything from 10-20 minutes from their houses, just to get to the bus stop. The service is also expensive and unaffordable for some, who end up cycling or walking to Hardwick to take the bus as it is cheaper from there.
 - vi) There are no recreational facilities for young people (aged over 10). This means that parents end up having to take these children out of the village for leisure purposes. This adds to the traffic going in and out of the village.
 - vii) There are no employment opportunities in the village. It is expected that those who will be living in this development will be commuting to work, either to Cambridge and the surrounding business parks, or to the nearest train stations

to commute to London. The road infrastructure going into Cambridge is currently seriously deficient, especially along the A1303 Madingley Rise, and adding cars from this new development will only make that matter worse. The village in effect is being turned into a dormitory village.

- viii) Cumulative development – there is an ongoing attempt by Banner Homes to build on the site 18-28 Highfields Road, and it is expected that this will be a development of at least 60 houses. Therefore, the prospect of a cumulative 200 houses being built in the village will swamp it and change its character.
 - d) The proposal for this site will result in an overdevelopment of Highfields Caldecote, especially in the light of the points made in c) i)-vii).
 - e) The proposed plan will materially change the character of the village. Highfields Caldecote has seen the size of the village trebled in the past decade and a half, from around 200 dwellings to the current 600 plus dwellings with the development of three new housing estates (Blythe Way, Clare Drive and Strympole Way). Any further development will be detrimental to the cohesiveness that is important to villages such as this.
 - f) Taken all together, it is my view that the proposal will create a development that is
 - i) Contrary to policy
 - ii) Will result in overdevelopment of Highfields Caldecote
 - iii) Is not sustainable due to insufficient infrastructure
 - iv) Does not enhance the character of the village
 - v) Is severely detrimental to the amenity of existing residents
166. Cambridge Past Present & Future – does not support the application on the grounds of building outside the development framework. The overall shortage of new homes, including ones that are within reach of first time buyers is acknowledged, however the following concerns are expressed.
167. The site is outside the village framework; the site is not included in the Local Plan SHLAA nor is it included in the Errata; the proposal is speculative; there are considerable concerns about transport and infrastructure impact, especially in the light of the City Deal proposals.
168. A plan-led approach that includes sustainable development based on the adopted Local Plan is welcomed. However, in this particular case the proposal does not accord with this and should be refused.

Planning Assessment

169. *Housing Land Supply*

The National Planning Policy Framework (2012) (NPPF) requires local planning authorities to boost significantly the supply of housing, to achieve this a five-year housing land supply with an additional buffer, as set out in paragraph 47, should be identified and maintained.

170. The Council accepts that it cannot currently demonstrate a five year housing land supply in the district as required by the NPPF, having a 3.9 year supply using the methodology identified by the Inspector in the Waterbeach appeals in 2014. This shortfall is based on an objectively assessed housing need of 19,500 homes for the period 2011 to 2031 (as identified in the Strategic Housing Market Assessment 2013

and updated by the latest update undertaken for the Council in November 2015 as part of the evidence responding to the Local Plan Inspectors' preliminary conclusions) and latest assessment of housing delivery (in the housing trajectory November 2015). In these circumstances any adopted or emerging policy which can be considered to restrict the supply of housing land is considered 'out of date' in respect of paragraph 49 of the NPPF.

171. Further guidance as to which policies should be considered as 'relevant policies for the supply of housing' emerged from a recent Court of Appeal decision (Richborough v Cheshire East and Suffolk Coastal DC v Hopkins Homes). The Court defined 'relevant policies for the supply of housing' widely so not to be restricted to 'merely policies in the Development Plan that provide positively for the delivery of new housing in terms of numbers and distribution or the allocation of sites,' but also to include, 'plan policies whose effect is to influence the supply of housing by restricting the locations where new housing may be developed.' Therefore all policies which have the potential to restrict or affect housing supply may be considered out of date in respect of the NPPF.
172. However, the Court of Appeal has confirmed that even where policies are considered 'out of date' for the purposes of NPPF paragraph 49, a decision maker is required to consider what (if any) weight should attach to such relevant policies.
173. In the case of this application policies which must be considered as potentially influencing the supply of housing land include ST/2 and ST/6 of the adopted Core Strategy and adopted policies DP/7, HG/1, HG/2, NE/2, NE/6 and NE/17 of the adopted Development Control Policies. Policies S/7, S/8, S/10 and NH/3 of the draft Local Plan are also material considerations but are also considered to be relevant (draft) policies for the supply of housing.
174. Paragraph 14 of the NPPF states that there is a presumption in favour of sustainable development. It says that where relevant policies are out of date, planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or where specific policies in the NPPF indicate development should be restricted (which includes land designated as Green Belt in adopted plans for instance).

Principle of development

175. The site is located outside the Caldecote village framework, although adjacent to it on its south and west boundaries, and in the countryside, where Policy DP/7 of the LDF and Policy S/7 of the Draft Local Plan states that only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted. The erection of a residential development of up to 140 dwellings would therefore not under normal circumstances be considered acceptable in principle. However, this policy is considered out of date due to the current lack of a 5 year housing land supply as set out above.
176. It falls to the Council as decision maker to assess the weight that should be given to the existing policies. The Council considers this assessment should, in the present application, have regard to factors including whether the policies continue to perform a material planning objective and whether it is consistent with the policies of the NPPF. Caldecote is identified as a Group Village under Policy ST/6 of the LDF and Policy S/8 of the Draft Local Plan. These are the third of four categories of rural settlement and are less sustainable settlements than Rural Centres and Minor Rural

Centres, having fewer services and facilities and allowing only some of the day-to-day needs of residents to be met without the need to travel outside the village. As noted later in this report Caldecote has only relatively limited facilities and services, with no secondary school, doctor's surgery, very limited employment opportunities.

177. Development in Group Villages is normally limited to schemes of up to 8 dwellings, or in exceptional cases 15, where development would make best use of a single brownfield site. This planning objective remains important and is consistent with the NPPF presumption in favour of sustainable development, by limiting the scale of development in less sustainable rural settlements with a limited range of services to meet the needs of new residents in a sustainable manner.
178. An appeal decision on another site in Caldecote in 2011 concluded that it was correctly identified as a Group Village when considered against the hierarchy of other villages in the District, and that the development proposed (97 dwellings) would conflict with that status, as Caldecote was considered to be a relatively minor and unsustainable settlement. That appeal pre-dates the Waterbeach appeal decisions referred to in paragraph 261 above and the NPPF, so can carry out little weight in the determination of this application, which must be assessed against current criteria.
179. Policy TR/1 states that planning permission will not be granted for developments likely to give rise to a material increase in travel demands, unless the site has (or will obtain) a sufficient standard of accessibility to offer an appropriate choice of travel by public transport or other non-car travel modes. This policy is not considered to be out of date as it does not relate to the supply of housing, and is consistent with the aims of the NPPF.
180. The NPPF requires that 'planning policies and decisions should actively manage patterns of growth to make fullest use of public transport, walking and cycling, and focus development in locations which are or can be made sustainable.'
181. In this case the proposal to develop a scheme for up to 140 dwellings is not considered sustainable due to the relatively low level of services and facilities in the village and lack of employment opportunities, as highlighted later in the report. Therefore existing Policies ST/6 and DP/7 which form part of a suite of policies to control the distribution and scale of new housing can be afforded considerable weight since it contributes to ensuring that development is sustainably located and unsustainable locations are avoided. When set against the NPPF the proposal also therefore fails as it cannot be considered to be a sustainable location capable of supporting a development of this size. These facts therefore are considered to outweigh the need for additional housing land in this instance.
182. Caldecote was not one of the villages reviewed in The Local Plan Village Classification Report June 2012, informed by the Village Services and Facilities Study, which looked at the settlement hierarchy in the adopted Core Strategy 2007, and as part of this considered where individual villages should sit within the hierarchy, as it has a population of under 2000, which was the lower threshold for the Report.

Deliverability

183. The applicant has stated it is likely that, subject to market conditions, on average around 25 to 30 market dwellings per annum would be completed. The affordable housing would be delivered alongside the market dwelling completions. Taking into account infrastructure delivery, it is anticipated that the development of the site would take around four to five years to complete.

184. If outline consent were to be granted, following the completion of a Section 106 Agreement, a reserved matters application would then need to be prepared and submitted along with an application to discharge any other conditions. The result will be that work is not likely to commence on site for some time following the granting of outline consent.
185. However, officers are of the view that the applicant has demonstrated that the site can be delivered within a timescale whereby significant weight can be given to the contribution the proposal could make to the 5 year housing land supply.

Sustainability of development

186. The NPPF states that there are 3 dimensions to sustainable development, economic, social and environmental. The aspects are considered in the assessment of highlighted issues below.
187. Policy DP/1 of the adopted Local Development Framework and Policy S/3 of the Draft Local Plan set out the principle of sustainable development. Although in respect of DP/1 1a. the policy relates to the supply of housing, in that it refers to the sequential approach to development, and therefore in this respect can be considered out of date, the remainder of the objectives of the policy are consistent with the aims of the NPPF in promoting sustainable development. Officers are therefore of the view that this policy can be given significant weight in the determination of this application.

Economic

188. The provision of up to 140 new dwellings will give rise to employment during the construction phase of the development, and has the potential to result in an increase in the use of local services and facilities, both of which will be of benefit to the local economy.

Social

189. The NPPF states that the social role in achieving sustainable development is to support strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of current and future generations, and by creating a high quality built environment, with accessible local services that support the community's needs and support its health, social and cultural well-being.

Provision of new housing

190. The development would provide a clear benefit in helping to meet the current housing shortfall in South Cambridgeshire through delivering up to 140 residential dwellings. 40% of these units will be affordable (up to 56 units). The applicant indicates that the mix of market housing will be in accord with Policy HG/2, and this can be conditioned as part of any approval. Both Policy HG/2 and emerging Policy H/8 are considered to be policies for the supply of housing, and are therefore to be considered as being out of date. However, one the aims of the policy is to deliver a wide choice of high quality homes, widen opportunities for home ownership, and create sustainable, inclusive and mixed communities, which is consistent with the aims of the NPPF. Officers are therefore of the view that these policies can still be given considerable weight.
191. The affordable housing can be secured through a Section 106 Agreement. Officers are of the view the provision of up to 140 houses, including the affordable dwellings, is

a benefit and significant weight should be attributed this in the decision making process.

192. Public open space, a community orchard and allotments are shown on the indicative layout plan, and this will need to be secured through a Section 106 agreement, along with off-site and maintenance contributions where appropriate. It is likely that the open space will be mainly utilised by occupiers of the proposed development, although it has the potential to be used by other existing residents, particularly those at the northern end of Highfields.

Services and Facilities

193. Paragraph 55 of the NPPF seeks to promote sustainable development in rural areas advising *'housing should be located where it will enhance or maintain the vitality of rural communities'*, and recognises that where there are groups of smaller settlements, development in one village may support services in a village nearby.
194. Highfields Caldecote is served by relatively few services and facilities. In the Village Services and Facilities Study, it is identified as having a Primary School, village store, hairdressers, social club, village hall/community. It has a Church although this is in the older part of Caldecote, 3km south of the site. There is no secondary school, doctor's surgery or post office. There is a mobile library service once a month. Residents are therefore required to commute outside the village to access many day-to-day services. The Primary School is within 800m of the site
195. Officers are aware that the village shop has very recently closed, and given the current uncertainty as to whether it will re-open, the weight to be given to this as a local facility is substantially reduced when considering current application. It could be argued that the introduction of an additional 140 houses into the village will aide the viability of the village store. However, there is currently no evidence to demonstrate that this additional level of development would secure the long-term viability of the store, and given the period of time that will elapse between the granting of any outline planning permission and built development on the site (and then at the suggested rate of 25-30 market dwellings per annum), the future of the village store is likely to determined prior to any impact of these new dwellings. In addition to the now closed village store there is a shop at the petrol filling station on the old St Neots Road, which sells foodstuffs, which is 850m from the centre of the site.
196. There are very limited employment opportunities within the village itself, although there is some employment activity on Bourn Airfield to the west. However, it should be noted that one of the former larger employment premises is currently closed and semi-derelict.
197. The 2011 census data indicated that 74.7% of the working population travelled to work by car or van, which is above the District figure of 67.87%. Only 4% travelled to work by bus, 3.3% by train, 3.1% by bicycle and 3.0% by foot.
198. There is bus service along Highfields Road, once a day Monday to Friday in each direction, from Boxworth to Cambridge (via Cambourne), with the bus stop located 300m south of the site entrance. In addition the Citi 4 service operates along St Neots Road. This provides a service every 20 minutes Monday to Saturday, hourly on Sundays, and runs between Cambridge and Cambourne. The bus stops are located at the junction of Highfields Road and St Neots Road, and are approximately 800m from the centre of the site.

199. Officers are of the view that the limited bus service through Highfields, and the distance of bus stops on St Neots Road from the site (twice the recommended maximum walking distance) is such that it will not encourage residents of the new development, although closer to the St Neots Road stops than most of Highfields, to use the bus as an alternative to the private car for most day-to-day journeys.
200. As outlined below County Council's Transport Assessment Team is suggesting the introduction of shelters at the existing bus stops in Highfields, and the provision of a footpath/cycle link on the east side of Highfields, from the site entrance to St Neots Road. Whilst this will improve accessibility and usability of the existing services officers are of the view that it will not materially increase numbers choosing to travel by bus.

Education

201. Cambridgeshire County Council is seeking a contribution towards the early years contribution, however no contribution is sought for either the Primary School in Caldecote, or secondary facilities at Comberton Village College, where it states that adequate capacity exists to cater for the additional number of pupils expected as a result of this development.
202. In respect of the capacity of Caldecote Primary School this position is contested locally, however the justification for the County Council's position is set out in paragraphs 114 – 119 above. It states that currently there is a forecast fall in the catchment population and out-catchment options, and that therefore there should be sufficient space in the school, although it recognises that the situation will be tight.
203. As such officers are of the view that a contribution towards Primary School infrastructure cannot be required. Appendix 2 provides details on planning obligation requirements.

Access and Transport

204. The County Council's Highway Control Officer has not objected to the principle of development, and has agreed the details of the proposed accesses to Highfields, which are submitted for approval at the outline stage. The conditions requested can be included in any consent
205. The County Council's Transport Assessment Team has considered the application in terms of traffic generation and impact on the existing highway network in the vicinity, and has raised no objection to the scale of development proposed.
206. In order to improve connectivity of the site it is seeking mitigation in the form of the provision of a shared pedestrian cycle facility on the west side of Highfields from the site entrance to the junction of Highfields with St Neots Road. This can be secured by condition.
207. Improvements to the two closest bus stops to the site in Highfields are requested by provision of shelters. Again this can be secured by condition.
208. A condition should be included in any consent requiring submission of a Travel Plan for approval.

Environmental

Impact on character of the village and landscape

209. The application proposes new housing at a density of approximately 33 dwellings per hectare (dph). Policy HG/1 requires new developments to make best use of the site by achieving average net densities of at least 30 dph unless there are exceptional local circumstances that require a different treatment. Policy H/7 of the Draft Local Plan confirms that density requirement, but states that it may vary on a site where justified by the character of the locality, the scale of the development or other local circumstances.
210. Both Policy HG/1 and H/7 are considered to be policies that relate to the supply of housing, and are therefore to be considered as being out of date. However, one the aims of the policy is to the need to respond to local character, which is supported by the aims of the NPPF as identified below. Policies DP/2 and DP/3 are not considered to be housing supply policies and are not therefore considered to be out of date. Officers are of the view that considerable weight can therefore be given to Policy HG/1 and H/7 where the proposed density of a particular development compromises local character and the aims of paragraph 58 of the NPPF which states that it should be ensured that developments respond to local character, and history, and reflect the identity of local surroundings and materials.
211. Policy DP/2 of the LDF states that all new developments should preserve or enhance the character of the local area; conserve or enhance important environmental assets of the site; and be compatible with its location in terms of scale, mass and form.
212. Policy DP/3 of the LDF states that planning permission will not be granted where the proposed development would, amongst other criteria, have an unacceptable adverse on village character, the countryside and landscape character.
213. The site currently has a very rural character with the mature planting and grass verge along the Highfields from frontage, which contribute significantly to this character.
214. The northern section of the site is well screened on the west, north and east boundaries by existing planting, such that any long distance views of the proposed development will be softened. The retention and reinforcement of existing planting can be secured by condition
215. Development of the site will require the provision of two access points to Highfields, which will result on the loss of sections of the existing frontage planting. This, coupled with the need to provide footpaths along the Highfields frontage, both to connect to the existing footpath on the east side of the road, which currently ends just north of Clare Drive at the south end of the site, and north from the site to provide improved pedestrian and cycle access to St Neots Road, will detract from the existing rural character of the site frontage, introducing a more urban form.
216. The existing footpath on the west side of Highfields is narrower than the width now sought by the Highway Authority, with a equal width of grass verge separating it from the carriageway. This helps to retain a more rural character, but which could not be repeated on this east side of road within the available width of the public highway.
217. The Landscapes Officer has not objected to the principle of development of this site for the number of dwellings proposed, although there are a number of areas highlighted where further thought is required to the layout at the reserved matters

stage.

218. The land to the east of the site does slope away to the south east, and it will therefore be important that there is sufficient space allowed for new planting on the east boundary of the site, particularly along the southern section of the east boundary, where there is less existing planting, in order to mitigate impact of the new development on the adjoining countryside. The ridge heights of proposed dwellings should be lower closer to the boundaries of the site.
219. The Urban Design Team has indicated that the site can accommodate the number of dwellings proposed, and has not objected to the outline application. It recommends that a condition is included in any consent requiring submission of a design code for the site.

Residential amenity

220. The application is in outline only and therefore the layout plan submitted is for illustrative purposes only. However, officers need to be satisfied at this stage that the site is capable of accommodating the amount of development proposed, without having a detrimental impact on the residential amenity of occupiers of adjacent properties.
221. In this case the main direct impact of the proposed dwellings on residential amenity in terms of overlooking, overbearing, or loss of light, will be to existing properties to the south in Clare Drive and Damms Pastures, and officers are of the view these matters could be addressed at the reserved matters stage. Drainage issues are considered later in the report

Surface water drainage

222. The site lies in Flood Zone 1. However, there is a history of surface water flooding problems in Highfields, which have been well documented in the local representations received.
223. In considering the planning application the Local Planning Authority has to be satisfied that the applicant has demonstrated that any surface water from the development site can be appropriately dealt with within the site, and will not result in an increase in the existing greenfield run-off from the site. An applicant cannot be required to include within a scheme additional measures that might help alleviate existing flooding problems in the area, but is required to demonstrate that any new development will not exacerbate any existing problems in the area.
224. In this case the applicant has outlined a surface water drainage strategy for the site to deal with projected surface water from the site, whilst at the same time providing potential improvements to existing surface water drainage and flooding problems in the area. This is however disputed in the local representations, as detailed in Appendix 1 and in Representations above.
225. The applicant has submitted a Flood Risk Assessment. The applicant states that, in addition to dealing with surface water run-off from within the site by directing greenfield run off from the site, a ditch system is proposed along the northern and eastern boundaries, allowing incoming land drainage flows to be directed away from the village into a watercourse system to the south east. An attenuation pond is proposed on land to the south east of the main body of the site. The applicant states that this will lead to floor betterment, particularly in an area of historical surface water

drainage flooding, which it considers to be a significant benefit.

226. The Lead Local Flood Authority has twice raised holding objections to the application, but following the receipt of further information/clarification from the applicant it has withdrawn these. It is of the view that the applicant has carried out the minimum requirements of the NPPF at the outline stage, but states that surface water drainage can be dealt with but condition, which should include maintenance.
227. The Council's Drainage Manager accepts that the application demonstrates that surface water from the proposed development can be dealt with, and supports the position of the LLFA.
228. The local representations express concern that additional development in this area of Caldecote is going to exacerbate the existing flooding problems in the village, and have questioned whether the mitigation scheme suggested by the applicant will work in practice.
229. The local concerns regarding flooding are well founded as there are well documented instances of flooding problems to existing properties in Highfields. Both the LLFA and the Council's Drainage Manager are aware of these concerns when considering the application.
230. Officers are therefore of the view that an objection on drainage grounds cannot be sustained, and that weight should be given in the planning balance to the applicant's position that the scheme has the potential to deliver drainage betterment for Highfields.
231. A detailed surface water drainage scheme can be secured at the reserved matters stage. However, given the local concerns the wording of the condition should set out the drainage measures that scheme should include, as well as providing a management and maintenance plan for surface water drainage system for the lifetime of the development.

Foul water drainage

232. Anglian Water has stated that there is insufficient capacity to deal with foul drainage from this development at Bourn Water Recycling Centre. However, it states that it is obligated to accept the flows from development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should planning consent be granted. This can be dealt with by condition.

Heritage Assets

233. The archaeological investigation of the site, requested by the County Council, has been undertaken, and the results submitted for further consideration. The further comments of Cambridgeshire Archaeology will be reported.

Ecology

234. The application is accompanied by an Ecological Report. The Ecology Officer has lodged a holding objection on the basis that the applicant has not adequately address the potential impacts of the proposed development on the badger sett within the site. Additional information has been provided by the applicant and an update will be provided

235. The Ecology Officer is of the view that matters relating to the protection of Great Crested Newts, bats and breeding birds can be addressed by condition. Conditions should include a scheme of ecological enhancement. Thus while policy NE/6 is to be regarded as a housing supply policy and is therefore considered to be out of date, no harm has been identified in this instance, which would prevent the application from being approved.

Renewable Energy

236. The applicant has indicated that a number of potential measures to ensure that the development complies with the Council's Renewable Energy requirements will be explored and detailed as part of a reserved matter application.
237. Officers are of the view that this matter can be dealt with by condition, however the detailed layout and orientation of dwellings should seek to maximise energy saving possibilities.

Protecting High Quality Agricultural Land

238. The site is classified as Grade 3 agricultural land. Policy NE/17 states that planning permission should not be granted or development that would result the irreversible loss of Grades 1, 2 or 3a, unless the land is allocated for development, or sustainability considerations and the need for development are sufficient to override the need to protect the agricultural value of the land.
239. Policy NE/17 is considered to be a policy that restricts the supply of housing, and is therefore considered out of date. However, as the site is shown as Grade 3 land Policy NE/17 does not apply

Planning Obligations

240. From 6 April 2015, the use of 'pooled' contributions toward infrastructure projects has been restricted. Previously, LPAs had been able to combine planning obligation contributions towards a single item or infrastructure 'pot'. However, under the Community Infrastructure Levy Regulation 123(3), LPAs are longer be able to pool more than five planning obligations together if they were entered into since 6 April 2010, and if it is for a type of infrastructure that is capable of being funded by the CIL. These restrictions apply even where an LPA does not yet have a CIL charging schedule in place.
241. The Council can confirm that there have been 5 Section 106 agreements in respect of developments in the village of Caldecote since 6 April 2010 contributing towards (i) offsite open space and (ii) offsite indoor community space improvements. As such the CIL Regulations prevent the LPA from lawfully securing further tariff style contributions towards unidentified offsite open space improvements in accordance with development control policies and the open space in new development SPD.
242. The LPA recognises that the Planning Practice Guidance requires that 'In all cases, including where tariff style charges are sought, the local planning authority must ensure that the obligation meets the relevant tests for planning obligations in that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind'. It goes on to say that 'Planning obligations must be fully justified and evidenced' and as such the LPA take the view that a project should be identified in order to ensure CIL

compliance.

243. Appendix 2 provides details of the developer contribution required to make the development acceptable in planning terms in accordance with Policy DP/4 of the LDF and paragraph 204 of the NPPF.

Benefits of the development

244. The applicant considers that the following benefits will arise from the proposed development.
245. Delivering market housing to meet an identified need, in an area where there has been historical substantial under delivery.
246. The application would deliver 40% affordable homes and provide a full range of affordable housing at a time when other schemes might be unable to deliver a policy compliant level of affordable housing. In circumstances where there is a chronic shortage of affordable housing in the Cambridgeshire area (as confirmed by both the SHMA and EIP Inspectors preliminary conclusions) this should be regarded as a significant benefit which weighs heavily in favour of the application proposals.
247. The site will provide 40.5% open space for the benefits of new residents and the existing wider community.
248. Allotments – the proposal will provide an area of allotments, something which the Parish Council has expressed a wish to see.
249. Accessibility – the proposal site is within both walking and cycling distance to the main facilities and services within the village.
250. Highways – the development will provide an appropriate contribution towards the highway improvement works, identified by the Parish Council.
251. New homes bonus of £1.3m and the wider economic benefits associated with construction and job creation.
252. Ecological benefits through the protection and enhancement of existing wildlife corridors and provision of new green infrastructure within the development.
253. Flood alleviation – The site will alleviate existing problems in Highfields Road with surface water drainage and will also discharge surface water from the site into a SuDS at less than greenfield rate. This will provide significant benefits to the local community immediately surrounding the site. An appropriate contribution towards a flood alleviation scheme of Highfields Road will also be made.
254. The applicant considers that there are no significant and demonstrable impacts that would outweigh the benefits of granting planning permission when assessed against the NPPF as a whole. The proposals constitute sustainable development in the context of the three dimensions of sustainable development; environmental, social and economic.

Recent Appeal Decisions

255. The officer's recommendation for refusal on a similar, albeit considerable smaller proposal in Balsham, as published for the purposes of the June 2016 Planning

Committee, was subject to challenge from the applicant. That led to the application being deferred from consideration at that time. As a consequence this application was also deferred from being considered.

256. The challenge to the other application referred particularly to recent appeal decisions within the district at Foxton (APP/W0530/W/15/3084325) and Swavesey (APP/W0530/W/15/3139078) and the relevancy of these decisions in the determination of the application.
257. The Foxton appeal decision related to an application for outline planning permission for up to 95 dwellings (reduced to 75) at Land off Shepreth Road, within the countryside. Foxton is a designated Group Village. The appeal was dismissed with the inspector concluding, due to serious harm to the setting of the grade II Foxton House, the proposal does not comprise sustainable development.
258. The Swavesey appeal decision related to an application for outline planning permission for up to 30 dwellings, at 18 Boxworth End. The majority of the site is located within the countryside. Swavesey is designated as a Group Village. The appeal was allowed and planning permission granted, with the inspector concluding that the development would represent sustainable development.
259. The challenge has raised that in both instances “limited” weight is given to the out of date policies DP/7 and ST/6 and that development of the scale proposed was not considered to result in harm by way of an unsustainable location. This could be construed as comparable to this application given that Swavesey and Foxton are designated similarly as Group Villages within the adopted Core Strategy. The Foxton appeal started on the 31 July 2015, with statements due on the 11 September 2015 and the inquiry evidence given on the 12 January 2016 and held on the 9 February 2016. The Swavesey appeal started on the 14 December 2015, with final comments due on the 19 February 2016.
260. Given those dates of the appeals, as referenced above, it is considered that the applications and appeals pre-date the Court of Appeal decision (Richborough v Cheshire East and Suffolk Coastal DC v Hopkins Homes) dated 17th March 2016. As such the local authority in presenting the statements and inquiry evidence and the inspectors assessment of these particulars, did not benefit from this ruling and in particular to recognition by the Court of Appeal that out of date housing supply policies can still be given weight – even considerable weight – if they still maintain a planning function.
261. Another appeal decision (APP/W0530/W/15/3138791) has only recently been issued in respect of a site in Duxford. The impact of that appeal decision on this application, will be provided in an update report and will be considered as part of the decision making on this application.
262. It is considered that the Core Strategy DPD objectives (ST/a –K) and the associated suite of policies ST/2 - ST/7 and Development Control Policies policy DP/7 maintain an important and valid planning function because they ensure that development is sustainably located and unsustainable locations are avoided. This matter was not addressed or considered in the two appeals. As such, the relevance of those earlier decisions and the desirability in principle of consistency in decision making is outweighed by the fact that this important factor was not addressed or considered in earlier appeal decisions. Following the decision of the Court of Appeal, it is necessary in all cases to consider what weight should be attached to out of date housing supply policies having regard inter alia to whether they still fulfil a planning function.

263. With respect to those appeal sites not being considered unsustainable locations, their individual merits in terms of availability and accessibility of services, public transport links and employment opportunities are not comparable in this instance. Furthermore, each site is assessed on its individual merits.
264. A note of advice, addressing the matters raised by Rupert Warren Q.C on behalf of the applicants for the site at Balsham, has been prepared by Douglas Edwards Q.C on behalf of the Local Authority, dated XX June 2016. The note of advice has informed the approach to this recommendation to Planning Committee.

Conclusion

265. In considering this application, the following relevant adopted development plan policies are to be regarded as out of date while there is no five year housing land supply:
266. ST/6: Group Villages – indicative maximum scheme size of 8 dwellings
 DP/1 – Sustainable Development
 DP/7: Village Frameworks
 HG/1: Density
 HG/2: Housing Mix
 NE/6: Biodiversity
 NE/17: Protecting High Quality Agricultural Land
 CH/2: Archaeological Sites
267. This means that where planning permission is sought which would be contrary to the policies listed above, such applications must be determined against paragraph 14 of the NPPF.
268. For the reasons outlined above, officers are of the view that significant weight can be given to Policies ST/6, DP/7 and HG/1 in this case. Officers have identified in the report the areas where they consider that significant and demonstrable harm will result from proposal, in terms of the unsustainable location for a development of the scale proposed, given the relatively low level of services and facilities available. Officers have based the first part of this conclusion on the specific circumstances of Caldecote, taking into account that Caldecote is not considered a sustainable location for development of this scale as outlined in the planning assessment.
269. In making the planning balance any adverse impacts must be weighed against the potential benefits of the development outlined in the preceding section of this report.
270. In this case the adverse impacts of the development are considered to significantly and demonstrably outweigh the benefits of the development (as summarised in the paragraphs above) when assessed against the policies in the NPPF taken as a whole. Although the development would provide a large number of dwellings to meet the identified shortfall in supply and this is a benefit, this increase would equally compound the concerns that Caldecote is not a sustainable location for the scale of development proposed.
271. Planning permission should therefore on balance be refused because material considerations do not clearly outweigh the substantial harm identified, and conflict with out of date policies of the LDF. Officers have outlined in the above paragraphs why Policies ST/6, DP/7 and HG/1 should still be given significant weight in this case.

Recommendation

272. Officers recommend that had the Planning Committee still had powers to formally determine the application that it should have been refused for the following reasons.

That Members are minded to refuse for the following reason:

1. Caldecote is identified as a Group Village in the Adopted Core Strategy DPD 2007, where Policy ST/6 states that development is normally restricted to groups of a maximum scheme size of 8 dwellings within the village framework. The proposed site is outside the village framework of Caldecote where DP/7 of the adopted Development Control Policies DPD development restricts development to uses which need to be located in the countryside. The Council recognises that the aforementioned policies are currently considered out of date, and that the application therefore needs to be determined in accordance with paragraph 14 of the National Planning Policy Framework, with the presumption in favour of sustainable development, unless the development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. However, the Council is of the view that considerable weight can be given to Policies ST/6 as it continues to fulfil a planning objective in and is consistent with the NPPF presumption in favour of sustainable development, by limiting the scale of development in less sustainable rural settlements with a limited range of services to meet the needs of new residents in a sustainable manner. Some weight can also be given to Policy DP/7 as it continues to fulfil a planning objective of limiting development, and is also consistent with the NPPF presumption in favour of sustainable development. The Council also recognises that Policy DP/1 is out of date in so far as DP/1 1a. relates to the supply of housing, however in all other respects the Council is of the view that Policy DP/1 is consistent with the aims of the NPPF in respect of the presumption in favour of sustainable development, and therefore significant weight can be given to Policy DP/1 as it continues to fulfil a planning objective consistent with the NPPF.

In this case the scale of the development proposed is not considered to represent a sustainable form of development as Caldecote has been identified as not being a sustainable location for the scale of development proposed. Although some local community and social facilities are available, the services in Caldecote have been found deficient in several areas, which are likely to generate regular journeys, which are not likely to be made other than by the private car. These are the lack of significant sources of employment in the vicinity, the nearest secondary school being Comberton Village College, lack of a doctors surgery and that anything other than the most basic shopping trip not being able to be fulfilled other than by use of the private car. On this basis the proposal is considered to materially and demonstrably conflict with the aims of the NPPF as it fails to meet the environmental role of sustainable development and Policies ST/6, DP/1, DP/7 and TR/1 of the adopted Local Development Framework 2007, which are all policies which are considered to fulfil a planning objective in terms of securing development is located sustainably. Any benefits arising from the development are considered to be significantly and demonstrably outweighed by the identified harm.

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 Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Plan 2004
- Planning File Ref: S/2510/15/0L

Report Author:

Paul Sexton

Telephone Number:

Principal Planning Officer

01954 713255

This page is left blank intentionally.

S/2510/15/OL – CALDECOTE – APPENDIX 1

Resident's drainage objections (taken from document submitted on behalf of 63 residents)

Site Description and Flooding History

Site is on an approximate plateau at the north end of Highfields and the land slopes generally downhill to the south, so that water flows down from a slight plateau through Highfield, Old Caldecote and into Bourn Brook, upstream of Toft. There is an existing ditch system beside Highfields Road, which takes almost all of the surface water, and historically has repeatedly flooded. There is another parallel ditch system to the east, which takes water past Highfields down to the old part of Caldecote, which again has historically flooded. This ditch system flows directly into Bourn Brook, which again floods, cutting off the B1046 and flooding Toft.

The flooding has been worse since the development of Highfields since 1999. Properties have been flooded and uninhabitable in events in 2002 and 2014. In August 2014 11 houses were flooded and uninhabitable; a nursing home had to be evacuated; roads were closed at Bourn Brook, St Neots Road, Caldecote Main Street, and the upgraded A428. Many more gardens were flooded, with houses at risk. Drains and sewers overflowed. Flooding incidents were recorded all around the site.

Flood Risk Assessment (FRA)

The FRA states that its objectives are to drain the site; not to increase the risk to Highfields; and potentially alleviate flood risk in Highfields

It is believed that the plan as stated will not alleviate flood risk to Highfields through the existing ditch system; will increase flood risk to Damms Pasture, Clare Drive, Highfields through overloading the Clare Drive drainage system, old Caldecote and Toft.

History

There have been variations of the flood alleviation plan which are; an initial leaflet advising residents of the proposed development showing internal drainage through 8m deep piped system; FRA showing improvements to ditches surrounding the site, with internal drainage through SuDS; Parish Meeting to present 'updated' plan showing additional relief to overtopping Highfields Road ditch.

Consultation

At a meeting in January 2016 between residents, SCDC, the Flood Authority, the applicant and its drainage consultant the following points were made:

The extent of local flooding was considerably greater than previously realised by the applicant of Flood Authority

The applicant intended the drainage system to be considered in the FRA, with no updates to alleviate the Highfields Road ditch system

The proposed new southern boundary ditch system would be 1m wide at the base, and 1.3m deep at the south eastern corner of the site (the deepest point)

The south western corner of the proposed site is at risk from flooding from Highfields Road.

The soil is extremely absorbing. The type used to calculate the expected runoff should be type 4 or 5, not type 3. This will result in the requirement for much larger pipes on the site and significantly larger SuDS (it should be noted that the SuDS pond location has recently been under 1ft of water).

It is not clear whether the ditch beside Highfields Road is within the site.

Ownership of the Highfields Road ditch is unclear. Information has been requested.

No plan has been made for maintenance of any of the boundary ditches.

The Parish Council will not adopt the ground between the site and the SuDS system, so will not maintain the ditch carrying surface water away to the east.

Concerns

Pooling

The lowest point on the site is the south western corner. The lie of the land means that all natural drainage is towards this point. That is right next to the vulnerable Highfields Road ditch.

Any plans to alleviate this by adjusting ground levels will increase the risk to neighbouring properties.

Influx

Study of the flooding in August 2014 shows that houses on Highfields Road, directly opposite the site, were flooded. Water levels were augmented by flows along the track bordering the northern edge of the site. Two houses directly opposite the proposed main entrance to the development were flooded.

To provide road access into the site, the existing protective verge will be cut away. Without this verge, water will flow along the new access roads into the site, increasing risk of flooding to the development.

If this flood water enters the site it will overwhelm the planned SuDS system and the proposed new southern ditch.

Risk to Clare Drive and Damms Pastures

The plans call for the unrestricted ditch systems along the southern and eastern boundaries of the site to meet at the south eastern corner. This is the highest point on the boundary.

Because the ditches meet at the high point, in times of high flow, or when the outflow to the east is poorly maintained, there is a very high risk of backflow along the southern ditch, leading overflow into Clare Drive and Damms Pastures. This would put at least six properties at very much increased risk of flooding.

Any extra water entering the Clare Drive ditch would flow into the vulnerable Highfields Road ditch system.

Any extra water overflowing into the roads (rather than properties) of Dams Pastures or Clare Drive would drain into a matrix which already fails to cope with existing flows and contributes to flooding lower in Highfields.

Risk to Highfields

The current proposal will not alleviate flooding in Highfields, there is no plan to alleviate overtopping from the Highfields Road ditch.

As stated above there is a risk of increased flooding through backflow along the southern boundary ditch.

Risk to Caldecote

Improvements to the site boundary ditches will cause increased (and faster) flow into the ditch on the east side of the site.

It is unclear whether the increased flow through the eastern ditch will flow east, into the Toft catchment, or south through another ditch system which runs to the west of Wood Barn Farm into old Caldecote.

Currently there is little flow into the poorly maintained Caldecote ditch at this point, but any increase in flow would significantly increase the risk flooding to old Caldecote and Bourn Brook.

If, as planned, the increased flow into the eastern ditch system runs away to the east, this would run into the Toft catchment, with corresponding risk to Toft.

Risk to A428

House along the old St Neots Road have historically flooded. Since the A428 has been updated, it has been re-routed with an underpass at the Hardwick roundabout. In the 2014 incident, this underpass filled, closing this main trunk road. Redirection of any extra water away from the north will increase this risk.

New Information

Ditch state

In January 2016, the eastern ditches were walked. This was about a week after any significant rainfall, so showed a normal winter water load. The ditch to the east of the site is very poorly maintained – in some sections it was not visible through overgrowth of brambles.

The eastern ditch forks just south of the site. The applicant expects any flow to be directed away to the east at the fork. This is currently the case. However the flow is along a smaller ditch (approx. 0.5m deep and 0.5m wide).

The ditch which runs south from the fork (towards old Caldecote) is partially blocked about 5m south of the fork. This is where an active badgers sett immediately beside the ditch has caused the ditch side to collapse, blocking the ditch to a depth of about 10cm. This has been enough to redirect the current flow to the east.

Increased flow would wash away this obstruction (including the badgers?) and allow the water to flow south, carrying the accumulated litter from the unmaintained ditch to block any culverts.

SuDS Pond

The site of the SuDS pond does not drain. The area was visited in January 2016, about a week after any significant rainfall, so showed a normal winter water load. The site of the SuDS pond was under water to a depth of about 1ft. This means that it will not work as planned.

Where can the water go?

The Environment Agency flood risk map shows that the site is surrounded by areas of high flood risk. There is no direction in which water can be taken away.

Currently this risk is mitigated by the area of open land, which slows the flow into the risk areas.

NPPF P6 recognises that open land can perform the function of flood risk mitigation. It is believed that this land is necessary to mitigate the risk of flooding to Highfields, Caldecote and Toft.

Ref	Type	Policy	Required	Detail	Quantum	Fixed contribution / Tariff	Officer agreed	Applicant agreed	Number Pooled obligations
Cambridgeshire County Council									
CCC1	Early years	DP/4	YES	<p>According to County Council guidance the development is expected to generate a net increase of 22 early years aged children.</p> <p>County education officers have confirmed that there is insufficient capacity in the area to accommodate the 22 places being generated by this development and will be only able to accommodate 10.</p> <p>The early year's project that has been identified is to expand the existing space by 12 places at Caldecote Primary School.</p> <p>This work will involve the relocation of the boiler and internal modifications of walls, materials, etc.</p> <p>The total cost of this project is £240,000.</p> <p>Contributions are sought on the basis of £20,000 per place (£240,000/12). Therefore a contribution of £240,000 (£20,000 x 12) is sought.</p>	£240,000	Fixed	YES		
CCC2	Primary School	DP/4	NO	<p>According to County Council guidance the development is expected to generate a net increase of 49 primary school places.</p> <p>The catchment school is Caldecote Primary School. County education officers have confirmed that there is sufficient capacity over the next five years to accommodate the primary school places being generated by this development.</p>	£0				

			<p>District officers have pressed the local education authority on this matter on the basis that there was a perceived issue with primary school capacity based on historic applications.</p> <p>Education officers have responded with further information as follows.</p> <p>Caldecote Primary School has a PAN of 30 and a capacity of 210.</p> <p>The pupil roll was 196 in January 2015 and 197 in September 2015. It is forecast to fall to around 180 by 2019/20.</p> <p>In January 2015, there were 198 children aged 4-10 living in the catchment compared to 196 on roll.</p> <p>172 of the 196 pupils on roll came from within the catchment. The school took 10 children from Cambourne, but 6 children from Caldecote attended Cambourne schools.</p> <p>13% of children from the catchment attended other schools. The catchment population is forecast to fall to around 175 by 2023/24.</p> <p>The development is expected to increase the primary-aged population to around 210-225.</p> <p>Therefore allowing for forecast fall in the catchment population and out-catchment options, there should be sufficient space in the school to accommodate the children from this development.</p> <p>The situation will be tight and there may be a need to plan to accommodate some year groups bigger than 30.</p>					
--	--	--	---	--	--	--	--	--

				<p>Some children, who move into the development older than reception age, may not be able to gain a place if the school fills to its admission number with out-catchment options.</p> <p>The additional primary aged pupils which the development will generate mean that neither the school nor County Council would look to provide an additional classroom. This would require a very complex class organisation, which would be financially unviable.</p>					
CCC3	Secondary school	DP/4	NO	<p>According to County Council guidance the development is expected to generate a net increase of 35 secondary school places.</p> <p>The catchment school is Comberton Village College. County education officers have confirmed that there is sufficient capacity over the next five years to accommodate the places generated by the development.</p>	£0				
CCC4	Libraries and lifelong learning	DP/4	YES	<p>The proposed increase in population from this development (140 dwellings x 2.5 average household size = 350 new residents) will put significant pressure on the library and lifelong learning service in the village which is currently served by 1 mobile library stop.</p> <p>The County Council's proposed solution to mitigating the impact on the Libraries and Lifelong Learning service arising from this site would be to enhance the existing mobile stop to serve the residents of this new development.</p> <p>A contribution of £4.08 per increasing population towards this project is required; a total of £1,428 (350 new</p>	£1,428	Fixed	YES		

				residents X £4.08) is sought					
CCC5	Strategic waste	RECAP WMDG	NO	Pooling limit reached such that no further contributions may be secured					
CCC6	Transport	TR/3	NO	<p>Cambridgeshire County Council has requested the payment of £27,000 as a contribution to cover the cost of the installation and maintenance of Real Time Passenger Information displays at Cambridge bound bus stop on St Neots Road.</p> <p>Cambridgeshire County Council has requested the payment of £7,000 per bus shelter towards the costs associated with maintaining bus shelters that are to be secured through a planning condition.</p>	£27,000	Fixed	YES		
South Cambridgeshire District Council									
SCDC1	Offsite open space (sport)	SF/10	YES	<p>The recreation study of 2013 identified Caldecote as needing 2.75 ha of outdoor sport whereas it had 5.67 ha resulting in a surplus of 2.92 ha of sports space.</p> <p>The audit went on to say that this consisted of a large recreation ground with 3 adult football pitches 3 mini football pitches 1 cricket pitch 2 tennis courts and informal MUGA and grass kick about area.</p> <p>Although the village has the relevant level of sports space, the pavilion is not of sufficient size and as such Caldecote Parish Council have identified the mitigation as being an extension to Pavilion and which will also provide a bigger community meeting room.</p> <p>The Parish Council would also intend using sports contributions to fund a</p>	£150,000 (circa)	Tariff	YES	TBC	None

				<p>new outdoor gym.</p> <p>Offsite financial contributions are proposed being secured in accordance with the rates published in the open space in new developments SPD as follows:</p> <p>1 bed £625.73 2 bed £817.17 3 bed £1,150.04 4 bed £1,550.31</p>					
SCDC2	Open space (children's play)	SF/10	YES	<p>The recreation study of 2013 identified Caldecote as having a deficit of 1.22 ha of children's play space.</p> <p>The open space and new developments SPD provides a 'guide for when on-site provision will be sought' in terms children's space facilities (i.e. LAPs, LEAPs and NEAPs). For example the SPD suggests that a LAP is required at 10 dwellings, a LEAP at 50 dwellings and a NEAP at 200 dwellings.</p> <p>On this basis the development will be required to provide an onsite LEAP and which will comprise a minimum activity zone of 500m2 consisting of 9 pieces of play equipment (which will comprise at least 6 pieces of play equipment for 4- 8 year olds and at least 3 pieces of equipment for toddlers).</p> <p>Although the SPD may at first glance imply that the formal open space requirement is met through the provision of LAPs, LEAPs and NEAPs the SPD did not intend that a LEAP on its own is sufficient to satisfy the formal children's play space needs of a development alone, where (for example) less than 200 dwellings are proposed.</p>	£30,000	Fixed contribution	YES	TBC	None

				<p>A LEAP only caters for a target age group of 2-8, whereas a NEAP target age group 8-14. If the developer only provides a LEAP the development is not providing a range of facilities or mitigating its impact on the basis that it is lacking in infrastructure for 8-14 years olds.</p> <p>The SPD goes on to say that 'Where full provision of outdoor play space is not made on site, additional land or funding will be secured through the Section 106 Agreement or via planning obligations / conditions for improvements and / or extension to existing recreation facilities. This will be based on considerations within the village or adjoining area and will be determined in consultation with the Parish and District Councils'. Logic would therefore suggest that an offsite contribution is needed to provide children's play equipment for those age ranges not being provided for onsite.</p> <p>Caldecote Parish Council have requested a contribution of £30,000 such that they can provide a BMX and skate park elsewhere in the village and which would provide play activities for the age group 8-14 year olds.</p> <p>The request is supported by the Caldecote Parish Plan (2010 – 2015) and which highlighted the need for recreational amenities for the older youths (over 12 yrs), specific mention was given to a skate-park and / or activity course.</p>					
SCDC3	Open space (informal open space)	SF/10	YES	Onsite public open space to be provided and offered to Caldecote PC for adoption with a commuted sum payment	£TBD			TBC	None

SCDC4	Offsite indoor community space	DP/4	YES	<p>Caldecote is served by Caldecote Village Hall which is described as a good quality facility built in 1998 as part of a wider residential development in the village, which has been well maintained and is in good order throughout. Features a separate meeting room, although storage space is limited. The facility shows evidence of good levels of usage.</p> <p>The community facilities audit of 2009 said that Caldecote needed 182 m2 of indoor meeting space but was served by 118m2 resulting in a deficit of 64m2.</p> <p>Caldecote is defined as a Group Village in the Core Strategy and in accordance with the Community Facilities Audit 2009 the proposed standard for a Group Village is as follows:</p> <ul style="list-style-type: none"> • Group Villages should offer a facility of reasonable size which offers access to community groups at competitive rates. • The facility should feature a main hall space which can be used for casual sport and physical activity; theatrical rehearsals/performances and social functions, however, it is recognised that one use may be favoured depending upon demand. • All new facilities, including toilets, should be fully accessible, or retro-fitted if viable to ensure compliance with Disability Discrimination Act legislation wherever possible. 	£75,000	Tariff	YES	TBC	None
-------	--------------------------------	------	-----	--	---------	--------	-----	-----	------

				<ul style="list-style-type: none"> Facilities should include an appropriately equipped kitchen/ catering area for the preparation of food and drink. The venue should have the capacity for Temporary Events for functions which serve alcohol. Where practical and achievable, new build facilities should be delivered with appropriate energy-efficiency measures in place, although this should be undertaken with the balance of expenditure/saving in mind, given the likely hours of usage. Likely measures include light sensors/timers, Cisternisers, improved insulation etc. Facilities should be functional spaces, designed to offer ease of management, as volunteers are likely to be primarily responsible for day to day upkeep. <p>The contribution required as per the indoor community space policy would be:</p> <p>1 bed - £284.08 2 bed - £371.00 3 bed - £513.04 4+ bed - £703.84</p> <p>Caldecote Parish Council have put forward a proposed extension to the pavilion on the sports ground and which will also include additional meeting space capacity.</p>					
SCDC5	Household waste receptacles	RECAP WMDG	YES	£72.50 per dwelling	£10,150 (circa)	Tariff	YES	TBC	None
SCDC6	S106 monitoring		YES	A fee of £1,300	£1,300	Fixed fee	YES	TBC	
Non standard requirements									

OTHER1	Health	DP/4	YES	<p>NHS England (East) has now had a chance to review this application.</p> <p>The proposed development is likely to have an impact on the services of Comberton Surgery operating within the vicinity of the application site. The GP practice does not have capacity for the additional growth resulting from this development.</p> <p>The proposed development will be likely to have an impact on the NHS funding programme for the delivery of primary healthcare provision within this area and specifically within the health catchment of the development. NHS England would therefore expect these impacts to be fully assessed and mitigated.</p> <p>Comberton Surgery does not have capacity to accommodate the additional growth resulting from the proposed development. The development could generate approximately 343 residents and subsequently increase demand upon existing constrained services.</p> <p>A request of £47,040 has been made and which would be used to achieve the additional floorspace (23 m2) required to meet growth arising from the development.</p>	£47,040	Fixed fee	YES	TBC	The development at Bennell Farm Toft has delegated approval and the primary healthcare contribution from that site is to be used at Comberton Surgery
<p>TOTAL - £588,918 excluding onsite infrastructure (subject to final housing mix)</p> <p>PER DWELLING - £4,206 excluding onsite infrastructure (subject to final housing mix)</p>									

NB. This note covers only infrastructure that is to be secured via a planning obligation under section 106 of the Town and Country Planning Act 1990 (as amended). Planning applications are often required to also provide new or improvements to existing infrastructure including but not limited to highways, drainage and biodiversity. Such measures will be secured via a planning condition and details of these are set out in the planning committee report.

This page is left blank intentionally.



FOR INTERNAL USE ONLY

Scale - 1:2500

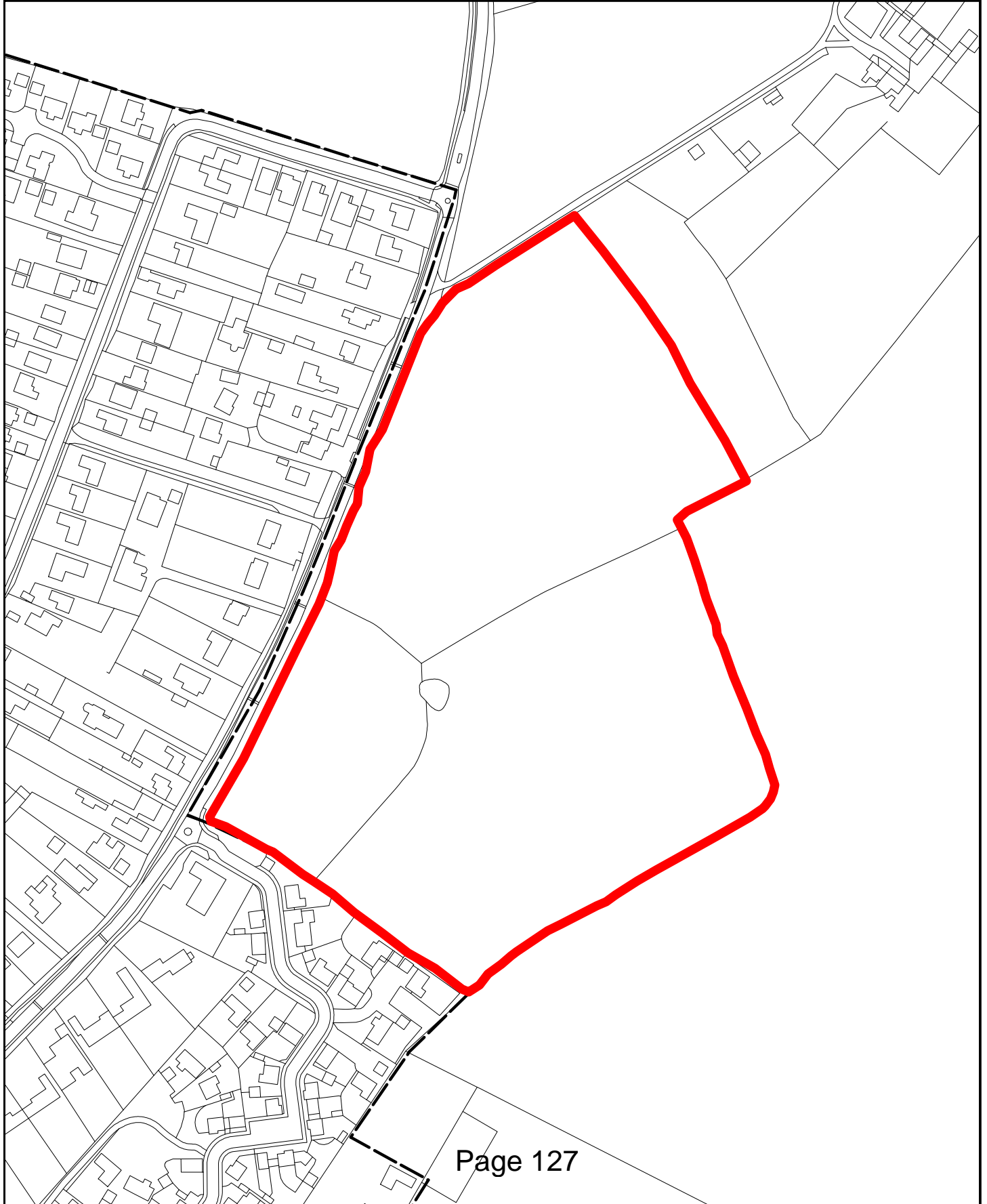
Time of plot: 09:46

Date of plot: 25/04/2016



**South
Cambridgeshire
District Council**

© Crown copyright [and database rights] (2015) OS (100022500)



This page is left blank intentionally.

Agenda Item 8

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

06 July 2016

AUTHOR/S: Planning and New Communities Director

Application Number: S/3190/15/OL

Parish(es): Orwell

Proposal: Outline planning application for up to 49 dwellings, community car park and coach drop-off facility, pumping station and associated infrastructure.

Site address: Land at Hurdleditch Road, Orwell

Applicant(s): K B Tebbit and Davidsons Development

Recommendation: Refusal

Key material considerations: The main issues are whether the proposed development would provide a suitable site for housing, having regard to housing land supply, the principles of sustainable development, scale of development and impact on townscape and landscape character, drainage issues, services and facilities, access and transport, heritage assets and ecology.

Committee Site Visit: 31 May 2016

Departure Application: Yes

Presenting Officer: Rebecca Ward, Senior Planning Officer

Application brought to Committee because: The application proposal raises considerations of wider than local interest.

Date by which decision due: 27 June 2016

Executive Summary

1. This proposal, seeks outline permission (access only for approval) for a residential development of up to 49 dwellings outside the framework of a Group village and in the countryside on a greenfield site as identified in the adopted and emerging plans. The development would not normally be considered acceptable in principle when set against current adopted policy as a result of its scale and location. It is recognised that the district does not currently have a 5 year housing land supply, and therefore the adopted LDF policies in relation to the supply of housing are considered not up to date for the purposes of the National Planning Policy Framework (NPPF).
2. However, the local planning authority must still determine the appropriate weight to

apply to relevant development plan policies even where out of date. Paragraph 14 of the NPPF states there is a presumption in favour of sustainable development, and where relevant policies are out of date, planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. It is considered that Orwell is not a sustainable location for the scale of development proposed, having regard to the level of services and facilities in the village and the accessibility to necessary services and facilities by sustainable modes of transport.

3. While policies ST/6 and DP/7 of the adopted Core Strategy and adopted Development Control Policies DPDs in particular are considered out of date having regard to the NPPF, they continue to perform a material planning objective, consistent with the policies of the NPPF, in forming part of a suite of policies to control the distribution and scale of new housing by ensuring that development is sustainably located and unsustainable locations are avoided. The Policies thereby are afforded considerable weight.
4. In addition officers are of the view that the application site, which forms an important gateway and approach into the village of Orwell, is not capable of accommodating a development of this scale without being detrimental to the character and appearance of the area and thus being harmful to the intrinsic character and beauty of the countryside which is contrary to the core planning principle set out in paragraph 17 of the framework.
5. In this case, the location and scale of the development are such that officers are of the view that the harm resulting arising from the unsustainable location and harm to the rural character of the area, significantly and demonstrably outweighs the benefits of the proposal. These include a contribution of up to 49 dwellings towards the required housing land supply, the provision of 40% affordable dwellings, open space and the proposed coach and car park facility. The agents and applicants have also demonstrated their willingness to provide a parcel of land adjacent to the application site (but within the blue line location plan) for recreational use.

Site

6. The site comprises 3.03ha of arable farmland on the south west side of Orwell, north of Hurdleditch Road and south of the A603. To the south east, the site adjoins a private dirt track, beyond which are Petersfield Primary School and the existing recreation ground. There is also a new affordable housing development on the opposite side of Hurdleditch Road, 'The Oaklands'. To the north and east are undeveloped fields/meadows.
7. Hurdleditch Road is a part of a wider cycle network that links onto the Wimpole Estate. The road is aligned by an avenue of small trees with views across the site of the Grade I Listed Church at the top of Town Green Road, beyond which is the Chalk Pits which are designated as a SSSI (Site of Special Scientific Interest).

8. There are existing hedgerows and trees on two boundaries of the site, with a ditch along the north eastern boundary. The immediate area surrounding the ditch is designated by the Environment Agency as a Flood Zone 2/3. There is an existing field access to the site from Hurdleditch Road in the southeast corner.

Proposal

9. The outline application, with all matters reserved with the exception of access, proposes development of the site by up to 49 dwellings with associated access, infrastructure, coach pick-up and drop-off point and open space. The application proposes 40% affordable housing (up to 20 dwellings). The agent and applicants have also indicated their willingness to provide recreational space to the side of site.
10. Vehicular access would be from Hurdleditch Road via a new access, along with a secondary access for the coach pick-up/drop-off facility. Approval of access is sought in this outline application.
11. The applicants have formally withdrawn the amended Masterplan (Ref CAM1060_003 SHEET NO: 3 REV: J) and Transport Statement (April 2016) submitted on Monday 25 April. Accordingly, they have re-submitted/reverted back to the original Masterplan and an updated Transport Statement 2016. The application also includes a Planning Statement, Design and Access Statement, Agricultural Land Assessment, Landscape and Visual Assessment, Geo-technical desk study, Transport Statement, Travel Plan, Ecological Report, Flood Risk Assessment, Arboricultural Impact and Draft Tree Protection Plan, Health Impact Assessment, Heritage Desk Based Assessment, Ecology Assessments, Utility Feasibility Report, RECAP waste design toolkit, Statement of Community Involvement, and Archaeological Desk Based Assessment.

12. **Planning History**

S/0928/88/O - 12 Houses - Refused (26 July 1988) for the following reasons:

1. Outside the physical framework of the settlement and is for that reason contrary to the settlement policy of the structure plan
2. The scale of the site is such and the number of units proposed, 12, is such that even were it within the framework it would be in excess of that appropriate to Orwell in the approved structure plan
3. The sketch layout submitted would result in an unacceptable relationship between some of the dwellings proposed and that of Town Green Road

S/2379/13/FL - Erection of 15 affordable dwellings including associated external works, road and parking (land on the opposite side of the road to this application site) – Approved (30 April 2014) and now built.

Planning Policies

13. The following paragraphs are a list of documents and policies that may be relevant in the determination of this application. Consideration of whether any of these are considered out of date in light of the Council not currently being able to demonstrate that it has an up to date five year housing land supply, and the weight that might still be given to those policies, is addressed later in the report.
14. **National Planning Policy Framework
Planning Practice Guidance**
15. **South Cambridgeshire Local Development Framework (LDF) Core Strategy,
adopted January 2007
ST/2 Housing Provision**

ST/6 Group Villages

16. **South Cambridgeshire LDF Development Control Policies, adopted July 2007**

DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/4 Infrastructure and New Developments
DP/7 Development Frameworks
HG/1 Housing Density
HG/2 Housing Mix
HG/3 Affordable Housing
SF/6 Public Art and New Development
SF/10 Outdoor Play space, Informal Open Space, and New Developments
SF/11 Open Space Standards
NE/1 Energy Efficiency
NE/3 Renewable Energy Technologies in New Development
NE/4 Landscape Character Areas
NE/6 Biodiversity
NE/9 Water and Drainage Infrastructure
NE/10 Foul Drainage – Alternative Drainage Systems
NE/11 Flood Risk
NE/12 Water Conservation
NE/14 Light Pollution
NE/15 Noise Pollution
NE/17 Protecting High Quality Agricultural Land
CH/2 Archaeological Sites
CH/4 Development in the curtilage or setting of a Listed Building
CH/5 Conservation Areas
TR/1 Planning for More Sustainable Travel
TR/2 Car and Cycle Parking Standards
TR/3 Mitigating Travel Impact
TR/4 Non-motorised Transport

17. **South Cambridgeshire LDF Supplementary Planning Documents (SPD)**

Open Space in New Developments SPD - Adopted January 2009
Affordable Housing SPD - Adopted March 2010
Trees & Development Sites SPD - Adopted January 2009
Landscape in New Developments SPD - Adopted March 2010
Biodiversity SPD - Adopted July 2009
District Design Guide SPD - Adopted March 2010
Health Impact Assessment – Adopted March 2011

18. **Draft Local Plan**

S/1 Vision
S/2 Objectives of the Local Plan
S/3 Presumption in Favour of Sustainable Development
S/5 Provision of New jobs and Homes
S/7 Development Frameworks
S/10 Group Villages
S/12 Phasing, Delivering and Monitoring
CC/1 Mitigation and Adaptation to Climate Change
CC/3 Renewable and Low Carbon Energy in New Developments
CC/4 Sustainable Design and Construction
CC/6 Construction Methods
CC/7 Water Quality

CC/8 Sustainable Drainage Systems
CC/9 Managing Flood Risk
HQ/1 Design Principles
HQ/2 Public Art and New Development
NH/2 Protecting and Enhancing Landscape Character
NH/3 Protecting Agricultural Land
NH/4 Biodiversity
NH/6 Green Infrastructure
NH/14 Heritage assets
H/7 Housing Density
H/8 Housing Mix
H/9 Affordable Housing
SC/8 Open space standards
SC/11 Noise pollution
T/I Parking provision

Consultations

19. **Orwell Parish Council** – Recommends refusal for the following reasons:

It prevents the village Recreation ground from been expanded as is needed. Our established recreation ground is already about 80% smaller than the agreed national standard re the number of homes in the village. Because of the success of the village football team, it has been promoted three times in the last few years; this has resulted in more strenuous sizing of the football pitch. To accommodate the large size in line with Football Association rules the pitch has had to be twisted to fit it on to the recreation ground. This is far from ideal. N.B. As a SHLAA site (No.020) provision was included to extend the Recreation ground into that site.

20. If it proceeds then the village would have to have a second recreation ground, which would require financial resources to establish in the first place and put a life long extra cost which would need to be provided for by the Parish Precept. As of 29 Feb we received notification that the developer was offering land to the west of the development to extend the Parishes Sport area. However the proposal would still leave the village 0.52 Hectares below (28% shortfall) the recommended national standard based on the existing size of the village plus the extra homes if this development is approved. N.B. The land used for the Primary School & the Recreation ground was given to the Parish, in the early 20th Century, solely for Village Facilities and the covenants on that land restrict its use and therefore options which might otherwise be available to the village are not available. For example, to monetise the current recreation ground and use the resultant resources to establish a new recreation ground elsewhere in the village. Therefore, any new recreation facility will require additional funding to establish it and maintain it, whilst at the same time the village will have to maintain the existing recreation facility as a separate and disconnected amenity.
21. It also would prevent the school from expanding. The school is one of the village's key assets and its future is of paramount concern to the Parish Council and many people who live in the village. There is a general consensus that nothing should be done now that would put at risk its future. The school is currently well positioned to become a Primary School Academy in the short to medium time period and if it did become an academy it would require space to expand. This would be less easy to achieve if the proposed development went ahead. If the proposed development did not proceed there would remain the option of the school being able to expand into that site (assuming of course it could be acquired for that purpose) should it need to do so, and

likewise the recreation ground. N.B. The recreation's ground pavilion is not in a position where it could reasonably be expected to service the newly proposed additional recreation space, so a second pavilion would be required on the new space.

22. The development would totally obliterate the view of the village church tower from about 40% of the length of Hurdleditch Road, a point totally omitted from Davidson's lengthy Landscape assessment. NB the church tower is illuminated at night, and night and day it dominates the village and most of its approaches, and to lose this view on the immediate approach to the village would be a serious loss to the village's historic context and visual setting. Further, the view of the recreation ground from Hurdleditch Road would also be lost. The Proposed development has very harsh landscaping on this it's west side which is felt to be sub-optimal. The proposition to erect a life long sign attributing the development to Davidson's is also felt to be in bad taste and further evidence of the lack of sympathy the developers have for the village and the community.
23. In 2015 the village completed an Exception Site of 15 affordable homes and this site is expected to double. There would then be no further village need for rented affordable homes.
24. A development of an area of agricultural land that has flood risks rating of 1-3 is not the wisest action when climate change is causing more and more heavy rainfalls. The management and ownership of the "Attenuation Pond" is yet another additional cost which neither SCDC or OPC could afford nor there is no other practical and sustainable solution.
25. There is also a very serious concern that the extra volume of surface water from this development, even with the "Attenuation Pond". Many residents feel it would be the last straw for the bridge over the brook where it flows under Town Green Road. There have already been a number of occasions when the brook flow has exceeded the bridge capacity. Add to this the safety issue for children, if the brook is more often at capacity, or exceeding capacity, and together with the proposed Attenuation Pond being so close to the village, the risk increases of children getting into difficulty.
26. CPRE letter to Ms R Ward of SCDC Planning dated 26th Feb 2016
27. All the Questionnaires replies, letters and emails from Residents. These are about 82% against the development. Over 34% of the village's 468 households have sent to the Clerk questionnaire replies, letters, and emails. (Over 160 replies). This contradicts very strongly the assessment of Davidson's developments after their open day: If the response they received just criticised the development it was categorised as just a comment, the residents feel this is a misrepresentation.
28. Please study the minutes of the Village Public meeting held on 11 Feb. 2016-02-27. Please study the detailed comment re the application attached.
29. As requested by SCDC attached is our S106 proposals related to this application.
30. Update on amended plans to the school parking: Please see attached Parish Council and Petersfield School comments in Appendices 2 and 3 of this report.
31. **Highways England** – No objections
32. **Cambridgeshire County Council Highways Development Control** - The main

issues raised were as follows:

33. The applicant has failed to provide a drawing showing the required visibility splays. The Highway Authority requests that a plan showing the visibility splays is provided prior to determination of the application.
34. Please could the applicant also confirm who will manage and maintain the proposed car park for the school as it is not a responsibility that the Highway Authority will want to adopt.
35. Please request that the applicant show the tracking for a domestic car and the largest coach that will utilise the car park to demonstrate that such a vehicle may enter and leave the proposed development in a forward gear shall be constructed surfaced and made available for use and shall be retained for that sole purpose.
36. The Highway Authority can confirm that they have severe reservations with regards to connectivity within the site as shown on the indicative masterplan, the Highway Authority has a hierarchy which places pedestrians at the top of that hierarchy and this has not been addressed at all within the submitted drawing. The Highway Authority therefore strongly recommends that the applicant engage with South Cambridgeshire District Councils Urban Design Team and the Highway Authority to progress a more suitable internal arrangement.
37. A list of standard conditions was also imposed covering the following areas:
 - Traffic management plan
 - Access built of a bound material
 - No private surface water run-off
 - Pedestrian visibility splays (2.0mx2.0m)
38. Update: Following the above comments a revision was made on the application dated 28 April 2016 to address concerns raised. The following comments were made on this revision:
39. I can confirm that the visibility splays as shown on drawing number 110637/1001 Rev C are acceptable to the Local Highway Authority.
40. Although the Highway Authority would question the proposed loop as shown on the submitted drawing to facilitate the coach for the school and replacement car parking spaces for the parents /carers collecting pupils from the school.
41. The Highway Authority believes that this design is unacceptable and would suggest that the proposed car/ coach parking area be removed from the proposed scheme which I understand to be indicative only and to formalise the existing layby (length to be determined) to the front of the site. I would also like to highlight that the vehicles parked within the bays numbered 1-20 would require a 6m reversing space and not 5.5m as shown.
42. Update 19 May 2016 : In respect to the proposed access for the car park for the school please see below the suggested wording in relation to the car park which we would request that the implementation of the car park be tied to the school travel plan therefore the car park would need to be required as a part of the school travel plan and not implemented as a matter of course.

Suggested condition wording:

"Please add a condition to any permission that the Planning Authority is minded to

issue with regards to this proposal requiring that the proposed car park shown on drawing numbers..... only be implemented as a specific requirement of the revised Orwell primary School Travel Plan.”

Reason: To prevent unnecessary reliance on the private motor vehicle for traveling to or from school.

43. **Campaign to Protect Rural England (CPRE)** – Raise an objection to the application for the following reasons:
- A proposal of this scale should come forward when a local plan is reviewed. It was noted that this site was rejected at issues and option stage of the 2014 local plan. Reasons for this are in the SHLAA report.
 - Despite the local plan 2014 being suspended for a few months, we regard the plan as emerging local plan and great weight should be given.
 - Orwell is classified as a group village where ‘residential development and redevelopment up to an indicative size of 8 dwellings will be permitted within development frameworks of Group Villages (Policy S/10). The quantity of housing (up to 49) is far in the excess of this number.
 - Although the applicant tries to show there is an overall need for housing in SCDC, the SCDC and CCC have published a report for the local plan inquiry inspector, which justifies their original figures, and have only increased the number by 500. Also the applicant in the Design and Access Statement states that the application (under opportunities, page 21) will meet local housing need.
 - Local Plan Policy S/7 (Development Frameworks) states that development and redevelopment of unallocated land and buildings within development frameworks will be permitted provided, at para.1(c), ‘There is the necessary infrastructure capacity to support the development’. We note that the applicant in the Planning Statement claims (at para.2.5 in Planning Statement) the Orwell possesses a range of shops, services and community facilities. We dispute that there are sufficient shops. There are only two retail outlets – the village stores and post office (incorporating an ATM) and hairdressers.
44. **Cambridgeshire County Council Transport Assessment Team** – Having reviewed the information submitted in support of the application the County Council has requested that additional information is provided, therefore a holding objection is recommended at this stage.
45. The development proposes to remove the layby on the north side of Hurdleditch Road and replace this with a car park to be used for pick up and drop for the primary school, as well as for coach parking for school use. The applicant is asked to explain further regarding the reasoning behind the inclusion of the car parking and coach parking in the proposals.
46. It is noted in para 2.13 that the speed of vehicles on Hurdleditch Road is 42mph. It is noted that the applicant proposes to seek a Traffic Regulation Order (TRO) for the relocation of the 30mph signs, road markings and gate features to the west of the site access. The development is not predicated on whether or not it is possible to relocate the 30mph speed limit; however, the principal of extending the 30mph speed limit to the western boundary of the site is accepted.
47. A travel plan containing the welcome pack for future residents should be included in the TS with any measures identified.

48. The contents of the welcome pack as outlined in para 5.13 are acceptable. Should approval be given a condition should be included for the details of the Travel Plan to be approved by the Local Planning Authority and Cambridgeshire County Council prior to occupation of any dwelling.
49. The vehicle mode share in TRICS assessment is considered to be low, however, as noted in Table 6.1 the assessment has been undertaken for 60 dwellings rather than 49 of the application. The applicant is requested to apply the census mode share to the trip rates and apply this to the modelled flows. This will model a higher flow at the junction of Hurdledith Road with the A603 and will illustrate the capacity of this junction in a worst-case scenario.
50. It is accepted that most traffic from the development will seek to access the A603 via Hurdleditch Road. The distribution of 63% of traffic turning towards Cambridge has been derived from census data. The applicant is asked to outline the calculation behind this distribution.
51. Some analysis has been undertaken of the collisions at the junction of Hurdleditch Road with the A603 as requested. This will be considered in further detail when the above comments have been resolved.
52. Provisions to extend the footway between the site entrance and the existing footway on the northern side of Hurdleditch Road are acceptable. The below measures are requested to be installed as part of S278 works by the applicant should approval be given, the County Council will comment further on mitigation :
 - Installation of two bus stops in the vicinity of the development.
 - Payment for the advertisement of an extension to the 30mph speed limit on Hurdleditch Road to the western boundary of the site through CCC.
53. Update following the revised Transport Statement (TS) February 2016 produced by Fairhurst : The Transport Assessment Team are content for the holding objection to be removed subject to the following provisions :
 - Condition should be included for the details of the Travel Plan
 - That the applicant funds as part of a S106 agreement the associated costs of advertisement of a Traffic Regulation Order (TRO) for the relocation of the 30mph signs, road markings and gateway features to the west of the site access to a location to be agreed with CCC. Should the advertisement of the TRO not be contested and / or be approved, to relocate the 30mph signs, road markings and gateway feature to the agreed location under works as part of a S278 agreement.
 - Installation of two bus stops in the vicinity of the development. These to have a flag and for the Cambridge bound stop a shelter. This is to reduce the distance to the nearest bus stop and encourage residents to use the bus. Details of the bus stop locations to be submitted and agreed with the Local Highway Authority and Orwell Parish Council and installed as part of S278 works by the applicant. A commuted sum would be required for maintenance of a bus stop shelter and agreed as part of a S106 agreement. Works to be installed prior to occupation of any dwellings.
 - Installation of additional signage, road markings or other minor works at the junction of Hurdleditch Road with A603 to increase the prominence of this junction and reduce the potential for further collisions involving right turning

vehicles into Hurdleditch Road.

- Details of this minor scheme with a cost cap if required to be agreed with the Local Highway Authority and installed as part of S278 works by the applicant. Works to be installed prior to occupation of any dwellings.
 - Should approval be given a condition should be included for the details of the Travel Plan to be approved by the Local Planning Authority and Cambridgeshire County Council prior to occupation of any dwelling.
54. **Anglian Water** – The foul drainage from this development is in the catchment of Foxton Water Recycling Centre, which currently does not have capacity to treat the flows from your development site. Anglian Water are obligated to accept the foul flows from development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the planning authority grant planning permission.
55. Foul sewerage network:
Development will lead to an unacceptable risk of flooding downstream. However a development impact assessment has been prepared in consultation with Anglian Water to determine a feasible mitigation solution. We will request a condition requiring compliance with the agreed drainage strategy.
56. Requested condition - No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.
57. **Lead Local Flood and Water Authority (Cambridgeshire County Council)** – The applicant has demonstrated that surface water can be dealt with on site through the use of an attenuation pond; the pond will provide storage up to and including the 1 in 100 year event (including a 30% allowance for climate change). The applicant has therefore met the minimum requirements of the NPPF.
58. We recommend the following conditions are imposed requiring the following details.
59. ‘The development hereby permitted shall not commence until details of the detailed design, implementation, maintenance and management of a surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority and Lead Local Flood Authority (LLFA)’
60. **Environment Agency** – No objection in principle to the proposed development.
61. **SCDC Urban Design** - The application is for an outline application for 49 units, at the edge of Orwell, adjacent to the existing primary school. The density is below that required in our District Design Guide, but that is acceptable on this edge of village location. The perimeter block concept is supported, and the mix of streets/provision of the wider green corridor is welcomed. The site is outside the village framework, and would create a new edge to the village that would be visible from the west and the north.
62. The site is very poorly connected/ integrated into the village, with only one vehicular and pedestrian access point onto Hurdleditch Road. Cul-de-sac development should

be avoided wherever possible. The DAS mentions the potential to create a link over the farm track to the recreation ground and the centre of the village was explored, but that the land falls outside the applicant's control. All efforts should be made to try and create this link to try and at least create an additional pedestrian link to the village amenities to increase permeability.

63. The coach park is too close to the houses, there needs to be some meaningful separation between the two. The LAP is in an isolated location, and needs to be provided with improved natural surveillance. The layout provides a frontage to Hurdleditch Road, but the houses are set back behind a private access road, it would be better if this "double road" arrangement could be designed out to prevent the creation of large areas of hard surfacing close to each other and would not contribute positively to the streetscape. Housing mix needs to be confirmed.
64. Due to the scale of this application, and its sensitive village edge location, this application should be presented to the Design Enabling Panel.
65. **SCDC Landscape Officer** - The features that will be introduced include residential development of up to 49 dwellings, new highways infrastructure and internal road layout, a community car park and coach drop off, pumping station, open space, green infrastructure and area for flood attenuation.
66. Landscape effects - The development site of up to 49 dwellings stretches from Hurdleditch Road to the existing ditch. It is located within an open arable field adjacent to the boundary of the village settlement. It is not an exceptional or a brown field site. The size and scale of the development would be more than 15 dwellings and not conserve the existing settlement character of the group village.
67. The development would create a new village edge outside the Development Framework. The relationship between the village and the surrounding countryside is crucial. Although the applicant has suggested a native hedge line with trees upon the western boundary the proposed dwellings and roof tops would still be visible on the important western approach to the village.
68. The site has rural characteristics within the area. It is a medium sized, open and exposed arable field. There are no existing natural boundaries particularly to the west of the site, again an important approach to the village settlement. Although the applicant has suggested mitigation works the change is likely to result in a significant change in valued character inclusive of the removal of arable farmland and the rural character.
69. Visual effects - I agree with the applicant that the available views to the site from the wider landscape are limited. Views from Toot Hill, located to the north of the site, are also limited due to the trees and woodland running along the existing drainage ditch situated to the north east of the application site. The visual effects are not likely to be significant.
70. I would not support this application because of the unacceptable adverse impact (m) on the countryside and landscape character as per policy DP/3 Development Criteria, Development Control Policies DPD.
71. **SCDC Historic Buildings Officer** - The approach to Orwell along Hurdleditch Road provides good, uninterrupted views of St Andrews Church until the site of the primary school. The view of the church is an important character of Orwell and the appreciation of the heritage asset. The LVIA does not include views towards the

village to the northeast, when approaching from Hurdleditch Road. This will be important to understand the full impact of the proposal on the setting and views of the church and should be included in any subsequent applications. If the outline application is supported, for any development it will be important to retain some views of the church from Hurdleditch Road.

72. **Historic England** - The application should be determined in accordance with national and local planning policy guidance and on the basis of your specialist Conservation advice.
73. **SCDC Tree Officer** – The Tree Officer is generally satisfied that the illustrative layout takes into account the existing trees that are located around three of the four sides of the site boundary. The proposal retains the vast majority of trees and the juxtaposition of trees with dwellings / gardens / amenity areas is suitable. Given proper safeguards the proposal will not result in harmful tree loss or unacceptable nuisance to future occupiers. I would like to be consulted on any substantial changes to this layout.
74. The tree report detail submitted with this outline application is suitable for this type of application however, any forthcoming reserved matters or full application will be expected to provide higher resolution data on tree protection measures within a tree protection plan (it is not possible to scale off the plan submitted with the current arb report). If this application is approved I recommend the addition of a planning condition requiring the submission of a tree protection plan of 1:250 or 1:200.
75. **SCDC Ecology** - No objection is raised to this development on ecology grounds. However, the development has the potential to have indirect impacts upon a number of species if tight constraints are not put in place.
76. Bats – the Eversden and Wimpole Woods Special Area of Conservation (SAC) is less than 2km away and it is reasonable to assume that the barbastelle bats may use features such as the stream as flight paths. The provision of the undeveloped 25m corridor alongside the stream will ensure that a flight path for bats is retained. However, it is absolutely important that this corridor is not lit in any way. IF the applicant needs to put any form of lighting near the stream I will require a full bat activity survey in order to ensure that we do not allow any action that could be detrimental to the colony of bats for which the SAC is designated.
77. Otters and water vole – the survey has identified that a low level of otter and water vole activity exists on the stream just downstream of the site. The provision of the undeveloped 25m corridor alongside the stream will ensure that undisturbed habitat is retained for otters and water voles to continue to use the stream. However, it is absolutely important that this corridor is not lit in any way.
78. White clawed crayfish – the surveys did not find the species in the stream immediately in the vicinity of the development site. However, the stream does support the native crayfish (a globally threatened species) a short distance downstream. The site will be discharging its water to the stream; native crayfish requires very good water quality that is high in dissolved oxygen levels. It is therefore important that no direct discharge of water occurs to the stream where it could result in the delivery of poor water during storm event (especially in the summer when stream levels are low and less able to dilute any discharge). The approach to water discharge must include a suitably designed wetland balancing ponds that ensure that all reasonable effort is undertaken in order to filter out particulates and to ensure that the discharged water is of as high a quality as can be achieved. I would wish to be involved in the design of solutions to this issue, what is the current proposal, is it a standard balancing pond

with an over to the stream?

79. Reptiles – none were found so no specific mitigation is required at present. Although the survey did consider there to be potential for reptiles to colonise the site in the future.
80. Badgers – no setts were found in the area of the development. A low level of activity was recorded to the north of the site but at present they present no constraint to development. If the development is not taken forward in the near future regard should be had to the potential for badgers to colonise the site. The actual layout of the site appears to be quite interesting in so far of the green spaces that it provides will allow a network of trees and shrubs to be planted thus diversifying a landscape that was previously quite open and barren.
81. Conditions should be used to secure:
 - Scheme of ecological enhancement to provide a range of bird and bat boxes.
 - Full details of the means of water attenuation and how it will ensure that any water discharge to the stream is of a high standard.
 - Full details of all external lighting
 - Measures to ensure that badgers do not come to harm during the course of the development
 - Details of protective fencing to be erected to maintain the undeveloped 25m buffer zone adjacent to the stream.
82. **SCDC Affordable Housing Officer** - The proposal is for 49 dwellings on a site that is located outside the development framework of Orwell. Therefore, in accordance with policy H/10 of the Local Plan the development should be treated as an exception to normal planning policy and should only be brought forward as an exception site to meet local housing need and provide 100% affordable housing.
83. However, should this site not be treated as an exception site, then Policy H/9 Affordable Housing would apply, which would mean that 40% of the housing on this site should be affordable. Therefore this requirement would mean that 20 of the properties should be affordable. The district wide tenure split is 70/30 in favour of rented.
84. There are currently approximately 1,600 applicants registered on home link the council's choice based lettings housing register in South Cambridgeshire, of these 26 applicants have a local connection to Orwell. The highest demand for dwellings is for 1 and 2 bedroom accommodation this is both true for South Cambs as a whole and the local need in Orwell. Based on this our preferred mix is:
85. Rented Intermediate/Shared Ownership
8 x 1 beds 3 x 2 beds
6 x 2 beds 3 x 3 beds
86. There is no doubt of the need for good quality affordable housing in South Cambridgeshire. If this site is not treated as an exception site, then it should be available to applicants with a local connection to South Cambs. However, as there is a relatively high local housing need, even after full occupation of the recent BPHA exception site, we could consider priority being given to those with a local connection to Orwell on first lets only, as this has been agreed on sites such as this elsewhere in the district.
87. The properties should be built in accordance with the DCLG National technical

housing and space standards.

88. **SCDC Environmental Health Officer** – Approve, subject to the imposition of the conditions.
89. On balance we have no objection in principle to the proposals, but the following environmental health issues / health determinants need to be considered and effectively controlled in order to protect the quality of life / amenity and health of proposed and existing residential uses / premises and the wider community / environment and which are paramount in facilitating a sustainable high quality development:
90. Noise / Vibration: Whilst existing nearby residential premises will be exposed to construction noise that will be transitory in nature the impact should be considered and controlled by the imposition of conditions, including the following :
- Restriction of construction work to 8am-6pm and 8am-1pm on Saturday
 - In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents noise and or vibration.
 - No development shall commence until a programme of measures to minimise the spread of airborne dust
 - No development (including any pre-construction, demolition or enabling works) shall take place until a comprehensive construction programme identifying each phase of the development and confirming construction activities to be undertaken in each phase
 - During construction there shall be no bonfires or burning of waste on site except with the prior permission of the Environmental Health Officer in accordance with best practice and existing waste management legislation.
 - Condition requiring an artificial lightning scheme
 - Noise mitigation scheme on properties that are adjacent to the coach pick up and drop-off points
91. Health Impact Assessment: As per the Council's Supplementary Planning Document (SPD) on Health Impact Assessment (HIA) I have reviewed the outline application using the HIA Review Package checklist contained in Appendix 3 of the SPD. The outcome of my review is that the HIA as submitted has been assessed as grade A, which the required standard of the HIA SPD policy (Grade A or B is acceptable).
92. Renewable Energy: To meet renewable energy requirements it is concluded that the technologies considered viable for the site are:
- Solar photovoltaic panels
 - Solar hot water heating
 - Ground source heat pumps
 - Air Source Heat Pumps (ASHPs)
93. It is stated that these technologies may be considered in isolation but may also be considered as part of a mix of technologies used on-site. We have no objection to these technologies but if air source heat pumps and or micro-wind turbines are considered then further noise impact assessment and or a noise insulation scheme may be required.
94. In terms of ASHPs the assessment of noise impact can be a grey area. Under The

Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 they may be considered permitted development subject to very specific requirements / conditions.

95. **SCDC Contract Officer (Waste Management Team)** - The developer will be required to purchase all the domestic bins and caddy boxes as part of their s106 planning obligation. This includes both for single houses and communal bin stores at the flats. This is an obligation detailed in the design guide toolkit, page 55, Basis for Conditions and Agreements, Waste Storage Containers and within chapter 4, paragraph 4.8 of the design guide.
96. However it is understood that the draft heads of terms for s106 obligations currently include a financial contribution for the provision of domestic waste storage containers.
97. The council will consult with the developer over their proposals for street furniture, litter bins, dog bins, recycling bins and the use of tree guards and pits. The council will be seeking solutions to enable segregation of waste into public bins. There is standard provision for these items within section 106 obligations and these will be subject to further discussion.
98. **SCDC Air Quality** - I wish to confirm that I have received a copy of the above application, and have considered the implications of the proposals in relation to potential impacts on local air quality. In particular, I have reviewed the Health Impact Assessment (Pegasus Group dated December 2015), submitted in support of the planning application.
99. I have no objection to the proposed development in respect of Air Quality and I do not consider it necessary to require any further air quality impact assessment through planning conditions attached to this planning permission.
100. As this is a moderately large development, for the purpose of ensuring that people within the vicinity of the development are not affected by the negative impact of the construction work such as dust and noise as well as ensuring that the applicant complies with the councils Low Emission Strategy for a development of this magnitude, the following conditions are recommend to be attached to the application should planning permission be granted.
 - Electric Vehicle Charging - Prior to the commencement of works on the development hereby permitted, full details of an electric vehicle charging infrastructure strategy and implementation plan that include details of the number, location, installation and management of the electric vehicle charging points having regard to parking associated with various planning class uses with the provision of electric vehicle cabling infrastructure, to be submitted to and approved in writing by the LPA. The electric vehicle charging points shall be implemented prior to occupation and maintained in accordance with the approved strategy / plan and details.
 - Construction Environmental Management Plan (CEMP)/Dust Management Plan condition
101. **SCDC Contaminated Land Officer** - I wish to confirm that I have received a copy of the above application, in particular Fairhurst's Phase 1 geo environmental and geotechnical report dated August 2015, and have considered the implications of the proposals. The above site is part of former arable land. Whilst contamination is considered to be a low risk, it cannot be ruled out. The report has identified this and

proposes further Phase 2 investigation, with which we agree. Part 'a' of the following condition has been met, and suggestions have been made for Phase 2 investigation across the site. We would also like to see slightly targeted consideration of the ground conditions in proposed garden areas as a site layout has been provided. Therefore I recommend that no development approved by this permission shall be commenced, unless otherwise agreed, until:

a) The application site has been subject to a detailed scheme for the investigation and recording of contamination and remediation objectives have been determined through risk assessment and agreed in writing by the Local Planning Authority.

c) Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation method statement) have been submitted to and approved in writing by the Local Planning Authority.

d) The works specified in the remediation method statement have been completed, and a Verification report submitted to and approved in writing by the Local Planning Authority, in accordance with the approved scheme.

e) If, during remediation works, any contamination is identified that has not been considered in the remediation method statement, then remediation proposals for this material should be agreed in writing by the Local Planning Authority.

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 DP/1 of the adopted Local Development Framework 2007

102. **Archaeology Officer, County Council** - A desk based assessment supported by aerial archaeological evidence has been submitted with this application, the results of which I discussed with the archaeological consultant last year (Cotswold Archaeology report 660504).
103. In view of the distance of known archaeological assets to this site, none of which are designated remains, it is our opinion that evaluation fieldwork would best be conducted post-consent at this site. A trench-based evaluation is required here owing to the proximity of Roman settlement features at Hoback Farm and Iron Age occupation evidence in the village (HER ref MCB20117) and more extensively at Cracknow Hill and in the wider Barrington landscape (MCB17723).
104. We do not object to development from proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a negative condition, such as the example condition approved by DCLG
105. No demolition/development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives; and:
 - The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed

- works
- The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.
106. Developers will wish to ensure that in drawing up their development programme, the timetable for the investigation is included within the details of the agreed scheme.
 107. **Natural England** – Initial objection raised to the application - Further information required
 108. Updated comments: Further to our response of 12 February 2016, this letter is to provide an update on Natural England's position following a recent meeting with the applicant's planning consultant, Pegasus Group.
 109. We understand from our meeting with Pegasus Group that, in addition to the provision of approximately 1.14ha of on-site green infrastructure, the applicant has proposed that a proportional financial contribution towards the management and maintenance of the SSSI could offer a solution to Natural England's outstanding objection to the current planning application. Natural England welcomes this proposal and believes that a proportional contribution towards SSSI management measures, in conjunction with proposed on-site open space provision, is likely to provide suitable mitigation to address residual impacts from the development.
 110. Securing this approach through a relevant planning condition and s106 agreement would provide an acceptable alternative to our recommendation that the developer undertake a visitor survey to inform the planning application.
 111. We believe that an appropriate and proportionate developer contribution could be calculated based on the cost of implementing agreed management measures. In this case Natural England believes that suitable measures to address the residual impacts of recreational pressure could include a baseline visitor survey, new signage, education packs for residents of the scheme and dog waste bins. We have contacted the Clunch Pit Management Trust (part of the Parish Council) for their advice on the most appropriate measures to be delivered through a proportional contribution. We will forward details of these, together with cost estimates, to yourselves and Pegasus Group in due course.
 112. Natural England is therefore satisfied that if details of on-site open space provision can be agreed through a planning condition and a proportional contribution towards SSSI management measures are secured through a s106 agreement this proposal could be considered unlikely to have a significant adverse effect on Orwell Clunch Pit SSSI.
 113. Updated following confirmation from Natural England 17 May 2016 : We believe that a contribution of £2,500 (c. £50/dwelling) through a section 106 agreement would be an appropriate and proportionate contribution to address the residual impacts of development on Orwell Clunch Pit SSSI.
 114. We have liaised with the Clunch Pit Management Trust who have advised that the measures below are needed (with net costs estimates) to address pressures of public access at the site. The S106 contribution would be used to fund some of these measures:

- a. To remove and replace old fencing as necessary, 200m @ £9.5 per metre.
 - b. Replace one large field gate and adjacent kissing gate £800.
 - c. To construct two sets of sleeper based steps £1,150.
 - d. At least two new "general" notice boards @ £350 ea.
 - e. Extend scrub clearance to provide sheep with a protected area away from the increased numbers of the general public £930.
115. **NHS England and Little Eversden Doctors Surgery** – In order to accommodate more growth the Surgeries (Comberton and Eversden) would require the renovation of Eversden to create additional consulting rooms. The Surgery cannot afford to commission an architect to undertake these works therefore there are no firm details as to how this might be achieved or the exact cost.
116. We have not had a formal response from NHS England at the point of drafting the committee report and it is standard NHS England practice not to respond to planning consultations on developments smaller than 50 dwellings. That said there is evidence of need to increase GP capacity in the area therefore the Council will continue to explore this with the relevant bodies. SCDC are in the process of pooling 5 primary healthcare contributions towards Comberton therefore should only make reference to Eversden Surgery and not Comberton.
117. **Cambridgeshire County Council - Education and Waste**
- Early Years need:*
In catchment of Orwell. Sufficient spare capacity. No contribution sought.
- Primary need*
In catchment of Petersfield Primary School. 18 children generated (based on general multipliers). Sufficient spare capacity. No contribution sought.
- Secondary need*
In catchment of Bassingbourn Village College. 13 children generated (based on general multipliers). Sufficient spare capacity. No contribution sought.
- Libraries and Lifelong Learning*
Orwell is currently served by 3 monthly mobile stops (S. Cambs mobile). One of these is in Hurdleditch Road and therefore close to the proposed development. Officers consider the current provision sufficient to serve the proposed 125 new residents.
- Strategic Waste*
This development is within the Thriplow HRC catchment area for which Section 106 contributions would be £411.11 (£8.39 x 49).
- Representations**
118. The Local Planning Authority have received 7 representations from the occupiers of 7 Stocks Lane, 24 Lotfield Street, 14 Cross Lane Close, 14 Hurdleditch Road, 12 Fishers Lane, 11 Oatlands and Petersfield Primary School objecting/commenting in respect of the application as originally submitted.
119. In addition the Parish Council sent through additional 18 representations that had been received from local residents between August 2015 and March 2016. Not all the representations contained an address point, however, the ones that did are as follows: 12 Leaden Hill, 17a Fishers Lane, 17 Brookside, 71 Town Green Road, 23a Lotfield

Street.

120. The Parish Council also undertook a questionnaire, of which a summary of there findings is within there comments.
121. The following key material planning considerations have been raised:
 - i. Site is outside the village framework.
 - ii. Orwell is classified as a Group Village and does not have the infrastructure to support a development like this, and is therefore not a sustainable location for this scale of building.
 - iii. The application should not be considered in isolation and should take into account recent applications in the area.
 - iv. The school is full, with some classes over size and mixed year classes. There will be no space for quality expansion.
 - v. The Doctors Surgery (Little Eversden) is fully subscribed.
 - vi. Limited capacity of the recreation ground
 - vii. Will add traffic to narrow roads. A603 junction is busy and dangerous. Improvements need to be made. Impact on safety of access to existing properties. Additional noise and fumes/noise. Access should not be close to junction.
 - viii. The layout/use of the proposed coach/car park drop of point is unsuitable and would not work in reality
 - ix. Capacity concerns raised to foul and surface water drainage.
 - x. Proposal will determinate the long term expansion of the school
 - xi. Restrict views of the listed church
 - xii. Limited demand for affordable housing
 - xiii. Flood risk zone and knock on impacts to surrounding properties and infrastructure
 - xiv. Site was rejected as unsuitable in the SHLAA assessment
 - xv. Management of the flood attenuation pond
 - xvi. Internet and phone lines are slow
 - xvii. Noise and disruption during construction
 - xviii. Transport Assessment is unrealistic, being based on travelling times outside of those within which many people will leave the village for work and return to it.
 - xix. Concern about additional surface water run-off, and impact on the Brook.
 - xx. Impact on existing wildlife. Landscape impact.

Planning Assessment

Housing Land Supply

122. The National Planning Policy Framework (2012) (NPPF) requires councils to boost significantly the supply of housing and to identify and maintain a five-year housing land supply with an additional buffer as set out in paragraph 47.
123. The Council accepts that it cannot currently demonstrate a five year housing land supply in the district as required by the NPPF, having a 3.9 year supply using the methodology identified by the Inspector in the Waterbeach appeals in 2014. This shortfall is based on an objectively assessed housing need of 19,500 homes for the period 2011 to 2031 (as identified in the Strategic Housing Market Assessment 2013 and updated by the latest update undertaken for the Council in November 2015 as part of the evidence responding to the Local Plan Inspectors' preliminary conclusions) and latest assessment of housing delivery (in the housing trajectory November 2015). In these circumstances any adopted or emerging policy which can be considered to

restrict the supply of housing land is considered 'out of date' in respect of paragraph 49 of the NPPF.

124. Further guidance as to which policies should be considered as 'relevant policies for the supply of housing' emerged from a recent Court of Appeal decision (*Richborough v Cheshire East and Suffolk Coastal DC v Hopkins Homes*). The Court defined 'relevant policies for the supply of housing' widely so not to be restricted to 'merely policies in the Development Plan that provide positively for the delivery of new housing in terms of numbers and distribution or the allocation of sites,' but also to include, 'plan policies whose effect is to influence the supply of housing by restricting the locations where new housing may be developed.' Therefore all policies which have the potential to restrict or affect housing supply may be considered out of date in respect of the NPPF. However, the Court of Appeal has confirmed that even where policies are considered 'out of date' for the purposes of NPPF paragraph 49, a decision maker is required to consider what (if any) weight should attach to such relevant policies.
125. In the case of this application policies which must be considered as potentially influencing the supply of housing land include ST/2 and ST/6 of the adopted Core Strategy and adopted policies DP/1(a), DP/7, HG/1, HG,2, NE/6, NE/17, CH/2, CH/4 and CH/5 of the adopted Development Control Policies. Policies S/7, S/10, NH/3 S/3,S/5, S/10, N/2,N/4, H/7, H/8 and NH/14 of the draft Local Plan are also material considerations but are also considered to be relevant (draft) policies for the supply of housing.
126. Paragraph 14 of the NPPF states that there is a presumption in favour of sustainable development. It says that where relevant policies are out of date, planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or where specific policies in the NPPF indicate development should be restricted (which includes land designated as Green Belt in adopted plans for instance).

Principle of development

127. The site is located outside the Orwell village framework, where Policy DP/7 of the LDF and Policy S/7 of the Draft Local Plan states that only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted. The erection of a residential development of up to 49 dwellings would therefore not under normal circumstances be considered acceptable in principle. However, this policy is considered out of date due to the current lack of a 5-year housing land supply as set out above.
128. It falls to the Council as decision maker to assess the weight that should be given to the existing policies. The Council considers this assessment should, in the present application, have regard to factors including whether the policy continues to perform a material planning objective and whether it is consistent with the policies of the NPPF. Orwell is identified as a Group Village under Policy ST/6 of the LDF and Policy S/10 of the Draft Local Plan. These are the third of four categories of rural settlement and are less sustainable settlements than Rural Centres and Minor Rural Centres, having fewer services and facilities and allowing only some of the day-to-day needs of residents to be met without the need to travel outside the village. Orwell has only relatively limited facilities and services, with a primary school, small convenience store, public house, hairdressers, recreation ground and village hall. There is no secondary school, doctor's surgery, food store, areas of employment and very limited

accessible public transport services.

129. Development in Group Villages is normally limited to schemes of up to 8 dwellings, or in exceptional cases 15, where development would make best use of a single brownfield site. This planning objective remains important and is consistent with the NPPF presumption in favour of sustainable development, by limiting the scale of development in less sustainable rural settlements with a limited range of services to meet the needs of new residents in a sustainable manner.
130. Policy TR/1 states that planning permission will not be granted for developments likely to give rise to a material increase in travel demands, unless the site has (or will obtain) a sufficient standard of accessibility to offer an appropriate choice of travel by public transport or other non-car travel modes. This policy is not considered to be out of date as it does not relate to the supply of housing, and is consistent with the aims of the NPPF.
131. The NPPF requires that 'planning policies and decisions should actively manage patterns of growth to make fullest use of public transport, walking and cycling, and focus development in locations which are or can be made sustainable.'
132. In this case the proposal to develop a scheme for up to 49 dwellings is not considered sustainable due to the relatively low level of services and facilities in the village. Therefore existing Policies ST/6 and DP/7 which form part of a suite of policies to control the distribution and scale of new housing can be afforded considerable weight since it contributes to ensuring that development is sustainably located and unsustainable locations are avoided. When set against the NPPF the proposal also therefore fails, as it cannot be considered to be a sustainable location capable of supporting a development of this size. These facts therefore outweigh the need for additional housing land in this instance.
133. Orwell was not one of the villages reviewed in The Local Plan Village Classification Report June 2012, informed by the Village Services and Facilities Study, which looked at the settlement hierarchy in the adopted Core Strategy 2007, and as part of this considered where individual villages should sit within the hierarchy, as it has a population of under 2000, which was the lower threshold for the Report.
134. Notwithstanding this, when its location is tested taking into account the following key daily needs; public transport accessibility, accessibility of schools, accessibility to leisure facilities, village facilities and employment areas, officers consider it would score relatively low.
135. The site was promoted during the call for sites for an indicative scheme of between 35 and 55 dwellings and tested in the SHLAA in August 2013. The site was considered to have limited development potential and was not allocated for development and therefore not taken forward as an option in the emerging local plan.

Deliverability

136. There are no known undue technical constraints to the site's delivery. Officers are therefore of the view that the site can be delivered within a timescale whereby significant weight can be given to the contribution the proposal could make to the 5 year housing land supply.

Sustainability of development

137. The NPPF states that there are three dimensions to sustainable development, economic, social and environmental. These aspects are considered in the assessment of highlighted issues below.
138. Policy DP/1 of the adopted Local Development Framework and Policy S/3 of the Draft Local Plan set out the principle of sustainable development. Although in respect of DP/1 1a. the policy relates to the supply of housing, in that it refers to the sequential approach to development, and therefore in this respect can be considered out of date, the remainder of the objectives of the policy are consistent with the aims of the NPPF in promoting sustainable development. Officers are therefore of the view that this policy can be given significant weight in the determination of this application.

Economic Dimension

139. The provision of 49 new dwellings will give rise to employment during the construction phase of the development, and has the potential to result in an increase in the use of local services and facilities, both of which will be of benefit to the local economy.

Social Dimension

Provision of new housing

140. The development would provide a clear benefit in helping to meet the current housing shortfall in South Cambridgeshire through delivering up to 49 residential dwellings. 40% of these units will be affordable (up to 20 units). The applicant indicates that the mix of market housing will be in accord with Policy HG/2 and this can be conditioned as part of any approval. Whilst policy HG/2 and emerging policy H/8 are considered to be policies for the supply of housing and are therefore to be considered as being out of date. One of the main aims of the policies is to provide a wider choice, type and mix of housing to meet the needs of different groups in the community. As such, weight can be attributed to the policy in this regard.
- 141.
142. The affordable housing can be secured through a Section 106 Agreement on the terms as set out in the advice from the Affordable Housing Officer. The Affordable Housing Officer indicates there is a clear need within the district for affordable homes. Officers are of the view the provision of up to 49 houses, including the affordable dwellings, is a benefit and significant weight should be attributed this in the decision making process.

143.

Services and Facilities

144. The National Planning Policy Framework (the Framework) seeks to significantly boost the supply of housing but also to ensure that new market housing is provided in sustainable locations that have service provision to support new housing.
145. One of the core planning principles, paragraph 17 of the NPPF, is to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.
146. Paragraph 34 of the NPPF indicates that plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be

maximised. However this needs to take account of policies set out elsewhere in this Framework, particularly in rural areas.

147. Policies DP/1 and TR/1 of the adopted Local Development Framework Development Control Policies Development Plan Document 2007 (the DPD) and Policies HQ/1 and TI/2 of the Emerging Local Plan 2013 (the ELP) seek amongst other things to reduce car dependency and provide convenient access for all users of all abilities to public buildings.
148. Orwell village is served by relatively few services and facilities but those that are there includes; a Primary School, Public House, Church, and Village Hall, post office/convenience store, hairdressers and a single recreation ground. As such, residents are required to commute outside the village to access many other day-to-day services including leisure and health facilities, food stores, places of employment and secondary education centres.
149. The closest 'Minor Rural Centre' to the village is Melbourn (adopted LDF) and Comberton (Emerging LP) which are both roughly 9km (6 miles) from the site. Orwell lies within the secondary school catchment area of Bassingbourn (Group Village) which is roughly 17km (11 miles) from the village. All these villages contain a number of services/facilities, larger food stores, more frequent public transport modes, areas of employment and leisure facilities. There are no frequent or direct bus or train services from Orwell to these village centres and given the distance, it is not reasonable to assume future occupants will walk/cycle to these services centres.
150. Smaller villages that surround Orwell include Arrington, Little Eversden (doctor's surgery), Wimpole, Shepreth and Barrington, which are all classified as 'infill villages' with the exception of Barrington being a Group Village in the Core Strategy. Whilst they are closer to the village of Orwell they all have very few services.
151. The closest bus stop to the site is on Town Green Road with services (Route 75 and Route15) to Cambridge and Royston. The bus runs through the villages of Barrington, Haslingfield, Harlton and Barton, which takes roughly 40 minutes according to the service timetable. There are five services in and out of the village per day with the last service out at roughly 3pm and return at 5.30pm. There are no frequent services on Sunday. The applicants have indicated willingness to pay for an additional bus stop to the front of the application site.
152. By virtue of the length of time it takes to get to Cambridge (in-direct service), only a 2 hourly service and the limited availability of services after 6pm on weekdays and on Sundays, officers do not consider it to be a high quality or more frequent transport service that can generally be found in elsewhere Minor Rural and Rural Centres elsewhere in the district. Furthermore, this bus service does not link up to the Shepreth or Foxton train stations that can be found in adjacent villages and as such they can only be realistically accessed by private car.
153. The Office of National Statistics (2011) and the Census Profile (2011) by the Cambridgeshire County Council conducted an assessment on the 'Method of Travel to Work' for the parish of Orwell. The results indicate that out of 532 that are employed within the village;
 - 8 people travel to there workplace via bus, mini bus or coach (1.5%)
 - 32 people opt to take the train (6%)
 - 12 people opt to cycle (12%)
 - 22 people opt to go on foot (22%)

- 385 opt to take the car (75%)

154. In accordance with the Census, the movements by car to employment are above the district average of 68% for a village. Officers consider these numbers to reflect Orwell's limited access to a well served public transport modes to get to places of key places employment.
155. The County Council and Petersfield Primary School have confirmed that there is capacity for students at both schools. The closest doctor's surgery to Orwell is Little Eversden. Whilst officers have not had any comments from the surgery or NHS England, we are mindful of there capacity issues from other sites in the district and through public consultation comments. As such, we are likely to require a contribution towards potential extension to the practice.
156. The limited services within the village, limited access to frequent public transport, limited leisure facilities and limited employment opportunities in the locality is reflected in Orwell being designed a 'Group Village' in the Core Strategy settlement hierarchy.
157. Whilst there does not seem to be any capacity issues at the local schools, by virtue of the limited range of services and facilities in the locality, officers consider a development of this size and scale would give rise to a material increase in travel demands. The limited bus service and the inability for residents to reasonably walk/cycle to other service centres would mean they would be largely reliant of the private car to get around. As such, officers consider the proposed scheme to be contrary to Core Planning Principles identifies in paragraph 17 of the NPPF, ParaGRph 34 of the NPPF, policies DP/1 and TR/1 of the adopted Local Development Framework Development Control Policies Development Plan Document 2007 (the DPD) and Policies HQ/1 and TI/2 of the Emerging Local Plan 2013.

Residential amenity

158. The application is in outline only and therefore the layout plan submitted is for illustrative purposes only. However, officers need to be satisfied at this stage that the site is capable of accommodating the amount of development proposed, without having a detrimental impact on the residential amenity of occupiers of adjacent properties. The development of the site for residential purposes will result in the loss of outlook for some existing properties on the Oatlands and Brookside, and will significantly alter the current quiet and tranquil nature of the site. However, this in itself would not be a reason to object to the application.
159. Officers consider there is sufficient space on the site to allow the layout to be amended to meet Design Guide criteria. The Councils Urban Design Officer has not made any objections to the scheme on this basis. The proposal would therefore comply with policy DP/3 in this respect.

Open Space

160. The onsite public open space is shown on the indicative layout plan, and this will need to be secured through a Section 106 agreement, along with off-site and maintenance contributions where appropriate.
161. The Recreation and Open Space Study dated July 2013 identified Orwell as needing a total of 1.70 ha of sports space (or 1.696 ha to be exact). Orwell was said to have 1.33 ha of sports space therefore a deficit of 0.37 ha of sports space was identified. This assessment was based on the population of Orwell from the 2011 Census and it

is accepted that some development has occurred since then adding perhaps 50 more people in the village. If 50 people were added to the equation at current time the sports space need for Orwell would be 1.776 ha (i.e. a 'new' deficit of 0.446 ha).

162. Here the application is for 49 dwellings and one could assume as a ballpark figure that some 120 people will live on the development (i.e. the sports space needs increases further to circa 2 ha of sports space with a deficit increasing to 0.64ha).
163. According to policy SF/11 the development itself gives rise to the need of less than 0.2 ha of sports space. Furthermore the Open space in new development supplementary planning document (Jan 2009) gives a guide of 200 dwellings for when onsite sports space should be provided.
164. The applicant is proposing an area of land to the side of the application site equivalent to 1.62 ha. This would be roughly 8 times what they would be required to provide by current planning policy. Officers consider this provision would be a benefit to the community.
165. Officers understand that the Parish Council have suggested that the proposed land for car parking should be excluded and therefore a total of 1.35 ha is being proposed for sports space. Whilst officers have a great deal of sympathy for this argument, unfortunately Officers are bound by the planning policy and Appendix 3 of the Open space in new developments supplementary planning document gives a definition for Outdoor Sport as follows:

'Facilities such as grass pitches for a range of sports, bowling greens, tennis courts, athletics tracks and multi-use games areas plus ancillary facilities such as car park, changing and storage. Water can only be included if it is in the form of a formal water sports lake with associated ancillary facilities and car park'
166. On this basis the District Council would have to consider that the total offer being made is for 1.62 ha of sports space.
167. The recreation ground being offered does not fulfil the total needs of the village but officers not convinced that a decision maker looking at this issue alone would have reasonable grounds to refuse the scheme. Government policy would not allow the application to mitigate an existing shortfall and local policy could not necessarily insist on the developer providing this as part of a development of less than 200 dwellings.
168. If the District Council were to consider this scheme favourable then Orwell Parish Council will need to provide an indication on whether or not they want to secure the new recreation ground, whilst still maintaining an in principle objection. Alternatively, off-site contributions towards outdoor play space and informal open space would be required. Like the recent appeal decision at Swavesey (ref: S/0875/15/OL) this can be discussed within the terms of the S106 agreement and would involve the need for a change of use application to be submitted for the land.

Highway Safety and Access

169. In respect of local traffic patterns and accident records, the Transport Assessment Team requested additional information. This has been provided by the applicant and has been assessed by the County Council. As a result of the findings they raise no "in principle" objections to the scheme subject to a number of terms and conditions which have been detailed in there comments above.

170. The details of the access on to Hurdleditch Road from the site have been accepted in principle with the correct visibility splays. However, the County Council Development Management Team, along with Petersfield Primary School and the Parish Council had raised concerns in regards to the general layout of the coach and car parking drop-off point and its practicalities. Whilst the applicants have attempted to remedy this concern in a revised plan (dated 28 April), there is still an element of concern and as proposed, the local highway authority would not accept either layout. As a result the agent/applicants have withdrawn the revised illustrative master plan and Transport Statement and are now referring back to the original and amended TS (dated May 2016).
171. The LHA recommend a condition is added to any permission to require the proposed car park and associated access is only provided if this is deemed necessary for the school in accordance with there 'Travel Plan' arrangements and subject to a suitable layout being achieved that is acceptable to the Local Highways Authority. Officers consider this to be reasonable given the 'in principle' support from the Parish Council and School for enlarged parking facilities.
172. A footpath should be provided from the proposed access southwards to join up with the existing footpath, which currently ends at the primary school access. This can be secured by a S106 agreement. A request has also been made to secure contributions towards to new bus shelter and the re-location of the signs.
173. Many of the representation from Orwell residents express concerns over the impact of increased traffic on already congested roads, the width of the roads and highlighting queuing traffic at a number of pinch points. Whilst these concerns are frustrating for local residents, the highways authority does not oppose the scheme on grounds of either safety or capacity.

Environmental Dimension

Impact on character of the village and landscape

174. The application proposes new housing at a density of approximately 14 dwellings per hectare (dph). Policy HG/1 requires new developments to make best use of the site by achieving average net densities of at least 30 dph unless there are exceptional local circumstances that require a different treatment. Policy H/7 of the Draft Local Plan confirms that density requirement, but states that it may vary on a site where justified by the character of the locality, the scale of the development or other local circumstances.
175. Both Policy HG/1 and H/7 are considered to be policies that relate to the supply of housing, and are therefore to be considered as being out of date. However, one the aims of the policy is to the need to respond to local character, which is supported by the aims of the NPPF as identified below, and Policies DP/2 and DP/3 of the adopted LDF. Policies DP/2 and DP/3 are not considered to be housing supply policies and are not therefore considered to be out of date. Officers are of the view that considerable weight can therefore be given to Policy HG/1 and H/7 where the proposed density of a particular development compromises local character and the aims of paragraph 58 of the NPPF which states that it should be ensured that developments respond to local character, and history, and reflect the identity of local surroundings and materials.
176. Policy DP/2 of the LDF states that all new developments should preserve or enhance the character of the local area; conserve or enhance important environmental assets of the site; and be compatible with its location in terms of scale, mass and form. Policy

DP/3 of the LDF states that planning permission will not be granted where the proposed development would, amongst other criteria, have an unacceptable adverse on village character, the countryside and landscape character.

177. The site is situated within the East Anglian Chalk Landscape Character Area and the landscape character of the site and its immediate surrounding are typical of East Anglian Chalk comprising large agricultural fields separated by low trimmed hedges, and set in an open and gently rolling landscape. There are mostly small, scattered villages with well defined edges by mature trees and thick hedgerows.
178. Orwell is a linear village which retains a historic street pattern. To the north of the village is the chalk ridge of Toot Hill, which overshadows the village. Most of the village is bordered by large open arable fields, with some small fields on the edge forming a transition. Development of this site would extend the village out into the open countryside in a location with an existing soft green edge of the existing recreation ground.
179. The development would result in the introduction of development in an area that is currently undeveloped, and given the site characteristics and landscape setting, development of the scale proposed has the potential to result in a loss of openness to the countryside and landscape and visual harm.
180. The Urban Design Team, whilst accepting that layout is a reserved matter, has raised concerns to the illustrative layout plan for up to 49 dwellings, as it was poorly connected/integrated into the village. The Landscape Officer has objected to the application due its impact on rural characteristics of the area and the lack of existing natural boundaries to obscure future development on an important approach to the village.
181. The Local Planning Authority therefore considers that a development of up to 49 dwellings would be likely to exert a harmful effect on the landscape and visual amenities of the area, contrary to Policies DP/1, DP/2, DP/3 and NE/4 of the South Cambridgeshire Local Development Framework Development Control Policies DPD, 2007.

Surface water drainage

182. Representations received indicate that flooding is an on going problem in some parts of the village. As part of the application site lies in Flood Zone 2/3, the applicants have submitted a detailed Flood Risk Assessment with the application and have also indicated a 25m buffer of undeveloped land along with an attenuation pond on the indicative master plan.
183. The Lead Local Flood Authority has not raised an objection following the recommendations put forward and is of the view that surface water drainage from the site. They have requested that pre-commencement conditions be included for further details in any outline consent.

Foul water drainage

184. Anglian Water accepts there is currently no capacity to deal with foul drainage flows from the proposed development. However, it states it is obligated to accept the foul flows from developments with the benefit of planning consent and would therefore take necessary steps to ensure that there is sufficient treatment capacity if the development goes ahead.

185. The agent/applicant has liaised with Anglian Water to establish an alternative foul water drainage scheme. The Flood Risk Assessment produced by Fairhurst and the Planning Statement submitted with the application indicate that the site will be served by a dedicated on-site pumping station and a new drainage pipeline which will run around the perimeter of the village, to the south west within land owned by the applicant. Accordingly, foul drainage from the development will bypass the centre of the village. Anglian Water have raised no in principle objections to the strategy subject to a compliance condition on any decision notice.

Heritage Assets

186. Whilst the application site lies outside the Orwell Conservation Area and is not directly adjacent to any Listed Buildings, views of the Grade I Listed St Andrews Church can be seen over the fields when walking down Hurdleditch Road due to the church being situated on an elevated position.
187. In relation to preserving the settings of listed buildings Section 66(1) of the Listed Buildings and Conservation Areas Act (1990) provides that “in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall 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”.
188. Paragraph 132 of the NPPF, in the section dealing with the conservation and enhancement of the historic environment, states that “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification”.
189. Paragraph 133 of the NPPF states that where a proposed development will lead to substantial harm or to a total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
190. Paragraph 134 of the NPPF says that “(where) a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use”.
191. Recent planning case law has confirmed that having “special regard” to the desirability of preserving the setting of a listed building under section 66 involves more than merely giving weight to those matters in the planning balance. In particular, case law has confirmed that “preserving” in the context of Listed Buildings means doing no harm.
192. Moreover, there is a statutory presumption, and a strong one, against granting planning permission for any development which would fail to preserve the setting of a listed building. A finding of harm to the setting of a listed building gives rise to a strong presumption against planning permission being granted. The presumption is a statutory one. Even if harm is considered to be “less than substantial” then “considerable importance and weight” to the desirability of preserving and or

enhancing should be applied.

193. In the context of considering this application, a judgement must be made as to whether the development proposals would cause any harm to the setting of the listed church, having regard to the statutory duty to have special regard to the desirability of preserving its setting.
194. If there is harm, a judgement needs to be made as to whether this harm is substantial (including total loss of significance of a heritage asset) or less than substantial. Where harm is identified, the overarching statutory duty requires considerable weight to be given to preservation, and a strong statutory presumption against development should apply.
195. If approved, the proposed development would partly block some of the existing views to the Grade I Listed Church, however, the majority of the views from top end of Hurdleditch Road and including that from the A603 will be retained. As such, provided any future reserved matters application includes some sort of vista through the site, as recommended by the Conservation Officer, the proposed development is considered to lead to less than substantial harm to the significance of the designated heritage asset.
196. This harm would then need to be weighed against the public benefits of the scheme and this would include additional housing to meet the five year supply, the provision of affordable housing, additional car parking facility and a potential recreational ground.
197. A desk based archaeological investigation of the site has been undertaken and findings submitted in a report. The Archaeology Team at the County Council does not object to development from proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a condition.
198. Taking these factors into account officers consider the development would largely preserve the setting of the listed building and be acceptable from an archaeological point of view. Thus while policies CH/2 and CH/4 are to be regarded as housing supply policies, and therefore considered to be out of date, no harm has been identified in this instance, which would prevent the application from being approved.

Ecology

199. To the north of the village lies the Orwell Chalk Pits that is designated as a SSSI (site of special scientific interest). Natural England was consulted on the planning application and had initial concerns with the impact of additional residents to the maintenance and management of the SSSI.
200. Natural England was supportive of a new recreational field and the open space within the site, as it would take the pressure off the SSSI. It was also agreed that some funding (via S106) would go towards the upkeep of the area, along with benches, bins and signs. Natural England removed their objections to the scheme on this basis.
201. The application is accompanied by a number of Ecology Reports assessing the impact on protected species in and around the site. The Ecology Officer has raised no objection, subject to safeguarding conditions and the submission of an ecological enhancement scheme.
202. Thus while policy NE/6 is to be regarded as a housing supply policy and is therefore

considered to be out of date; no harm has been identified in this instance, which would prevent the application from being approved.

Renewable Energy

203. The applicant has indicated that the scheme will comply with the need to provide renewable energy generation technology to comply with Building Regulation targets, plus the additional 10% reduction and 10% on-site energy generation targets, but has stated that this can only be resolved at the detailed stage as further design and layout information becomes available.
204. Officers are of the view that this matter can be dealt with by condition, however the detailed layout and orientation of dwellings should seek to maximise energy saving possibilities. The applicant indicates that the detailed scheme will comply with national housing standards in respect of water conservation.

Protecting High Quality Agricultural Land

205. The site is classified as Grade 2 agricultural land. Policy NE/17 states that planning permission should not be granted or development that would result in its irreversible loss, unless the land is allocated for development, or sustainability considerations and the need for development are sufficient to override the need to protect the agricultural value of the land.
206. Policy NE/17 is considered to be a policy that restricts the supply of housing, and is therefore considered out of date. The application site does form part of a larger area of agricultural land, which does mean the loss would be relatively significant; however, the loss of such a small area of land would need to be weighed in the balance of providing additional homes in the district.

Noise

207. Due to the size of the scheme, it is likely to have an impact on the surrounding residents. Whilst it is unreasonable to set a timescale restriction to construction phase of the development, officers consider it reasonable to apply the conditions suggested by the environmental health officer to mitigate any significant harm.
208. The Council's Environmental Health Officer considers that the principle to be acceptable, however, additional details of the coach drop-off/pick up area will need to be submitted in regards to the impact on amenity of residents and necessary mitigation measures. The Environmental Health Officer considers this can be dealt with by the way of a planning condition.

Planning Obligations

209. From 6 April 2015, the use of 'pooled' contributions toward infrastructure projects has been restricted. Previously, LPAs had been able to combine planning obligation contributions towards a single item or infrastructure 'pot'. However, under the Community Infrastructure Levy Regulation 123(3), LPAs are longer be able to pool more than five planning obligations together if they were entered into since 6 April 2010, and if it is for a type of infrastructure that is capable of being funded by the CIL. These restrictions apply even where an LPA does not yet have a CIL charging schedule in place.
210. The Council can confirm that there have been five section 106 agreements in respect

of developments in the village of Orwell since 6 April 2010 contributing towards (i) off site open space and (ii) offsite indoor community space improvements. As such the CIL Regulations prevent the LPA from lawfully securing further tariff style contributions towards unidentified offsite open space improvements in accordance with development control policies and the open space in new development SPD.

211. The LPA recognises that the Planning Practice Guidance requires that 'In all cases, including where tariff style charges are sought, the local planning authority must ensure that the obligation meets the relevant tests for planning obligations in that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind'. It goes on to say that 'Planning obligations must be fully justified and evidenced' and as such the LPA take the view that a project should be identified in order to ensure CIL compliance.
212. Appendix 1 provides details of the developer contribution required to make the development acceptable in planning terms in accordance with Policy DP/4 of the LDF and paragraph 204 of the NPPF.

Other Matters

213. Both the Parish Council and the Primary School have raised concerns, as the proposal would inhibit the school from expanding in the future. There is currently no adopted neighbourhood plan for the village and furthermore there are no guarantees the existing landowner would sell the site off for this purpose. As such this matter alone is not a material planning reason to reject an application.
214. If approved the agents have confirmed that a management company will look after the attenuation pond and informal open space if the Parish Council did not want to take it on.
215. A utility report has been submitted with the application which confirms there is scope to attach the dwellings to existing services (telephones, internet services etc.).

Recent Appeal Decisions

216. The officer's recommendation for refusal on a similar, albeit smaller proposal in Balsham, as published for the purposes of the June 2016 Planning Committee, was subject to challenge from the applicant. That led to the application being deferred from consideration at that time. As a consequence this application was also deferred from being considered.
217. The challenge to the other application referred particularly to recent appeal decisions within the district at Foxton (APP/W0530/W/15/3084325) and Swavesey (APP/W0530/W/15/3139078) and the relevancy of these decisions in the determination of the application.
218. The Foxton appeal decision related to an application for outline planning permission for up to 95 dwellings (reduced to 75) at Land off Shepreth Road, within the countryside. Foxton is a designated Group Village. The appeal was dismissed with the inspector concluding, due to serious harm to the setting of the grade II Foxton House, the proposal does not comprise sustainable development.
219. The Swavesey appeal decision related to an application for outline planning permission for up to 30 dwellings, at 18 Boxworth End. The majority of the site is

located within the countryside. Swavesey is designated as a Group Village. The appeal was allowed and planning permission granted, with the inspector concluding that the development would represent sustainable development.

220. The challenge has raised that in both instances “limited” weight is given to the out of date policies DP/7 and ST/6 and that development of the scale proposed was not considered to result in harm by way of an unsustainable location. This could be construed as comparable to this application given that Swavesey and Foxton are designated similarly as Group Villages within the adopted Core Strategy. The Foxton appeal started on the 31 July 2015, with statements due on the 11 September 2015 and the inquiry evidence given on the 12 January 2016 and held on the 9 February 2016. The Swavesey appeal started on the 14 December 2015, with final comments due on the 19 February 2016.
221. Given those dates of the appeals, as referenced above, it is considered that the applications and appeals pre-date the Court of Appeal decision (*Richborough v Cheshire East and Suffolk Coastal DC v Hopkins Homes*) dated 17ⁿ March 2016. As such the local authority in presenting the statements and inquiry evidence and the inspectors assessment of these particulars, did not benefit from this ruling and in particular to recognition by the Court of Appeal that out of date housing supply policies can still be given weight – even considerable weight – if they still maintain a planning function.
222. Another appeal decision (APP/W0530/W/15/3138791) has only recently been issued in respect of a site in Duxford. The impact of that appeal decision on this application, will be provided in an update report and will be considered as part of the decision making on this application.
223. It is considered that the Core Strategy DPD objectives (ST/a –K) and the associated suite of policies ST/2 - ST/7 and Development Control Policies policy DP/7 maintain an important and valid planning function because they ensure that development is sustainably located and unsustainable locations are avoided. This matter was not addressed or considered in the two appeals. As such, the relevance of those earlier decisions and the desirability in principle of consistency in decision making is outweighed by the fact that this important factor was not addressed or considered in earlier appeal decisions. Following the decision of the Court of Appeal, it is necessary in all cases to consider what weight should be attached to out of date housing supply policies having regard inter alia to whether they still fulfil a planning function.
224. These matters were not considered in the two appeals and as such, the desirability in principle of consistency in decision making is displaced by the fact that this important factor was not considered or therefore part of the decision making process which led to those appeals being determined.
225. With respect to those appeal sites not being considered unsustainable locations, their individual merits in terms of availability and accessibility of services, public transport links and employment opportunities are not comparable in this instance. Furthermore, each site is assessed on its individual merits.
226. A note of advice, addressing the matters raised by Rupert Warren Q.C on behalf of the applicants for the site at Balsham, has been prepared by Douglas Edwards Q.C on behalf of the Local Authority, dated June 2016. The note of advice has informed the approach to this recommendation to Planning Committee.

Conclusion

227. In considering this application, the following relevant adopted development plan policies are to be regarded as out of date while there is no five year housing land supply:
228. ST/6: Group Villages – indicative maximum scheme size of 8 dwellings
DP/1 : Sustainable Development
DP/7: Village Frameworks
HG/1: Density
HG/2: Housing Mix
NE/6: Biodiversity
NE/17: Protecting High Quality Agricultural Land
CH/2: Archaeological Sites
CH/4 : Development in the Setting or Curtilage of a Listed Building
229. This means that where planning permission is sought which would be contrary to the policies listed above, such applications must be determined against paragraph 14 of the NPPF.
230. For the reasons outlined above, officers are of the view that significant weight can be given to Policies ST/6, DP/7 and HG/1 in this case. Officers have identified in the report the areas where they consider that significant and demonstrable harm will result from proposal, in terms of the unsustainable location for a development of the scale proposed, and impact on the rural character of the village. Officers have based the first part of this conclusion on the specific circumstances of Orwell, taking into account that Orwell is not considered a sustainable location for development of this scale as outlined in the planning assessment.
231. In making the planning balance any adverse impacts must be weighed against the potential benefits of the development outlined in the preceding section of this report.
232. In this case the adverse impacts of the development are considered to significantly and demonstrably outweigh the benefits of the development, when assessed against the policies in the NPPF taken as a whole. Although the development would provide a larger number of dwellings to meet the identified shortfall in supply and this is a benefit, this increase would equally compound the concerns that Orwell is not a sustainable location for the scale of development proposed.
233. Planning permission should therefore, on balance, be refused because material considerations do not clearly outweigh the substantial harm identified, and conflict with out of date policies of the LDF. Officers have outlined in the above paragraphs why Policies ST/6, DP/7 and HG/1 should still be given significant weight in this case.

Recommendation

234. Officers recommend that the Planning Committee should refuse the application for the following reasons.
1. Orwell is identified as a Group Village in the Adopted Core Strategy DPD 2007, where Policy ST/6 states that development is normally restricted to groups of a maximum scheme size of 8 dwellings within the village framework. The proposed site is outside the village framework of Orwell where DP/7 of the adopted Development Control Policies DPD development restricts development to uses which need to be located in the countryside. The Council

recognises that the aforementioned policies are currently considered out of date, and that the application therefore needs to be determined in accordance with paragraph 14 of the National Planning Policy Framework (NPPF) with the presumption in favour of sustainable development, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. However, the Council is of the view that considerable weight can be given to Policy ST/6 as it continues to fulfil a planning objective in and is consistent with the NPPF presumption in favour of sustainable development, by limiting the scale of development in less sustainable rural settlements with a limited range of services to meet the needs of new residents in a sustainable manner. Some weight can also be given to Policy DP/7 as it continues to fulfil a planning objective of limiting development, and is also consistent with the NPPF presumption in favour of sustainable development. The Council also recognises that Policy DP/1 is out of date in so far as DP/1 1a. relates to the supply of housing, however in all other respects the Council is of the view that Policy DP/1 is consistent with the aims of the NPPF in respect of the presumption in favour of sustainable development, and therefore significant weight can be given to Policy DP/1 as it continues to fulfil a planning objective consistent with the NPPF.

In this case, the scale of the development proposed is not considered to represent a sustainable form of development as Orwell has been identified as not being a sustainable location for the scale of development proposed. Although some local community and social facilities are available, the services in Orwell has been found deficient in a number of areas, which are likely to generate regular journeys, which are not likely to be made other than by the private car. These are the lack of significant sources of employment in the vicinity, the nearest secondary school being Bassingbourn Village College, limited access to leisure centres and that anything other than the most basic shopping trip not being able to be fulfilled other than by use of the private car. On this basis the proposal is considered to materially and demonstrably conflict with the aims of the NPPF as it fails to meet the environmental role of sustainable development and Policies DP/1, DP/7, ST/6 and TR/1 of the adopted Local Development Framework 2007, which are all policies which are considered to continue to fulfil a planning objective in terms of securing development is located sustainably. Any benefits arising from the development are considered to be significantly and demonstrably outweighed by the identified harm.

2. The site is located in the countryside and forms part of an important rural gateway into the village. The transition is marked by arable fields, leading onto the soft edge of the recreation ground, adjacent to which is the clearly defined built-up framework of the village. Views are also afforded across the fields to the Grade I Listed Church (St Andrews). These aspects represent the character of the area and are what makes the landscape locally distinctive.

The outline application seeks development of the site for up to 49 dwellings. The Local Planning Authority is of the view that the development would be out of character with the pattern of development in this immediate area, it would not maintain the existing clear transition and as a result it would have an unacceptable adverse impact overall local character. Furthermore, the proposal, as submitted, has not presented any options to mitigate the above concerns. For this reason the proposal is contrary to the aims of Policies DP/2, DP/3 and NE/4 of the adopted Local Development Framework, which seek to ensure that new development.

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 Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Plan 2004
- Planning File Ref: S/3190/15/OL

Report Author:

Rebecca Ward

Senior Planning Officer

Telephone Number:

01954 713236

This page is left blank intentionally.

South Cambridgeshire District Council (Affordable Housing)									
Affordable housing percentage					40%				
Affordable housing tenure					70% affordable rent and 30% Intermediate				
Local connection criteria					Local and district connection proposed by Housing Officer				
Ref	Type	Policy	Required	Detail	Quantum/comments	Fixed contribution / Tariff	Officer agreed	Applicant agreed	Pooled obligations
Cambridgeshire County Council									
CCC1	Early years	DP/4	NO	No request made by Cambridgeshire County Council	£0		Yes	TBC	
CCC2	Primary School	DP/4	NO	No request made by Cambridgeshire County Council	£0		Yes	TBC	
CCC3	Secondary school	DP/4	NO	No request made by Cambridgeshire County Council	£0		Yes	TBC	
CCC4	Libraries and lifelong learning	DP/4	NO	No request made by Cambridgeshire County Council	£0		Yes	TBC	
CCC5	Strategic waste	RECAP WMDG	NO	Maximum pooling limit reached	£0		Yes	TBC	
CCC6	Transport/ Highways	TR/3	Y	The Relocation of the 30mph signs, road markings and gateway features to the west of the site access to a location to be agreed with CCC. Maintenance of bus stop shelter to provided by way of planning condition Link the footpaths of the site onto the existing public footpath adjacent to St Peters Primary School (to agreed either by S106 or condition)	TBC £7,000 TBC		Yes	TBC	
South Cambridgeshire District Council									
SCDC1	Offsite open space (sport)	SF/10	Y	The recreation study of 2013 identified Orwell as needing 1.70 ha of sports space whereas it has 1.33 resulting in a deficit of 0.37 ha of sports space. Orwell Parish Council has said that in order to meet the needs of sports groups that the development is required to provide additional sports space.	Officers 1.62ha of land to be a practical solution. However, consideration needs to be given to how reasonable it is for the applicant to be required to layout in accordance with the Parish Councils requirements.		Yes	TBC	None

				<p>Although not forming part of the planning application, the applicant has put forward plans showing an area of land of 1.62ha to the north of the site which the owner would be prepared to offer to the Parish Council for nil consideration.</p> <p>Orwell Parish Council take the view that it would be more appropriate (from a recreation provision perspective) to 'swap' the 2 parcels of land, the effect of which would be that the recreation area extension would be adjacent to the current recreation ground.</p> <p>Although this would appear at first glance to be a sensible proposal Officers are unable to support this suggestion as there is an existing vehicular track separating the 2 pieces of land and the ambitions of the Parish Council could not be realised without the permission of the owner of the track.</p> <p>In the event Orwell Parish Council accepts the offer made by the applicant, contributions would required towards:</p> <ul style="list-style-type: none"> a. Conversion of agricultural field for sports use (£80,000-100,000) b. New car parking (£75,000-£95,000) c. New changing facilities (unknown cost) <p>Additional parking spaces on the existing recreation ground through installation of rubberised matting, grass crete or similar (£35,000)</p>					
SCDC2	Open space (children's play)	SF/10	Y	The recreation study of 2013 identified Orwell as needing 0.85 ha of sports space whereas it has 0.10 resulting in a deficit of 0.75 ha of children's play space.			Yes	TBC	None

			<p>In accordance with the open space in new developments SPD a LEAP comprising 9 items of equipment for 4-8 year olds over an activity area of 500m2 is required on developments on 50 dwellings or above.</p> <p>Due to the proximity of the recreation ground both the Parish Council and Officers consider that a payment in lieu is a more appropriate solution.</p> <p>Orwell Parish Council have confirmed that they wish for the following 'play' related projects to be funded by this development:</p> <p>1.Provision of new play equipment on the village recreation ground (£14,000)</p> <p>2.All weather play area to be shared with the primary school (£200,000 to £250,000)</p> <p>3.Replacement Swimming Pool (£950,000-£1,300,000,)</p>	<p>Reasonable request</p> <p>Officers consider that the development on its own is not required to fund the full cost of the weather play area, if considered alongside the recreation area. However, if the recreation space does not come forward consideration can be given to this requirement.</p> <p>Not considered to be reasonable to ask for full amount. However, if the PC were able to identify how the existing pool could be upgraded to improve its use this maybe something officers are willing to support.</p>				
--	--	--	--	---	--	--	--	--

SCDC3	Open space (informal open space)	SF/10	Y	<p>Orwell Parish Council have confirmed that they wish for the following informal open space related projects to be funded by this development :</p> <p>Chapel Orchard – Footbridges and footpaths (£45,000)</p> <p>Brookside footbridge upgrade</p>	<p>Officers consider roughly 11% (increase in population from the development) contribution towards the full amount suggested by the PC would be reasonable.</p> <p>Uncertainty over ownership of land and access rights. Not reasonable to request contribution.</p>		Yes		None
SCDC4	Offsite indoor community space	DP/4	Y	<p>In accordance with the policy approved by the portfolio holder in 2009 Orwell needs 120 m2 of indoor community space whereas it has 155 m2 resulting in a surplus of 35 m2.</p> <p>Orwell is served by Orwell Village Hall which the 2009 community facilities audit described as being "a well maintained, good quality hall of a good size. Facility has been delivered piecemeal, but is accessible throughout and has character. Permanent stage in good order and suitable for other activities. Toilets not up to standard of rest of building.</p> <p>Orwell is defined as a Group Village in the Core Strategy and in accordance with the Community Facilities Audit 2009 the proposed standard for a Group Village is as follows:</p>	<p>Nothing submitted by the Parish Council that officers consider would be reasonable in accordance with the regulations.</p>		Yes		None

			<ul style="list-style-type: none">• Group Villages should offer a facility of reasonable size which offers access to community groups at competitive rates.• The facility should feature a main hall space which can be used for casual sport and physical activity; theatrical rehearsals/ performances and social functions, however, it is recognised that one use may be favoured depending upon demand.• All new facilities, including toilets, should be fully accessible, or retro-fitted if viable to ensure compliance with Disability Discrimination Act legislation wherever possible.• Facilities should include an appropriately equipped kitchen/ catering area for the preparation of food and drink. The venue should have the capacity for Temporary Events for functions which serve alcohol.• Where practical and achievable, new build facilities should be delivered with appropriate energy-efficiency measures in place, although this should be undertaken with the balance of expenditure/saving in mind, given the likely hours of usage. Likely measures include light sensors/timers, Cisternisers, improved insulation etc.• Facilities should be functional spaces, designed to offer ease of management, as volunteers are					
--	--	--	--	--	--	--	--	--

				likely to be primarily responsible for day to day upkeep. The contribution required as per the indoor community space policy would be: 1 bed - £284.08 2 bed - £371.00 3 bed - £513.04 4+ bed - £703.84 Orwell Parish Council have said that they require the following : 1. Table tennis, table football, pool table provision at the youth club (total £1400) 2. Upgrade of church toilets (£25,000-£30,000)					
SCDC5	Household waste receptacles	RECAP WMDG	YES	£72.50 per dwelling	£3,987.50 (circa)	Tariff	YES	TBC	None
SCDC6	S106 monitoring		YES	A fee of £1,500	£1,500	Fixed fee	YES	TBC	
Non standard requirements									
OTHER1	Health	DP/4		As part of the emerging local plan the Council contacted NHS England who confirmed that capacity pressures existed at the Eversden Surgery. Officers have contacted both NHS England and the Surgery seeking clarification as to the current situation with capacity in order to ascertain whether mitigation measures are required. To date no answer has been received but it may be that contributions are considered necessary during the course of any ensuing planning appeal.			Yes	TBC	There have currently not been any contributions pooled towards this specific project
OTHER2	Strategic Green Space	DP/4	YES	Natural England have sought a small contribution towards providing mitigation at Orwell Clunch Pit SSSI.	£2500 (£50 per household)		YES	YES	

				<p>Such works include:</p> <ul style="list-style-type: none"> a. Removal and replacement of old fencing b. Replacement of one large field gate and adjacent kissing gate. c. Construction of two sets of sleeper based steps. d. At least two new notice boards. e. Extend scrub clearance to provide sheep with a protected area away from the increased numbers of the general public 					
<p>TOTAL – TBC (subject to final housing mix)</p> <p>PER DWELLING - TBC (subject to final housing mix)</p>									

NB. This note covers only infrastructure that is to be secured via a planning obligation under section 106 of the Town and Country Planning Act 1990 (as amended). Planning applications are often required to also provide new or improvements to existing infrastructure including but not limited to highways, drainage and biodiversity. Such measures will be secured via a planning condition and details of these are set out in the planning committee report.

This page is left blank intentionally.

ORWELL PARISH COUNCIL

Clerk: Mrs Judy Damant

Parish Office, Meldreth Community Rooms, Elin Way, Meldreth, Royston, Herts, SG8 6LT
(01763) 269928

email: parishclerkorwell@dsl.pipex.com
www.orwellparishcouncil.btck.co.uk

17th May 2016

ref:4.11

Land at Hurdleditch Road, S/3190/15/OL – amended plans.

Dear Sir/Madam

Re: Orwell Parish Council's response to amended plans that provide for school parking.

Orwell Parish Council's comments on the plans amended to provide for a coach set-down area and parking for the school ("school parking") are as follows:

1. The original plans for this development made little provision for school parking, despite a very strong representation made throughout the public consultation phase of the process that school parking was essential. The Village was extremely disappointed that so little regard had been paid to their concerns in respect of school parking provision in the initial outline plans. The only conclusion that can be drawn is that the developers always knew they would have to give way on this provision but chose to save it up for the negotiating phase in order to evidence their preparedness to meet village expectations and be seen to be reasonable and flexible in the application. The Village sees this cynical approach to negotiation for what it is, and it would like to make the point that this approach does little to foster a helpful and positive dialogue between the two parties.
2. The Village is still of the view that the development in this location will have a detrimental impact on the continued viability of the Village primary school. The school is already limited for space and is unable to further expand should it be necessary to do so. Whilst it can take a number of additional pupils now, with the new housing proposed in Orwell and neighbouring villages its capacity will soon be reached. Unless a solution can be found to expand the recreation ground in its current location or to re-locate it completely the school's future will be at risk.
3. In respect of the modified application (now making somewhat more appropriate provision for school parking) the Village would make the following points:
 - a) Number of parking spaces. The number of car parking spaces (hard to establish from the plans but approximately 20) now more accurately reflects the number of cars that would be displaced from being able to park along Hurdleditch Road by the development, as they currently do.
 - b) Locations of parking spaces. The car parking spaces are on the North West side of the new proposed loop road. That means that children will have to cross the road at some point in order to get to the school. This increases risk from the current arrangements. Currently, children are able to walk to the school along the grass verge without having to cross the road at any point, and in this respect parents have further minimised risk by voluntarily establishing a one-way road traffic system. With the new proposed parking not only is there a risk to the children in crossing the road to get to the school but a further risk has been introduced by the fact cars will be manoeuvring into and out of the parking spaces. If school parking provision is made as shown on the plans, three things are required to minimise the risk to children:

- i. Very good street lighting. School drop off and pick up takes place in dark or semi dark for some half of the school year. Payment for additional and comprehensive lighting will put further strain on the Village's budgets, as street lighting now has to be paid for by the Village itself.
 - ii. Some form of traffic control measures at the point where the new proposed school parking area joins Hurdleditch Road.
 - iii. Make the school parking area one-way at the point the parking area begins.
- c) Coach parking/set-down/pick-up location. This is judged as sensible. Children will not have to cross any road between the school and the bus.
- d) Access road leading to this new parking loop road. There is concern that the road, as shown on the revised plans, will not be able to accommodate coaches. It is narrow and there is a very tight bend, can coaches safely navigate this route – especially if residents' vehicles are parked out on the road? The Parish Council hopes that SCDC will validate the suitability of the road for coach traffic.
- e) Street parking. The limited parking provision for each house (one within the curtilage and one outside the curtilage) suggests that cars unable to park on their driveways will either park on the road side or in the parking spaces provided for the school. In connection with cars parking on the street this will block the way for the school bus(s). In connection with the residents using the spaces provided for the school this will mean on-street parking elsewhere as parents are displaced and this will a) increase congestion, and b) add further risk to the children. This matter needs to be addressed between the developers and SCDC.
- f) Alternative arrangements. In respect of the parking area, as proposed, in the amended plans, adjust the location of the bus drop-off/pick-up point to a point closer to Hurdleditch Road and move all car parking bays to the South side of the area (Eastwards). In that way no child, being dropped-off in the parking area, would need to cross the road. This would go some way to mitigating the issues raised at (3b) above and might also be preferable to residents as otherwise car headlights will shine into the houses twice each day for six months of the year when parents park their cars morning and evening. In respect of the current parking arrangements whereby parents park informally along Hurdelditch Road, why not formalise this with a long lay-by on the East side of Hudleditch Road? This has the merit of allowing the children to get out of, and in to, their cars without having to cross the road, the one exception being the (then) single entrance to the proposed development.

We would be pleased to discuss any aspect of the comments above should that be felt helpful by SCDC.

Yours faithfully

Judy Damant
Clerk



Petersfield School response to amended planning application, in respect of revised provision of coach set-down and car parking space for school use.

Dear Sir/Madam,

Petersfield School's comments on the plans amended to provide for a coach set-down area and parking for the school are as follows;

The School is pleased to see additional provision in the proposed plans for school parking, something that had been asked for previously by the School in its earlier comments on this application.

The School remains concerned that should the development proceed in its current location we will be unable to expand in the future to accommodate this and future housing developments without taking away the current village amenities recreation ground. The school is a five parish community school and therefore the catchment draws from surrounding villages not just Orwell.

With regard the specifics of the amended plan, the School has the following comments to make:

1. Number of parking spaces. The number of car parking spaces (hard to establish from the plans but approximately 20) now more accurately reflects the number of cars that would be displaced from being able to park along Hurdleditch Road by the development. It should be noted therefore the provision for car parking does not provide many, if any, additional capacity from the informal parking arrangement already in place along Hurdleditch Road.
2. Location of parking spaces. The car parking spaces are on the North West side of the road. That means that children will have to cross the road at some point in order to get to the school. This increases risk from the current arrangements as children are now able to walk to the school along the verge without having to cross the road at any point, and in this respect parents have further minimised risk by voluntarily establishing a one-way road traffic system along Hurdleditch Road. With the new proposed parking not only is there a risk to the children in crossing the road to get to the school but a further risk has been introduced by the fact cars will be manoeuvring into and out of the parking spaces. If school parking provision is made as shown on the plans, two things are required to minimise the risk to children:
 - a. Very good street lighting. School drop off and pick up takes place in dark or semi dark for some half of the school year.
 - b. Some form of traffic control measures at the point where the school parking area joins Hurdleditch Road, to allow the children to cross safely from the North West side of the new proposed car parking area

to the school entrance.

3. Coach parking/set-down/pick-up location. This is judged sensible. Children will not have to cross any road between the school and the bus.
4. Alternative arrangement. An alternative arrangement of the parking area, which would go some way to mitigating the issues raised at serial b) above, would be to adjust the location of the bus drop-off/pick-up point to a point closer to Hurdleditch Road and to move all car parking bays to the South side of the area (Eastwards). In that way no child being dropped-off in the parking area would need to cross the road. This might also be preferable to residents as otherwise car headlights will shine into the houses twice each day for six months a year and parents park their cars morning and evening.
5. Make the school parking area one-way at the point that the parking area begins. This should de-risk the area.

If you have any questions in connection with our comments above, or on any other matter concerning the School's views on the proposed development we would be pleased to talk with you.

Yours sincerely,

Colin Wilson
Chair of Governors

Mrs Karen Gwynn and Mrs Laura Penrose
Co-Headteachers



FOR INTERNAL USE ONLY

Scale - 1:2500

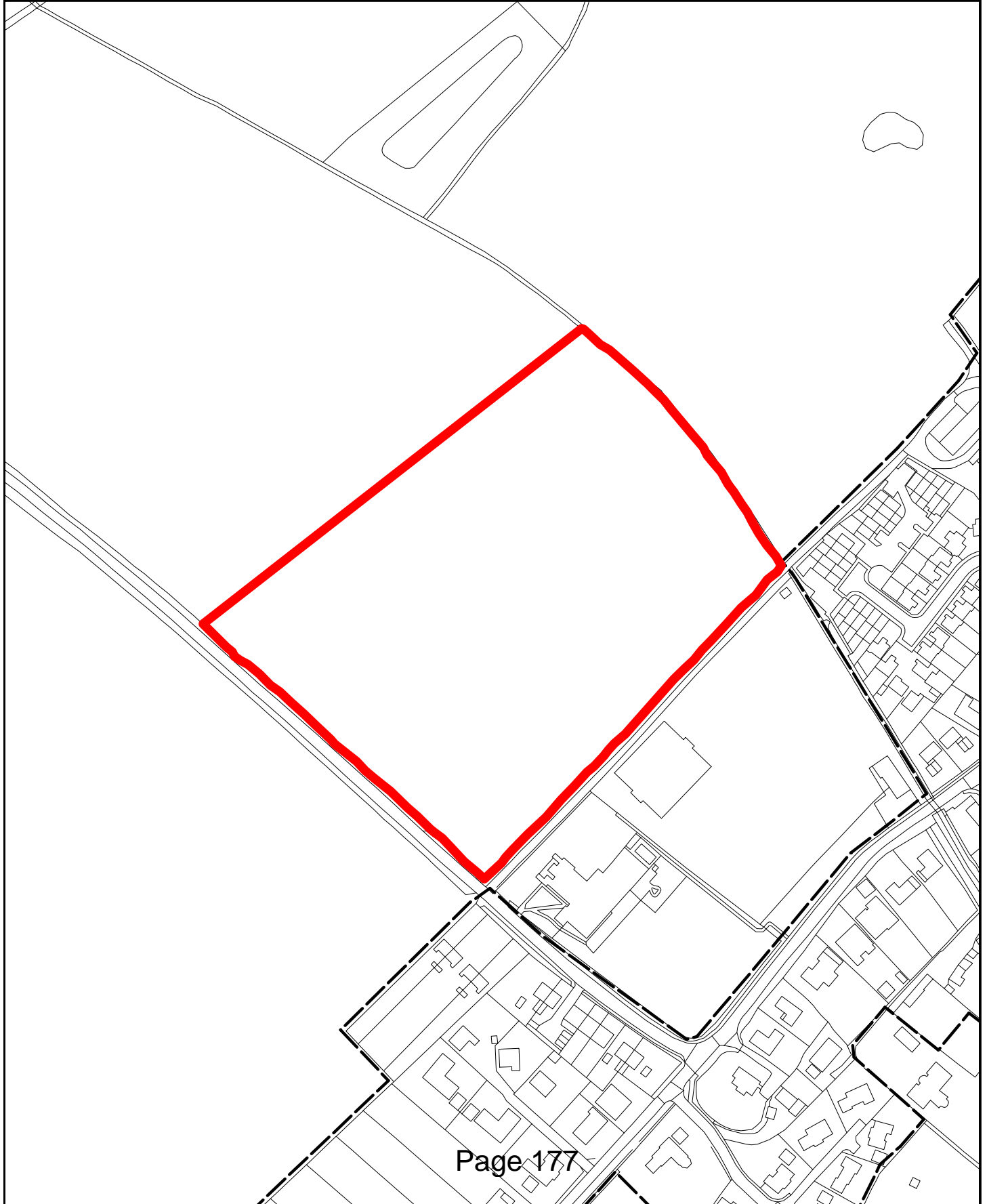
Time of plot: 08:42

Date of plot: 20/06/2016



**South
Cambridgeshire
District Council**

© Crown copyright [and database rights] (2015) OS (100022500)



This page is left blank intentionally.

Agenda Item 9

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6 July 2016

AUTHOR/S: Planning and New Communities Director

Application Number:	S/3181/15/FL
Parish(es):	Great Abington
Proposal:	Erection of 20 Dwellings, Associated Access and Landscaping
Site address:	Land to the North of Pampisford Road, Great Abington
Applicant(s):	Hill Residential and Mr B.C. and Mrs R. Moore
Recommendation:	Refusal
Key material considerations:	Housing Land Supply Principle of Development Proposed Allocation Character and Appearance of the Area Density Housing Mix Affordable Housing Developer Contributions Design Considerations Trees and Landscaping Biodiversity Highway Safety and Sustainable Travel Flood Risk Neighbour Amenity Heritage Assets
Committee Site Visit:	5 July 2016
Departure Application:	Yes
Presenting Officer:	Karen Pell-Coggins, Principal Planning Officer
Application brought to Committee because:	The Local Member has requested the application to be considered by the Planning Committee.
Date by which decision due:	8 July 2016

Executive Summary

1. This proposal, as amended, seeks permission for a residential development outside the Great Abington village framework and in the countryside. This development would

not normally be considered acceptable in principle as a result of its location. However, the district does not currently have a 5 year housing land supply and therefore the adopted LDF policies in relation to the supply of housing are not up to date for the purposes of the NPPF. However, the Local Planning Authority must still determine the weight to be applied to the policies even when out of date. In this case, considerable weight can be attached to these policies as they perform a material planning objective. However, given the scale of the development in relation to the sustainability of the location and that part of the site is allocated for residential development in the emerging Local Plan that was put forward by Great Abington Parish Council, the development of the site for residential purposes is supported in principle.

2. The NPPF states that there is a presumption in favour of sustainable development and where relevant policies are out of date, planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
3. Some adverse impacts that cannot be fully mitigated namely the visual harm to the rural character and appearance of the area through a poor quality layout and inappropriate landscaping together with harm to the occupiers of the new dwellings through an unsatisfactory relationship between a number of properties. These impacts are considered to demonstrably outweigh the benefits that consist of a contribution of 20 dwellings towards the required housing land supply including 8 affordable dwellings, a location with good transport links and a range of services, provision of open space, developer contributions towards community facilities and the creation of jobs during the construction period that would benefit the local economy. Given the above balance, the application is recommended for refusal.

Site and Surroundings

4. The site is located outside of the Great Abington village framework and in the countryside. It measures 1.1 hectares in area and currently forms a meadow at the south western edge of the village. There is a high hedge and trees on the eastern boundary of the site adjacent the High Street that is subject to a Tree Preservation Order. A post and rail fence and sporadic landscaping form the southern boundary adjacent to Pampisford Road. The western boundary is open. Part of the northern boundary adjacent to No. 110 High Street comprises a hedge and part is open. No. 108 High Street is a listed building. The site lies within flood zone 1 (low risk). A public footpath runs from Pampisford Road to the High Street to the west of the site.

Proposal

5. The proposal seeks the erection of 20 dwellings. 8 of the dwellings would be affordable in nature. The mix would consist of 2 x one bedroom flats, 2 x two bedroom houses, 3 x two bedroom bungalows and 1 x three bedroom house. The remaining 12 dwellings would be available for sale on the open market. The mix would consist of 3 x two bedroom houses, 4 x three bedroom houses, 3 x four bedroom houses and 2 x five bedroom houses. The layout would comprise houses fronting the High Street and Pampisford Road. There would also be an access road off Pampisford Road. The existing footpath would be extended from the High Street to Pampisford Road. The dwellings would be two storey in scale and have a maximum height of 9.8 metres. The designs would incorporate gables and dormer windows. The materials of construction would be red bricks/render and horizontal boarding for the walls and pantiles for the roofs. At least two parking spaces would be provided for each dwelling. The hedge and trees along the High Street would be removed. A replacement landscape buffer

would be provided along the High Street and a new landscape buffer would be provided along part of the northern, southern and western boundaries. A public open space would be provided on the site.

Planning History

6. S/1465/87/O – One Dwelling – Appeal Dismissed
S/1464/87/O – One Dwelling – Appeal Dismissed
S/1463/87/O – One Dwelling – Appeal Dismissed

National Guidance

7. National Planning Policy Framework
Planning Practice Guidance

Development Plan Policies

8. **South Cambridgeshire Local Development Framework Core Strategy DPD 2007**
ST/2 Housing Provision
ST/6 Group Villages
9. **South Cambridgeshire Local Development Framework Development Control Policies DPD 2007**
DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/4 Infrastructure and New Developments
DP/7 Development Frameworks
HG/1 Housing Density
HG/2 Housing Mix
HG/3 Affordable Housing
NE/4 Landscape Character Areas
CH/2 Archaeological Sites
CH/4 Development Within the Setting of a Listed Building
NE/6 Biodiversity
NE/11 Flood Risk
SF/10 Outdoor Playspace, Informal Open Space, and New Developments
SF/11 Open Space Standards
TR/1 Planning For More Sustainable Travel
TR/2 Car and Cycle Parking Standards
10. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
Open Space in New Developments SPD - Adopted January 2009
Biodiversity SPD - Adopted July 2009
Trees & Development Sites SPD - Adopted January 2009
Landscape in New Developments SPD - Adopted March 2010
Listed Buildings SPD- Adopted July 2009
Affordable Housing SPD - Adopted March 2010
District Design Guide SPD - Adopted March 2010
11. **South Cambridgeshire Local Plan Submission - March 2014**
S/3 Presumption in Favour of Sustainable Development
S/5 Provision of New Jobs and Homes
S/7 Development Frameworks
S/10 Group Villages

HQ/1 Design Principles
H/1j Allocation for Residential Development at Villages
H/7 Housing Density
H/8 Housing Mix
H/9 Affordable Housing
NH/2 Protecting and Enhancing Landscape Character
NH/4 Biodiversity
NH/14 Heritage Assets
CC/1 Mitigation and Adaptation to Climate Change
CC/3 Renewable and Low Carbon Energy in New Developments
CC/4 Sustainable Design and Construction
CC/6 Construction Methods
CC/9 Managing Flood Risk
SC/6 Indoor Community Facilities
SC/7 Outdoor Playspace, Informal Open Space, and New Developments
SC/8 Open Space Standards
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision
TI/8 Infrastructure and New Developments

Consultation

12. **Great Abington Parish Council** – Recommends approval and comments that the Council was happy to see the changes that had been requested made to the design of the affordable homes. However as parking is a problem along the High Street in this part of the village, because it is particularly narrow and a parked car can stop the bus passing through the village altogether, additional parking on the plan for visitors to the new homes would be extremely helpful.
13. **Affordable Housing Officer** – Comments that if the application is to be determined in relation to the lack of a 5 year housing land supply rather than an exceptions site, 40% affordable housing is required. The development of 8 affordable units would meet Policy HG/3. There are 1700 applicants on the housing register and 22 with a local connection to Great Abington. The highest demand in the district is for one and two bedroom accommodation. Supports the revised mix of 2 x one bedroom flats, 2 x two bedroom houses, 3 x two bedroom bungalows and 1 x three bedroom house. The tenure split should be 70% rented and 30% shared ownership and therefore it is expected that 6 of the properties to be available for rent and 2 for shared ownership. The properties should be built in accordance with the DCLG Technical Housing standards and HCA design standards. A registered provider should be appointed to take forward the affordable housing. Whilst the properties should be open to applicants registered on home link who have a connection to South Cambs. However, priority should be given to those applicants with a local connection to Great Abington, because similar schemes in South Cambs. have been given approval on this basis.
14. **Urban Design Officer** – Objects to the application and comments that the proposal is not acceptable on a number of grounds. The frontage to Pampisford Road has been weakened as Plot 1 has been re-orientated and rear gardens extend along the boundary, the hard landscaping along the frontage of the dwellings on the High Street is extensive, the landscaping strip at the back of the footpath to the High Street is insufficient, Plot 5 is very close to the boundary with no space for landscaping, Plots 6 and 7 relate poorly to each other, the POS appears to be a left over strip of land rather than integrated into the scheme and there is no visitor parking.
15. **Trees and Landscapes Officer** – Comments that the entire hedgerow along the High

Street being removed. The preference is for retention of the hedge and bringing it back into management. Gaps for access to dwellings can be created through it. The retained sections can be protected and the details submitted are satisfactory.

16. **Landscape Design Officer** – Objects to the application on the grounds of its scale and layout. Comments as follows: -

The proposed development lies within the 'East Anglian Chalk' National Landscape Character Area. Key features of this Landscape Character Area are a wide, gently rolling landscape with large fields separated by clipped hedges. Vegetation and areas of woodland are sparse, but village edges and the valley bottoms of streams and rivers are often wooded features in the landscape. There are occasional sharper scarp slopes and hills, sometimes featuring distinctive hill-top 'hanger' woodlands.

The setting of both Great and little Abington villages are more heavily influenced by the detailed and intimate landscape of the shallow, wooded valley of the River Granta, which meanders east to west north of the site, and by the surviving parkland landscape associated with Abington Hall which lies between the two villages.

Approaches to the site - and to both villages - often feature tall hedges to both sides of the road, with limited views to the wider landscape. However, views north across the site from Pampisford Road do offer views of the wider landscape – to the chalk hills west of Balsham. Other wider views are available from the village edges, and from a spur of raised land forming part of the Granta Park campus to the west of the site.

The site itself is a small-medium sized, enclosed meadow, framed by mature vegetation but allowing views across an open foreground to dwellings at the village edge.

Mature trees and hedgerows run along the north, east and west boundaries. The southern boundary is largely open allowing views over the entire site. Views to the south from the site are limited by a tall hedgerow along the southern edge of Pampisford Road, and by the vegetation screening an abandoned railway line beyond. Set amongst and against the trees and hedgerows, the rear of dwellings along the high street are visible to the east, and the buildings of Newhouse Farm are visible to the west. The site serves to separate the farm from the western edge of the village.

This character and scale of enclosure (small-medium meadows and paddocks) is typical of the edges of many South Cambridgeshire villages, and announces the transition between the generally more large scale and open surrounding landscape and the more intimate character of the village and its immediate surroundings.

A public footpath runs along the western boundary of the site, connecting Pampisford Road with the High Street. There are uninterrupted views from this footpath across the entire site.

The meadows and paddocks at the village edge allow some permeability and separation, and serve as a setting for both the village and its associated outlying buildings. This is important to the character and setting of Great Abington and the site itself.

Development of the present scale and form will change the character of the site from an established, open meadow which marks the village edge and separates the High Street from the outlying buildings at New House farm, to a substantial urban extension

to the village.

The remaining meadow will become enclosed north of the proposed development, and the Pampisford Road frontage will become suburban in character, featuring large multi-vehicle driveways and an extended kerb and bitmac footway to New House Farm, this replacing the existing soft verge.

The current proposals will close over 50% of the Pampisford road boundary, and viewed from the east, will visually link the proposed development to Newhouse Farm. Long distance views to the wider landscape across the east and centre of the site will be blocked.

When viewed from approaches from the west, and from the Public footpath along the western boundary, views across the site will be dominated by the proposed development, particularly the large dwellings close to the western boundary.

The scheme will appear as an unscreened block of development set in a meadow at the edge of the village and a lack of perimeter landscape and removal of existing planting will mean that the adverse impact outlined in the LVIA will not be mitigated and the scheme will not be integrated into its landscape setting.

The hedge and trees along the boundary with the High Street would be removed with inadequate space for replacement planting, the site would be enclosed by close boarded fences, the landscape buffer is poor adjacent to Plots 5 and 9, the landscape buffer is within rear gardens and outside of the developers control and may not be maintained, the large areas of parking and entrances on the High Street would result in a suburban character, frontage tree planting along Pampisford Road should not be within rear gardens, space should be found within the development for native tree planting and tree planting along streets should respond to the village edge location, the pathway between Plots 13 and 15 runs too close to the dwellings, the POS has been re-located adjacent to the main spine road and should have a buffer adjacent to the dwelling.

17. **Ecology Officer** – Objects as amended to the removal of the hedge along the High Street and comments that such features should be retained as they are important for wildlife and the rural character of the edge of the village. Questions if the footpath could be behind the hedge. The design is weak as there is a lot of space for quality boundary planting and use of open space that has not been delivered in a very inspiring manner.
18. **Conservation Officer** – Comments as amended that the development would not impact upon the setting of heritage assets near the site. The dwellings along the High Street reflect the general character of linear development along the High Street but the development retains the dwellings outside the built form on the western side of the High Street that remains unaltered and undeveloped as paddocks.
19. **Environmental Health Officer** – Has no objection in principle subject to conditions in relation to the hours of construction work and construction related deliveries, method statement for piling foundations, measures to minimise the spread of air borne dust, a construction programme, a noise insulation scheme for the residential building envelope and traffic noise, electric vehicle charging points, details of external lighting and a noise impact assessment for renewable energy plant or equipment if an air source heat pump or wind turbine.
20. **Contaminated Land Officer** – Comments that that site is grassland that has

remained undeveloped from 1800 to the present day. The submitted report has not identified any levels of contaminants of concern deemed to represent an unacceptable risk to future site users or the environment. Suggests an informative in relation to any contamination found on site.

21. **Section 106 Officer** – Comments that there is a surplus of sports space and a deficit of children’s playspace within the village. The existing community facilities are of good condition. However, the development is required to provide all forms of open space and community space to meet the needs of the development. The Parish Council has requested contributions towards identified projects in the village to mitigate the impact of the development.
22. **Local Highways Authority** – Comments that whilst the overall layout is acceptable, the length of the car parking spaces on Plot 7 may result in vehicles overhanging the public highway. Requires conditions in relation to full details of the layout of the site including roads (traditional construction 5 metre wide carriageway with 2 metre footway or shared surface 6 metre wide carriageway with 500mm strips either side), footways, cycleways, buildings, visibility splays, parking provision and surface water drainage; the provision of vehicular visibility splays; the provision of pedestrian visibility splays; a traffic management plan during construction, the access to fall away from the public highway; the access to be constructed from a bound material; the change from the traditional carriageway to shared surface in accordance with the Cambridgeshire County Council Estate Road Construction Specification; the removal of permitted development rights for additional accesses; and the provision of an uncontrolled crossing point on the High Street or footpath to link with the existing footpath. States that the Highway Authority will only adopt the areas of the development that provide a highway function. The extension of the carriageway and footway beyond the turning area required for a refuse vehicle outside Plot 9 may not fall within this category. Requests informatives with regards to works to the public highway.
23. **Cambridgeshire County Council Historic Environment Team** – Comments that the site lies in an area of high archaeological potential. Has no objections in principle but requires a condition in relation to an archaeological investigation of the site.
24. **Cambridgeshire County Council Growth Team** – Comments are awaited.
25. **Cambridgeshire County Council Flood and Water Team** – Comments that the minimum requirements of the NPPF has been met as it has been demonstrated that surface water can be dealt with on site by using permeable paving, soakaways, cellular crates and there will be a reduction in the run-off rate. In addition, the volume of run-off will be no greater than existing. Requires a condition for a detailed surface water drainage scheme for the site based upon the Flood Risk Assessment together with details of the long term maintenance arrangements for the surface water drainage system.
26. **Environment Agency** – Has no objections in principle subject to informatives.
27. **Anglian Water** – Comments that the foul sewerage network has the available capacity for the flows and it would be within the catchment of the Linton Recycling Centre waste treatment plant that will have the available capacity for the flows.
28. **Cambridgeshire Fire and Rescue Service** – Requests a condition in relation to the provision of fire hydrants.

29. **Development Officer** – The Health Impact Assessment is acceptable in relation to the Council’s SPD.
30. **Huntingdonshire District Council Sustainability Team** – Comments on the revised statement are awaited.
31. **NHS England** – Comments are awaited.

Representations

32. **Local Member** - Supports the application and makes the following comments: -

“I am aware that officers wanted to see the following to be incorporated into the revised scheme:

- The hedge along the High Street retained where possible subject to accesses off the High Street;
- Improvements to the landscape buffer
- A design solution in keeping with the area
- Houses should front the High Street;
- Access moved away from Pampisford Road to the High Street;
- Landscape buffer along the countryside enhanced further
- Removal of access provision to rear land.
-

I would make the following observations:

i) Officers have noted that the hedge along the High Street has now been removed and the replacement buffer along the High Street is of poor quality and there is insufficient space for native hedge and tree planting.

In the view of many locals the existing hedge along the High Street is itself of poor quality and the revised plans show a landscape buffer with appropriate accesses for those houses that now front the High Street. The houses in the proposed development that do now front the High Street are buffered in such a way as to present a coherent view along the High Street with the existing houses directly opposite.

ii) Officers have described the new layout as ‘not considered to be in keeping with the area. Houses should front onto Pampisford Road with gardens to the rear and not to the side.

There are about 18 to 20 existing dwellings on Pampisford Road in the vicinity of this proposed development. Some have gardens to the front and rear, some to the front and at least two properties are set at right angles to Pampisford Road. There are other examples within Great Abington of houses set at right angles to a road.

The site layout as originally proposed was criticised by a number of local residents because those houses immediately next to the High Street had their backs facing the High Street. This was the reason why Great Abington Parish Council originally did not support the plans. However, the revised plans turned these houses round to face the High Street, and as far as I am aware there have been no other local criticisms of the layout in broad terms.

iii) Officers consider that the access to the development should ‘be moved away from Pampisford Road to the High Street’.

However, this would mean removing a considerable portion of the existing hedge on the High Street as the High Street is narrow at this point and the hedge is right on the edge of the road so a significant part of the hedge would have to be removed in order to provide appropriate visibility splays. In addition, as stated above, there are already 18 to 20 dwellings accessing directly onto Pampisford Road, a road that has a 30 mph limit and numerous speed cushions to slow traffic.

iv) Landscape buffer along the countryside enhanced further

I would suggest that this is subject to further discussion with the applicant.

v) Removal of access provision to rear land.

This is one reason where I do have sympathy with the officers' view, and I know that many local residents are concerned that if this application were to be approved it would thereby allow easy access to the land beyond and therefore the possibility of this larger piece of adjoining land eventually being built on. It must be borne in mind that the three areas of land identified and consulted upon locally were to meet the specific local need as expressed through a housing needs survey, and any attempt to build on this adjoining land would not be in accord with local views regarding the overall scale of development within the village.

However, there is an argument in favour of the road layout in the revised application in that it allows refuse /recyclables collection lorries to enter and turn safely within the site.

Whilst I do have some concerns about the road layout, I do not feel that these are sufficient to object to or refuse this application. Having made these comments and in view of the large measure of local support for this application as it now stands, I request that, if officers are minded to refuse this application, it goes to the SCDC Planning Committee for determination."

33. **Local Residents** - 8 letters of representation have been received that raise the following issues: -
- i) The affordable houses on High Street do not compliment existing housing stock on the High Street- lack of character;
 - ii) Insufficient parking for affordable houses that could lead to on-street parking;
 - iii) Loss of mature trees along the High Street in good condition;
 - iv) New hedge should be managed;
 - v) No consideration given to previous proposals for 12 dwellings to mirror the High Street and blend in with the existing development in the vicinity;
 - vi) Unacceptably high density/ overdevelopment;
 - v) Noise and disturbance from affordable houses;
 - vi) New footpath welcomed;
 - vii) Increase in traffic;
 - viii) Loss of rural character;
 - ix) Drainage needs to be within the site and not on neighbouring land and flood protection measures;
 - x) Noise and disturbance during construction;
 - xi) Loss of agricultural land;
 - xii) Greenfield site and potential brownfield site available;
 - xiii) Junction on to busy and fast moving traffic on Pampisford Road;
 - xiv) Loss of views from public footpath;
 - xv) Cumulative impact of developments in village- can the local roads take the traffic and can the school accommodate more pupils.

- xvi) Affordable housing should be for people in the village; and,
- xv) Affordable housing is not integrated into the development.

34. **Applicant's Agent** – Has the following comments in relation to the Council's concerns: -

- i) Worked with the local community over the last 18 months to progress the design, layout and mix of the development.
- ii) The scheme reflects the local need for housing within the village.
- iii) Must be considered in context of the emerging Local Plan Proposed Main Modification H/1j Land at High Street/ Pampisford Road, Great Abington and that developments should seek to fulfil the aspirations of the Parish Council for the site due to strong support from the Parish Council.
- iv) Shortfall in the five year housing land supply and relevant policies not up-to-date.
- v) Persistent under delivery of housing in the area.
- vi) Parish Council led development with support from the Local Member and the local community.
- vii) Officer concerns are of detail rather than principle.
- viii) There is a conflict between retaining the hedge and highway access to the High Street due to visibility splays.
- ix) Replacement planting is not required to hide the development but to provide a soft boundary frontage. Details can be agreed by condition.
- x) Pampisford Road has a visually strong frontage and active street scene with gaps to create a transition from the rural character along Pampisford Road to the more suburban village street scene in the High Street.
- xi) A sole access from the High Street is not necessary. Visibility cannot be achieved if the main access was re-located to the High Street.
- xii) The gap between Plots 9 and 10 allows views through to the open countryside that strengthens the rural character. A pedestrian/ cycle route runs through the site giving access to the High Street.
- xiii) Plots 1 and 9 do incorporate landscaping and the close boarded fence could be moved.
- xiv) The road is needed to Plot 9 to provide a safe area for entering and exiting this property.
- xv) There is not a dominance of hard landscaping in the proposal. Two of the parking spaces could be dedicated to visitors.
- xvi) The public open space is in a central position.
- xvii) The relationship between Plots 6 and 7 is acceptable.
- xviii) SCDC housing team support the application - 41% of those in need include someone with a disability and six bungalows have been provided.
- xix) Detailed design matters do not significantly and demonstrably outweigh the benefits of the scheme.

PLANNING ASSESSMENT

35. The key issues to consider in the determination of this application relate to housing land supply, the principle of the development in the countryside, housing density, housing mix, affordable housing, developer contributions and the impacts of the development upon the character and appearance of the area, heritage assets, flood risk, highway safety, neighbour amenity, biodiversity, trees and landscaping.

Housing Land Supply

36. The National Planning Policy Framework (2012) (NPPF) requires councils to boost significantly the supply of housing and to identify and maintain a five-year housing

land supply with an additional buffer as set out in paragraph 47.

37. The Council accepts that it cannot currently demonstrate a five year housing land supply in the district as required by the NPPF, having a 3.9 year supply using the methodology identified by the Inspector in the Waterbeach appeals in 2014. This shortfall is based on an objectively assessed housing need of 19,500 homes for the period 2011 to 2031 (as identified in the Strategic Housing Market Assessment 2013 and updated by the latest update undertaken for the Council in November 2015 as part of the evidence responding to the Local Plan Inspectors' preliminary conclusions) and the latest assessment of housing delivery (in the housing trajectory November 2015). In these circumstances any adopted or emerging policy which can be considered to restrict the supply of housing land is considered 'out of date' in respect of paragraph 49 of the NPPF.
38. Further guidance as to which policies should be considered as 'relevant policies for the supply of housing' emerged from a recent Court of Appeal decision (*Richborough v Cheshire East and Suffolk Coastal DC v Hopkins Homes*). The Court defined 'relevant policies for the supply of housing' widely as so not to be restricted 'merely to policies in the Development Plan that provide positively for the delivery of new housing in terms of numbers and distribution or the allocation of sites,' but also to include, 'plan policies whose effect is to influence the supply of housing by restricting the locations where new housing may be developed.' Therefore all policies which have the potential to restrict or affect housing supply may be considered out of date in respect of the NPPF. However the Court of Appeal has confirmed that even where policies are considered 'out of date' for the purposes of NPPF paragraph 49, a decision maker is required to consider what (if any) weight should be attached to such relevant policies.
39. In the case of this application, policies which must be considered as potentially influencing the supply of housing land include ST/2 and ST/6 of the adopted Core Strategy and adopted policies DP/1, DP/7, HG/1, HG/2, NE/4, NE/6 and NE/17 of the adopted Development Control Policies. Policies S/7, S/10, H/1, H/7, H/8, NH/2, NH/3 and NH/4 of the draft Local Plan are also material considerations and considered to be relevant (draft) policies for the supply of housing.
40. Paragraph 14 of the NPPF states that there is a presumption in favour of sustainable development. It says that where relevant policies are out of date, planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or where specific policies in the NPPF indicate development should be restricted (which includes land designated as Green Belt in adopted plans for instance).
41. Whilst paragraph 2 of Policy ST/6 of the adopted Core Strategy permits residential development within the village framework and the site is located outside the framework, given that the site adjoins the village framework, the site is relatable to the village geographically and in its dependency on its services and facilities. ST/6 also forms part of a suite of policies, which operate to direct new development to settlements which have an appropriate level of services to meet the requirements of new residents. As such, it is considered that ST/6 which reflects the relatively limited level of services at group villages to serve residential developments is material to development both within the framework and development which is proposed as a residential extension to that framework, as proposed here.

42. It falls to the Council as decision maker to assess the weight that should be given to the existing policies. The Council considers this assessment should, in the present application, have regard to whether the policies continues to perform a material planning objective and whether it is consistent with the policies of the NPPF.

Principle of Development

43. The site is located outside the of any village framework and in the countryside where Policy DP/7 of the LDF and Policy S/7 of the emerging Local Plan states that only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will permitted due to the need to protect the countryside from encroachment and incremental growth in unsustainable locations. The erection of a residential development of 20 dwellings would therefore not under normal circumstances be considered acceptable in principle. Considerable weight can be attached to this policy given that it performs a material planning objective.
44. Great Abington is identified as a Group Village under Policy ST/6 of the LDF and Policy S/10 of the emerging Local Plan where up to 8 dwellings are considered acceptable in principle on land within village frameworks due to the scale of the village and the limited level of services and facilities within the settlement. The erection of 20 dwellings outside the village framework is not therefore normally supported in principle. Considerable weight can be attached to this policy given that it performs a material planning objective.
45. Part of the site is allocated for residential development under Policy H/1 of the emerging Local Plan. The policy states that the site will be developed in accordance with relevant Local Plan policy requirements, and the development requirements identified. The number of homes granted planning permission on the site may be higher or lower than the indicative capacity and should be determined through a design-led approach. All sites will need to make appropriate financial contribution to any necessary additional infrastructure requirements, including towards additional capacity in local schools. Policy H/1j specifically references 0.55 hectares of land at on an L shape plot of land along the High Street and Pampisford Road frontage for the erection of 12 dwellings with the following requirements: -
- i) Retention of boundary trees and hedges except as required to provide for access.
 - ii) Creation of a landscape buffer along the boundary of the site where it adjoins or could be seen from open countryside to provide a soft green village edge.
 - iii) This is a Parish Council led proposal which has been included in the Local Plan because it has demonstrated local support. Developments should seek to fulfil the aspirations of the Parish Council for the site.
46. This proposal has undergone consultation in the village by the Parish Council and is supported by local residents. It was agreed for inclusion in the submission Local Plan at the 11 February 2014 meeting of the Planning Policy and Localism Portfolio Holder, and by Full Council on 13 March 2014. It was under public consultation from December 2015 to January 2016.
47. 8 representations were submitted in support of this policy on the following grounds: -
- i) Strong support in village (75%) and would provide more affordable homes.
 - ii) Need for existing village residents to downsize.
 - iii) Need more for young families to stay in village or move back to village.
 - iv) Cyclepath, footway and land for horse riders needed along Pampisford Road.

- v) Proposals are well considered and proportionate.
 - vi) Infrastructure/ treatment upgrades are to foul drainage required and no capacity for surface drainage within network.
 - vii) need to maintain character of village, adequate provision of open space, concerns about traffic, consider cycleways and public transport, improve provision for pedestrians, school oversubscribed, improve access to healthcare.
48. 5 representations were submitted that object to this policy on the following grounds: -
- i) Any proposals should not include road building/widening and should include investment in sustainable transport
 - ii) Concern over approach of including specific proposals by Parish Council's in the local plan as it can support sites outside frameworks on a rural exception site basis.
 - iii) Policy is not justified to specifically identify the allocations being led by the Parish Council as other sites have been disregarded.
 - iv) Questions the inconsistent approach to the allocation of sites in Group and Infill villages when other sites at a similar level were not considered.
 - v) Allowing three sites at a late stage is a narrow and inflexible approach towards allowing organic growth in the village over the plan period.
 - vi) The inclusion of more sustainable villages are not included.
49. Given that the above objections do not relate to the allocation of the site itself and relate more to the inclusion of other site, it is considered that this policy can be given some weight in the determination of the application given that it is a locally led development.
50. It should also be noted that the site area exceeds the allocation and the development does not comply with the requirements set out in the policy in relation to the retention of the hedge along the High Street and a landscape buffer along the boundary of the site where it adjoins the open countryside.

Sustainable Development

51. The NPPF states that there are 3 dimensions to sustainable development- economic, social and environmental. The aspects are considered in the assessment of highlighted issues below.

Economic

52. The provision of 20 new dwellings will give rise to employment during the construction phase of the development, and has the potential to result in an increase in the use of local services and facilities, both of which will be of benefit to the local economy.

Social

Provision of Housing

53. The development would provide a benefit in helping to meet the current housing shortfall in South Cambridgeshire through delivering 20 dwellings. There are no known constraints to the delivery of the development on the site within the next 5 years and the applicants have stated that the site is available now and subject to securing the necessary consent, development could commence in late 2016 with completion by late 2017. This could be a condition of any consent.

Services and Facilities

54. Whilst it is acknowledged that Great Abington falls within the one of the lower tiers in the hierarchy for the categorisation of villages across the district, the development of 20 dwellings is not considered to be unacceptable in relation to the size of the village or the level of services and facilities in the village. The village has approximately 350 dwellings and an additional 20 dwellings is not considered excessive in terms of an increase in the scale of the village. The dwellings on the site would have easy access by walking and cycling to facilities within the village such as the primary school, shop, church, village hall, recreation ground and a bus service that runs every 30 minutes. They would also have easy access by walking and cycling to the nearby employment site of Granta Park just outside the village but very close to the site. Residents would not therefore have to rely upon the private car to access the majority of their everyday needs. Given the above, the site is not considered to be unsustainable to the extent that would warrant refusal of the application on these grounds.

Housing Density

55. The site measures 1.1 hectares in area. The erection of 20 dwellings would equate to a density of 18 dwellings per hectare. Whilst this density would not comply with the requirement under Policy HG/1 of the LDF of at least 30 dwellings per hectare, it is considered acceptable in this case given the sensitive nature of the site in the countryside.

Affordable Housing

56. Policy HG/3 of the LDF states that proposals for housing developments will only be permitted if they provide an agreed mix of affordable housing to meet local needs. The amount of affordable housing sought will be 40% or more of the dwellings for which planning permission may be given on all sites of two or more dwellings. Policy H/9 of the emerging Local Plan states that the amount of affordable housing sought will be 40% or more of the dwellings for which planning permission may be given on all sites of three or more dwellings.
57. The proposal would provide 8 affordable dwellings (40%) and comply with Policy HG/3 of the LDF and H/9 of the emerging Local Plan.

Housing Mix

58. Policy HG/2 of the LDF states that in developments of more than 10 dwellings a mix of units will be sought providing a range of accommodation, including one and two bed dwellings, having regard to economic viability, the local context of the site and the need to secure a balanced community.
59. Policy H/8 of the emerging Local Plan states that a wide choice, type and mix of housing will be provided to meet the needs of different groups in the community including families with children, older people and people with disabilities. The market homes in developments of 10 or more homes will consist of:
- At least 30% 1 or 2 bedroom homes;
 - At least 30% 3 bedroom homes;
 - At least 30% 4 or more bedroom homes;
 - With a 10% flexibility allowance that can be added to any of the above categories taking account of local circumstances.
60. The erection of 3 x two bedroom dwellings (25%), 4 x three bedroom dwellings (33%) and 5 x four/five bedroom dwellings (42%) would comply with Policy HG/2 of the LDF and Policy H/8 of the emerging Local Plan given the need identified by the Parish

Council.

Developer Contributions

61. Development plan policies state that planning permission will only be granted for proposals that have made suitable arrangements towards the provision of infrastructure necessary to make the scheme acceptable in planning terms.
62. Regulation 122 of the CIL Regulations states that a planning obligation may only constitute a reason for granting planning permission for the development of the obligation is: -
 - i) Necessary to make the development acceptable in planning terms;
 - ii) Directly related to the development; and,
 - iii) Fairly and reasonably related in scale and kind to the development.
63. The Recreation Study 2013 identified a surplus of 1.51 hectares of sports space and a deficit of 1.03 hectares of children's play space. The audit highlights a number of improvements including sports pitches, upgrade to play equipment and changing facilities.
64. The Community Facilities Audit 2009 states that Great Abington is served by the Abington institute that is a well maintained, good quality recently updated facility that is well equipped with community café and functions as a hub for community sports facilities.
65. The scheme is required to provide 751 square metres of sports space, 177 square metres of formal children's playspace, 177 square metres of informal children's play space and 188 square metres of informal open space through on-site provision or an off-site contribution.
66. The provision of an area of informal public open space on the site would not require any off-site contributions. However, contributions are required if maintenance is not carried out by a management company.
67. The Parish Council has requested a contribution of £21,923.70 towards outdoors sports for improving and enlarging the hard court area on the recreation ground and making it into a multi-use games area.
68. The Parish Council has requested a contribution of £32,215.72 towards children's playspace for updating and improving the children's play area on the recreation ground.
69. The Parish Council has requested a contribution of £9,953.40 towards community facilities for the continued improvement of facilities at the village institute including replacement flooring, storage and a boiler.
70. Comments are awaited from Cambridgeshire County Council in relation to contributions towards education places, libraries or strategic waste.
71. It is considered that all of the requested contributions to date meet the CIL tests. Confirmation is awaited to the agreement of the contributions by the applicant.

Environmental

Character and Appearance of Area

72. The proposal would result in encroachment into the countryside outside the existing built-up development within the village framework. The introduction of 20 dwellings of significant scale on a currently open and undeveloped area of meadow land with a strong rural character that provides a typical landscape setting to the village and provides separation between the village and Granta Park would result in a visually intrusive development with a suburban character. However, this is not considered to adversely affect the character and appearance of the countryside and the landscape setting of the village as the encroachment is limited and some separation would remain and the development would only be visible from close public viewpoints and would not affect the wider landscape and countryside from long distance views.

Design Considerations

73. The overall layout of the site is not considered to be of high quality and would be out of keeping with the character and appearance of the area and not in accordance with Policy DP/2 of the LDF.
74. The introduction of a wide engineered main access road from Pampisford Road would not be well connected to the village and would detract from the linear pattern of development and rural character along this part of Pampisford Road. Notwithstanding the above, Plots 1, 2 and 4 would not have their main elevations facing, and would have their rear gardens adjacent to, Pampisford Road that would result in a weak frontage and boundary treatment in the form of close boarded fences and inappropriate landscaping that would lead to hard suburban features within the street scene.
75. The dwellings fronting the High Street are welcomed and would be in keeping with the character and appearance of the area. However, the removal of the existing trees and hedgerow and their replacement with a substantial mass of hardstanding to the front of the dwellings for turning and parking and inappropriate landscaping would result in hard suburban features within the street scene.
76. Significant weight can be attached to this policy as it does not relate to the supply of housing.
77. The two-storey scale and traditional form, design and materials of the dwellings are considered to reflect the character and appearance of the area.
78. The provision of a public open space is supported. However, its siting is considered to be poor within the overall layout as it appears as a left over space rather being part of the initial design.

Trees and Landscaping

79. The site comprises a number of trees and a hedge along the High Street frontage. The trees are of low quality but provide a landscape buffer at the entrance to the village that contributes to the visual amenity of the area. The proposal would result in the loss of these important trees and hedge that provide a rural setting to the village and be contrary to Policy HG/6 of the LDF.
80. The loss of the trees and hedge are only considered acceptable if the replacement soft landscaping is of equal quality. The proposed landscape buffer along the High Street is not deemed appropriate as it would not allow adequate space for native tree planting to integrate the development into its setting. This would result in a suburban

development at the entrance to the village.

81. Notwithstanding the above, the siting of the dwellings on Plots 5 and 9 would not allow adequate space for an appropriate landscape buffer along the boundaries of the site. This is not acceptable as a substantial landscape buffer needs to be provided along the whole of the northern and eastern boundaries of the site adjacent to the open countryside to ensure that the development would not adversely affect the character and appearance of the area.
82. Substantial weight can be attached to Policy HG/6 given the need to integrate the development within its surroundings.
83. The provision of a close boarded boundary fence around the perimeter of the site would detract from the rural character and appearance of the area. In addition, no significant landscaping has been provided at the end of the no through road. However, a condition could be attached to any consent to agree these details.

Biodiversity

84. The removal of the trees and hedgerow would result in the loss of important features for wildlife. Important ecological features should be preserved in order to maintain biodiversity on the site. The replacement landscaping would not offer the same quality of habitat. However, limited weight can be attached to this policy as the increase in the amount of landscaping across the whole site would provide additional habitats. The proposal would not therefore be contrary to Policy NE/6 of the LDF.

Heritage Assets

85. No. 108 High Street is a grade II listed building. The proposal is not considered to damage the setting of the listed building given the distance and relationship of the development on the site with this property.
86. The site lies in an area of high archaeological potential. The development is not considered to result in the loss of any significant features of archaeological interest providing a condition is attached to any consent to secure an archaeological evaluation of the site to preserve any important remains.

Highway Safety

87. The High Street is the main road through the village from the A1307 and Little Abington at its northern end to Pampisford Road at its southern end. It is a fairly narrow road with a speed limit of 30 miles per hour. Pampisford Road connects the A505 and Granta Park to the west to the A1307 at Hildersham to the east. It is a wider road with traffic calming and a speed limit of 30 miles per hour.
88. The proposal would result in an increase in traffic in the area. The erection of 20 dwellings would lead to approximately 125 two-way vehicle movements in the area during a 12 hour period. This includes 21 movements during the am peak period and 15 movements during the pm peak period. This increase in traffic is not considered to have a significant impact upon the capacity and functioning of the public highway.
89. The main access from Pampisford Road would measure 5.5 metres in width with 2.0 metre footways on both sides. Vehicular visibility splays measuring 2.4 metres from the edge of the carriageway x 43 metres along the edge of the carriageway in both directions would be provided. This would accord with Local Highway Authority

standards.

90. The main access from the High Street serving 5 dwellings would measure 5.0 metres in width. Vehicular visibility splays measuring 2.4 metres from the edge of the carriageway x 43 metres along the edge of the carriageway to the north and 32.4 metres to the south would be provided. This would accord with Local Highway Authority standards.
91. The secondary accesses from Pampisford Road and the High Street serving individual dwellings would measure 3.6 metres in width. Pedestrian visibility splays would measure 2.0 metres x 2.0 metres on both sides of the accesses. This would accord with Local Highway Authority standards.
92. A new 2.0 metre wide footway would be provided along the High Street and Pampisford Road to connect to the existing footway on the western side of the High Street. This is accepted and would need to be agreed as part of the Section 106. A footway link from the High Street to the development would also be provided and is supported.
93. A total of 48 vehicle parking spaces would be provided for the development. The Council's parking standards under Policy TR/2 of the LDF require an average of 1.5 vehicle parking spaces per dwelling and a maximum of two vehicle parking spaces per dwelling in unsustainable locations for three plus bedroom dwellings. The proposal is considered to result in an overprovision of vehicle parking on the site as there are a number of larger properties that have four vehicle parking spaces. This would encourage the occupiers to travel by unsustainable modes of transport.
94. Notwithstanding the above, no visitor vehicle parking has been provided within the development.
95. At least one cycle parking space would be provided for each dwelling that would be in accordance with the Council's standards.

Flood Risk

96. The site is situated in flood zone 1 (low risk). It has been demonstrated through the submitted Flood Risk Assessment that surface water can be dealt with on site by using permeable paving, soakaways and cellular crates and that there will be a reduction in run-off rate. In addition, the volume of run-off would be no greater than existing. This would comply with Policy NE/11 of the LDF and the proposal is not therefore considered to increase the risk of flooding to the site and surrounding area. A condition would be attached to any consent to agree the detailed design of the surface water drainage scheme and its maintenance.

Neighbour Amenity

97. No.110 High Street has a garage with hardstanding and garden beyond to the north of the site. The development is not considered to adversely affect the amenities of the neighbour through being unduly overbearing in mass, through a loss of light, or through a loss of privacy given that the main habitable room windows to the dwelling and private garden area are a significant distance off the boundary.
98. The affordable dwellings are not considered to result in noise levels above those of private dwellings that would adversely affect the amenities of neighbours in the High Street.

99. A condition would be attached to any consent to control the hours of use of power operated machinery, noisy works and construction related deliveries.
100. The development is, however, considered to adversely affect the occupiers of the proposed dwellings and be contrary to Policy DP/3 of the LDF.
101. The siting of Plots 6 and 7 would result in an unacceptable relationship between these two properties as the 7.5 metre long, two-storey side elevation of Plot 6 orientated to the south of Plot 7 would obstruct the 45 degree angle of view and result in an unduly overbearing mass when viewed from, and loss of light to, the habitable room windows in the front elevation of that property.
102. The siting of Plots 3 and 20 would result in an unacceptable relationship between these two properties as the 10.5 metre long two-storey side elevation of Plot 3 orientated to 11 metres to the south of Plot 20 would result in an unduly overbearing mass when viewed from, and loss of light to, the habitable room windows in the rear elevation of that property and its rear garden.
103. Significant weight can be attached to this policy as it does not relate to the supply of housing.

Other Matters

104. The site is located on grade 2 (very good) agricultural land. The development would result in the permanent loss of this agricultural land contrary to policy NE/17. However, this policy does not apply where land is allocated for development in the LDF or sustainability considerations and the need for the development are sufficient to override the need to protect the agricultural use of the land. In this case, this is considered satisfactory given the absence of up-to-date policies for the supply of housing in the district and the allocation for development in the emerging Local Plan. Therefore, limited weight can be attached to this policy.
105. The development is acceptable in relation to foul drainage and contamination.
106. The recent appeal decisions within the district at Foxton (APP/W0530/W/15/3084325) and Swavesey (APP/W0530/W/15/3139078) and the relevancy of these decisions in the determination of this application are set out below.
107. The Foxton appeal decision related to an application for outline planning permission for up to 95 dwellings (reduced to 75) at Land off Harpeth Road, within the countryside. Foxton is a designated Group Village. The appeal was dismissed with the inspector concluding, due to serious harm to the setting of Foxton House, the proposal does not comprise sustainable development.
108. The Swavesey appeal decision related to an application for outline planning permission for up to 30 dwellings, at 18 Boxworth End, the majority of the site is located within the countryside. Swavesey is designated as a Group Village. The appeal was allowed and planning permission granted, with the inspector concluding that the development would represent sustainable development.
109. In both cases, limited weight was given to the out of date policies DP/7 and ST/6 and that development of the scale proposed was not considered to result in harm by way of an unsustainable location, comparable to this application given that Swavesey and Foxton are designated similarly as Group Villages within the adopted Core Strategy.

110. The Foxton appeal started on the 31st July 2015, with statements due on the 11th September 2015 and the inquiry evidence given on the 12th January 2016 and held on the 9th February 2016. The Swavesey appeal started on the 14th December 2015, with final comments due on the 19th February 2016.
111. Given those dates of the appeals, as referenced above, it is considered that the applications and appeals pre-date the Court of Appeal decision (Richborough v Cheshire East and Suffolk Coastal DC v Hopkins Homes) dated 17th March 2016. As such the local authority in presenting the statements and inquiry evidence and the inspectors assessment of these particulars, did not benefit from this ruling and in particular to recognition by the Court of Appeal that out of date housing supply policies can still be given weight- even considerable weight – if they still maintain a planning function. It is considered that policy ST/6 and DP/7 still maintain an important and valid function because they ensure that development is sustainably located and unsustainable locations are avoided. These matters were not considered in the two appeals and as such, the desirability in principle of consistency in decision making is displaced by the fact that this important factor was not considered or therefore part of the decision making process which led to those appeals being determined.
112. With respect to those appeal sites not being considered unsustainable locations, their individual merits in terms of availability and accessibility of services, public transport links and employment opportunities are not comparable in this instance. Furthermore, each site is assessed on its individual merits.
113. A note of advice, addressing those matters raised by Rupert Warren Q.C on behalf of the applicants, has been prepared by Douglas Edwards Q.C on behalf of the Local Authority, dated XX June 2016. The note of advice has informed the approach to this recommendation to Planning Committee.
114. Members should be aware that another appeal decision (App/W0530/W/15/3138791) has recently been issued in respect of Duxford, the impact of that appeal decision on this application, will be provided in an update report and will be considered as part of the decision making on this application.

Balance

115. In considering this application, the following relevant adopted Core Strategy and Development Control policies are to be regarded as out of date while there is no five year housing land supply:

Core Strategy

ST/2 Housing Provision
ST/6 Group Villages

Development Control Policies

DP/1 Sustainable Development
DP/7 Development Frameworks
HG/1 Housing Density
HG/2 Housing Mix
NE/4 Landscape Character Areas
NE/6 Biodiversity
NE/17 Protecting High Quality Agricultural Land

116. This means that where planning permission is sought which would be contrary to the policies listed above, such applications must be determined against paragraph 14 of the NPPF.
117. Officers are of the view that some weight can be given to Policies ST/6 and DP/7 in this case. In coming to this view officers have had regard to the recent Court of Appeal decision in assessing the weight that can be given to housing supply policies that are out of date. However, given the services and facilities in the area and that some weight can be attached to the allocation of part of the site in the emerging Local Plan, the development is not considered unsustainable to the extent that would warrant refusal of the application.
118. This report therefore sets out following adverse impacts of the development: -
i) Harm to the character and appearance of the area.
ii) Harm to the occupiers of the proposed dwellings.
119. These adverse impacts must be weighed against the following benefits of the development: -
i) The contribution of 20 dwellings towards the housing land supply in the district based on the objectively assessed 19,500 dwellings target set out in the SHMA and the method of calculation and buffer identified by the Inspector.
ii) Developer contributions towards public open space and community facilities in the village.
iii) Suitable and sustainable location for this scale of residential development given the position of the site in relation to access to public transport, services and facilities and local employment.
iv) Employment during construction to benefit the local economy.
v) Greater use of local services and facilities to contribute to the local economy.
120. Whilst it is acknowledged that the policies for the determination of housing in the LDF are out-of-date, the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits offered by this application. The proposals would not therefore constitute sustainable development.

Conclusion

121. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should not be granted in this instance.

RECOMMENDATION

122. It is recommended that the Planning Committee refuses the application for the following reasons: -

Refuse

1. The proposed development, by reason of the layout of the site particularly along Pampisford Road, engineered wide access on to Pampisford Road, mass of hardstandings along the High Street and lack of adequate landscaping along the boundaries of the site, would result in poor quality development that would adversely affect the rural character and appearance of the area. The proposal is therefore contrary to Policy DP/2 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 that states all new development must be of high quality design and

should preserve or enhance the character of the local area.

2. The proposed development, by reason of the relationship between Plots 6 and 7 and Plots 3 and 20, would result in an unacceptable impact upon the amenities of the occupiers of these properties. The proposal is therefore contrary to Policy DP/3 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 that states planning permission will not be granted where the proposed development would have an unacceptable adverse impact on residential amenity.

Background Papers:

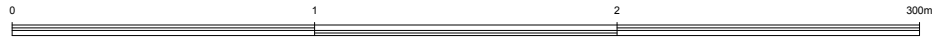
The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- South Cambridgeshire Local Plan Submission 2014
- Planning File References: S/3181/15/FL

Report Author:

Karen Pell-Coggins
Telephone Number:

Principal Planning Officer
01954 713230



FOR INTERNAL USE ONLY

Scale - 1:2500

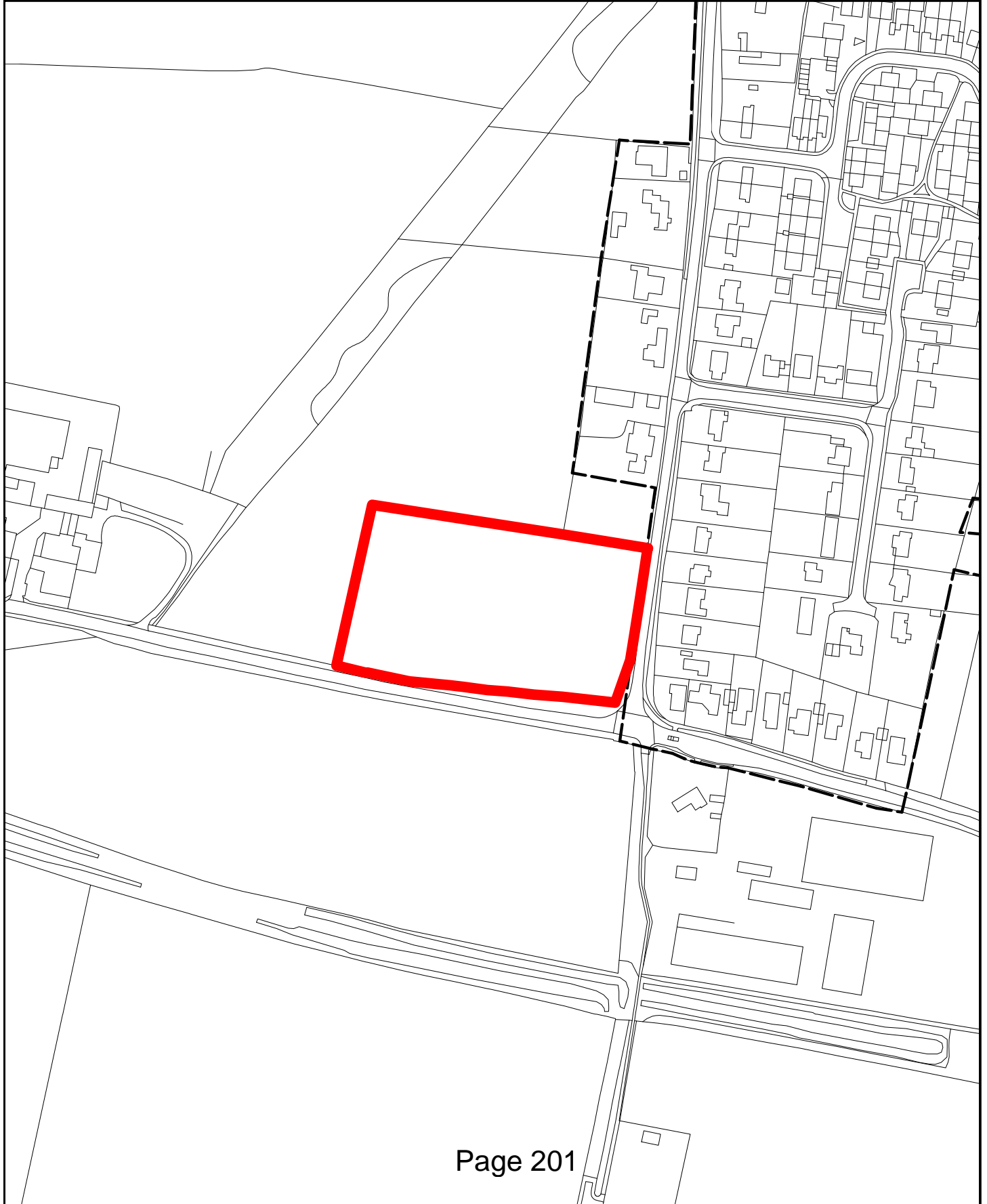
Time of plot: 08:54

Date of plot: 20/06/2016



**South
Cambridgeshire
District Council**

© Crown copyright [and database rights] (2015) OS (100022500)



This page is left blank intentionally.

Agenda Item 10

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6 July 2016

AUTHOR/S: Planning and New Communities Director

Application Number:	S/2588/15/RM
Parish(es):	Waterbeach
Proposal:	Reserved Matters for Layout, Scale, Appearance and Landscaping for the Erection of 57 Dwellings Including Affordable Housing, Public Open Space, Roads and Associated Infrastructure including a Sustainable Drainage System
Site address:	Land North of Bannold Road
Applicant(s):	Bovis Homes Limited
Recommendation:	Approval
Key material considerations:	Character and Appearance of the Area Housing Mix Affordable Housing Developer Contributions Design Considerations Trees and Landscaping Biodiversity Highway Safety and Sustainable Travel Flood Risk Neighbour Amenity
Committee Site Visit:	Yes
Departure Application:	Yes
Presenting Officer:	Karen Pell-Coggins, Principal Planning Officer
Application brought to Committee because:	Waterbeach Parish Council recommends refusal of the application.
Date by which decision due:	10 July 2016

Site and Surroundings

1. The site is located outside the Waterbeach village framework and in the countryside. It is situated to the north of Bannold Road and to the west of Bannold Drove, on the north eastern edge of the village. The site measures 1.8 hectares in area and currently comprises an area of open grassland. There is a hedge with trees along the western boundary of the site and a number of trees and shrubs along the southern, northern and western boundaries. There are ditches along the southern and eastern

boundaries of the site and the IDB drain lies on the opposite side of Bannold Drove. The former Waterbeach Barracks housing lies to the north of the site. Residential development along Bannold Road and an arable field where consent has recently been granted for a residential development lie to the west of the site. An agricultural business and dwelling are situated to the east of the site. Open arable land lies to the south of the site.

Proposal

2. The proposal seeks reserved matters approval for the layout, scale, appearance and landscaping of 57 dwellings. 23 of the dwellings would be affordable in nature. The mix would consist of 6 x one bedroom dwellings, 12 x two bedroom dwellings and 5 x three bedroom houses. The tenure mix would be 70% social rented and 30% intermediate. The remaining 34 dwellings would be available for sale on the open market. The mix would consist of 10 x two bedroom dwellings, 16 x three bedroom dwellings, 5 x four bedroom dwellings and 3 x five bedroom dwellings. The layout would comprise a T shaped road that would provide vehicular access to the potential development to the west. An emergency vehicular access would also be provided to Bannold Drove to the east. A new footway would be provided to link with the existing footway to the west. An area of public open space would be provided adjacent to the dwellings fronting Bannold Road. A smaller area of public open space would be provided within the centre of the development. An apartment block would provide a visual stop to the access road. The dwellings would be two to three storey in scale and have a maximum height of 10.35 metres. The designs would incorporate gables and bay windows. The materials of construction would be red/orange/yellow bricks or render with hung tiles and or horizontal boarding features for the walls and tiles or pantiles for the roofs. At least one vehicle parking space and cycle parking space would be provided for each dwelling. A number of the better quality trees and hedges on the site would be retained. The poorer quality trees would be removed and replaced.

Planning History

Site

3. S/2896/14/OL - Outline Planning Permission for Erection of up to 57 Dwellings including Affordable Housing, Public Open Space, New Roads and Associated Infrastructure including a Sustainable Drainage System with Main Access off Bannold Road - Withdrawn
S/0558/14/OL - Outline Planning Permission for Erection of up to 57 Dwellings including Affordable Housing, Public Open Space, New Roads and Associated Infrastructure including a Sustainable Drainage System with Main Access off Bannold Road - Appeal Allowed

Adjacent Sites

4. ***Land North of Bannold Road***
S/1431/15/OL - Residential Development of Up to 144 Dwellings with Access to Bannold Road - Refused
S/1359/13/OL - Residential Development of Up to 90 Dwellings with Access to Bannold Road - Appeal Allowed

Land East of Cody Road and North of Bannold Road

S/0535/16/RM - Residential Development of up to 36 Dwellings including Affordable

Housing, Access, Car Parking, Open Space and Landscaping - Refused
S/1907/14/OL - Residential Development of up to 36 Dwellings including Affordable
Housing, Access, Car Parking, Open Space and Landscaping - Approved
S/2092/13/OL – Residential Development of up to 36 dwellings and Formation of
Accesses - Refused

Land West of Cody Road

S/0296/15/FL- 60 Dwellings - Approved
S/0645/13/FL - 60 Dwellings - Appeal Allowed

Land between Bannold Road and Orchard Drive

S/1260/09/RM - 62 Dwellings - Approved
S/1551/04/O - Residential Development and Ancillary Open Space and Landscaping -
Approved

National Guidance

5. National Planning Policy Framework
Planning Practice Guidance

Development Plan Policies

6. **South Cambridgeshire Local Development Framework Core Strategy DPD 2007**
ST/2 Housing Provision
ST/5 Minor Rural Centres
7. **South Cambridgeshire Local Development Framework Development Control Policies DPD 2007**
DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/4 Infrastructure and New Developments
DP/7 Development Frameworks
HG/1 Housing Density
HG/2 Housing Mix
HG/3 Affordable Housing
NE/4 Landscape Character Areas
CH/2 Archaeological Sites
NE/6 Biodiversity
NE/11 Flood Risk
SF/10 Outdoor Playspace, Informal Open Space, and New Developments
SF/11 Open Space Standards
TR/1 Planning For More Sustainable Travel
TR/2 Car and Cycle Parking Standards
8. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
Open Space in New Developments SPD - Adopted January 2009
Biodiversity SPD - Adopted July 2009
Trees & Development Sites SPD - Adopted January 2009
Landscape in New Developments SPD - Adopted March 2010
Affordable Housing SPD - Adopted March 2010
District Design Guide SPD - Adopted March 2010
9. **South Cambridgeshire Local Plan Submission - March 2014**
S/3 Presumption in Favour of Sustainable Development

S/5 Provision of New Jobs and Homes
 S/7 Development Frameworks
 S/9 Minor Rural Centres
 HQ/1 Design Principles
 H/7 Housing Density
 H/8 Housing Mix
 H/9 Affordable Housing
 NH/2 Protecting and Enhancing Landscape Character
 NH/4 Biodiversity
 NH/14 Heritage Assets
 CC/9 Managing Flood Risk
 SC/6 Indoor Community Facilities
 SC/7 Outdoor Playspace, Informal Open Space, and New Developments
 SC/8 Open Space Standards
 TI/2 Planning for Sustainable Travel
 TI/3 Parking Provision
 TI/8 Infrastructure and New Developments

Consultation

10. **Waterbeach Parish Council** – Recommends refusal and comments as follows: -
- i) Bannold Drove is a single track road and should not be used for contractor vehicle use at any time as there is a danger that this road could become unserviceable for regular users.
 - ii) The public open spaces are very small and badly sited for what appears to be an urban development sited in a rural area bordering open landscape.
 - iii) Style of houses not in keeping with the area.
 - iv) Although regularly stated that there is a regular bus service to Ely this in fact is not the case.
 - v) The balancing pond should not be included in the percentage of open space for the development.
 - vi) The drainage for the site is shown to be evacuated on the North East corner and not the South East corner thus taking it away and bringing it back again.
 - vii) Plans are an urban design put into rural setting and bears no reflection to the village or neighbouring area.
 - viii) Traffic issues.
 - ix) Emergency exit not wide enough.
 - x) Design of front of properties is open plan and enclosed gardens.
- Has requested that should these Reserved Matters go ahead then the following conditions be put in place. All contractor vehicles are kept on site and not parked in Bannold Road and that Bannold Drove is not used for any contractor vehicle usage.
11. **Affordable Housing Officer** – Supports the application and comments that the development would provide 40% affordable housing which is policy compliant. The revised mix and tenure split is acceptable.
12. **Urban Design Officer** – Comments that the layout has been revised and a number of aspects have been improved. However, some of the changes have not been addressed and some changes have resulted in a further deterioration of design quality. The principle objection remains that it is not appropriate for plots to back out on to Bannold Drove. Although it is not a major route, it is not appropriate for the houses to be inward facing. They should provide a positive frontage out of the development to activate this route. If it is not possible for the houses to front the road, side elevations should be close to the road that includes some windows. 1.8 metre high close boarded fences are not an acceptable boundary treatment for this edge.

The scale of the block of flats has been significantly increased and relates poorly to the rest of the development, particularly Plots 34 to 35. The areas of parking between units 34 to 40 needs to be broken up so it is not car dominated. All developments should be as permeable as possible and plans should take account of the proposals to the west of the site and make as many connections as possible. Pedestrian connections should also be made to Bannold Drove.

13. **Landscape Design Officer** – Comments that some of the planting beds are too small and requests details of the method of planting and construction of fence posts under the trees and within the root protection area of trees (i.e. hand dug), tree protection adjacent to the ditch, specification of wildflower and bulb planting, scale of shrubs and tree pits, details of hard surfaces, bollard specification, cycle storage design and materials of the bin store.
14. **Trees and Landscapes Officer** – Comments that there is no disagreement to the assessment and conclusions in the report. However, the tree protection plan is not adequate as the details may be inaccurate due to the scale of the plan. Requires a more detailed drawing.
15. **Ecology Officer** – Comments that the revised plans have addressed some of the previous concerns. The marginal planting is now satisfactory and the proposals include wetland planting as well as a suitable seed mix for further from the pond. The balancing pond should be overdeep and details of the depth should be provided. Requests additional bat and bird boxes given the scale of the scheme. Requires the details to be agreed through an ecological enhancement condition.
16. **Local Highways Authority** – Requests that the footpath along the frontage of the site to connect to the existing footpath is clearly dimensioned and that a footway at the front of the site is required to be installed in an easterly direction as well as a westerly direction to provide safe pedestrian access within the existing adopted highway, the footpath on the open space in the south western corner should follow the desire line, the internal roads are designed to achieve a 20 mph speed limit, the tracking details of the adoption of the surface water drainage system, any gates are set back 5 metres from the near edge of the highway and open inwards, the plan showing the visibility splays is accurate, the visitor parking bays to be relocated as they would be likely to be used by residents, details of an access ramp, and a better design for the emergency access rather than dropped bollards. Requires conditions in relation to a traffic management plan during construction, the driveways constructed so that they fall away from the public highway, the driveways are constructed from bound materials. Also suggests an informative in relation to works to the public highway.
17. **Environment Agency** – Has no objections in principle subject to informatives.
18. **Cambridgeshire County Council Flood and Water Team** – Comments that it is satisfied with the proposal as the applicant has proposed to use permeable paving, a balancing pond and water butts to manage surface water on site with a discharge rate of 1.1 litre/second/hectare to the Internal Drainage Board drain. However, requires conditions in relation to the detailed design and management and maintenance of the surface water drainage scheme.
19. **Waterbeach Level Internal Drainage Board** – Comments that the method of balancing the surface water on site is supported. It is noted that the water will be discharged into the Board's main drain. The Board will only accept a greenfield run-off rate of 1.1 litre/second/hectare. The new discharge will require the consent of the Board. From the drawings provided, it appears that surface water discharge from the

site will connect into the existing surface water sewer which discharges into the Boards drain. This sewer was installed to take water from a different site. The Board would be against any further connections to this sewer which could affect its original design capacity. The Boards preference would be for a direct discharge into the Board's system. The granting of planning permission does not guarantee that the applicant will obtain the consent of the board. There are historic flood problems in the area caused by the foul water system overflowing during periods of heavy rainfall. The Board are concerned that this development will exacerbate the problem increasing the risk of foul water entering into the Boards drains.

20. **Cambridgeshire County Council Historic Environment Team** – Comments that there is no archaeological requirement for this scheme as an evaluation has taken place that finding no significant archaeological remains.

Representations

21. **Local Residents** – 4 representations have been received from nearby residents. The following concerns have been raised: -
- i) Sustainability of the village – recommended for downgrading to a 'Better Served Village'. Issues of congestion on the A10, overcrowding of peak trains and lack of a viable bus service.
 - ii) Bannold Drove and Bannold Road across the site frontage should be kerbed for pedestrian and cyclists safety and a grass verge should be reinstated across 90 Bannold Road and north.
 - iii) The flow of sewage would be south rather than north to the pumping station.
 - iv) The site is rural in character and should be retained.
 - v) Increase in traffic on roads that may not have the capacity to accommodate such numbers.
 - vi) Increase in parking on roads near the station by commuters.
 - vii) Pressure on school places.
 - viii) Premature in relation to the emerging Local Plan.
 - ix) Questions the need for the development.
 - x) Site at risk of pluvial and fluvial flooding and the drainage capacity may not be adequate.
 - xi) High densities not in keeping with ribbon development and surrounding fields.
 - xii) Landscaping is out of keeping with the surrounding area and should be improved.
 - xiii) Lack of parking spaces including visitor spaces.
 - xiv) Need for emergency access to Bannold Road.
 - xv) Responsibility for adoption of the road and maintenance of green spaces.

PLANNING ASSESSMENT

22. The principle of the development of this site for up to 57 dwellings was established through planning consent S/0558/14/OL that was allowed at appeal. The key issues to consider in the determination of this application therefore relate to affordable housing mix, and the impacts of the development upon the character and appearance of the area, flood risk, highway safety, neighbour amenity, biodiversity, trees and landscaping.

Affordable Housing

23. Policy HG/3 of the LDF states that proposals for housing developments will only be permitted if they provide an agreed mix of affordable housing to meet local needs. The amount of affordable housing sought will be 40% or more of the dwellings for which planning permission may be given on all sites of two or more dwellings. Policy H/9 of

the emerging Local Plan states that the amount of affordable housing sought will be 40% or more of the dwellings for which planning permission may be given on all sites of three or more dwellings.

24. The proposal would provide 23 affordable dwellings (40%) and comply with Policy HG/3 of the LDF and H/9 of the emerging Local Plan.

Housing Mix

25. Policy HG/2 of the LDF states that in developments of more than 10 dwellings a mix of units will be sought providing a range of accommodation, including one and two bed dwellings, having regard to economic viability, the local context of the site and the need to secure a balanced community.
26. Policy H/8 of the emerging Local Plan states that a wide choice, type and mix of housing will be provided to meet the needs of different groups in the community including families with children, older people and people with disabilities. The market homes in developments of 10 or more homes will consist of:
- a. At least 30% 1 or 2 bedroom homes;
 - b. At least 30% 3 bedroom homes;
 - c. At least 30% 4 or more bedroom homes;
 - d. With a 10% flexibility allowance that can be added to any of the above categories taking account of local circumstances.
27. The erection of 10 x two bedroom dwellings (29%), 16 x three bedroom dwellings (47%) and 8 x four and five bedroom dwellings (24%) would comply with Policy HG/2 of the LDF as reasonable mix would be provided that includes smaller and medium sized dwellings.

Character and Appearance of Area

28. The proposal is not considered to harm the rural character and appearance of the area. The erection of up to 57 dwellings was considered an acceptable density by the Inspector in the appeal decision on the outline application.

Design Considerations

29. The overall layout of the site is considered satisfactory and would be in keeping with the character and appearance of the area in accordance with Policy DP/2 of the LDF. The dwellings along the frontage with Bannold Road would maintain the linear pattern of development. The arrangement of the dwellings around a main T shaped road with private driveways off is considered suitable. Although the dwellings would not front Bannold Drove, a number of side elevations would face this road that have interest though the provision of windows.
30. The vehicular and pedestrian link to the adjacent development to the west would provide permeability to the development. An emergency vehicular link and pedestrian link would also be provided to Bannold Drove to the east. Further links are not considered necessary and would be difficult due to the hedge along the western boundary and ditch along the eastern boundary.
31. The scale and heights of the dwellings are acceptable and would reflect surrounding developments. It should be noted that there are examples of three storey buildings to the north on Kirby Road close to the site and this building would provide a landmark and visual stop to the main road. A condition would be attached to any consent to

remove permitted development rights for extensions, roof extensions and outbuildings given the density of the development and location of the site in the countryside.

32. The design, form and materials of the dwellings are satisfactory given the variety of styles of dwellings in the area.
33. The landscaping along the boundaries of the site is considered acceptable. A condition was attached to the outline consent in relation to boundary treatment that would ensure that there would not be close boarded fences along the boundary with Bannold Drove and additional soft landscaping would be provided.
34. Although it is noted that the parking on Plots 34 to 40 are to the front of the dwellings, this is considered satisfactory given that the remainder of the development has parking to the side of the dwellings or within a rear parking court.
35. The siting of the areas of public open space are acceptable and would ensure that a soft barrier would be provided along the southern boundary of the site to soften the impact of the development upon the adjoining open countryside and a central space at the end of the entrance road.

Trees and Landscaping

36. There is a condition on the planning consent that requires tree protection details to be agreed.

Biodiversity

37. The development would not harm biodiversity. A condition is attached to the outline consent in relation to ecological enhancement.

Highway Safety and Parking

38. The traffic generation from a development of up to 57 dwellings and the access to the site was considered acceptable at the outline application stage.
39. At least two parking spaces would be provided for each house and at least one parking space would be provided for each flat. In addition, three visitor parking spaces would be provided. This level of parking is considered acceptable as the Council's standards require an average of 1.5 spaces per dwelling and a maximum of two spaces for each dwelling. Although the spaces would be located within the parking court to the rear of flats, they would be allocated as visitor spaces.
40. At least one cycle parking space would be provided for each dwelling that would be in accordance with the Council's standards.
41. A traffic management plan condition was attached to the outline consent to control contractor parking, routes to the site and the storage of materials. A condition would be attached to any consent to ensure adequate pedestrian visibility splays are provided.
42. The emergency access would only be used if the main access is blocked. It is considered an acceptable design. It is not considered reasonable for the provision of a kerb along this road. The outline consent secured a footpath along the Bannold Road frontage.

43. A refuse vehicle would not now need to turn on site as the development would link to the adjacent development to the west. In any case, the wheels of the refuse vehicle would not cross the pavement.

Flood Risk

44. The site is situated in flood zone 1 (low risk). It has been demonstrated through the submitted Flood Risk Assessment that surface water can be dealt with on site by using permeable paving, balancing ponds and water butts. The run-off rate would be as existing and meet the requirements of the Drainage Board and the applicants have confirmed that the surface water would drain direct to the IDB drain rather than via the surface water sewer and this would be secured by a condition. This would comply with Policy NE/11 of the LDF and the proposal is not therefore considered to increase the risk of flooding to the site and surrounding area. A condition was attached to the outline consent to agree the detailed design of the surface water drainage scheme and its maintenance.

45. Neighbour Amenity

The proposal is not considered to adversely affect the amenities of neighbours through an unduly overbearing mass, through a loss of light or through a loss of privacy. Whilst it is noted that Plot 1 would be situated 12 metres from No. 133 Bannold Road and close to the boundary with the garden of that property, the relationship is considered acceptable given the significant landscaping along the boundary. The relationship of the block of flats with No. 60 Kirby Road is also satisfactory given the distance of 20 metres and oblique angle of view. Conditions would be attached to any consent to ensure any windows facing neighbours are fixed shut and obscure glazed to maintain privacy.

46. Other Matters

The road would be adopted by the Local Highways Authority providing it is constructed in accordance with its specification. The areas of open space would be maintained by the Parish Council or a Management Company.

47. Conclusion

Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should be granted in this instance.

RECOMMENDATION

48. It is recommended that the Planning Committee approves the application subject to the following conditions: -

- i) Time Limit
- ii) Approved Plans
- iii) Removal of Permitted Development Rights – Extensions, Roof Extensions, Outbuildings to All Plots
- iv) Windows (Fixed and Obscure Glazed) – Plots to be Confirmed
- v) Pedestrian Visibility Splays
- vi) Parking Layout
- vii) Road Link Construction
- viii) Cycle Store/ Garden Shed Details - All Plots

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 Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- South Cambridgeshire Local Plan Submission 2014
- Planning File References: S/2588/15/RM & S/0558/14/OL

Report Author:

Karen Pell-Coggins
Telephone Number:

Principal Planning Officer
01954 713230



FOR INTERNAL USE ONLY

Scale - 1:2500

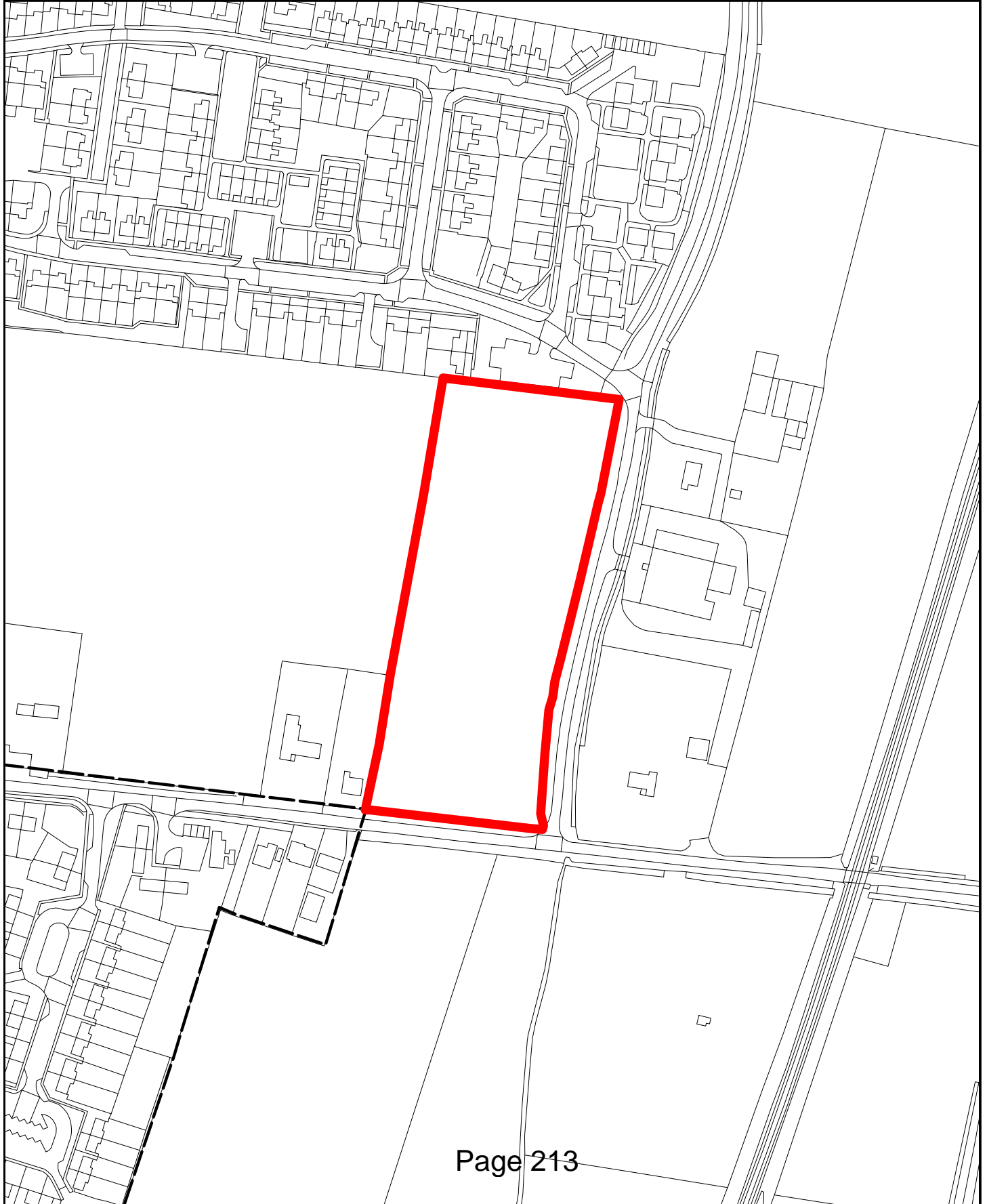
Time of plot: 08:57

Date of plot: 20/06/2016



**South
Cambridgeshire
District Council**

© Crown copyright [and database rights] (2015) OS (100022500)



This page is left blank intentionally.

Agenda Item 11

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

06 July 2016

AUTHOR/S: Planning and New Communities Director

Application Number: S/1275/15/FL

Parish(es): Fulbourn

Proposal: Erection of 6 six dwellings with associated works, including access alterations and landscaping, following the removal of the existing timber yard and associated structures

Site address: Land to the East of Cox's Drove, Fulbourn, CB21 5HE

Applicant(s): Coxdrove Developments Limited

Recommendation: Approval

Key material considerations: Housing Land Supply
Planning Policy and Principle
Loss of Existing Employment Land Use
Design Considerations
Density
Housing Mix
Affordable Housing
Landscape and Visual Amenity (including Impacts on Setting of Green Belt)
Impacts on Trees
Residential Amenity
Access and Highway Safety
Heritage Assets, including Archaeology
Ecology
Drainage
Contamination
Developer Contributions

Committee Site Visit: 5 July 2016

Departure Application: Yes

Presenting Officer: Thorfinn Caithness, Principal Planning Officer

Application brought to Committee because: The application comprises a departure from the Development Plan.

Date by which decision due: 30 June 2016 (extension of time agreed)

Executive Summary

1. The application seeks full planning permission for the erection of 6 (no.) dwellings following the removal of an existing timber yard and associated structures.
2. The application site is located outside, but on the edge of, the Fulbourn village framework on a part brownfield / part greenfield site in the open countryside. The development would not normally be considered acceptable in principle when set against current adopted policy as a result of its location. However it is recognised that the district does not currently have a 5 year housing land supply, and therefore adopted Development Plan policies in relation to the supply of housing are considered not up to date. The local planning authority must determine the appropriate weight to apply to relevant development plan policies. The NPPF states there is a presumption in favour of sustainable development, and where relevant policies are out of date, planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
3. In this case the impact of developing 6 dwellings is considered, on balance, to outweigh the policy constraints contained under policy DP/7 of the Local Development Framework. Fulbourn is considered a sustainable location which can accommodate the proposed level of development, taking into account existing transport links and the level of local services within the village. The application is therefore recommended for approval.
4. This on balance recommendation has had due regard to the loss of the existing rural employment business which currently operates from the site, the impacts on residential amenity, trees, ecology, the setting of the Green Belt, access arrangements and all other matters of acknowledged importance. None of these identified considerations are considered sufficient to outweigh this otherwise small scale and sustainable proposal. The contribution that this development will make in terms of provision of affordable housing and other community facilities, combined with employment creation for the construction industry and allied trades and assistance with meeting the current shortfall in housing all weigh in favour of the application.
5. With regards to the impact of the proposed development on the setting of the adjacent Listed buildings and the Fulbourn Conservation Area it is considered that there will be no harm and the settings of these designated heritage assets will be preserved, in accordance with sections 66(1) and 72(1) of the Listed Buildings and Conservation Areas Act, 1990, which place a statutory duty on the local planning authority to have special regard to the desirability of preserving listed buildings and their settings, including any features of special architectural or historic interest, and the character, appearance and setting of Conservation Areas.

Site and Surroundings

6. The application site is located on the northern edge of Fulbourn village, to the east of Cox's Drove and to the north of Cow Lane.
7. The site comprises an area of 0.6 hectares of generally flat land, the main body of which is of rectangular shape.
8. The site bears mixed characteristics of both previously developed and greenfield land. The eastern part of the site is more developed, comprising the main wood processing, cutting and storage areas. The western part of the site is generally undeveloped and is overgrown with shrubs.

9. The site is served by an existing private access from Cox's Drove to the west. This access contains two corners and is of informal character and construction. The existing wood yard shares this private drive with three residential properties – 28 Cow Lane, Locksley House and Saxfield House.
10. The site is located in the open countryside, outside of the defined framework for Fulbourn village. The site is however contiguous with the village framework boundary, which runs along the southern and western boundaries of the site.
11. Policy ST/4 of the adopted Core Strategy classifies Fulbourn as a 'Rural Centre', wherein development and redevelopment without any limit will be permitted within the village framework, subject to provision of adequate services, facilities and infrastructure, either existing or proposed.
12. The site is currently in commercial use, operating as a wood yard with associated ancillary storage space, principally of wood and logs. The planning history for the site indicates that this commercial use has been in operation since the early 1980's. It is understood that the business currently employs two local people on a full time basis.
13. To the west and south of the site are the rear gardens of existing residential development on Cox's Drove and Cow Lane. The eastern boundary adjoins an open field. The northern boundary abuts a field and also part of the garden to Holly Lode.
14. The boundaries of the site are comprised of established vegetation of mixed species and maturity, with the trees along the northern boundary being the subject of a Tree Preservation Order.
15. There are also a number of mature trees along the access road, some of which form the approved landscaping scheme associated with the development of Locksley House and Saxfield House.
16. 28 Cow Lane is a Grade II Listed Building. 34 Cow Lane located to the south is also a Grade II Listed Building.
17. The boundary of the designated Fulbourn Conservation Area is approximately 60 – 80 metres away to the south and south east.
18. The site lies in Flood Zone 1, and is therefore not considered to be at risk from flooding.
19. The application site is outside but adjoins the Cambridge Green Belt, which is located beyond the northern and eastern boundaries.

Proposals

20. The application is the subject of a pre-application enquiry in January 2013, at which time the principle of a small scale residential redevelopment of the site was considered acceptable. Pre-application considerations noted that the site lies outside of the defined village framework and is currently in commercial use, however the informal opinion of officers was that the benefits to the local community from the supply of additional housing and the removal of a noisy commercial use would be likely to outweigh the minimal loss of employment land. Officer advice also outlined that any development proposals should be appropriate in terms of their density and housing mix, however it was considered that a small scale development would be unlikely to be harmful to the setting of the adjacent listed building, to neighbouring residential amenity and / or landscape character and should be acceptable in terms of

access arrangements, given the historic commercial land uses operating from the site. The advice was given with the usual caveat that it should not bind the authority to any particular decision on any planning application that may be submitted and which would be subject to publicity and consultation.

21. The current application seeks full planning permission for the erection of 6 (no.) dwellings and associated works following cessation of the existing wood yard and removal of all structures associated with this existing land use.
22. The scheme proposes a density of 13 dwellings per hectare (excluding the site access).
23. A mix of property types and sizes is proposed, including 2 (no.) detached and 4 (no.) semi-detached, 2 x 2-bed, 2 x 3-bed, 1 x 4-bed and 1 x 5-bed units.
24. The properties will be accessed via a private access arrangement, to be shared with three existing properties. The existing drive will be improved in places to facilitate two-way movements and manoeuvring. A within-site turning space is proposed within the main body of the site, to enable vehicles to enter and depart the site in a forward gear. Each property is served with off-street parking space.
25. The proposed layout has been arrived at taking account of a number of site characteristics, opportunities and constraints, in particular the mature trees along the northern boundary, which are the subject of a TPO. Other influences include regard for the landscape character and visual amenity of this edge of settlement and Green Belt site, relationships with existing neighbouring properties and the proximity to 28 Cow Lane, which is a Grade II Listed Building.
26. Regard has also been had to the character of two recently constructed properties to the west; Locksley House and Saxfield House. The largest of the proposed properties (plot 6) displays the characteristics of a principal farmhouse, with the other properties appearing as converted outbuildings.
27. Foul water will discharge to the main sewer. Surface water will discharge to on-site soakaways.
28. It is proposed that wheelie bins will be collected at the junction with Cox's Drove, however they will be stored within the individual domestic curtilages at all other times.

Planning History

29. PRE/0509/12 – Residential Development (Four Dwellings and Garages) – Answered 31-01-2013.
S/0792/91/F – Storage and Cutting of Wood – Approved (Permanent).
S/1411/85/F – Storage and Cutting of Wood – Approved (Temporary).
S/1129/84/F – Storage and Cutting of Wood – Approved (Temporary).
S/0988/83/F – Storage and Cutting of Wood – Approved (Temporary).
S/0379/81/F – Storage and Cutting of Wood – Approved (Temporary).

30. **Planning Policy**

The following policies are considered relevant to this application. Policies considered 'out of date' in respect of the lack of a five year housing land supply are referred to later in this report.

National Guidance

31. National Planning Policy Framework 2012 (NPPF)
National Planning Practice Guidance 2014 (NPPG)

Development Plan Policies

32. **South Cambridgeshire LDF Core Strategy DPD, 2007**
ST/2 Housing Provision
ST/3 Re-Using Previously Developed Land and Buildings
ST/4 Rural Centres
33. **South Cambridgeshire LDF Development Control Policies DPD, 2007:**

DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/4 Infrastructure and New Developments
DP/7 Development Frameworks
GB/3 Mitigating the Impact of Development Adjoining the Green Belt
HG/1 Housing Density
HG/2 Housing Mix
HG/3 Affordable Housing
ET/6 Loss of Rural Employment to Non-Employment Uses
SF/10 Outdoor Playspace, Informal Open Space, and New Developments
SF/11 Open Space Standards
NE/1 Energy Efficiency
NE/3 Renewable Energy Technologies in New Development
NE/4 Landscape Character Areas
NE/6 Biodiversity
NE/9 Water and Drainage Infrastructure
CH/2 Archaeological Sites
CH/4 Development Within the Curtilage or Setting of a Listed Building
TR/1 Planning For More Sustainable Travel
TR/2 Car and Cycle Parking Standards
34. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**

District Design Guide - Adopted March 2010
Open Space in New Developments SPD - Adopted January 2009
Affordable Housing – Adopted March 2010
Development Affecting Conservation Areas – Adopted January 2009
Listed Buildings – Adopted July 2009
Trees & Development Sites – Adopted January 2009
Landscape in New Developments SPD - Adopted March 2010
Biodiversity SPD - Adopted July 2009
Cambridgeshire and Peterborough Waste Partnership (RECAP) Waste Management Design Guide – Adopted February 2012
35. **South Cambridgeshire Local Plan Submission - March 2014**

S/1 Vision
S/2 Objectives of the Local Plan
S/3 Presumption in Favour of Sustainable Development

S/5 Provision of New Jobs and Homes
 S/6 The Development Strategy to 2031
 S/7 Development Frameworks
 S/9 Minor Rural Centres
 CC/1 Mitigation and Adaption to Climate Change
 CC/3 Renewable and Low Carbon Energy in New Developments
 CC/6 Construction Methods
 CC/7 Water Quality
 CC/8 Sustainable Drainage Systems
 HQ/1 Design Principles
 NH/2 Protecting and Enhancing Landscape Character
 NH/4 Biodiversity
 NH/8 Mitigating the Impact of Development in and Adjoining the Green Belt
 NH14 Heritage Assets
 H/7 Housing Density
 H/8 Housing Mix
 H/9 Affordable Housing
 H/11 Residential Space Standards for Market Housing
 E/14 Loss of Employment Land to Non Employment Uses
 SC/4 Meeting Community Needs
 SC/6 Indoor Community Facilities
 SC/7 Outdoor Play Space, Informal Open Space and New Developments
 SC/12 Contaminated Land
 TI/2 Planning for Sustainable Travel
 TI/3 Parking Provision
 TI/8 Infrastructure and New Developments

Consultation

36. Fulbourn Parish Council

Second Response – Recommend approval. The Parish Council supports this application subject to access / highways issues being resolved. All parishioners down Cox's Drove have complained to the District Councillor about the parking issues and he has made repeated visits to the tenants of the industrial premises who are parking on the access road to try and resolve the problem. The tenants have been reported for blocking access with cars for sale and are not complying with requests to move them. Access for emergency vehicles is severely restricted. This is a sensitive issue and the concerns of the neighbours should be taken into account.

First Response – Recommend refusal. There will be a loss of privacy to the residents at Locksley House as this application does not show the correct boundary of this neighbouring property which has already been extended. The Council is concerned about road safety which has an 'S' bend in the road and that access would be inadequate for emergency vehicles. This application is outside the Local Development Framework.

37. Local Highways Authority

Fourth Response – No Objections to the supplementary Highways Technical Note by SLR dated 31st May 2016 regarding housing trip generation, access road design and the Cox's Drove splay provision.

Third Response – Locksley House is situated within private land and is not located within the adoptable highway and therefore we cannot raise objection to the

occupants concerns about the proximity of their porch to the access.

With regards housing trip generation, the applicant should confirm if the '70% of all journeys from such a residential unit' is data taken from the census or is assumed. Access and Standards and Suitability – the Highway Authority would recommend the applicant review the lengths of the individual straight sections of drive as they are considered to be in excess of the 60.0m as stated.

Swept Path Analysis Drawing Number TR01 Rev 1 – Please could the applicant provide empirical data to support the reduction of the visibility splay to 2.4m x 27m to the north of Cox's Drove.

Second Response. The Highways Authority will not require a footway within the site but will require the provision of a 2m footway link to the village of Fulbourn along Cox's Drove to Cow Lane.

First Response - Remedial works to the bank are required to enable the required visibility splays to be achieved. This area shall be kept clear of all planting, fencing, walls etc exceeding 600mm high. Conditions are advised relating to the falls and levels and construction material of the driveway, provision of a footway link to Fulbourn village along the entire length of the proposed internal 5.5m carriageway to the existing public highway and a scheme for the management of construction traffic. An informative is also advised regarding works within the public highway, in the interests of highway safety. Have advised that the road is unlikely to be adopted.

38. **Environmental Health**

No objections subject to the imposition of conditions and informatives to control construction activities, pile foundations, lighting and demolition works, in the interests of residential amenity.

39. **Conservation / Historic Buildings**

Second Response

Following the additional information submitted regarding the removal of trees within the site and along the access I have no further comments to make. The proposed development site will remain well screened from the listed building and therefore will not have an adverse impact on the setting of the listed building. The removal of trees along the access will also not have a detrimental impact.

First Response

The site is outside of the Conservation Area boundary, adjacent to a Grade II Listed thatched cottage, stretching eastwards. The site is well screened with dense mature trees, resulting in limited views of the cottage. Plot 1, closest to the Listed cottage, is predominantly single storey and will not visibly impact the setting of the building. Due to the minimal impact on heritage assets there are no concerns with regards the proposed development.

40. **Urban Design**

Second Response

Having reviewed the additional information I still do not raise an objection to this application. However, my initial concerns still remain:

- The detrimental impact on Locksley House, with the proximity of the

upgraded access road to the existing porch (ie lack of defensible space between the front door and the carriageway).

- It is very disappointing that no affordable units are provided to ensure this development is sustainable.
- I do not believe refuse vehicles will drive onto private drives, a refuse strategy therefore needs consideration.

First Response

Site is outside the village framework but adjacent to the existing boundary. The site is heavily screened by mature trees and planting and already contains some structures associated with its current use as a timber yard, so the development proposals are considered acceptable.

The impact of extra traffic on existing houses, primarily Locksley House and Saxfield House will be detrimental. A passing place may be needed.

The layout, scale, massing and density are appropriate for this location. It is positive the units range in size, but disappointing that no affordable units are provided to ensure this development is truly sustainable.

Refuse vehicles are unlikely to drive onto private drives, therefore a refuse strategy needs consideration.

41. **Trees / Landscape**

Second Response

There are some fairly minor trees on the site itself. The majority of important trees lie on adjacent land immediately to the north of the main part of the site and these are protected by a TPO (08/63 – covering mixed deciduous species). The application is supported by an excellent, clear and comprehensive arboricultural report. The report and tree protection plan are fit for purpose. I have no objection to the application provided that a condition be applied to ensure compliance with the tree protection plan (dwg 2380 16/02/2016 of Andrew Belson) and the recommendations in the accompanying report.

First Response

There is residential development to the south and west. To the north and east are open fields and paddocks surrounded by trees and hedgerows. The site is outside the development framework but not within the Green Belt. The site is partially surrounded by semi-mature and young trees. There are no public rights of way within or adjacent to the application site.

Access to the site is via an existing and extended gravel private road, across which is located a TPO Ref: C/11/17/031/05 Group consisting of 3 Sycamore. The applicant has not included these trees within the Arboricultural Implications Assessment and Arboricultural Method Statement to confirm tree recommendations or protection works. The applicant should confirm any existing trees or shrubs within the access road to determine protection methods and recommendations, such as no dig methods.

The landscape characteristics of the site and the immediate surrounding area include small paddocks around the village frameworks, paddocks or fields, chalk land and

fields surrounded by low thorn and often 'gappy' hedgerows. Mitigation and enhancement measures include retention of existing mature boundary planting, infilling of gaps and provision of a new boundary hedge to the east of the site. These measures are welcomed.

Opportunities exist for environmental enhancement, including provision of open green spaces with meadow seed mix to strengthen landscape character and enhance biodiversity, creation of sustainable urban drainage systems and provision of fruit trees.

Overall, no objections in principle subject to careful landscape mitigation and enhancement measures.

42. Ecology

Second Response

The updated preliminary ecological appraisal and updated reptile survey have been considered and no additional comments are raised, subject to the previously amended conditions.

First Response

No objections. The application is supported by an acceptable ecological assessment which raises no biodiversity constraints to development. Standard conditions are advised to control removal of vegetation during the bird breeding season and a scheme for ecological enhancement.

43. Archaeology

The site lies in an area of known archaeological sensitivity. The trench-based evaluation indicates that multi-period remains are present. No remains could be considered to be of national importance and so there are no objections to the proposals on archaeological grounds. However, development impacts should be mitigated through prior archaeological excavation, reporting (including publication of the results if appropriate) and be appropriately archived. A standard condition is advised.

44. Contaminated Land

The submitted 'Preliminary Geo-Environmental Risk Assessment' is considered satisfactory but further intrusive investigation is necessary. A standard pre-commencement condition requiring intrusive investigation (and remediation / dealing with unexpected contamination if applicable) is advised.

45. Housing Development Officer

Accept the commuted sum of £230,256 in lieu of 2 x 2 bedroom affordable housing properties on this site. The Council's New Build Development Team would not be interested in acquiring the affordable housing on this scheme.

46. Representations

Second Consultation

3 letters of representation have been received from residents. The following concerns

and objections have been raised:

- i) Removal of trees. We hope this is kept to a minimum and as many trees as possible are kept as a screen between the development and the properties along the boundary of Cow Lane;
- ii) The opening of a garage in Cox's Drove has already had an impact on the volume of traffic in this area and this development will only add to the number travelling along an already busy road.
- iii) The owner of Locksley House has reviewed the Transport Consultant's report which states the access way is sufficient to support the safe passage of two large vehicles. Having lived on this access way for some 10 years, I can assure you that this is not the case. There is a blind chicane along this access way that does not allow the passage of 2 normal-sized cars at the same time, such that if one encounters another vehicle at that point, one or other vehicle has to reverse to make way for the other.
- iv) The owners of Locksley House maintain their concerns about adverse effects on privacy resulting from the increased use of the access way, increased traffic noise, conflict with children playing on the currently quiet access way and the likelihood of trespassing by pedestrians onto the Locksley House Property.
- v) The shrubs and hedging along the access way would have to be severely cut back or removed. This hedging was included as a condition of the original planning permission for Locksley House and Saxfield House, and ensures the privacy of these existing properties and 28 Cow Lane.
- vi) The proposal will have a dreadful impact on residential amenity. Please guarantee that this application is referred to planning committee. It is essential that the Councillors visit the site so that they can appreciate the adverse impacts.
- vii) Objection from the new owners of 28 Cow Lane on the grounds of insufficient width on the proposed access to enable two way passing of vehicles, increased risk of accidents and conflict with playing children, added traffic and risk of accidents on Cow Lane, conflict of refuse vehicles with pedestrians, cars and cyclists, as it is impractical to expect residents of the new properties to wheel their bins to the junction with Cow Lane, additional noise, light and traffic pollution, unbearable impacts on amenity from increased passing traffic.
- viii) In heavy rain conditions we have experienced the waste water backing up, causing water to rise up in the toilet and shower. By tripling the load in the area this could become a significant problem.

First Consultation

13 letters of representation have been received from local residents. The following objections and concerns are raised:

- i) Site is outside the village framework and therefore contrary to policy
- ii) Poor and dangerous access to the site, including blind junctions and corners, with inadequate passing space for vehicles, unsatisfactory visibility and no provision for safe pedestrian access
- iii) No provision to accommodate construction traffic
- iv) Harmful impacts on privacy and amenities of existing residents, particularly Locksley House and Saxfield House
- v) Inaccurate plans which do not show the true physical relationship of the access with Locksley House
- vi) Intensification of use of the existing access and associated nuisance to existing residents
- vii) Loss of tranquillity and peaceful ambience of this semi-rural transition zone between the village and the open countryside
- viii) Harmful effects on heritage assets including settings of Listed Buildings and the village Conservation Area, including loss of existing trees along the access which, in particular, contribute to the setting of 28 Cow Lane
- ix) Harmful effect on local character as a consequence of the nature and extent of the proposed access improvements
- x) Harmful effects on general landscape character and visual amenity
- xi) Loss of existing employment land use and no evidence of marketing of site for employment land uses
- xii) No provision of a plan to show the footpath link required by the Highways Authority
- xiii) Adverse effects on TPO trees as a consequence of the necessary access / surface improvements, with tree felling likely and adverse effects on root protection zones
- xiv) Loss of habitat for protected species
- xv) Concerns about hours of construction activities and deliveries
- xvi) Adverse impacts on the security of properties (defensible space and fear of crime)
- xvii) Notice not served on operators of the wood yard
- xviii) Essential that Committee Members visit the site to appreciate the dreadful and adverse impact the development will have on current residents.

Planning Assessment

47. Applications are to be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. The adopted Development Plan comprises the South Cambridgeshire Core Strategy DPD, 2007, Development Control Policies DPD, 2007 and Site Specific Policies DPD.

The emerging Local Plan comprises the South Cambridgeshire Local Plan, Proposed Submission Version, July 2013 and associated Policies Map. This plan has not yet been adopted and remains subject to independent examination therefore very limited weight can be attached to the policies contained therein at this time.

The application has been advertised as affecting the setting of a Listed Building, as required by the Planning (Listed Buildings and Conservation Areas) Act 1990.

The key issues in relation to this application are considered to be Housing Land Supply, Planning Policy and Principle, Loss of Existing Employment Land Use, Design Considerations, Density, Housing Mix, Affordable Housing, Landscape and Visual Amenity (including Impacts on Setting of Green Belt), Impacts on Trees, Residential

Amenity, Access and Highway Safety, Heritage Assets, including Archaeology, Ecology, Drainage, Contamination and Developer Contributions.

Principle of Development

Housing Land Supply

48. The National Planning Policy Framework (2012) (NPPF) requires councils to boost significantly the supply of housing and to identify and maintain a five-year housing land supply with an additional buffer as set out in paragraph 47.
49. The Council accepts that it cannot currently demonstrate a five year housing land supply in the district as required by the NPPF, having a 3.9 year supply using the methodology identified by the Inspector in the Waterbeach appeals in 2014. This shortfall is based on an objectively assessed housing need of 19,500 homes for the period 2011 to 2031 (as identified in the Strategic Housing Market Assessment 2013 and updated by the latest update undertaken for the Council in November 2015 as part of the evidence responding to the Local Plan Inspectors' preliminary conclusions) and latest assessment of housing delivery (in the housing trajectory November 2015). In these circumstances any adopted or emerging policy which can be considered to restrict the supply of housing land is considered 'out of date' in respect of paragraph 49 of the NPPF.
50. Further guidance as to which policies should be considered as 'restricting housing land supply' emerged from a recent Court of Appeal decision (Richborough v Cheshire East and Suffolk Coastal DC v Hopkins Homes). The Court extended the definition of 'relevant policies for the supply of housing' from, 'merely policies in the Development Plan that provide positively for the delivery of new housing in terms of numbers and distribution or the allocation of sites,' to include, 'plan policies whose effect is to influence the supply of housing by restricting the locations where new housing may be developed.' Therefore all policies which have the potential to restrict or affect housing supply may be considered out of date in respect of the NPPF. However even where policies are considered 'out of date' for the purposes of NPPF paragraph 49, a decision maker is required to consider what weight should attach to such relevant policies.
51. In the case of this application policies which must be considered as potentially influencing the supply of housing land are as follows:

Core Strategy

ST/2 (Housing Provision)
ST/3 (Re-Using Previously Developed Land and Buildings); and
ST/4 (Rural Centres)

Development Control Policies

DP/1 (Sustainable Development)
DP/7 (Development Frameworks)
GB/3 (Development Adjoining the Green Belt)
HG/1 (Housing Density)
HG/2 (Housing Mix)
ET/6 (Loss of Rural Employment to Non-Employment Use)
NE/6 (Biodiversity)
CH/2 (Archaeological Sites)

CH/4 (Setting of Listed Buildings)

Emerging Submission Local Plan

S/7 (Development Frameworks)

S/9 (Minor Rural Centres)

NH/2 (Landscape Character)

NH/4 (Biodiversity)

NH/8 (Development Adjoining the Green Belt)

NH/14 (Heritage Assets)

H/7 (Housing Density)

H/8 (Housing Mix)

H/11 (Residential Space Standards), and

E/14 (Loss of Rural Employment to Non-Employment Use)

52. Paragraph 14 of the NPPF states that there is a presumption in favour of sustainable development. It says that where relevant policies are out of date, planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or where specific policies in the NPPF indicate development should be restricted (which includes land designated as Green Belt in adopted plans for instance).
53. The site is located outside the Fulbourn village framework and in the countryside, where Policy DP/7 of the LDF and Policy S/7 of the emerging Local Plan state that only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted. The proposed residential development would therefore not normally be acceptable. However as noted above, under policy contained within the NPPF, Policy DP/7 is considered out of date due to the current lack of a 5 year housing land supply and therefore has limited weight.
54. It falls to the Council as decision maker to assess the weight that should be given to the existing policy. The Council considers this assessment should, in the present application, have regard to whether the policy continues to perform a material planning objective and whether it is consistent with the policies of the NPPF.
55. Fulbourn is identified as a Rural Centre under Policy ST/4 of the LDF and as a Minor Rural Centre under Policy S/9 of the emerging Local Plan where there is a good range of services and facilities, public transport provision and accessibility to employment opportunities. Policy ST/4 of the adopted Development Plan supports residential development without any limit in Rural Centres, subject to the provision of adequate services, facilities and infrastructure. Policy S/9 of the emerging Local Plan supports residential developments up to an indicative maximum scheme of size of 30 dwellings, within the development frameworks of Minor Rural Centres. The erection of 6 dwellings would fall well within the amount of residential development normally supported in such locations and thus is considered to be acceptable in relation to this tier of the settlement hierarchy, set out within both the existing and emerging Development Plans. Fulbourn is a sustainable location which is capable of accommodating this level of additional housing. Therefore substantial weight can be applied to policy ST/4 of the adopted Local Plan and Policy S/9 of the emerging Local Plan.

Deliverability

56. There are no known technical constraints to the site's delivery. Officers are therefore of the view that the site can be delivered within a timescale whereby significant weight can be given to the contribution the proposal could make to the 5 year housing land supply.
57. Section 7 of the National Framework states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Furthermore, paragraph 58 of the NPPF states that developments should, amongst other things, add to the overall quality of the area, establish a strong sense of place, respond to local character and history, reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation, and be visually attractive with appropriate landscaping.

Sustainability of development

58. The NPPF states that there are 3 dimensions to sustainable development, economic, social and environmental. The aspects are considered in the assessment of highlighted issues below.

Economic

59. The provision of 6 new dwellings, although a relatively modest proposal, will nevertheless give rise to employment during the construction phase of the development, and has the potential to result in an increase in the use of local services and facilities, both of which will be of benefit to the local economy.

Social

60. The development would provide a clear benefit in helping to meet the current housing shortfall in South Cambridgeshire through delivering 6 residential dwellings. 40% of these units will be affordable (2 units), to be provided off-site by way of a commuted sum in lieu of on-site provision. Officers are of the view the provision of 6 houses, including the affordable dwellings, is a benefit and significant weight should be attributed to this in the decision making process.
61. The development will also make some valuable contributions in relation to open space provision / improvement in the locality. This could be in the form of indoor, outdoor and equipped children's play space, the details of which can be agreed in consultation with the Parish Council and secured through a legal agreement. Significant weight can be given to these anticipated benefits in the planning balance.

Environmental

Trees/Landscaping

62. The site contains a number of mature trees and hedges which make a valuable contribution to defining the character of this edge of settlement site. Some of the mature boundary trees are subject to tree preservation orders and some of the trees along the access lane to the main body of the site need to be removed to facilitate access widening and improvements to enable two-way passing of vehicles.

63. The application is supported by detailed arboricultural assessment and method statements. A small number of trees are proposed to be removed, notably along the private driveway, however in the main, the existing mature landscaping which defines the main body of the site will be safeguarded. Planning conditions will be needed to ensure appropriate tree protection measures are installed during the construction phase and to control root protection areas during works to upgrade the site access.
64. The Council's Tree Section has considered the arboricultural information, including the additional information regarding the removal of a number of trees along the private drive, and is satisfied that the development proposals will be satisfactory in relation to their impacts on, and relationships with, the existing mature trees on the site, and along the private drive serving the site. The Council's Tree Officer therefore has no objections subject to a condition to ensure compliance with the submitted tree protection plan and the recommendations in the arboricultural report.
- 65.
66. The application also proposes additional landscape planting to supplement the existing planting. It is therefore considered that the development proposals can be satisfactorily absorbed into the wider landscape setting of this edge of settlement location.

Biodiversity

67. The site is currently in use as a commercial wood yard, however the prevailing mix of mature trees and hedges, combined with other generally undisturbed and unmanaged areas of the site, which are overgrown with grasses and shrubs, offers the potential for suitable habitat for a number of protected species, including reptiles, breeding birds and bats. The application is supported by a number of desk top and walkover surveys by a suitably qualified ecologist. The surveys have identified several bird boxes on the site, which may also be suitable for bats. There are also a number of structures on the site proposed for removal, however these are small open sided sheds for the storage of tools and chopped wood and are therefore considered to have no bat roost potential. Two water bodies are located within 500m of the site, however these are separated from the site by residential properties. These waterbodies have previously been surveyed by the commissioned ecologist and were found not to contain any Great Crested Newt. Therefore, although there is some suitable terrestrial habitat for Great Crested Newt on the site, the risk of Great Crested Newt being present on the site is considered low, due to the absence of breeding ponds within 500 metres of the site and the poor connectivity between the site and the those ponds which are present in the locality.
68. The application is supported by a number of protected species assessments, the conclusions of which confirm that the site is considered to be of low ecological value. Nevertheless, the proposed clearance of some areas of ground vegetation and selective tree felling has the potential to cause some disturbance to and loss of habitat. Whilst initial site surveys have not revealed the presence of bats or reptiles on the site, several wild birds are likely to use the site for foraging and breeding. The existing bird boxes may also be used by foraging bats at certain times of the year; likewise any tree felling proposals could have potential to impact on bat habitat.
69. An updated reptile survey has taken place in April 2016 which has confirmed that there are no reptiles present on the site.
70. The updated Ecological Appraisal and updated Reptile surveys contain a number of recommendations with respect to the timing of clearance of vegetation and further checks of bird boxes and trees prior to on site works and / or selective tree felling.

71. The proposals also provide an opportunity for a number of biodiversity enhancements, and these, together with the other protected species safeguards set out in the supporting reports can be secured by way of a suitable planning condition.
72. The Council's Ecology officer has been consulted, and re-consulted on the updated surveys, and has no objections, subject to controlling the timing of vegetation clearance and securing an appropriate ecological enhancement and management scheme.

Housing Density

73. The site measures 0.6 hectares in area. The development equates to a density of 13 dwellings per hectare. This density is low, and whilst it would conflict with the higher density requirement of at least 40 dwellings per hectare sought for more sustainable villages by Policy HG/1 of the LDF, only limited weight can be given to this particular policy in light of the housing shortfall. In any case, a lower density scheme is considered to be more appropriate for this edge of settlement site, taking account of factors such as the mature perimeter planting, private drive access arrangement, neighbouring properties and the adjacent listed building. It is considered that a higher, more policy-compliant density would be unsuitable and potentially harmful for this particular site, therefore the density proposed strikes the right balance.

Affordable Housing

74. Policy HG/3 of the adopted Development Plan seeks the provision of 40% of housing on residential development schemes of 2 or more dwellings, which is proposed to be carried through into Policy H/8 of the emerging Local Plan. The application proposes a commuted sum for provision off-site. Whilst on-site provision would be preferable, as referenced by the Council's Urban Design consultee, the applicant has approached three Registered Providers and there is no interest in acquiring 2 on-site affordable units which could in theory be delivered on site. The Council is also a Registered provider but in this case the Council's Housing Team has confirmed that off-site provision would be acceptable.
75. It should be noted that recent amendments to the Government's National Planning Practice Guidance outlines that developer contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development. This follows the order of the Court of Appeal dated 13 May 2016, which give legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 and should be taken into account. In the case of this current application, contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm.
76. Notwithstanding this recent change, in this case the applicant is still agreeable to meeting his developer obligations required under the now superseded policy.

Housing Mix

77. The application proposes a mix of house types and sizes, in accordance with the requirements of Policy HG/2 of the adopted Local Plan and Policy H/8 of the emerging Local Plan. This includes 2, 3, 4 and 5-bed properties. It is anticipated that the scheme will help to meet a variety of housing needs and demands in the locality. The

house types proposed accord with Policy H/11 Residential Space Standards for Market Housing in the emerging Local Plan.

Developer Contributions

78. Adopted Local Plan policies require developer contributions to be made in relation to the scale of development proposed. The developer has confirmed agreement to meet these particular obligations. Their delivery can be secured by way of a legal agreement (see Heads of Terms Template in the attached appendix). These include financial contributions for the provision of off-site open space (extension and refurbishment of the sports pavilion on the recreation ground), off-site equipped children's play space (refurbishment of older existing equipment), off-site indoor community space (new building for community meeting rooms), household waste and S106 monitoring.
79. It should be noted that recent amendments to the Government's National Planning Practice Guidance outlines that developer contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development. This follows the order of the Court of Appeal dated 13 May 2016, which give legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 and should be taken into account. In the case of this current application, contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm.
80. Notwithstanding this recent change, in this case the applicant is still agreeable to meeting his developer obligations required under the now superseded policy.

Design Considerations

81. Section 7 of the National Framework states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Furthermore, paragraph 58 of the NPPF states that developments should, amongst other things, add to the overall quality of the area, establish a strong sense of place, respond to local character and history, reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation, and be visually attractive with appropriate landscaping. These aspirations are echoed in policies DP/2 and HQ/1 of the adopted and emerging Local Plans respectively and the District Design Guide.
82. A considered approach to the layout, design, scale and detailed appearance of the proposals is evident, reflecting a desire to reflect the design philosophy and principles adopted on the neighbouring development of Locksley House and Saxfield House.
83. The application site is largely self-contained and well-screened, and whilst having the capacity to absorb a potential variety of architectural styles, the applicants have adopted a traditional approach which works well on the site.
84. The scheme sets the proposed dwellings a considerable distance away from any existing neighbouring properties within an attractive landscaped setting, in amongst the existing mature planting.
85. The scale and massing of the proposed buildings is domestic in nature and the scheme proposes the impression of a principal farmhouse associated with a range of

ancillary buildings.

86. Conditions to control materials, hard and soft landscaping and boundary treatments will ensure a satisfactory finish to the development.
87. The Council's Urban Design officer has been consulted and notes that the site is heavily screened by mature trees and planting and already contains some structures associated with its current use as a timber yard, so the development proposals are considered acceptable. The Design officer also comments that the impact of extra traffic on existing houses, primarily Locksley House and Saxfield House has some potential to be detrimental and therefore should be fully considered. This is covered in the Residential Amenity Section below. The Design officer confirms that the layout, scale, massing and density are appropriate for this location and consideration should be given to securing an appropriate refuse strategy for the site.

Residential Amenity

88. The Parish Council and several local residents have expressed concerns about the impact of the proposals on privacy and residential amenity. A principal concern is the impact of additional traffic using the private drive to access the main body of the site and a perceived likelihood of increased nuisance and disturbance as a consequence of additional traffic. The owners of Locksley House have also expressed concern that the submitted particulars do not accurately reflect the position of their property (as extended) on the ground and the close proximity of their porch to the private drive. Their children also play on the private drive and will come into conflict with additional traffic.
89. When considering the impact of the proposals on residential amenity, a judgement needs to be made taking account of the established use of the application site as a commercial wood yard, and the potential and likelihood for this land use to generate and continue to generate traffic movements and other within site activities with the potential for associated noise nuisance and disturbance. This prevailing land use and the background environment which it creates are considered to be an important material planning consideration.
90. The existing wood yard has been in operation in excess of 25 years and activities include deliveries of wood, sawing and chopping, storage, loading and unloading. Whilst there are some restrictions on the times when wood can be sawed and cut (08.30 – 12.30 on Mondays to Fridays between 1st April and 31st October and 08.30 – 16.00 on Mondays to Fridays between 1st November and 31st March) there are no restrictions on the scale and intensity of the operations in terms of employee numbers, the amount or type of traffic movements or the expansion of the activities onto other parts of the site. Likewise there are no general hours of operation restrictions other than in relation to sawing and cutting and sawing of wood, therefore it is feasible that other on-site activities, such as loading and unloading could take place at all times.
91. It is noted from some local representations that the existing operation is considered to be small in scale and there are no known complaints to the Council's Environmental Health Section about noise nuisance and disturbance associated with this land use.
92. The application proposals are themselves considered to be small in scale, comprising a modest development of 6 properties. It is unlikely that this scale of residential development would be likely to generate traffic movements and / or other on-site movements and pedestrian / cycle movements along the private drive of an amount

and / or frequency which would be likely to be materially different or more harmful to that which currently prevails in relation to the wood yard operations, or which could in theory occur as a consequence of an unrestricted increase in the scale of these consented commercial operations.

93. The application proposes a small scale domestic land use which is no different to the existing residential land uses located on Cox's Drove and Cow Lane, therefore it is difficult to agree that this proposal would be materially different or more harmful in terms of its domestic nature and characteristics compared to the remainder of this residential neighbourhood. Whilst it is inevitable that there will be an increase in traffic movements to and from the site, particularly at AM and PM peak times, the increase is not considered to be so significant as to be harmful. The submitted traffic information sets out that the development would be anticipated to generate some 36 car movements per day (18 arrivals and 18 departures). This volume of traffic movement is not considered to be excessive or harmful to residential amenity, taking account of the existing commercial use of the application site.
94. It is acknowledged that Locksley House has a close physical proximity and relationship with the existing private drive, incorporating an open plan frontage with no delineated defensible space, however that is already the case in relation to passing traffic associated with the wood yard and the neighbouring property Saxfield House. Other properties in the locality are also located at back edge of footpath and / or edge of carriageway positions relative to passing vehicular and pedestrian traffic, therefore this is not an unusual or uncommon scenario.
95. In one regard, the proposal to cease the operations of the existing wood yard has the potential to be regarded as a planning gain for local residential amenity, although it is acknowledged that this is an established land use which neighbours may be familiar and entirely comfortable with.
96. Taking account of the nature and scale of the development proposals, and the likelihood for infrequent and staggered movements along the driveway as opposed to regular and intensive movements, notwithstanding the genuine concerns expressed by neighbouring residents about loss of amenity, it is considered that it would be very difficult to substantiate a reason for refusal on this ground.
97. The applicant has submitted a Technical Note in relation to traffic movements associated with the proposed land use. This outlines that the proposals would be anticipated to generate some 36 car movements per day (18 arrivals and 18 departures). The technical note accepts that a total of 51 movements would be feasible, taking account of other traffic such as deliveries etc, but this additional amount would be less frequent.
98. It is accepted that anticipated movements of between 36-51 movements per day would be likely to exceed those of the current wood yard, however as already referred to above, there are no controls over the use, frequency, intensity or vehicle type associated with this established commercial land use. Weight must be attached to this material consideration in the planning balance.
99. Other residents have expressed concerns about the potential for car lights to cause nuisance when using the driveway, however this would already be the case for those currently using the access and the use of the access by the wood yard traffic.
100. In terms of other potential residential amenity implications, such as overbearing impacts, direct overlooking and loss of daylight and sunlight, the proposals are

considered to be satisfactory in all regards, taking account of the layout, orientation and size and scale of the properties, combined with the fact that the site is well-screened by mature planting which is to be retained.

101. The Council's Environmental Health Section has been formally consulted and has no objections subject to conditions to protect neighbouring residential amenity during the construction phase and any future lighting scheme.

Highway Safety

102. The application is supported by a Transport Statement and a supplementary Technical Note, which conclude that from a locational perspective the site is highly accessible and sustainable to services and facilities by transport modes other than the private car. Moreover, from an access, parking, manoeuvring and overall highway safety perspective, the transport engineers conclude that the proposals are satisfactory, subject to some improvements to the width of the existing private driveway and some off-site highway improvements at the junction with Cox's Drove.
103. Local concerns have been expressed about the adequacy of the existing access to accommodate and cater for the proposed development, including concerns about the width and specification of the carriageway, the inability for two vehicles to pass and conflict between cars, pedestrians, cyclists and children who play on the quiet private drive. The presence of two tight, blind corners and unsatisfactory visibility splays at the junction with Cox's Drove and Cow Lane are particular local concerns.
104. The County Highways Authority has outlined that some off-site remedial works to the bank at the junction of the private drive with Cox's Drove are required to enable the required visibility splays to be achieved and this area should be kept clear of all planting, fencing, walls etc exceeding 600mm high. Conditions are advised relating to the falls and levels and construction material of the driveway and provision of a footway link to Fulbourn village along the entire length of the proposed internal 5.5m carriageway to the existing public highway and a scheme for the management of construction traffic. An informative is also advised regarding works within the public highway, in the interests of highway safety. Highway Control has also advised that the road is unlikely to be adopted.
105. The scheme proposes a small scale residential development and an informal shared surface arrangement is proposed which gives equal priority to vehicles and pedestrians. The nature of the driveway, with an S-bend with two corners is likely to act as a natural traffic calming measure and the shared surface arrangement appears to function satisfactorily in relation to the existing commercial wood yard and 3 (no.) residential properties which share and use the access. A new stretch of footpath connecting the Cox's Drove access to Cow Lane is advised by Highway Control and this can be secured by a planning condition.
106. Despite the obvious and clear local concerns expressed, the proposed access arrangements are considered to be satisfactory from a highway safety perspective, in terms of vehicular, pedestrian and cycle generation and usage and in relation to connection with the wider public highway.
107. From an operational perspective, the scheme includes a with-site turning head for emergency and delivery vehicles and off-street parking to serve all of the properties.

Loss of Existing Employment Land Use

108. Policy ET/6 of the adopted LDF and Policy E/14 of the emerging Local Plan seek to safeguard the loss of rural employment land uses from non-employment uses.
109. These are considered to comprise housing supply / restriction policies and should therefore not be considered up to date in light of the current shortfall in housing. Nevertheless, a degree of weight should be given to these policies in the planning balance, taking account of the need to promote and sustain rural employment opportunities and in light of the concerns expressed in some representations about the loss of the existing wood yard.
110. It is understood that the existing wood yard employs two local people on a full time basis. Whilst it is by no means a large operation, it provides valuable employment for two local people and their dependent families and has the capacity to employ others, albeit additional employees would be unlikely to be significant.
111. The existing and emerging policies seek to resist the loss of rural employment sites to other uses, unless it can be demonstrated that the site is inappropriate for continued employment use, including evidence of marketing of the site for commercial purposes for a period not less than 12 months, or the overall benefit to the community of the proposal outweighs any adverse effect on employment opportunities, or the existing use is generating unacceptable environmental problems.
112. Objectors have highlighted that there is no evidence of a marketing exercise, however Policy ET/6 does not state that this is a compulsory policy requirement. Proposals are capable of satisfying Policy ET/6 for example under the other two criteria of this policy, notably (b) if the overall benefits to the local community of the proposed development outweigh the loss of the existing employment activity, or (c) if the existing use is generating environmental problems.
113. There is no suggestion that the existing use is generating environmental problems, but it is reasonable to say that there could be a degree of planning gain from the cessation and removal of the land use which includes the sawing and chopping and storage and distribution of wood, and which in theory could be intensified without consent. Conversely, some locals may regard the wood yard as a compatible activity.
114. The wood yard employs only a small number of people and therefore, taking account of the fact that there is a shortfall in housing supply and that Policy ET/6 is a restrictive housing policy, and factoring in the overall community benefits that the application proposals would bring, in terms of employment for the construction industry and allied trades, support for local services and facilities and the affordable housing and other developer contributions to be generated, it is considered, on balance, that the loss of the business, whilst unfortunate, would be acceptable in planning policy terms.
115. Whilst accepting that it would be a difficult logistical operation, it would be feasible for the wood yard to relocate and remain operational, and this could be a compulsory requirement at the end of the operator's tenancy in any case.
116. In terms of wider employment opportunities for the future residents of the proposed dwellings, there is a proposed new employment allocation of 6.9 hectares at Fulbourn Road East (Policy E/2 of the Submission Draft Local Plan) located nearby, likewise the Policy E/7 Fulbourn and Ida Darwin Hospitals site in the emerging Local Plan. There are also several other employment opportunities in the wider locality, therefore the loss of the application site to housing is not considered to result in a significant

loss of employment land and opportunity.

Impacts on Heritage Assets

117. In relation to preserving the settings of Listed Buildings, Section 66(1) of the Listed Buildings and Conservation Areas Act (1990) provides:

“In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall 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”.
118. In relation to Conservation Areas Section 72(1) of the Act provides:

“ . . . special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”
119. Paragraph 132 of the NPPF, in the section dealing with the conservation and enhancement of the historic environment, states:

“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification”.
120. Paragraph 133 of the NPPF states that where a proposed development will lead to substantial harm or to a total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
121. Paragraph 134 of the NPPF says that “(where) a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use”.
122. Recent planning case law has confirmed that having “special regard” to the desirability of preserving the setting of a listed building under section 66, and paying “special attention” to the desirability of preserving or enhancing the character and appearance of a conservation area under section 72, involves more than merely giving weight to those matters in the planning balance.
123. In particular, case law has confirmed that “Preserving” in the contexts of both Listed Buildings and Conservation Areas means doing no harm.
124. Moreover, there is a statutory presumption, and a strong one, against granting planning permission for any development which would fail to preserve the setting of a listed building or the character or appearance of a conservation area. A finding of harm to the setting of a listed building or to a conservation area gives rise to a strong presumption against planning permission being granted. The presumption is a statutory one. Even if harm is considered to be “less than substantial” then

“considerable importance and weight” to the desirability of preserving and or enhancing should be applied.

125. In the context of considering this application, a judgement must be made as to whether the development proposals would cause any harm to either the setting of the adjacent Listed Building (28 Cow Lane) or the Fulbourn Conservation Area, having regard to the statutory duty to have special regard to the desirability of preserving the settings of both the Listed Building and the Conservation Area.
126. If there is harm, a judgement needs to be made as to whether this harm is substantial (including total loss of significance of a heritage asset) or less than substantial. Where harm is identified, the overarching statutory duty requires considerable weight to be given to preservation, and a strong statutory presumption against development should apply.
127. The application site does not contain any designated heritage assets; however the Heritage Assessment submitted with the planning application, and the formal responses of a number of consultees confirms that there are both designated and undesignated heritage assets adjacent to the site, as follows: -

Designated Assets

- (i) Rose Cottage, 34 Cow Lane – Grade II Listed Building
- (ii) 28 Cow Lane – Grade II Listed Building
- (iii) Fulbourn Conservation Area

Non-Designated Heritage Assets

- (iv) Holly Lodge, 44 Cox’s Drove – 19th century house with a large plot set within historic tree planting

Rose Cottage, 34 Cow Lane

34 Cow Lane is a Grade II Listed building.

128. Section 66(1) of the Listed Buildings and Conservation Areas Act requires the local planning authority to 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. In this case it is the setting of this Listed building which must be preserved.
129. The applicant’s Heritage Statement outlines that 34 Cow Lane and its garden are located some 60m south west of the application site, separated from it by 28 Cow Lane and a number of gardens to the rear of properties fronting Cow Lane. In addition, the proposed development is located on the north side of the application site, leaving the south side open and undeveloped.
130. Taking account of these factors, including the separation distance between the application site and 34 Cow Lane, combined with the detailed approach to the layout, scale, appearance and landscaping of the site, it is considered that there would be no harm to the setting of 34 Cow Lane and therefore preservation of setting would be secured, in accordance with the statutory duty under section 66(1) of the Listed Buildings and Conservation Areas Act (1990).

28 Cow Lane

131. 28 Cow Lane is a Grade II Listed building.

Section 66(1) of the Listed Buildings and Conservation Areas Act requires the local planning authority to 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. In this case it is the setting of this Listed building which must be preserved.

132. The applicant's Heritage Statement outlines that 28 Cow Lane sits centrally within its plot, with space around it. The front elevation faces west and the rear elevation faces east into its garden.

133. The main body of the application site adjoins the eastern boundary of the rear garden, some 30m to the rear of the Listed building. The access lane from Cox's Drove serving the proposed development will be shared with the Listed building.

134. Whilst the proposals do include the removal of some trees along the private drive to facilitate two-way passing of vehicles, which may expose more of the front elevation of this listed building to view from the private drive, it is not considered that these tree removals would harm the setting of this particular listed building. The Council's Historic Buildings Officer confirms that the tree removals and the overall development within the main body of the site would not cause harm to the setting of this building. The proposed development will remain well screened from 28 Cow Lane by existing and proposed new planting.

Fulbourn Conservation Area

135. Section 72(1) of the Listed Buildings and Conservation Areas Act places a duty on the local planning authority that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area, including its setting.

136. The application site is not located within the Conservation Area. The application site is located behind development fronting Cow Lane and Cox's Drove. This reduces the connectivity of the application site, both physically and visually from the Conservation Area.

137. The applicant's Heritage Statement outlines that the application site is located 80m from the Conservation Area at its closest point with Cow Lane, and 60m at its closest point with Highfield Gate. In both instances, the applicant contends that the relationships are physically and visually separated by built form and private gardens, to the extent that there are no direct relationships between the site and the setting of the Conservation Area. Moreover, development along the north side of Cow Lane comprises closely-spaced detached dwellings, therefore glimpses through these existing dwellings to the application site beyond are very limited and cannot be considered to contribute to the setting of the Conservation Area.

138. In addition, the application proposals are for a low-density development, incorporating a scale and height of buildings reflective of the locality. Moreover, the application proposes retention of the mature boundary planting which currently surrounds the site.

139. Taking account of the location of the application site relative to the Conservation Area, the intervening built development on Cow Lane, Cox's Drove and Highfield Gate, and the detailed layout, scale, appearance and landscaping of the proposals, it is

considered that there would be no harm to the setting of the Conservation Area and therefore preservation of setting would be secured, in accordance with the statutory duty under section 72(1) of the Listed Buildings and Conservation Areas Act (1990).

Holly Lodge, 44 Cox's Drove

140. This property is a non-designated heritage asset, possessing some architectural and historic interest set within a heavily landscaped setting. This property is located to the north west of the main body of the application site. Mature trees line the northern boundary of the application site and define the extent of the rear garden to this property and thus its setting. The combination of the presence of the substantial boundary tree coverage, combined with the separation distance of plot 1 (which is of single storey scale) is considered such that there will be no harm to the setting of this designated Heritage Asset.

Archaeology

141. The application site is in an area of known archaeological sensitivity.
142. The application is supported by a Desk Based Assessment and Archaeological Evaluation Report. Assessments have extended to include a number of on-site trial trenches. A small assemblage of finds of Roman and Saxon origin has been uncovered. The County Archaeologist has been formally consulted and has confirmed that the trench-based evaluation indicates that multi-period remains are present. No remains are considered to be of national importance and so there are no objections to the proposals on archaeological grounds. However, development impacts should be mitigated through prior archaeological excavation, reporting (including publication of the results if appropriate) and be appropriately archived. A standard condition is advised.

Landscape, Including Impact on Setting of the Green Belt

143. Policy GB/3 of the adopted LDF and Policy NH/ of the emerging Local Plan seek to mitigate the impact of development adjoin the Green Belt.
144. The application site is located outside of the Green Belt but the site adjoins the Green Belt on its northern and eastern sides.
145. The existing and emerging policies require development proposals in the context of adjoin the Green Belt to be located and designed so as not to have adverse effects on the rural character and openness of the Green Belt. Where schemes are permitted, they will be required to have landscaping schemes secured through condition, including maintenance in perpetuity.
146. The application site benefits from good levels of mature screening on its northern and eastern boundaries and therefore is not exposed in wider views within the Green Belt. Consequentially it is considered that, subject to the retention of this planting on the northern and eastern boundaries there will be no adverse effect on landscape character or openness. A condition is therefore recommended requiring retention and maintenance in perpetuity of a quality landscaping for the whole site, particularly for the northern and eastern boundaries.

Contamination

147. The site has a history of use as a commercial wood yard, which remains operational. As a consequence there is some potential for the site to be contaminated.
148. The application is supported by a preliminary geo-environmental risk assessment report. This concludes that, based on the historic and current use of the site, contamination sources and linkages are considered to be low. Nevertheless, an intrusive investigation is recommended to confirm the presence of any contaminants and a suitable remediation / mitigation strategy devised and verification report prepared if necessary.
149. The Council's Scientific Officer has been formally consulted and has no objections subject to a standard condition to secure further intrusive investigation, remediation and verification.

Drainage

150. Foul water will be discharged to the existing local mains infrastructure. Top water will be discharged to ground based soakaways. The prevailing chalk substrata would indicate that the site drainage well. Conditions are advised to agree full details of foul and surface water drainage.

Conclusion

151. In considering this application, the following relevant adopted development plan policies are to be regarded as 'out of date' while there is no five year housing land supply:

Core Strategy

ST/2 (Housing Provision)
 ST/3 (Re-Using Previously Developed Land and Buildings); and
 ST/4 (Rural Centres)

Development Control Policies

DP/1 (Sustainable Development)
 DP/7 (Development Frameworks)
 GB/3 (Development Adjoining the Green Belt)
 HG/1 (Housing Density)
 HG/2 (Housing Mix)
 ET/6 (Loss of Rural Employment to Non-Employment Use)
 NE/6 (Biodiversity)
 CH/2 (Archaeological Sites)
 CH/4 (Setting of Listed Buildings)

Emerging Submission Local Plan

S/7 (Development Frameworks)
 S/9 (Minor Rural Centres)
 NH/2 (Landscape Character)
 NH/4 (Biodiversity)
 NH/8 (Development Adjoining the Green Belt)
 NH/14 (Heritage Assets)
 H/7 (Housing Density)
 H/8 (Housing Mix)
 H/11 (Residential Space Standards), and

E/14 (Loss of Rural Employment to Non-Employment Use)

152. This means that where planning permission is sought which would be contrary to the policies listed above, such applications must be determined against paragraph 14 of the NPPF.
153. The proposed development raises relatively few technical concerns and accordingly little weight can be given to the above 'out of date' policies, although it is acknowledged that the development will result in the loss of an existing employment land use and will have some impacts on the amenities of existing local residents. However these concerns must be weighed against the following benefits of the development:
- i) The provision of 6 additional dwellings and their contribution towards the 1400 dwellings required to achieve a 5 year housing land supply in the district based on the objectively assessed 19,000 dwellings target set out in the SHMA and the method of calculation and buffer identified by the Inspector in the recent Waterbeach Appeal decisions.
 - ii) The provision of 2 affordable dwellings towards the need of 1,700 applicants across the district, to be secured off-site through a commuted sum.
 - iii) Developer contributions towards public open space and community facilities in the village.
 - iv) Suitable and sustainable location for this scale of residential development given the position of the site in relation to access to public transport, services and facilities and local employment.
 - v) Employment during construction to benefit the local economy.
 - vi) Greater use of local services and facilities to contribute to the local economy and improve their sustainability.
154. The adverse impacts of this development identified by the local Parish Council and local residents are not considered to significantly and demonstrably outweigh the benefits of the development, when assessed against the policies in the NPPF taken as a whole which aim to boost significantly the supply of housing and which establish a presumption in favour of sustainable development in the context of the lack of a 5-year housing land supply. Planning permission should therefore be granted because material considerations clearly outweigh the limited harm identified and the conflict with out of date policies of the LDF relating to housing delivery.
155. In addition, it is considered that there will be no harm to the settings of adjacent heritage assets and thus their settings will be preserved, in accordance with the duty prescribed under section 66(1) of the Listed Buildings Act, 1990.

Recommendation

156. Defer and delegate approval subject to the expiry of publicity advertising the application as a departure from the Development Plan, and then subject to the following conditions:

Conditions

- (i) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for

development, which have not been acted upon.)Approved Plans.

- (ii) The development hereby permitted shall be carried out in accordance with the following approved plans:

- CAPL/260629/A6/002/CF/RW/02.04.15 – Red Line Plan
- P346-B – Proposed Block Plan
- DWG No. 10 – Proposed Site Access
- TR01 Rev 1 – Swept Path Analysis
- P346-2 – Units 1 & 2 – Proposed Floor Plans
- P346-9 – Units 1 & 2 – Proposed Elevations (Southern & Western)
- P346-10 – Units 1 & 2 – Proposed Elevations (Eastern & Northern)
- P346-3B – Units 3 & 4 – Ground Floor Plans
- P346-4B – Units 3 & 4 – First Floor Plans
- P346-11A – Units 3 & 4 – Proposed Elevations (Eastern & Southern)
- P346-12A – Units 3 & 4 – Proposed Elevations ((Western & Northern)
- P346-13B – Unit 4 – Proposed Elevations (Western & Eastern)
- P346-5B – Unit 5 – Proposed Ground Floor Plan
- P346-6C – Unit 5 – Proposed First Floor Plan
- P346-14B – Unit 5 – Proposed Elevations (Southern & Western)
- P346-15B – Unit 5 – Proposed Elevations (Northern & Eastern)
- P346-7B – Unit 6 – Proposed Ground Floor Plan
- P346-8A – Unit 6 – Proposed First Floor Plan
- P346-16B – Unit 6 – Proposed Elevations (Northern & Western)
- P346-17A – Unit 6 – Proposed Elevations (Southern & Eastern)
- Tree Protection Plan Rev B, Dated 16/02/16, by Andrew Belson
- Arboricultural Implications Plan, Rev B, Dated 16/02/16, by Andrew Belson.

(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

- (iii) No development shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)Landscaping.

- (iv) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained (which must include the retention of existing trees and hedgerows on the northern and eastern boundaries of the site), together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and

NE/6 of the adopted Local Development Framework 2007.)Boundary Treatments.

- (v) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.

- (vi) In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans (Tree Protection Plan B, by Andrew Belson, dated 16 February 2016) and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from [the date of the first occupation of the dwellings hereby approved].

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with the relevant British Standard.

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

(Reason - To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)

- (vii) The development shall be implemented in accordance with the contents and recommendations set out in the approved Arboricultural Implications Assessment and Method Statement by Andrew Belson, updated February 2016, unless otherwise agreed in writing with the Local Planning Authority.

(Reason - To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)

- (viii) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment [for each dwelling] shall be completed before that/the dwelling is occupied in accordance with the approved details and shall thereafter be retained.

(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

- (ix) The development shall be implemented in accordance with the recommendations set out in the Arboricultural Method Statement prepared by Andrew Belson and the accompanying tree protection plan (Drawing 2380, dated 16/02/2016).

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

- (x) No development shall take place until a scheme of ecological enhancement has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the features to be enhanced, recreated and managed for species of local importance both in the course of development and in the future. The scheme shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.

(Reason - To enhance ecological interests in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

- (xi) Any removal of trees, scrub or hedgerow shall not take place in the bird breeding season between 15 February and 15 July inclusive, unless a mitigation scheme for the protection of bird-nesting habitat has been previously submitted to and approved in writing by the Local Planning Authority.

(Reason - To avoid causing harm to nesting birds in accordance with their protection under the Wildlife and Countryside Act 1981 and in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

- (xii) Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in

accordance with the implementation programme agreed in writing with the Local Planning Authority.

(Reason - To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policy NE/10 of the adopted Local Development Framework 2007.) Falls and Levels and Drainage and Construction of Access Road

- (xiii) Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.

(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)

- (xiv) No development shall commence until a detailed scheme for the provision of on and off-site highway improvement works has been submitted to and agreed in writing by the local planning authority. These details shall include details of remedial works on Cox's Drove and Cow Lane to enable the required visibility splays to be achieved. The details shall include details of areas to be kept clear of all planting, fencing, walls and the like exceeding 600mm. The development shall proceed in accordance with the approved details.

(Reason – In the interests of highway safety).

- (xv) No development shall commence until a detailed scheme for the provision of a footpath link from the junction of the private drive access with Cox's Drove and Cow Lane has been submitted to and agreed in writing by the local planning authority. The development shall proceed in accordance with the approved details.

(Reason – In the interests of highway safety).

- (xvi) The proposed access shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway.

(Reason – In the interests of highway safety).

- (xvii) The proposed access shall be constructed using a bound material to prevent debris spreading onto the adopted public highway.

(Reason – In the interests of highway safety).

- (xviii) No demolition or construction works shall commence until a traffic management plan has been agreed with the Local Planning Authority in consultation with the Highway Authority. The principal areas of concern that should be addressed are: -

- (1) Movements and control of muck away lorries (all loading and unloading should be undertaken off the adopted public highway).
- (2) Contractor parking, for both phases all such parking shall be within the curtilage of the site and not on street.
- (3) Movements and control of all deliveries (all loading and unloading should be undertaken off the public highway).
- (4) Control of dust, mud and debris).

(Reason – In the interests of highway safety).

- (xix) No construction site machinery or plant shall be operated, no noisy works shall be carried out and no constructed related deliveries taken at or despatched from the site except between the hours of 0800 – 1800 Monday to Friday, 0800 – 1300 Saturday and at no time on Sundays or Bank or Public Holidays.

(Reason – In the interests of residential amenity)

- (xx) Should driven pile foundations be proposed, no development shall commence until a statement of the method for construction of these foundations shall be submitted to and agreed by the District Environmental Health Officer.

(Reason – In the interests of residential amenity).

- (xxi) Should any lighting be proposed, prior to installation an artificial lighting scheme, to include details of any external lighting of the site such as street lighting, floodlighting, security / residential lighting and an assessment of any impact on any sensitive residential premises on and off site as appropriate, shall be submitted to and approved in writing by, the local planning authority. This assessment / scheme shall include layout plans / elevations with luminaire locations annotated, full vertical and horizontal isolux contour maps at nearest residential premises, hours and frequency of use, a schedule of equipment in the lighting design (luminaire types / profiles, mounting height, aiming angles / luminaire profiles, orientation, angle of glare, operational controls) and shall assess artificial light impact in accordance with the Institute of Lighting Professionals “Guidance Notes for the Reduction of Obtrusive Light GN01:2011”. The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details / measures unless the local planning authority gives its written consent to any variation.

(Reason: In the interests of residential amenity).

- (xxii) No development shall take place until a scheme for the siting and design of the screened storage of refuse has been submitted to and approved in writing by the Local Planning Authority. The screened refuse storage [for each dwelling] shall be completed before that/the dwelling is occupied in accordance with the approved scheme and shall thereafter be retained.

(Reason - To provide for the screened storage of refuse in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)No development approved by this permission shall be commenced until:

a) The application site has been subject to a detailed scheme for the investigation and recording of contamination and remediation objectives have been determined through risk assessment and agreed in writing by the Local Planning Authority.

b) Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation method statement) have been submitted to and approved in writing by the Local Planning Authority.

c) The works specified in the remediation method statement have been completed, and a validation report submitted to and approved in writing by the Local Planning Authority, in accordance with the approved scheme.

d) If, during remediation works, any contamination is identified that has not been considered in the remediation method statement, then remediation proposals for this contamination should be agreed in writing by the Local Planning Authority.

(Reason (a) - 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 DP/1 of the adopted Local Development Framework 2007). Or

(Reason (b) – To prevent the increased risk of pollution to the water environment in accordance with Policy DP/1 of the adopted Local Development Framework 2007).

(xxiii) No development shall take place on the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

(Reason - To secure the provision of archaeological excavation and the subsequent recording of the remains in accordance with Policy CH/2 of the adopted Local Development Framework 2007.)

Requirements under Section 106 of the Town and Country Planning Act 1990

(a) Affordable housing

(b) Open space

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.

- National Planning Policy Framework (NPPF)
- South Cambridgeshire Local Development Framework Core Strategy DPD 2007

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- South Cambridgeshire Local Plan Submission 2014

Report Author:

Thorfinn Caithness
Telephone Number:

Principal Planning Officer
01954 713126



FOR INTERNAL USE ONLY

Scale - 1:2500

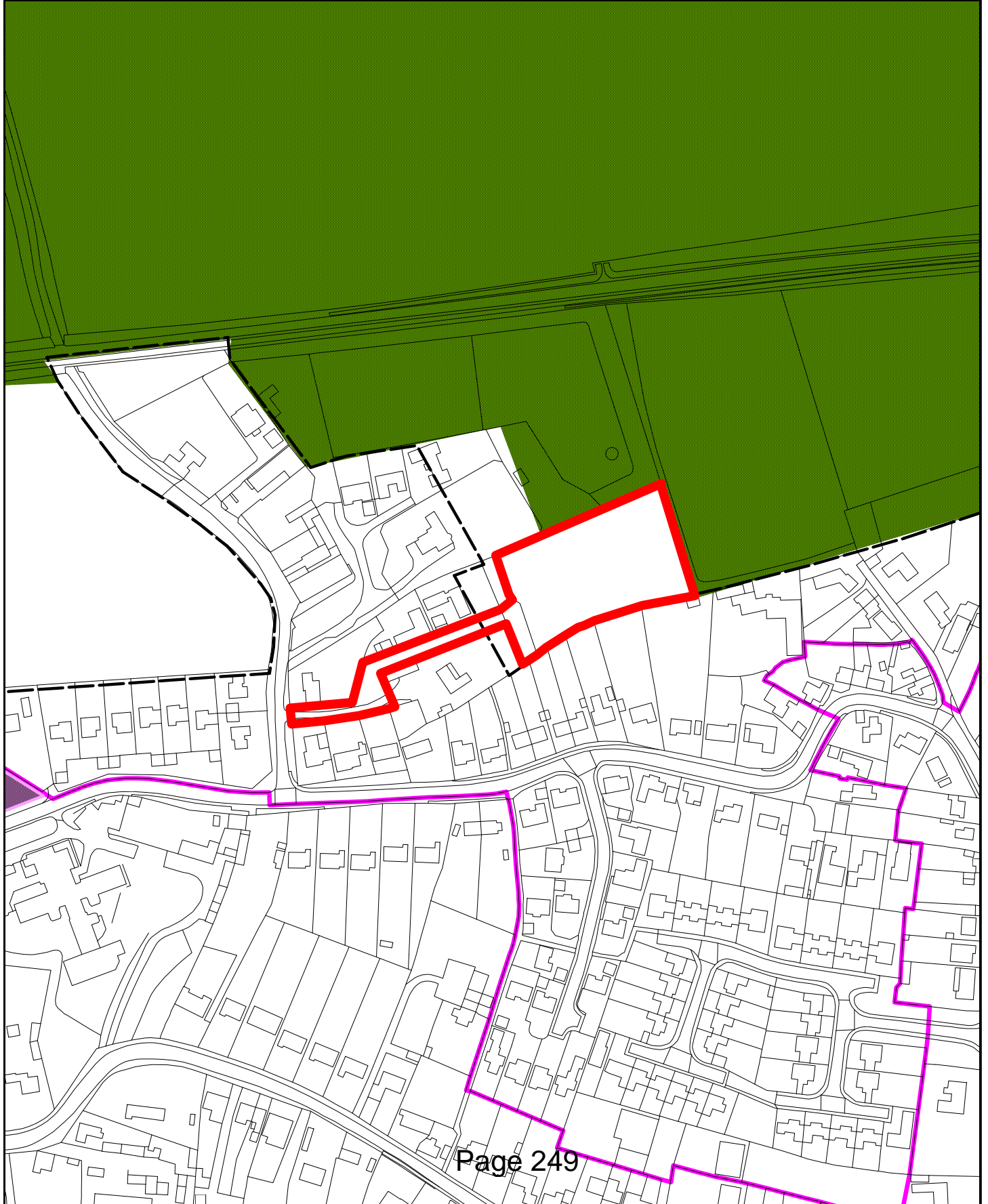
Time of plot: 08:46

Date of plot: 20/06/2016



**South
Cambridgeshire
District Council**

© Crown copyright [and database rights] (2015) OS (100022500)



This page is left blank intentionally.

Agenda Item 12

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6 July 2016

AUTHOR/S: Planning and New Communities Director

Application Number:	S/0119/16/FL
Parish(es):	Fulbourn
Proposal:	Change of use of offices to school
Site address:	9 Church Lane, Fulbourn, Cambridge, CB21 5EP
Applicant(s):	The School in the Old Rectory Ltd
Recommendation:	Approval
Key material considerations:	Principle of Development Residential Amenity Highways Safety
Committee Site Visit:	5 th July
Departure Application:	No
Presenting Officer:	James Platt, Senior Planning Officer
Application brought to Committee because:	The application proposal raises considerations of wider than local interest.
Date by which decision due:	8 th July 2016

Executive Summary

1. The proposal seeks full planning permission for the change of use of existing offices, B1(a) to an independent school, D1 (non-residential institutions), within the Development Framework of Fulbourn. The proposed pupil intake shall be capped at 50 pupils, as outlined within the submitted Travel Plan.
2. The proposal would seek to provide additional school places, addressing need within the District whilst also widening the choice in education, consistent with Paragraph 72 of the NPPF. Furthermore, Fulbourn is considered to be a more sustainable location, as identified by its designation as a Rural Centre within the adopted Core Strategy, consistent with principle of sustainable development in accordance with Policy DP/1. Whilst the proposal would lead to a loss of a B1(a) use and thus the availability of such premises within the locality, given the overall community benefit, in providing additional school places and choice of education, and the retention of some employment opportunity on the site, any adverse effects in this regard, on balance,

are outweighed, in accordance with Policy ET/6.

3. The proposed pupil intake shall be capped at 50 pupils, as outlined within the submitted Travel Plan. The cap has been introduced to attempt to overcome the initial Local Highway Authority objection, regarding the submission of insufficient empirical data to justify an uncapped pupil intake. The Local Highway Authority subsequently raises no objection. The proposal is therefore considered to provide appropriate access from the highway network that would not compromise safety, enhanced public and community transport and cycling and pedestrian infrastructure, in accordance with Policy DP/3 of the Local Development Framework Development.
4. Officers are of the view that planning permission should be granted in this instance.

Planning History

5. S/0442/08/F - Installation of 4 garage doors – Withdrawn
S/1560/90/F – Extension to offices – Approved
S/1782/89/O - Extension to offices - Approved
S/3075/88/O – Extension – Refused
S/2626/87/F – Portakabin for temporary office accommodation - Approved
S/1779/84/F – Use as nursing home
S/1588/83/F – Change of use to offices – Approved
S/1059/84/F – Research and development units - Refused
S/0445/84/D – Internal alterations and refurbishment of house to offices - Approved

Planning Policies

National Guidance

6. National Planning Policy Framework (NPPF)
National Planning Practice Guidance 2014 (NPPG)

South Cambridgeshire Core Strategy DPD, 2007

7. ST/4 Rural Centres

South Cambridgeshire LDF Development Control Policies DPD, 2007:

8. DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/7 Development Frameworks
CH/5 Conservation Areas
ET/6 Loss of Rural Employment to Non-Employment Uses
NE/15 Noise Pollution
TR/1 Planning For More Sustainable Travel
TR/2 Car and Cycle Parking Standards

South Cambridgeshire LDF Supplementary Planning Documents (SPD):

9. Open Space in New Developments SPD - Adopted January 2009
Trees & Development Sites SPD - Adopted January 2009
Landscape in New Developments SPD - Adopted March 2010
District Design Guide SPD - Adopted March 2010

South Cambridgeshire Local Plan Submission - March 2014

- 7. S/1 Vision
- S/2 Objectives of the Local Plan
- S/3 Presumption in favour of sustainable development
- S/9 Minor Rural Centre
- HQ/1 Design Principles
- NH/14 Heritage Assets
- TI/2 Planning for Sustainable Travel
- TI/3 Parking Provision
- TI/9 Education Facilities
- CC/1 Mitigation and Adaption to Climate Change

Consultation

- 8. **Fulbourn Parish Council** – Recommends approval.
- 9. **Local Highways Authority** – Raise no objection and makes the following comments;

The Old Rectory School Travel Plan dated 8th June 2016 is considered to be acceptable to the County Council to support the capped intake of 50 pupils at the school and the future monitoring to enable additional of pupils to enrol at the school should mode share targets be achieved. Table 4.1 identifies a baseline mode share for the 50 pupils based on information gathered from other independent schools and educational establishments. This mode share is considered to be reasonable for the purposes of this application and provides an indication of pupil movements with the majority of pupils travelling by car.

Table 4.2 Travel Plan identifies mode share targets for the 50, 75 and 100 intake of pupils which in effect aim to keep the numbers of cars to and from the site the same by increasing sustainable mode use amongst pupils. The targeted mode shares have been evidenced through information available from other independent schools and establishments which is considered reasonable for the purposes of this application. It will be for the school to demonstrate that the mode share targets are being achieved to allow the capped number of pupils to be increased beyond the initial 50.

The forecast pupil and staff travel by mode (Table 4.3) provides an indication of how they intend to travel to the site by sustainable modes which shows improvement compared to the proposed targets, however it will be for the monitoring to demonstrate whether this happens in reality once the school opens.

The Travel Plan includes an number of measures to be implemented by the school in order to support the use of sustainable modes, these are considered to be reasonable. Encouraging and incentivising pupils, parents and staff to use sustainable modes will be key to minimising car use to and from the site. The success of the mini-bus will be dependent on the routings of the services, which should target as many pupils as possible and ensuring that it is publicised to parents from the outset.

The County Council were concerned that parents/ carers would stop on the public highway to drop children at the school. To discourage such behaviour the school will require parents to contractually agree to drop off on site with sanctions etc for those not complying. In addition, queuing to enter and dropping off on the highway surrounding the site are to be surveyed as part of the monitoring of the Travel Plan targets. This provides reassurance to the County Council that this behaviour is to be discouraged.

The monitoring report is to be provided to SCDC and the County Council for review. Depending on the outcomes of the monitoring any increase in pupils numbers will be subject to submission of a formal application to CCC and SCDC in order to discharge the condition to do so. This provides the reassurances needed that pupil numbers will be restricted on site until it is demonstrated by the applicant that the mode shares have been achieved and impact on the public highway has been minimised.

10. **Tree Officer** – Raises no objection.
11. **Environmental Health Officer** – Raises no objection.

Representations

12. 24 representations have been received from third parties, with one representation of support and 23 objections on the following planning grounds;
 - Highways safety
 - Traffic
 - Lack of parking
 - Noise
 - Harmful to the Conservation Area
 - Site constrained and unsuitable for use
 - Impact upon existing infrastructure
 - Unsustainable location

Site

13. The site is within the Development Framework and Conservation Area of Fulbourn. The site is comprised of approximately 0.26 hectares of land situated on Church Lane, adjacent to the junction onto The Chantry. The site consists of a two storey office building, with areas of parking to the front and rear of the site. There is an existing boundary wall to the sites boundary, including the sites frontage onto Church Lane. The site is bounded by the highway to the east, residential properties to the north and west and commercial uses to the south. The site is opposite the Grade II* Listed St Vigor's Church.

Proposal

14. The proposal seeks full planning permission for the change of use of the existing offices, B1(a) (offices), to an independent school, D1 (non-residential institutions). Associated works include the provision of additional car parking and re-alignment of the existing wall at point of access.
15. The proposed pupil intake shall be capped at 50 pupils, as outlined within the submitted Travel Plan. The cap has been introduced to attempt to overcome the initial Local Highway Authority objection, regarding the submission of insufficient empirical data to justify an uncapped pupil intake.
16. The application has been subject to a number of amendments. Please see below;
 - Amendment 1 26/01/2016 – Submission of planning statement.
 - Amendment 2 29/03/2016 – Amended proposed site layout and access drawing.
 - Amendment 3 17/05/2016 – Amended travel plan
 - Amendment 4 20/06/2016 – Amended travel plan, proposed site layout, proposed

access and proposed site access visibility drawing

Planning Assessment

Principle of Development

The proposal is located within Development Framework of the village of Fulbourn. In the absence of specific adopted local policy regarding the provision of new schools, the proposal is assessed in more general policy terms.

Policy DP/7 of the Local Development Framework seeks to restrict development outside the village frameworks other than for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside. As such it logically follows that such limits are not imposed within the village frameworks, thereby the provision of a school in such location is acceptable in principle.

Policy DP/1 of the Local Development Framework permits development that is consistent with the principles of sustainable development, as appropriate to its location, scale and form. The settlement of Fulbourn is identified as Rural Centre under Policy ST/4 of the adopted Core Strategy and as a Minor Rural Centre under Policy S/8 of the Draft Local Plan. Given that the Local Plan has not been adopted, Policy S/8 in this instance is afforded limited weight. Whilst the Policy relates primarily to the provision of housing, it nonetheless applies a sequential approach to focusing development, ensuring that development is sustainably located and unsustainable locations are avoided. Rural Centres are recognised as the most sustainable rural settlements, with a generally higher population (Fulbourn estimate mid-2012 3660), having a range of services and facilities, including good access to secondary education and employment opportunities. Furthermore, the settlements are generally subject to good public transport links. Given the above, Fulbourn is considered to be a more sustainable location for the proposal, consistent with principle of sustainable development in accordance with Policy DP/1.

Paragraph 72 of the National Planning Policy Framework states the following;

'The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new Communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- *give great weight to the need to create, expand or alter schools;*

The local need for school places has been established through the Cambridgeshire County Council's Cambridgeshire Education Organisation Plan 2013-2014, identifying increasing pressure on places in year 7 and beyond.

The proposal would seek to provide additional school places, addressing need within the District whilst also widening the choice in education, consistent with Paragraph 72 of the NPPF.

Highway Safety & Parking Provision

The Local Highways Authority raises no objection to the proposal.

The dimensions of access and visibility splays provided are such that the proposed

access is acceptable. Furthermore the applicant has indicated through the submission of swept path analyses, that parking on the site is achievable.

The application is accompanied by a travel plan. As discussed, in response to initial objection from the Local Highway Authority, regarding the submission of insufficient empirical data to justify an uncapped pupil intake, the applicant has stated that the intake of pupils shall be capped to 50 pupils. This cap shall be subject to future review and possibly additional pupils to enrol at the school should mode share targets be achieved.

In determining the acceptability of 50 pupils, the Local Highway Authority considered that the baseline mode share for 50 pupils based on information gathered from other independent schools and education establishments, as identified in table 4.1, is reasonable for the purposes of this application and provides an indication of pupil movements with the majority of pupils travelling by car.

Mode share targets have been provided for targets of a 75 and 100 pupil intake, as identified in table 4.2, these targets in effect aim to keep the number of cars to and from the site the same by increasing sustainable mode use among pupils. These targeted mode shares have been evidenced through other independent schools and education establishments. Whilst those targets appear reasonable, the school will be required to demonstrate that these mode targets are being achieved, prior to enabling the capped number of pupils to be increased beyond the presently acceptable initial intake of 50 pupils.

Further to the above, the Travel Plan includes a number of measures to be implemented by the school in order to support the use of sustainable modes; these measures are considered to be reasonable.

The Local Highways Authority had initial concerns that parents/carers would stop on the public highway to drop children at the school. The school will require parents to contractually agree to drop off on site with introduce sanctions etc. for those not complying. In addition, queuing to enter and drop off on the highway surrounding the site is to be surveyed as part of the monitoring of the Travel Plan targets. This provides reassurance that this behaviour is to be discouraged.

The monitoring report is to be provided to South Cambridgeshire District Council and the Local Highways Authority for review. Depending on the outcomes of this monitoring any increase in pupil numbers will be subject to submission of a formal application to South Cambridgeshire District Council in consultation with Local Highways Authority. Such process shall provide needed reassurance that the pupil numbers shall be restricted on site, until it is demonstrated by the applicant that mode shares have been achieved and impact on the public highway has been minimised. This shall be secured by way of condition.

A total of 31 car parking spaces are proposed to serve the school. Appendix 1 of the Local Development Framework Development Control Policies Document 2007 outlines standards for car parking provision within the district. The school, classified as a D1 non residential institution, would be expected to provide 20.5 car parking spaces on the basis of staff and number of classrooms. The provision would therefore be above the expected standards as outlined in the Appendix. Given the particular characteristics of the site and the importance of vehicles using on-site parking opposed to the street, the over provision in this instance is considered to be acceptable, making parking on site more convenient and achievable. The proposal would thereby comply with Policy TR/2 of the Local Development Framework.

Given the above, the proposal would provide appropriate access from the highway network that would not compromise safety, enhanced public and community transport and cycling and pedestrian infrastructure, in accordance with Policy DP/3 of the Local Development Framework Development.

Design and Impact Upon the Character and Appearance of the Conservation Area

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

With respect to local policy, Policy CH/5 of the Local Development Framework Development Control Policies Document requires proposals within the Conservation Area to be determined in accordance with legislative provisions and national policy. Policy NH/14 of the emerging Local Plan requires development within Conservation Areas to sustain or enhance the character and distinctiveness of those areas.

The proposal seeks the change of use of the existing building, with no external alterations to the building proposed. As such the buildings contribution to the conservation area shall remain as existing, preserving the character and appearance of the conservation area in accordance with Policies CH/5 of the Local Development Framework and section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Residential Amenity

The Environmental Health Officer raises no objection to the proposal.

Given the existing use of the site, neighbouring properties may experience some changes to noise levels; however, residents are unlikely to suffer any statutory nuisance as a result of the proposed use.

For the above reasons the development is found to result in an acceptable impact upon residential amenity in accordance with the relevant amenity criteria of policy DP/3 of the Local Development Framework.

Conclusions

Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should be granted in this instance.

Recommendation

Officers recommend that the Committee grants planning permission, subject to the imposition of the following Conditions;

Conditions

- a) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)

- b) The development hereby permitted shall be carried out in accordance with the following approved plans:
 Location Plan drawing no.CJ-001
 Existing Site Layout drawing no.EL01
 Proposed Site Layout drawing no.PL01 Revision C
 Proposed Site Access drawing no.PL02 Revision C
 Proposed Site Access Visibility drawing no.PL03 Revision B
 Existing Floor Plans drawing no.1
 Proposed Floor Plans drawing no.2
 School Travel Plan prepared by Transport Planning Associates dated June 2016
 (Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
- c) Prior to the commencement of use, the proposed highways works shall be carried out and completed in full accordance with drawing no. PL01 Rev C.
 (Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- d) The use hereby permitted shall not commence until the action plan detailed in table 8.1 of the approved Travel Plan prepared by Transport Planning Associates dated June 2016 has commenced, the use of the site shall only be permitted in accordance with the implementation and compliance with the measures and targets detailed in the approved Travel Plan for the purposes of 50 pupils only. The detailed findings of the Travel Plan review shall be made available to the Local Planning Authority within two months of the monitoring survey. Should the travel plan review identify issues on the local highway network as a result of the development or the Local Authority has evidence that there are issues with the highway network as a result of the development then a revised travel plan shall be submitted within 3 months and agreed in writing with the Local Planning Authority.
 (Reason - In order to reduce or mitigate the impacts of the development upon the local highway network and surrounding neighbourhood by reducing reliance on the private car for journeys to and from the site in accordance with Policy DP/3 of the Local Development Framework)
- e) The number of pupils shall not exceed 50 pupils at any one time. Pupil numbers shall be provided to the Local Planning Authority at the commencement of each new school year and be made available to the Local Planning Authority within one month of request.
 (Reason - In order to reduce or mitigate the impacts of the development upon the local highway network and surrounding neighbourhood by reducing reliance on the private car for journeys to and from the site in accordance with Policy DP/3 of the Local Development Framework,
- f) Note: The granting of a planning permission does not constitute a permission or licence to carry out any works within, or disturbance of, or interference with, the Public Highway, a separate permission must be sought from the Highway Authority for such works.

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 Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- South Cambridgeshire Local Plan Submission 2014
- Planning File References: S/0119/16/FL

Report Author:

James Platt

Senior Planning Officer

Telephone Number:

01954 713159

This page is left blank intentionally.



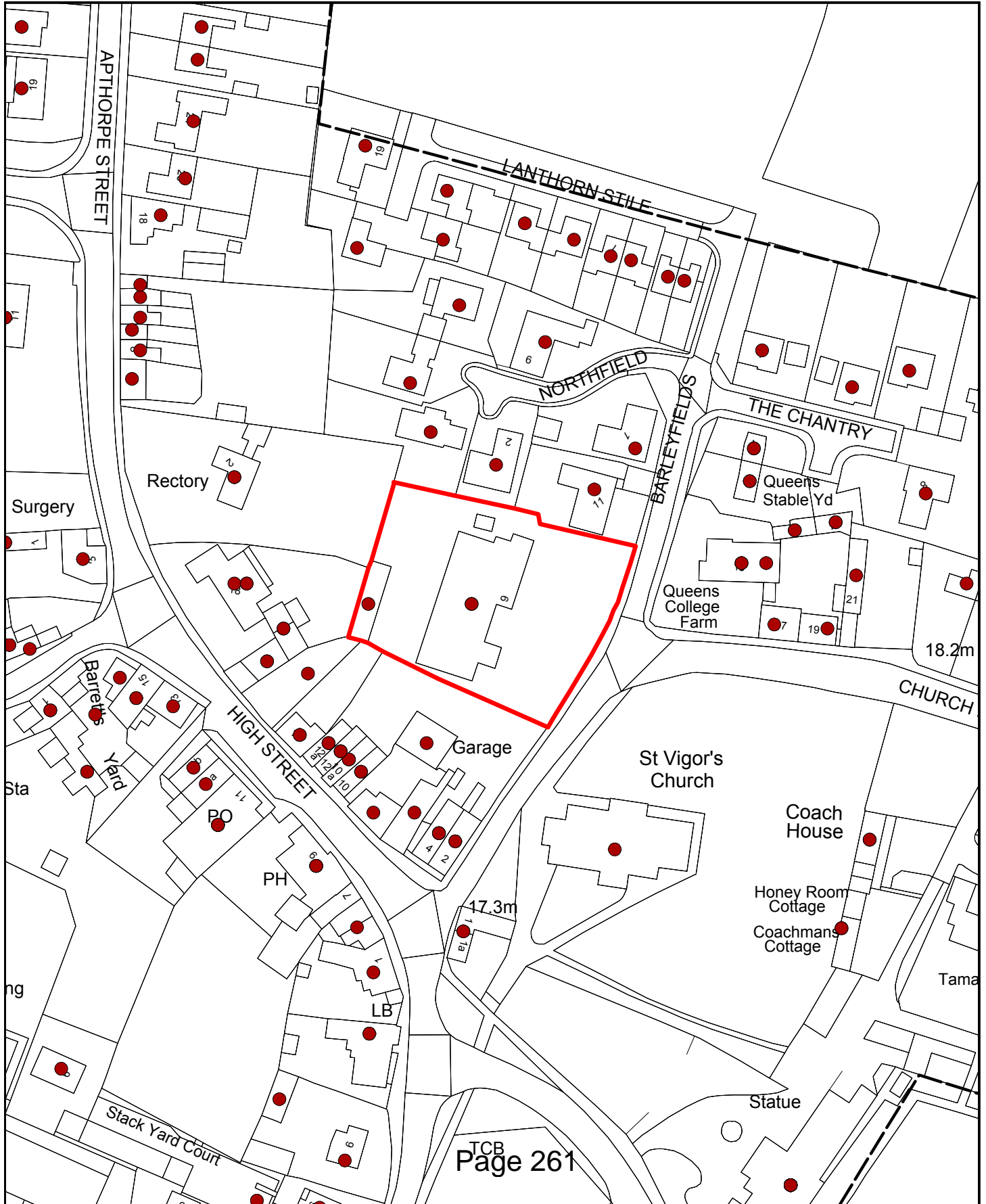
Scale - 1:1250
Time of plot: 12:33

Date of plot: 22/06/2016



South
Cambridgeshire
District Council

© Crown copyright [and database rights] (2015) OS (100022500)



This page is left blank intentionally.

Agenda Item 13

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

06 July 2016

AUTHOR/S: Planning and New Communities Director

Application Number: S/2512/15/FL

Parish(es): Eversdens

Proposal: Erection of live work unit with associated parking and landscaping following demolition of 7 silos.

Site address: Land east of 12 Church Lane, Little Eversden

Applicant(s): Mr T Banks

Recommendation: Approval

Key material considerations: Principle of development
Residential amenity
Setting of adjacent listed building
Character of the surrounding area and setting of Green Belt
Highway Safety and parking
Trees/landscaping

Committee Site Visit: 05 April 2016

Departure Application: No

Presenting Officer: David Thompson, Principal Planning Officer

Application brought to Committee because: The officer recommendation of approval conflicts with the recommendation of Eversdens Parish Council

Date by which decision due: 09 July 2016 (extension of time agreed)

Executive Summary

1. The proposal, as amended, is considered to be acceptable in principle. Whilst the proposal does include residential accommodation, this would be tied to the employment space to ensure that a dwelling would not become the sole use of the site. The amended siting and design of the scheme is considered to represent an improvement to the setting of the adjacent grade II* listed St. Helens Church located to the north as it would replace the existing group of silos and open up the majority of the site. The latest amendment has also increased the separation distance between the proposed building and the properties on the opposite side of Church Lane. The revised scheme is considered to maintain highway safety, represent an improvement on the existing nature of the site which is immediately adjacent to the Green Belt and provide adequate on site parking.

Planning History

2. S/2147/03/F – conversion of silos to dwellings - refused
S/2117/98/F – roofing over existing grain silos – refused
S/1674/95/F – erection of 2 dwellings following demolition of silos withdrawn

National Guidance

3. National Planning Policy Framework 2012 (NPPF)
Planning Practice Guidance

Development Plan Policies

4. **South Cambridgeshire LDF Core Strategy DPD, 2007**
ST/7 Infill Villages
5. **South Cambridgeshire LDF Development Control Policies DPD, 2007:**
DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/7 Development Frameworks
GB/3 Mitigating the Impact of Development Adjoining the Green Belt
CH/2 Archaeological Sites
CH/4 Development Within the Setting of a Listed Building
ET/8 Replacement Buildings in the Countryside
NE/1 Energy Efficiency
NE/2 Renewable Energy
NE/6 Biodiversity
NE/9 Water and Drainage Infrastructure
TR/1 Planning For More Sustainable Travel
TR/2 Car and Cycle Parking Standards
6. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
Trees & Development Sites SPD - Adopted January 2009
Listed Buildings SPD - Adopted July 2009
District Design Guide SPD - Adopted March 2010
7. **South Cambridgeshire Local Plan Submission - March 2014**
S/1 Vision
S/2 Objectives of the Local Plan
S/3 Presumption in favour of sustainable development
S/7 Development Frameworks
HQ/1 Design Principles
NH/4 Biodiversity
NH/8 Mitigating the Impact of Development in and adjoining the Green Belt
NH/14 Heritage Assets
CC/2 Renewable and Low Cost Carbon Energy Generation
E/13 New Employment Development on the Edges of Villages
E/17 Conversion of Replacement of Rural Buildings for Employment
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision

Consultation

8. **Eversdens Parish Council** - Recommends refusal (to original and amended schemes) for the following reasons:
- The site appears to be outside of the permitted development line for the village as outlined in the SCDC Development Plan
 - The garden area is large but the proposed development is along the western edge of the site only, which raises a number of concerns;
 - The build position is too close to nos 10 and 12 opposite, this could be rectified by putting the house to the east of the site and the garden to the west. The wall can be left in tact and the turning/parking space altered
 - Shared turning and parking areas will be insufficient for traffic to the Church and to the existing properties. This is important as the proposal for work and offices assumes increased traffic
 - The proposed two storey dwelling will overlook nos 10 and 12 opposite
 - Church Lane is narrow and yet more traffic is undesirable for present occupiers including worshippers and visitors to St. Helens Church
 - The proposed developments will enclose St. Helens Church by housing on 3 sides
 - The wall on the western boundary of the site should be retained
 - It is believed that there may be a right of way/ownership track, to a third party property through the north of the site close to the southern church wall
 - English Heritage (Historic England) we assume will be consulted

In relation to the latest revision which has relocated the building 3 metres east of the scheme that was presented to Members at the April 2016 meeting, the Parish Council have made the following comments:

'The plans are an improvement on the previous (scheme), however, once again we request that the house would be better positioned at the east end of the plot as this will give the best possible preservation of views from the church and we request that the existing roadway be maintained with the boundary wall (also retained)'

9. **Historic England** – the revised scheme preserves the setting of the adjacent grade II* listed church
10. **Local Highway Authority** – no significant adverse impact on the public highway should result from this proposal should planning permission be granted.
11. **District Council Landscape Design Officer** – raised concerns relating to the siting of the building in its original proposal and first amended scheme. The northern gable would sit forward of the silos and the existing western boundary wall to an extent that would block views of the countryside looking southwards and the western and southern facades of the listed church. The western boundary treatments should align through with the wall on the western boundary of the church. The garage and driveway associated with the living accommodation would be within the root protection areas of the trees on the southern boundary and the 'no dig' method should be employed. The car parking associated with the business use should be located to the rear of the building.
12. **District Council Conservation Officer** – objected to the original design due to a projecting gable element to the rear of the building, which would have obscured views of the adjacent listed church. The revisions to the proposals have overcome

these concerns.

13. **District Council Ecology Officer** – no objections as limited planting on the site and the silos and hardstanding ensure that the site is currently of low biodiversity value. There are records of bat activity at the adjacent church but it is considered that there would be no impact on that site or the nearby pond resulting from the proposals.
14. **District Council Environmental Health Officer (EHO)** – no objections subject to the imposition of conditions relating to the hours during which power operated machinery should be used during the construction process and no burning of waste or other materials on the site.
15. **County Council Archaeology** – no objection to the development but a condition should be added to any planning permission requiring a programme of investigation being submitted to and approved in writing prior to the commencement of development. The site is adjacent to the 14th century St. Helen's Church, which is an entry on the Historic Environment Record.

Representations

16. 10 letters of objection have been received from local residents (total received in relation to the original submission and the amended plans). The issues raised are summarised as follows:
 - The proposal does not adequately cater for the potential impact of traffic volumes and congestion along Church Lane associated with the employment element of the scheme
 - Access to public transport in Little Eversden is limited. This ensures that there will be reliance on travelling to the site by car, increasing levels of congestion in the locality
 - Visibility from the site access is restricted by the bend in Church Lane adjacent to the church, this is a road safety hazard which will be made worse by the additional traffic on the road resulting from the proposed use
 - 4 of the 8 spaces would appear to be allocated to the residential element of the use, leaving just 4 to serve the business use and this would appear insufficient
 - The building would be located close to the existing properties at 10 and 12 Church Lane and this would restrict the turning space which currently exists at the northern end of the site – servicing and delivery vehicles currently use this area to turn
 - The site is outside the village envelope and residential development on the site has previously been rejected
 - If the silos are no longer in use they should be demolished and the land returned to agricultural use
 - The development would have an adverse impact on the setting of the grade II* listed church
 - Church Lane is restrictive in terms of its width, with few passing places, there is limited access for emergency vehicles
 - The site is located in a historic part of the village, which borders the conservation area and is adjacent to a number of historic buildings (Members should be aware that the site is not within or adjacent to a conservation area)
 - The proposal will result in a cramped form of development when viewed alongside the existing modern dwellings on the western side of Church Lane
 - There is a risk that the residential accommodation could be split off from the business use, resulting in the creation of an independent dwelling
 - The building should be moved eastwards further into the site to allow retention of the existing wall on the western boundary of the site

- The previous planning application for residential development on the site was refused partly due to the lack of access for emergency vehicles
- The position of the development on the plot will result in difficulties for vehicles accessing the garage of the residential element of the proposals and conflict with the accesses to 10 and 12 Church Lane
- A live/work unit in this location will disrupt the tranquillity of this part of the village
- The adjacent church hold a number of events which attract large number vehicles which currently park along the right of way which runs along the northern boundary of the site, immediately adjacent to the southern boundary wall of the church

In relation to the latest revision which has relocated the building 3 metres east of the scheme that was presented to Members at the April 2016 meeting, 3 representations from neighbouring properties have been received, outlining the following concerns:

- The revision to move the building back 3 metres into the site is welcomed
- The proposed arrangements would still allow insufficient space for vehicle turning
- The proposal would remove the ability for vehicles to turn and park within the yard area which is currently open for cars to access from the highway
- The proposal would still have an adverse impact on the residential amenity of neighbouring properties
- The reduction in the space between properties that would result from this scheme would have an adverse impact on the character of the area.
- The traffic associated with the proposed business use will result in a highway safety hazard, given the constrained nature of Church Lane

Site and Surroundings

17. The application site is located immediately east of the village framework of Little Eversden in the north eastern corner of the village and is located in the open countryside. The site is currently occupied by 7 silo units which have previously been used as part of a wider farm business and are now redundant. The site is bordered by the Green Belt to the south and east but is not within the Green Belt itself. There is a right of way in the northern part of the site which leads to a field to the east of the site but it is not a Public Right of Way (PRoW). St. Helens Church, a grade II* listed building, is located to the north of the site.

Proposal

18. The applicant seeks full planning permission for the erection of a live/work unit following the demolition of the existing silo structures on the site. The scheme has been amended to remove the rear 'wing' element which extended eastwards from the rear of the office space in the original submission, following concerns relating to the impact of the development on the setting of the grade II* listed church.
19. The application was deferred at the April 2016 Planning Committee meeting solely on the basis that members wished to see a greater separation distance between the new property and the houses opposite. The latest revision has moved the building 3 metres eastwards, increasing the distance that the front elevation is set back from the western boundary of the site by 3 metres.

20. In the revised scheme, the office space would be 90.5 square metres, the residential space would be 138 square metres. The main building would have a span of 22.3 metres. The recessed garage attached to the southern elevation of the building would be 5.5 metres wide. The building would be 7.75 metres to the ridge at the highest point, with the office element to the north and the garage to the south set below this height, with the eaves lowered by the commensurate amount. The building has been extended closer to the northern boundary of the site in the revised scheme, with the 4 parking spaces associated with the business use relocated to the grass verge to the south of the boundary wall of the church.

Planning Assessment

21. The key issues to consider in the determination of this application are the principle of development, the impact on the residential amenity of neighbouring properties, the setting of the adjacent grade II* listed building, the character of the surrounding area and setting of the adjacent Green Belt, highway safety and trees/landscaping.

Principle of Development

22. The site is located outside of but immediately east of the Little Eversden framework boundary. Policy DP/7 of the LDF states that only development for agriculture, horticulture, forestry or other outdoor uses which need to be located in the countryside will be permitted. As a scheme incorporating residential development, the proposal could be considered contrary to this policy. Whilst emerging policy S/7 stipulates the same restrictions, the existing policy is considered to be out of date due to the Council's lack of a five year housing land supply and therefore the proposal has to be considered against the principle of sustainable development as set out in the NPPF.
23. The NPPF requires Councils to boost significantly the supply of housing and to identify and maintain a five year housing land supply with an additional buffer as set out in paragraph 47.
24. In determining two appeals in Waterbeach on 25 June 2014, an Inspector concluded that the Council cannot demonstrate a five year supply of deliverable housing sites. This judgement was made against the Strategic Housing Market Assessment for objectively assessed needs for 19,000 new houses to be delivered between 2011 and 2031, which was concluded to have more weight than the figure in the Core Strategy. It is appropriate for these appeal decisions to be considered in the determination of planning applications relating to housing development, given that paragraph 49 of the NPPF states that adopted policies relating to housing land supply cannot be considered up to date where the Council cannot demonstrate a five year supply of housing land. These policies were listed in the decision letters and are: Core Strategy DPD policies ST/2 and ST/5 and Development Control DPD policy DP/7 (relating to the village frameworks and indicative limits on the scale of development in villages.) The Inspector did not consider ST/6 but as a logical consequence of the decision these should also be considered policies 'for the supply of housing.'
25. The Council still cannot demonstrate a five year supply of deliverable housing sites. Where this is the case, paragraph 14 of the NPPF states that there is a presumption in favour of sustainable development. Where relevant policies are out of date, the NPPF states that planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or where specific policies in the NPPF indicate that development should be restricted.

26. The NPPF defines sustainable development as having three elements; environmental, economic and social. The environmental considerations run through the issues assessed in this report.
27. Policy ET/8 of the current LDF does still have full weight as an employment policy however. This policy states that in the case of replacement buildings in the countryside for employment use '.....any increase in floor area will be strictly controlled, and must be for the benefit of the design, or in order to better integrate the development with the surroundings.' Silos are considered to be a structure and therefore meet the definition of a building as defined in the General Permitted Development Order.
28. Cumulatively the 7 silos have a floor area of approximately 200 square metres, marginally greater than the internal floor area of the proposed building but significantly more if the residential element is removed from the equation. It is considered that the conservation benefits of the scheme (discussed in detail later in this report) result in a development which better integrates into the character of the surrounding area than the existing silo structures. It is also reasonable to consider the development as an employment generating use as the occupation of the residential accommodation would be tied to the occupation of the office space.
29. The introduction of a new employment use would result in economic development on a site that is currently redundant, complying with the economic element of sustainable development. It is acknowledged that Little Eversden is an infill village, served by limited public transport (1 bus to and from Cambridge on weekdays at commuting times) and very limited facilities (a doctors surgery exists but there is no village hall, post office or shops). However, the economic and conservation benefits, the fact that the principle of development complies with policy ET/8 and the modest scale of development are considered to cumulatively outweigh the arguable lack of social sustainability arising from the scheme.
30. In accordance with the guidance contained within the NPPF, the principle of development is considered to meet the definition of sustainable development as the harm arising from the location of the development is considered not to significantly and demonstrably outweigh the benefits of the scheme.

Residential Amenity

31. The principal elevation of the building would be approximately 17 metres east of the corresponding elevation of 12 Church Lane. All of the residential element of the scheme lies south of the eastern elevation of the property on the opposite side of the road and faces a canopy which provides vehicular access to the two properties on that plot. The proposed residential accommodation would not result in unreasonable overlooking or overshadowing of the habitable room windows in the northern element of that range of buildings, given the oblique relationship between the corresponding elevations. The separation distance to be retained (across the highway) would offset the modest height of the proposed development, particularly when taking into account the fact that the office element would sit below the height of the main section of the building.
32. There would be windows in the western elevation of the proposed office accommodation (including 2 dormer windows within the roof space). These would overlook the northern end of the garage link area associated with the adjacent properties and would not allow unreasonable overlooking into or overshadowing of any habitable room windows of the neighbouring properties. Given that the work

element is to be an office use (to be restricted by condition) and that the habitable accommodation of the properties on the opposite side of the road are set back by the depth of the link garage element, it is considered that any noise generated by the proposed use would not have a detrimental impact on the residential amenity of those properties. This also applies to noise from vehicles as the parking area for the business use would be contained to an area adjacent to the church wall.

33. The amended scheme to set the building 3 metres east of the originally proposed position is considered to further reduce the impact on the properties on the opposite side of Church Lane in terms of the potential for unreasonable overlooking, overshadowing or noise generated by the proposed use. The proposal is therefore considered to accord with adopted policy DP/3.

Setting of the adjacent grade II* listed building

34. In relation to preserving the settings of listed buildings Section 66(1) of the Listed Buildings and Conservation Areas Act (1990) provides that “in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall 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”.
35. Paragraph 132 of the NPPF, in the section dealing with the conservation and enhancement of the historic environment, states that “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification”.
36. Paragraph 133 of the NPPF states that where a proposed development will lead to substantial harm or to a total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
37. Paragraph 134 of the NPPF says that “(where) a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use”.
38. Recent planning case law has confirmed that having “special regard” to the desirability of preserving the setting of a listed building under section 66 involves more than merely giving weight to those matters in the planning balance. In particular, case law has confirmed that “preserving” in the context of Listed Buildings means doing no harm.
39. Moreover, there is a statutory presumption, and a strong one, against granting planning permission for any development which would fail to preserve the setting of a listed building. A finding of harm to the setting of a listed building gives rise to a strong presumption against planning permission being granted. The presumption is a statutory one. Even if harm is considered to be “less than substantial” then “considerable importance and weight” to the desirability of preserving and or enhancing should be applied.

40. In the context of considering this application, a judgement must be made as to whether the development proposals would cause any harm to the setting of the listed church, having regard to the statutory duty to have special regard to the desirability of preserving its setting.
41. If there is harm, a judgement needs to be made as to whether this harm is substantial (including total loss of significance of a heritage asset) or less than substantial. Where harm is identified, the overarching statutory duty requires considerable weight to be given to preservation, and a strong statutory presumption against development should apply.
42. The amended proposal is considered to represent an enhancement to the setting of the listed church in comparison to the existing silo structure which would be removed. The new building would be aligned down the western boundary of the site, allowing open views of the listed building from the south. This is considered to be a significant benefit of the scheme as the existing arrangement of the silos fully obscures direct views of the southern elevation of the building from the Green Belt to the south of the site. Historic England is supportive of the amended scheme, as is the District Council conservation officer. This aspect carries significant weight in the determination of the proposal.
43. Comments from the Parish Council and neighbouring residents have raised the prospect of pulling the building further off the western boundary and into the site. Whilst officers have considered this option, moving the building eastwards would start to restrict views of the church and not result in the conservation gain of the current proposals. The latest revision, i.e. relocating the building 3 metres east of the original proposal is considered to be a reasonable amendment in terms of preserving the impact on the setting of the listed church, whilst further reducing any potential impact on the amenity of the adjacent residents. Given that the location of the building is considered not to result in a detrimental impact on the residential amenity of the neighbouring properties, the proposed location is considered to achieve a more beneficial scheme than the alternative suggestion.
44. The proposal therefore accords with adopted policy CH/4 and the Listed Buildings SPD 2009.

Character of the surrounding area and setting of the Green Belt

45. The amended scheme is considered to be of a scale, siting and detailed design that would result in an enhancement of the appearance of the site given that the existing silos are to be removed. The building would take a long narrow form, with the massing of the development reduced by the lowering of the ridge height of the office accommodation in the northern section and the single storey garage at the southern end of the building.
46. The amended design includes pitched roof dormer windows which are considered to be proportionate to the scale of the host building and are not an alien feature, with other examples of similar dormers evident on properties on Church Lane. The fenestration would be regular in form and would emphasise the relatively plain character of the building.
47. It is considered necessary to condition the submission of the details of solar panels to be installed on the building, to ensure that these installations do not have an adverse impact on the setting of the adjacent listed building. Subject to this being the case, the renewable energy generated by the proposed panels would contribute to the

environmental sustainability of the scheme in accordance with policy NE/1.

48. The front building line of the proposal would sit behind the line of the western boundary wall of St. Helen's Church, in accordance with the comments from the Landscape Design Officer's comments. The position of the building would sit forward of the western elevation of the church but given that space would be retained between the front of the building and the western boundary of the application site, this relationship would not be detrimental to the character of the streetscene and views of the setting of the Church on the approach to the site along Church Lane.
49. The objections received from neighbours and the Parish Council suggest that the existing wall on the western boundary of the site should be retained, with the building recessed behind it. It is considered that the conservation benefit of opening up the setting the church from views to the south, whilst also preserving views of the listed building from the north is of greater value than retention of the boundary wall. The existing wall is a modern structure which is incongruous with the stone boundary wall of the church and therefore it is considered not to be of merit that is worthy of retention with the streetscene.
50. In relation to the impact on openness and rural character of the adjacent Green Belt, it is considered that the proposed development would result in an enhancement through the opening up of the majority of the site and concentrating development on the western edge.
51. The proposal therefore complies with adopted policies DP/2, DP/3 and GB/3. Nonetheless, details of both hard and soft landscaping shall be conditioned to ensure that the treatment in the eastern portion of the site is appropriate, in line with the Landscape Design Officer's comments.

Highway safety and parking

52. The Parish Council and neighbours have raised concerns regarding the congestion on Church Lane and the issue of turning space which is currently provided due to the open nature of the site. It is acknowledged that the existing highway is narrow and that space along the northern boundary of the site is likely to be used for parking and turning by people attending church services/events. However, this is an unregulated situation which could be prevented by the applicant installing a means of enclosure across the access, which could be achieved without requiring planning permission. There is currently insufficient space to turn within the confines of the highway in the existing situation, this would not be made any worse by the proposed development.
53. The proposal would include a driveway to serve the garage associated with the residential space and cars parking in association with the business space would be able to turn within the confines of the site entrance, before entering Church Lane. As such, it is considered that the proposal makes adequate provision for the traffic generated by the proposed use to access and egress the site without relying on turning within the highway. It is therefore considered that the proposal would not result in a detrimental impact on highway safety. The Local Highway Authority has not objected to the application although it is important to note that Church Lane is not part of the adopted highway network.
54. The proposal would provide 4 parking spaces for the office use. The LDF parking standards indicate that for an office use, 1 space per 25 square meters should be provided. Given that the office space would be just less than 100 square metres, the scheme would meet the required standard. The provision of 2 spaces for the

residential element is also considered suitable given the size of the accommodation to be provided. As such, the proposal accords with adopted policies DP/3, TR/1 and TR2.

Trees/Landscaping

55. The proposal would involve the creation of new hard surfacing at the southern end of the site (to provide access to the proposed garage) and at the northern end where car parking is to be provided for the business use. Both of these areas are currently grassed verges and will be in close proximity to trees. The Landscape Design Officer has raised concerns with regard to the use of resin bound surfaces in such close proximity to the trees. The officer has recommended that a 'no dig' method of construction be used in those locations.
56. It is considered that a suitable surfacing material and details of the construction method can be secured by condition to overcome these concerns. Additional planting on the southern boundary shall also be secured to provide a biodiversity enhancement through the proposals, in accordance with policy NE/6 of the LDF and the NPPF.

Other Matters

57. The Council's Ecology Officer has raised no objections to the proposals, subject to the landscaping conditions to secure the biodiversity enhancements referred to above.
58. The EHO has raised no objections to the proposals, subject to the imposition of a condition relating to noise during construction which can be attached to the decision notice. The reference to no burning of waste shall be added as an informative as opposed to a condition as this is a matter which can be dealt with through Environmental Health legislation.
59. The applicant has indicated that foul sewage is to be disposed of via a package treatment plant. It is considered necessary to condition details of this means of drainage are submitted and agreed prior to installation and this can be dealt with by condition. The plans indicate the location of soakaways to deal with surface water drainage and subject to a condition requiring their installation prior to the occupation of the development, these measures are considered adequate to mitigate the impact of surface water run off.
60. Objection responses have referred to the refusal of planning permission for residential development in 2003. A decision notice was issued in January 2004 which refused planning permission for the conversion of the silos into dwellings. This current application proposes one unit in place of the silos and therefore, in terms of cumulative impact, this proposal would have less of an impact in terms of sustainability. In addition, this scheme would result in the conservation benefit of removal of the existing structures, resulting in an improvement in the setting of the grade II* listed building. The conversion scheme would not have resulted in this benefit. The Council's inability to demonstrate a five year supply of housing land is also a material change in circumstances and the live/work proposal in this case is considered to achieve the definition of sustainable development.
61. The suggested archaeology condition is considered necessary in light of the comments received.
62. Any concern regarding rights of way through the site is not a planning matter.

Conclusion

63. The proposed live/work unit is considered to meet the definition of sustainable development in line with policy DP/1 due to the environmental and economic benefits that would be achieved by the proposal. There is policy support for the replacement of buildings in the countryside with new development for employment purposes and the proposal is considered to comply with this policy as the occupation of the residential accommodation will be tied to the office space.
64. The revised proposal would enhance the setting of the adjacent grade II* listed church and would respect the character of the surrounding area, in terms of its bulk, scale and mass. The proposal is considered to preserve the amenity of neighbouring residents, would not be detrimental to highway safety or environmental health. Landscaping enhancements are to be secured by condition and it is considered that any impact on existing trees can be mitigated through specific construction techniques.
65. It is therefore considered that the adverse impacts of any identified harm would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Recommendation

66. Officers recommend that the Committee grants planning permission, subject to the following

67. Conditions

- (a) 3 year time limit
- (b) In accordance with the approved plans
- (c) Details of materials
- (d) Details of boundary treatments to be approved
- (e) Details of tree protection, including 'no-dig' method
- (f) Details of landscaping scheme
- (g) Maintenance of landscaping scheme
- (h) Car parking for employment use to be laid out prior to first occupation of any part of the building
- (i) Details of cycle storage to be approved
- (j) Details of refuse storage to be approved
- (k) Foul water drainage details to be approved
- (l) Details of the solar panels to be approved
- (m) Surface water drainage to be installed as indicated on the approved plans
- (n) Limit on use of power operated machinery during construction
- (o) Management plan relating to construction materials and traffic
- (p) Occupier of residential space to be restricted to occupier/relative of occupier of the office space
- (q) Residential space to be occupied only once office space has been completed and made available for occupation
- (r) Removal of permitted development rights for extensions
- (s) Removal of permitted development rights for office use and change of use therefrom

68. Informatives

(a) Burning of waste

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.

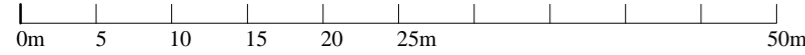
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- South Cambridgeshire Local Plan Submission 2014
- Planning File Reference: S/2512/15/FL

Report Author:

David Thompson
Telephone Number:

Principal Planning Officer
01954 713250

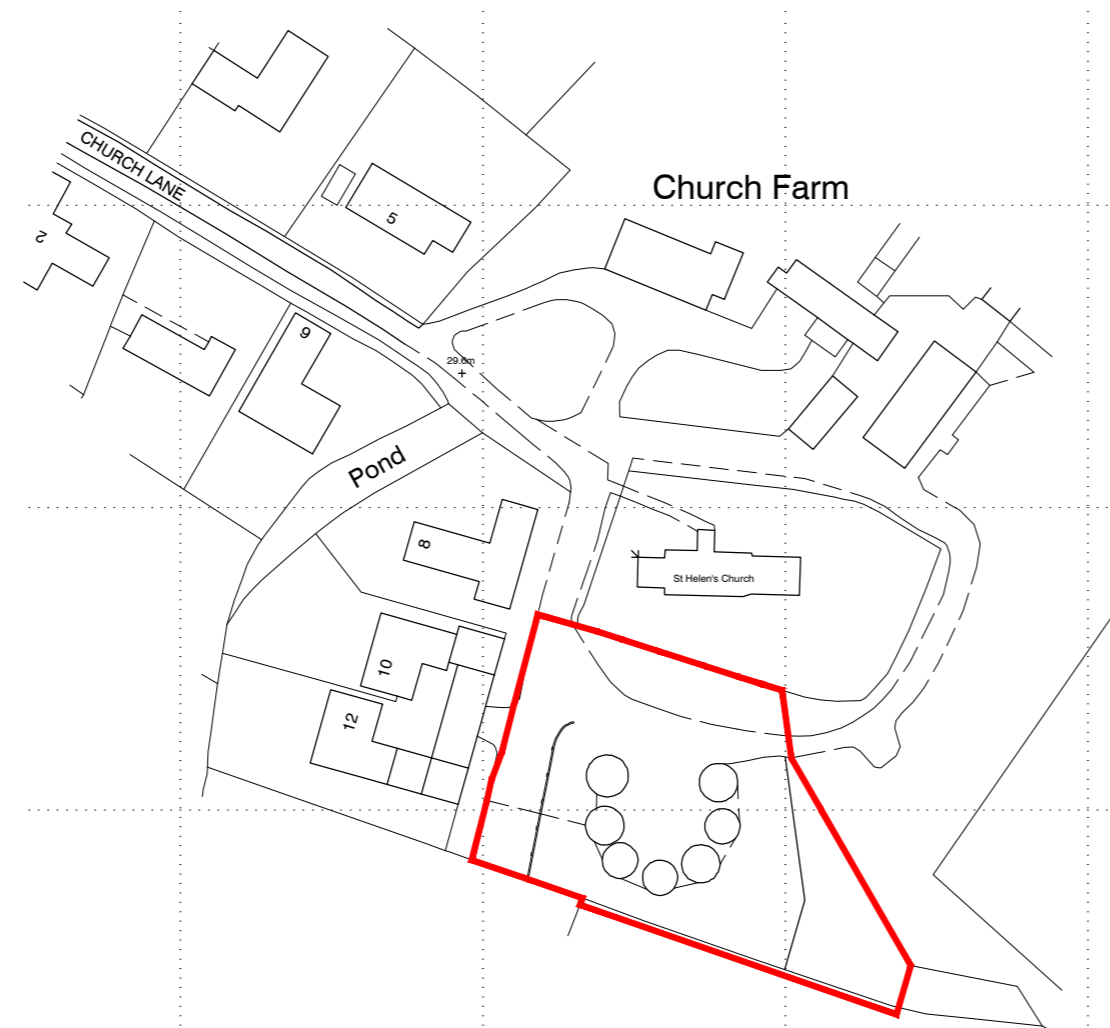
This page is left blank intentionally.



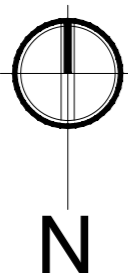
THIS DRAWING AND THE BUILDING WORKS DEPICTED ARE THE COPYRIGHT OF L BEVENS ASSOCIATES LTD AND MAY NOT BE REPRODUCED OR AMENDED EXCEPT BY WRITTEN PERMISSION. NO LIABILITY WILL BE ACCEPTED FOR AMENDMENTS MADE BY OTHER PERSONS. COPYRIGHT 2015.

ALL MEASUREMENTS SHOULD BE CHECKED ON SITE AND ANY DISCREPANCIES SHOULD BE REPORTED TO THE ORIGINATOR.

ALL WORKS TO COMPLY WITH CURRENT CDM REGULATIONS AS APPROPRIATE. IT IS THE CLIENT'S RESPONSIBILITY TO APPOINT A CDM CO-ORDINATOR. NO WORKS TO COMMENCE ON SITE UNTIL ALL APPROVALS ARE CONFIRMED IN WRITING. L BEVENS ASSOCIATES LTD ACCEPTS NO LIABILITY IF THIS IS BREACHED. IT IS THE CONTRACTORS RESPONSIBILITY TO ACCURATELY LOCATE EXISTING SERVICES PRIOR TO WORKS COMMENCING.



Location Plan 1:1250



Proposed Block Plan

- Rev F Apr. 2016 Live-work unit moved 3m eastwards following discussions with Planning Officer at SCDC.
- Rev E Jan. 2016 Amendments to scheme following feedback from Planning Officer and Conservation Officer at SCDC.
- Rev D Jan. 2016 Amendments to office area following feedback from Historic England/ Planning officer.
- Rev C Dec. 2015 Minor amendments to position of office area following feedback with Planning officer.
- Rev B Dec. 2015 Scheme amended following feedback from Historic England.
- Rev A Aug. 2015 Parking amended to work unit.

Fenland District Council



Category Winner 2013



L Bevens Associates Ltd
Architects
10 Cricketers Way
Chatteris
Cambridgeshire
PE18 6UR
Tel: 01354 693969
Fax: 01354 692426
Email: enquiries@lbevens-associatesltd.co.uk
Web: www.lbevens-associatesltd.co.uk

DRAWING STATUS	PRELIMINARY	<input type="checkbox"/>	CONSTRUCTION	<input type="checkbox"/>
	PLANNING	<input type="checkbox"/>	FILE COPY	<input type="checkbox"/>

CLIENT
Eversden Construction Ltd

PROJECT
Land at Church Farm, Church Lane, Little Eversden, Cambridgeshire

DRAWING TITLE
Proposed Block Plan
Location Plan

SCALE	DATE	DRAWN	CHECKED
1:500 & 1:1250 @ A2	July 2015	LB	
DRAWING NUMBER	REVISION		
CH12/LBA/271/FP100	F		

This page is left blank intentionally.



FOR INTERNAL USE ONLY

Scale - 1:2500

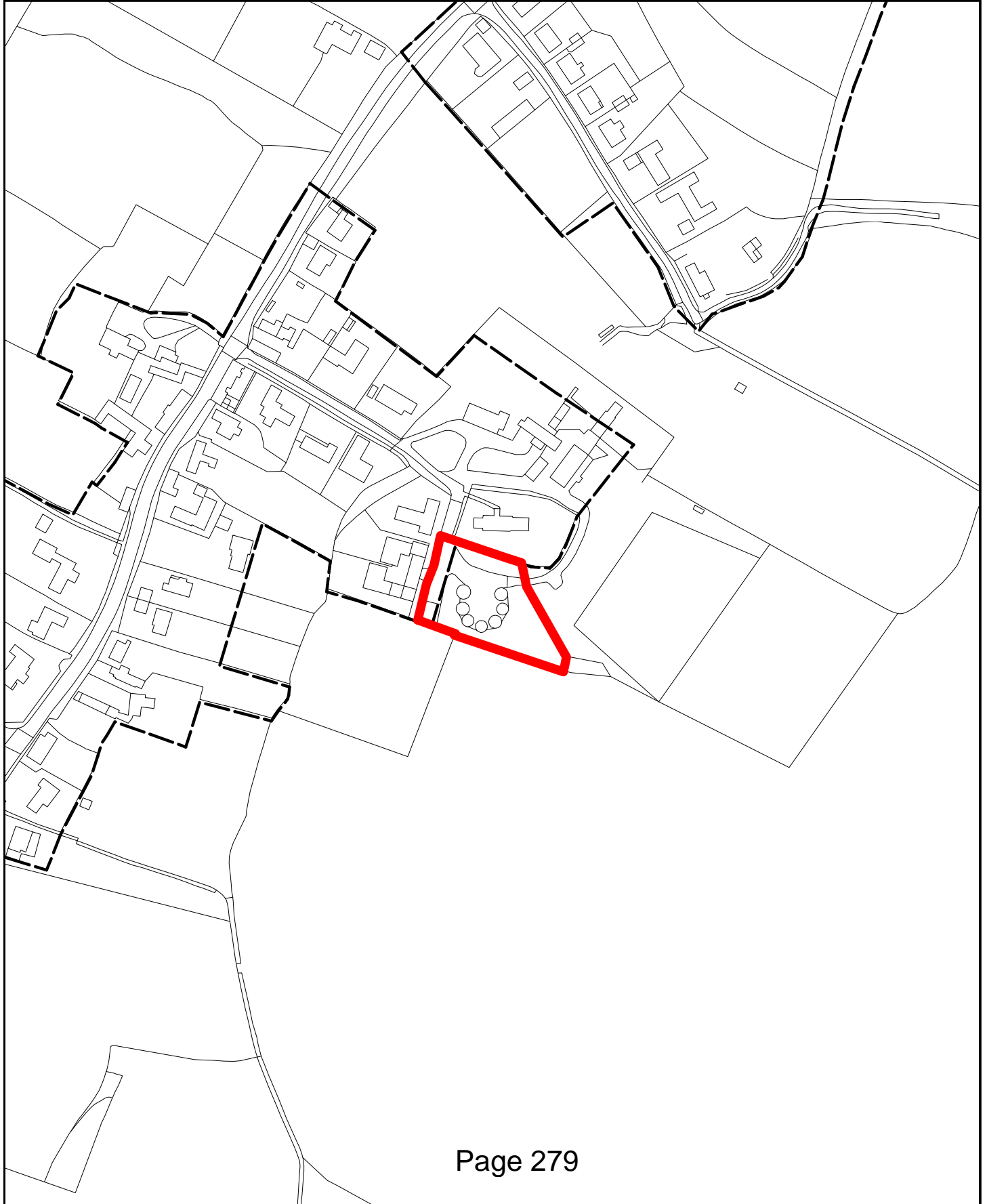
Time of plot: 08:16

Date of plot: 21/06/2016



**South
Cambridgeshire
District Council**

© Crown copyright [and database rights] (2015) OS (100022500)



This page is left blank intentionally.

Agenda Item 14

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

ENFORCMENT REPORT

REPORT TO: Planning Committee

6 July 2016

AUTHOR/S: Planning and New Communities Director

Application Number: PLAENF.376

Parish(es): Great Abington

Proposal: Unauthorised extension to dwelling

Site address: 45 North Road, Great Abington

Applicant(s): Mr Tilley

Recommendation: Officers to have delegated authority to take direct action to remove an unauthorised structure

Departure Application: No

Presenting Officer: James Platt

Application brought to Committee because: Authorisation to take direct action

Executive Summary

1. Officers are seeking authority from the Committee for the Council itself to take direct action (pursuant to Section 178 of the Town and Country Planning Act 1990) to commission the carrying out of demolition if the Owner of the site has not themselves commenced substantive demolition at the time when the July report needs to be written. An update on the morning of Committee as to whether any substantive changes in the situation have occurred.

Site and Surroundings

2. 45 North Road is a two storey detached dwelling located in the countryside, outside of the defined development framework boundaries. The existing site is comprised of the dwellinghouse and a number of outbuildings to the east and west. The surrounding area is characterised generally by linear residential development with agricultural land behind. Access to the site is gained via North Road.

Proposals

3. Removal of unauthorised single storey extension

Planning History

4. S/1859/10 – Replacement dwelling (Refused)
S/0221/11 - Erection of Replacement Dwelling Following Demolition of Existing Dwelling (Refused)
S/0641/11 - Proposed Domestic Outbuildings Following Demolition of Existing (Refused)
S/1024/11 - Lawful Development Certificate for Proposed Rear and Side Extensions and Siting of Caravan (Withdrawn)
S/1425/13/FL - Erection of an Agricultural Building (Approved)
S/2276/14/PB - Prior approval for change use of two agricultural buildings to form three dwellings (Refused)
S/1105/15 – Demolition of unauthorised extension – Refused/ Appeal Dismissed.

Planning Policies

5. *National Planning Policy Framework 2012*
6. *Local Development Framework*

South Cambridgeshire District Council, Local Development Framework, Development Control Policies, Adopted July 2007

DP/1 – Sustainable Development
DP/2 – Design of New Development
DP/3 – Development Criteria
HG/6 – Extensions to Dwellings in the Countryside

South Cambridgeshire District Council, Local Development Framework, Supplementary Planning Documents

District Design Guide SPD – Adopted March 2010

Local Plan Proposed Submission – July 2013

HQ/1 – Design Principles
H/12 – Extensions to Dwellings in the Countryside

Planning Assessment

7. The existing dwelling is subject to two single storey extensions. The easterly flat roof extension is permitted through the passage of time; however an enforcement notice was served on the property on the 10th July 2014 (PLAENF.376), for the removal of the westerly extension. The enforcement notice deemed that the extension required planning permission and when assessed against planning policy, the extension was found to be contrary to policy HG/6 if outside the Local Development Framework Policies document, due to its volume and detrimental impact upon the character of the area by way of its scale and design. The enforcement notice was appealed and subsequently dismissed on the 25th February 2015 (APP/W0530/C/14/2223008 & 2223009). A compliance period of nine months was set for the demolition of the unlawful extension which expired in November 2015, but the owner of the site

submitted a further planning application which was refused in November 2015 and subsequently, appealed that decision and the second application was dismissed on 14 April 2016 (APP/A0530/D/16/3142637). However, the original structure remains and the owner has not confirmed to officers that the building will be demolished in line with the requirements of the Enforcement Notice and the Inspectors decision.

8. We have a cost estimate to carry out and complete the demolition works if the Council were itself (ie. rather than the Owners) to commission such works which estimate is £38,000 plus contingencies. Members are asked to authorise direct action and not least because the funding of the works (if authorised) would need to be financed initially from the Council's own funds but with the intention that such costs are then sought to be recovered by the Council from the Owner of the site.

9. Accordingly, Planning Committee members are asked to consider authorising direct action pursuant to Section 178 of the Town and Country Planning Act 1990 as to demolition of the offending structure. Planning Committee are also advised to note the points below.

Point 1

.10. Officers intend to pursue steps pursuant to Section 179 of the Town and Country Planning Act 1990 for the issue of criminal proceedings against the Owners for breach of the relevant Enforcement Notice. Criminal proceedings for breach of a planning enforcement notice are triable either in the Magistrates Court or in the Crown Court and if successful will result in the Owners of the site being guilty of a criminal offence and liable for payment of such fine as ordered by the Court.

Point 2

.11. Officers intend to pursue steps (alongside the criminal prosecution under Point 1 above) to seek a "Confiscation Order" under Part 2 of the Proceeds of Crime Act 2002. Such an order if successful will allow for recovery of monies that have passed through the hands of the relevant business or individual(s) (i.e the Owners) during the period of breach.

Point 3

.12. An Application under Section 41 (1) of the Proceeds of Crime Act 2002 for the Crown Court may be made for a restraint order prohibiting any specified person(s) (i.e the Owners) from dealing with any realisable property held by the specified person(s). A restraint order could for example restrict the Owners having access (or only limited access) to Bank accounts and such that there was an increased prospect of the Council recovering all relevant costs where it is forced to take direct action to commission the demolition works.

.13. All points under paras 10 - 12 as set out above are fully supported by Planning, Enforcement and Legal officers.

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.

Report Author: James Platt
Telephone Number:
01954 71



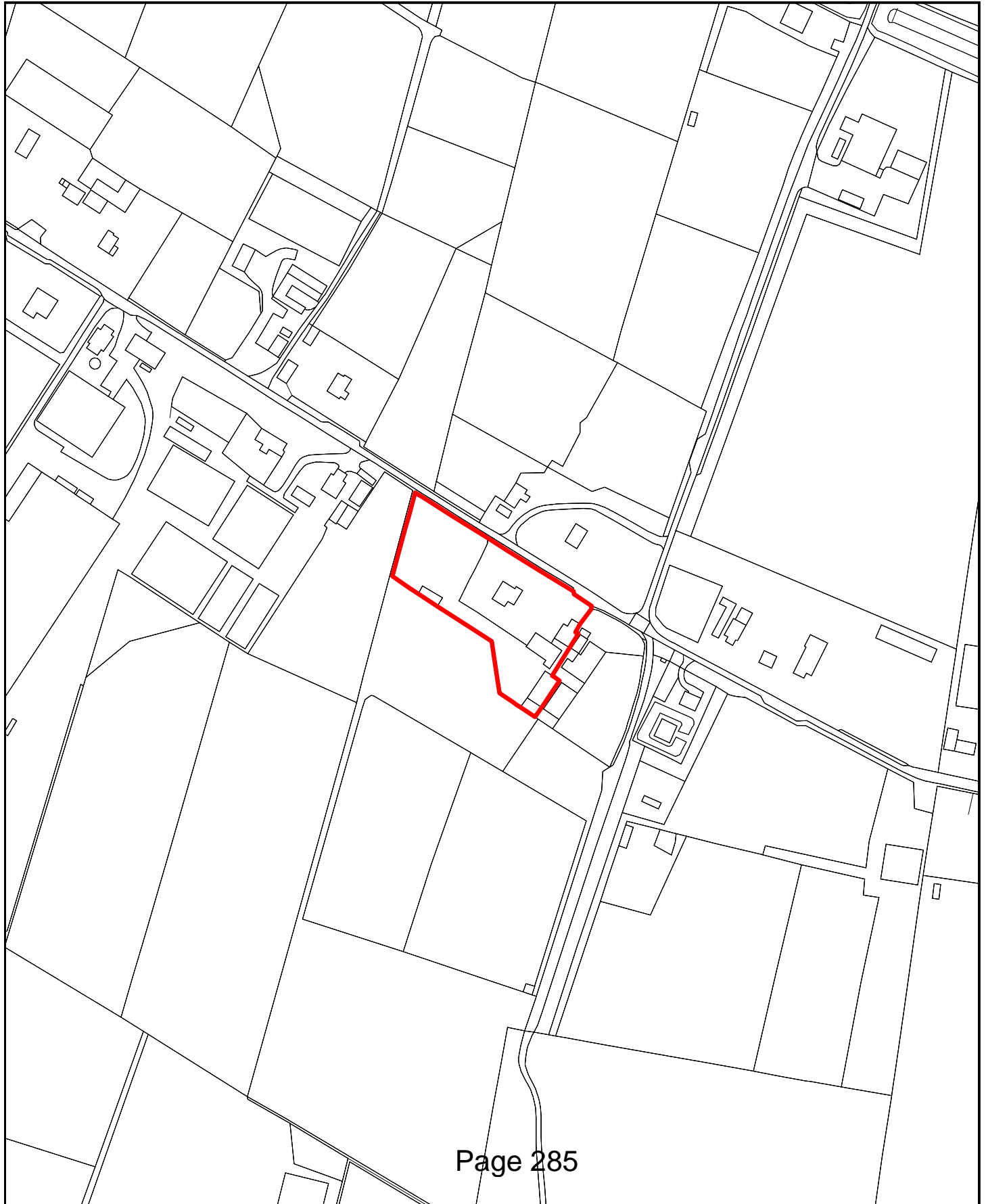
Scale - 1:2500
Time of plot: 12:49

Date of plot: 22/06/2016



**South
Cambridgeshire
District Council**

© Crown copyright [and database rights] (2015) OS (100022500)



This page is left blank intentionally.

Agenda Item 15

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

ENFORCEMENT REPORT

REPORT TO: Planning Committee

6 July 2016

AUTHOR/S: Planning and New Communities Director

Application Number: PLAENF.1039

Parish(es): Cottenham

Proposal: Unauthorised retention of commercial building for Offices class B1(a) and Storage class B8 use and extension to existing storage building

Site address: The Maltings, Mill Field

Applicant(s): HC Moss

Recommendation: The current breach of the Enforcement Notice has been reported to the Planning Committee for authority to proceed with "Direct Action" to ensure compliance with the Enforcement Notice.

Departure Application: No

Presenting Officer: Katie Christodoulides

Application brought to Committee because: Requires Committee authorisation to take direct action

Executive Summary

1. Officers are seeking authority from the Committee for the Council itself to take direct action (pursuant to Section 178 of the Town and Country Planning Act 1990) to commission the carrying out of demolition if the Owners of the site have not themselves commenced substantive demolition at the time which officers consider appropriate. Officers will give an update on the morning of Committee as to whether any substantive demolition has occurred, or to advise if a timetable for demolition has been agreed with the Owners of the site.

Site and Surroundings

2. The site is located to the eastern side of The Matlings, a group of business units of various sizes, ages and designs. The site is situated on the north east fringes of the villa, within the development framework. To the north is a wooded land and further on, a ribbon of dwellings in the countryside beyond. To the south and east of the site is adjoined by dwellings within the village. The site is served by Millfield, a single width,

unadopted road with a junction at its southern end with Rooks Street. The building is 527 square metre floor space, in a block divided into the office/storage units which are partly occupied, and to a parking area adjacent to the building.

Proposals

3. Demolition of unauthorised commercial building for offices class B1(a) and Storage class B8 use and extension to existing storage building

Planning History

4. S/3247/15/FL- Demolition of detached commercial building (3 units) and partial demolition of building (2 x units) removal of first floors, and retention and alteration of existing building (for use by hc moss builders and occupiers of the buildings to be demolished) with associated landscaping, car parking and manoeuvring areas and alterations to private access- Council declined to determine the application.

S/2657/15/FL- Demolition of two commercial units, retention & alteration of existing building with associated landscaping, car parking & manoeuvring areas & alteration to private access- Council declined to determine the application

S/0767/13/FL- Retention of commercial building for Offices Class B1(a) and Storage Class B8 use and extension to existing storage building (retrospective application)- Refused by Committee Members. Appeal dismissed 30/03/2015

S/1867/06/F- Construction of a storage building and extension to existing storage building-Approved 2007.

S/2366/00/FL - Storage building retrospective application - Approved 2003

S/0921/86 - Use of workshop for wine storage and beewax packing. – Approved 1986
Enforcement Notice - Storage of a tower crane to cease - March 1983

S/1374/F - Storage of tower crane - Refused 1982

S/0927/82/F- Warehouse and joinery workshop - Refused 1982

S/0204/80/F - Builders store and joiners workshop - Refused 1980, Appeal dismissed following public enquiry 1981.

S/2090/78/F - Workshop with offices - Refused 1979

S/1834/77/F - Conversion to offices - Approved 1978

S/1200/74/F - Change of use to winter quarters and headquarters of circus - Approved 1975 for a temporary period of 3 years.

C/0542/63 - Covered area for the storage of bulk coal and washing of coal.

C/0011/63 Parking one caravan - Approved 1963, temporary consent for 2 years

RC/0201/60- Use for storage and packing - Approved 1960 and 1962

RC/0059/59 - Use as warehouse or repository - approved 1959

Planning Policies

5. National Planning Policy Framework 2012
National Planning Practice Guidance
6. *Local Development Framework*

South Cambridgeshire District Council, Local Development Framework, Development Control Policies, Adopted July 2007

South Cambridgeshire Core Strategy Development Plan (2007) ST/5 Minor Rural Centre

South Cambridgeshire Development Control Policies Development Plan (2007)

- DP/1 - Sustainable development
- DP/3 - Development Criteria
- DP/7 - Development Frameworks
- ET/1 - Limitations on the Occupancy of New Premises in South Cambridgeshire
- ET/4 - New Employment Development within Villages
- ET/5 - Development for the Expansion of Firms
- NE/1 - Energy Efficiency
- NE/14 - Lighting proposals
- NE/15 - Noise pollution

Draft Local Plan

South Cambridgeshire Local Plan Proposed Submission

- S/8 Rural Centres
- HQ/1 Design Principles
- E/12 New Employment Development in Villages
- SC/10 Lighting Proposals
- SC/11 Noise Pollution
- TI/2 Planning for Sustainable Travel
- TI/3 Parking Provision

Planning Assessment

7. An enforcement notice was served on the property on 13 March 2014 (PLAENF.376) for the retention of the commercial building for Offices Class B1(a) and Storage Class B8 and extension to existing storage building (retrospective application). The enforcement notice was appealed and subsequently dismissed on the 30th March 2015 (APP/W0530/C/14/2217046,47,48,49 and 50. A compliance period of ten months was set for the demolition of the unlawful building which expired in 30th January 2016. The owner of the site submitted two further planning applications S/3247/15/FL and S/2657/15/FL which the Council declined to determine as the proposals were not materially different to refused application S/0767/13/FL. However, the original structure remains and whilst a representative of the Owners has confirmed to officers that the building will be demolished the Council has not been given a specific date as to when demolition will commence and has been told that the reason for this is because demolition cannot commence until electric and gas has been disconnected and that disconnection date(s) is in the hands of the relevant utility companies .

8. We have received a cost estimate to carry out and complete the demolition works if the Council were itself (ie. rather than the Owners) to commission such works which are £60,000 plus contingencies. Members are asked to authorise direct action and not least because the funding of the works (if authorised) would need to be financed initially from the Council's own funds but with the intention that such costs are then sought to be recovered by the Council from the Owners of the site.

9 Accordingly, Planning Committee members are asked to consider whether they wish to authorise "Direct Action" and to give officers delegated authority as to the actual timing of any Direct Action if the Owners were to continue to delay the demolition. The reference to a delay is made in the context of the Appeal decision dated 30 March 2015 where the Planning Inspector said that "...to remedy the breach of planning control ..nothing short of complete demolition meets the purpose behind the requirements ..and the steps required to comply with the notice are clear and are not excessive ..." The Inspector did extend the time for compliance from six months as set out in the enforcement notice and substituted a period for compliance to ten months but which ten months itself expired on 30th January 2016 ie nearly some five months ago.

.1. The recommendation seeking authority to take direct action is fully supported by Planning, Enforcement and Legal officers.

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.

- Email correspondence between the applicant and Planning Authority attached below.

Contact Officer: Charles Swain – Principal
Planning Enforcement Officer
Telephone: (01954) 713206

Stephen Reid – Planning Lawyer
Telephone (01954) 713195

Email correspondence

Sent: 08 June 2016 18:04

To: Cliff Moss <hcmoss14@gmail.com>

Cc: Cllr Bard <Cllr.Bard@scambs.gov.uk>; Cllr Cuffley <Cllr.Cuffley@scambs.gov.uk>; Cllr Batchelor J <Cllr.BatchelorJ@scambs.gov.uk>; Cllr Bradnam <Cllr.Bradnam@scambs.gov.uk>; Cllr Burling <Cllr.Burling@scambs.gov.uk>; Cllr Corney <Cllr.Corney@scambs.gov.uk>; Cllr Kindersley <Cllr.Kindersley@scambs.gov.uk>; Cllr McCraith <Cllr.McCraith@scambs.gov.uk>; Cllr OBrien <Cllr.OBrien@scambs.gov.uk>; Cllr Scott <Cllr.Scott@scambs.gov.uk>; Cllr Turner <Cllr.Turner@scambs.gov.uk>; cllr.morris@cottenhampc.org.uk; clerk@cottenhampc.org.uk; Cllr Edwards <Cllr.Edwards@scambs.gov.uk>; Swain Charles <Charles.Swain@scambs.gov.uk>; Cllr Harford <cllr.harford@scambs.gov.uk>; Christodoulides Katie <Katie.Christodoulides@scambs.gov.uk>; Cllr Wotherspoon <Cllr.Wotherspoon@scambs.gov.uk>; Reid Stephen <Stephen.Reid@scambs.gov.uk>; 'Paul Ursell' <PaulUrsell@hcmoss.co.uk>; 'John Dadge' <jsd@bsm.uk.com>; Ayre Julie <Julie.Ayre@scambs.gov.uk>

Subject: RE: The Maltings, Millfield, Cottenham

Dear Mr Moss,

Thanks for your email.

Whilst you have said you were "...not referring to the inspectors decision but to the I P A refusal to accept the latest application..." my email also referred to "...the recent failed steps to take Judicial Review proceedings against the Council in relation to this site" and which of course was in relation to what you have now referred to as "...the I P A refusal to accept the latest application..."

I recognise that you may have a view as to what you see as "... the worst planning decision in (your) 50 years of dealing with planning matters..." but that does not appear to have been a view shared by the Judge in the High Court Judicial Review proceedings and whereas you are aware costs were awarded against you and in favour of the Council.

I note that you have not commented on that part of my email where I said that I would "...like to remind you that we have not said we will not look at future development proposals but rather that the Council's position is that it wishes to see early demolition of the unauthorised building before looking at any future development proposals..." but I am pleased to see your confirmation that you "... are progressing with the demolition process in accordance with (our) demands..."

Finally whilst you have said that you "... will phone you tomorrow morning just to clear any misunderstandings.." I do not think there should be any reason for any misunderstandings and look forward to hearing from Mr Ursell as to a definite date for the substantive commencement of the demolition works. In the circumstances I do not think there is any need for you to phone tomorrow unless it is to provide an update as to demolition matters.

Regards

Julie

Julie Baird | Head of Development Management



South Cambridgeshire Hall | Cambourne Business Park | Cambourne | Cambridge | CB23 6EA
t: 01954 713144 | e: julie.baird@scambs.gov.uk
www.scambs.gov.uk | facebook.com/south-cambridgeshire | twitter.com/SouthCambs

SIGN UP FOR BUSINESS SUPPORT NEWS AND INFORMATION

Joining our business register will also ensure you will be the first to know about financing and funding opportunities, contracts and tenders, updates on infrastructure or new developments, business workshops, awards competitions and local business news, including subscription to Open For Business - an e-newsletter sent out every other month

From: Cliff Moss [<mailto:hcmoss14@gmail.com>]

Sent: 08 June 2016 16:46

To: Baird Julie <Julie.Baird@scambs.gov.uk>

Cc: Cllr Bard <Cllr.Bard@scambs.gov.uk>; Cllr Cuffley <Cllr.Cuffley@scambs.gov.uk>; Cllr Batchelor J <Cllr.BatchelorJ@scambs.gov.uk>; Cllr Bradnam <Cllr.Bradnam@scambs.gov.uk>; Cllr Burling <Cllr.Burling@scambs.gov.uk>; Cllr Corney <Cllr.Corney@scambs.gov.uk>; Cllr Kindersley <Cllr.Kindersley@scambs.gov.uk>; Cllr McCraith <Cllr.McCraith@scambs.gov.uk>; Cllr OBrien <Cllr.OBrien@scambs.gov.uk>; Cllr Scott <Cllr.Scott@scambs.gov.uk>; Cllr Turner <Cllr.Turner@scambs.gov.uk>; cllr.morris@cottenhampc.org.uk; clerk@cottenhampc.org.uk; Cllr Edwards <Cllr.Edwards@scambs.gov.uk>; Swain Charles <Charles.Swain@scambs.gov.uk>; Cllr Harford <cllr.harford@scambs.gov.uk>; Christodoulides Katie <Katie.Christodoulides@scambs.gov.uk>; Cllr Wotherspoon <Cllr.Wotherspoon@scambs.gov.uk>; Reid Stephen <Stephen.Reid@scambs.gov.uk>; 'Paul Ursell' <PaulUrsell@hcmoss.co.uk>; 'John Dadge' <jsd@bsm.uk.com>; Ayre Julie <Julie.Ayre@scambs.gov.uk>

Subject: RE: The Maltings, Millfield, Cottenham

Dear Mrs Baird,

I was not referring to the inspectors decision but to the I P A refusal to accept the latest application where the removal of the old buildings which would bring the people deployed on site and the traffic movements to its present level

In the refusal of planning permission of the 11th of July 2014 .It recommended that the applicant should submit a new application which the L P A would offer advice on how an acceptable solution could be found . This clearly has not happened.

I am pleased that you are going to present the latest correspondence to your next committee meeting .We are progressing with the demolition process in accordance with you demands .Mr .Ursell Is keeping you informed of our progress.

After reading the rereading the inspectors report I notice that he mentioned an office adjacent to the road .was not desirable . The result of demolishing all the old block walled and iron roofed buildings and rehousing the existing tenants would mean that H C M B would remain where they are

I will phone you tomorrow morning just to clear any misunderstandings

Yours faithfully

Cliff Moss

From: Baird Julie [<mailto:Julie.Baird@scambs.gov.uk>]

Sent: Wednesday, June 8, 2016 11:20 AM

To: Cliff Moss <hcmoss14@gmail.com>

Cc: Cllr Bard <Cllr.Bard@scambs.gov.uk>; Cllr Cuffley <Cllr.Cuffley@scambs.gov.uk>; Cllr Batchelor J <Cllr.BatchelorJ@scambs.gov.uk>; Cllr Bradnam <Cllr.Bradnam@scambs.gov.uk>; Cllr Burling <Cllr.Burling@scambs.gov.uk>; Cllr Corney <Cllr.Corney@scambs.gov.uk>; Cllr Kindersley <Cllr.Kindersley@scambs.gov.uk>; Cllr McCraith <Cllr.McCraith@scambs.gov.uk>; Cllr OBrien <Cllr.OBrien@scambs.gov.uk>; Cllr Scott <Cllr.Scott@scambs.gov.uk>; Cllr Turner <Cllr.Turner@scambs.gov.uk>; cllr.morris@cottenhampc.org.uk; clerk@cottenhampc.org.uk; Cllr Edwards <Cllr.Edwards@scambs.gov.uk>; Swain Charles <Charles.Swain@scambs.gov.uk>; Cllr Harford <cllr.harford@scambs.gov.uk>; Christodoulides Katie <Katie.Christodoulides@scambs.gov.uk>; Cllr Wotherspoon <Cllr.Wotherspoon@scambs.gov.uk>; Reid Stephen <Stephen.Reid@scambs.gov.uk>; 'Paul Ursell' <PaulUrsell@hcmoss.co.uk>; 'John Dadge' <jsd@bsm.uk.com>; Ayre Julie <Julie.Ayre@scambs.gov.uk>

Subject: RE: The Maltings, Millfield, Cottenham

Dear Mr Moss

1. Thank you for your latest email but I must admit I am struggling to understand how on the one hand you have said

- that you are proceeding with inviting prices from suitable contractors for the demolition of the building and expect to have written proposals by the end of next week and that upon receipt of the prices you will make a decision on the choice of preferred contractor and arrange a provisional date for demolition

and then on the other hand you have said

-that In your opinion it has to be the worst planning decision in your 50 years of dealing with planning matters.

2. The planning decision you refer to is the decision of an Inspector who on your Appeal against the planning enforcement notice held that "...to remedy the breach of planning control ..nothing short of complete demolition .." was required and ".. the steps required to comply with the notice are clear and are not excessive..".

3.You will also of course be aware of the recent failed steps to take Judicial Review proceedings against the Council in relation to this site.

4. I can see no reason why your latest email could not be included in any papers taken to the July committee if we are forced to seek authority for direct action and so that Members of the Planning Committee have a very clear understanding of how you see the position before they make any decision to authorise direct action if they are minded to do so.

5. Finally at this stage, I would also like to remind you that we have not said we will not look at future development proposals but rather that the Council's position is that it wishes to see early demolition of the unauthorised building before looking at any future development proposals.

Regards

Julie

Julie Baird | Head of Development Management



South Cambridgeshire Hall | Cambourne Business Park | Cambourne | Cambridge | CB23 6EA
t: 01954 713144 | e: julie.baird@scams.gov.uk
www.scams.gov.uk | facebook.com/south-cambridgeshire | twitter.com/SouthCams

SIGN UP FOR BUSINESS SUPPORT NEWS AND INFORMATION

Joining our business register will also ensure you will be the first to know about financing and funding opportunities, contracts and tenders, updates on infrastructure or new developments, business workshops, awards competitions and local business news, including subscription to Open For Business - an e-newsletter sent out every other month

From: Cliff Moss [<mailto:hcmoss14@gmail.com>]

Sent: 08 June 2016 10:00

To: Baird Julie <Julie.Baird@scams.gov.uk>

Cc: Cllr Bard <Cllr.Bard@scams.gov.uk>; Cllr Cuffley <Cllr.Cuffley@scams.gov.uk>; Cllr Batchelor J <Cllr.BatchelorJ@scams.gov.uk>; Cllr Bradnam <Cllr.Bradnam@scams.gov.uk>; Cllr Burling <Cllr.Burling@scams.gov.uk>; Cllr Corney <Cllr.Corney@scams.gov.uk>; Cllr Kindersley <Cllr.Kindersley@scams.gov.uk>; Cllr McCraith <Cllr.McCraith@scams.gov.uk>; Cllr OBrien <Cllr.OBrien@scams.gov.uk>; Cllr Scott <Cllr.Scott@scams.gov.uk>; Cllr Turner <Cllr.Turner@scams.gov.uk>; cllr.morris@cottenhampc.org.uk; clerk@cottenhampc.org.uk; Cllr Edwards <Cllr.Edwards@scams.gov.uk>; Swain Charles <Charles.Swain@scams.gov.uk>; Cllr Harford <cllr.harford@scams.gov.uk>; Christodoulides Katie <Katie.Christodoulides@scams.gov.uk>; Cllr Wotherspoon <Cllr.Wotherspoon@scams.gov.uk>; Reid Stephen <Stephen.Reid@scams.gov.uk>; 'Paul Ursell' <PaulUrsell@hcmoss.co.uk>; 'John Dadge' <jsd@bsm.uk.com>; Ayre Julie

<Julie.Ayre@scambs.gov.uk>

Subject: RE: The Maltings, Millfield, Cottenham

Dear Mrs. Baird,

Thank you for replying to my email making a final request for a sensible planning decision for the Maltings Cottenham.

It makes me wonder if the if the planning committee have been shown and understand the extent of the landscaping etc that is proposed .The status quo with regard to people employed and vehicle movements would have been maintained, a modern building housing the existing tenants which was acceptable to the inspector .The entrance road repaired and maintained by H C M B . When the building new building is demolished it will leave a badly holed and council maintained road ,the old building remaining and a builders yard fully exposed to the residents opposite .

In my opinion it has to be the worst planning decision in my 50 years of dealing with planning matters.

On the plus side for the trustees it will save them considerable cost . the negative side ,a decidedly worse situation for the local residents

With regard to your request for details of the demolition of the building I have asked Paul Ursell to reply to you separately.

Cliff Moss

From: Baird Julie [<mailto:Julie.Baird@scambs.gov.uk>]

Sent: Tuesday, June 7, 2016 5:46 PM

To: Cliff Moss <hcmoss14@gmail.com>

Cc: Cllr Bard <Cllr.Bard@scambs.gov.uk>; Cllr Cuffley <Cllr.Cuffley@scambs.gov.uk>; Cllr Batchelor J <Cllr.BatchelorJ@scambs.gov.uk>; Cllr Bradnam

<Cllr.Bradnam@scambs.gov.uk>; Cllr Burling <Cllr.Burling@scambs.gov.uk>; Cllr Corney

<Cllr.Corney@scambs.gov.uk>; Cllr Kindersley <Cllr.Kindersley@scambs.gov.uk>; Cllr

McCraith <Cllr.McCraith@scambs.gov.uk>; Cllr OBrien <Cllr.OBrien@scambs.gov.uk>; Cllr

Scott <Cllr.Scott@scambs.gov.uk>; Cllr Turner <Cllr.Turner@scambs.gov.uk>;

cllr.morris@cottenhampc.org.uk; clerk@cottenhampc.org.uk; Cllr Edwards

<Cllr.Edwards@scambs.gov.uk>; Swain Charles <Charles.Swain@scambs.gov.uk>; Cllr

Harford <cllr.harford@scambs.gov.uk>; Christodoulides Katie

<Katie.Christodoulides@scambs.gov.uk>; Cllr Wotherspoon

<Cllr.Wotherspoon@scambs.gov.uk>; Reid Stephen <Stephen.Reid@scambs.gov.uk>; Paul

Ursell <PaulUrsell@hcmoss.co.uk>; 'John Dadge' <jsd@bsm.uk.com>; Ayre Julie

<Julie.Ayre@scambs.gov.uk>

Subject: RE: The Maltings, Millfield, Cottenham

Dear Mr Moss

Thank you for your email sent on 3rd June 2016 and thank you for writing personally on behalf of the Trustees who own the property.

Whilst you have made one final plea for the Council to come to the table in relation to this matter on a without prejudice basis in relation to the demolition programme I have no reason to anticipate there is any support from either members of the Planning Committee and/or local members to see any delay in a very early demolition programme .Indeed at the Planning Committtee last week members

seemed very supportive of steps to secure early demolition when they were advised that it was the intention to bring to the July Committee an estimate of demolition costs such that members could decide if they wished to authorise direct action by SCDC (ie demolition by SCDC) pursuant to section 178 of the Town and Country Planning Act 1990 if there was no sign of substantive demolition and/or an agreed demolition programme. It is recognised by officers that if SCDC (i.e rather than yourselves) were to commission the demolition then costs incurred by the Council would subsequently need to be recovered from the owners of the property and it was in that context that members were advised of the steps to seek a costs estimate to carry out and complete the demolition works and so that members would have the financial figures to inform any decision whether to authorise direct action if nothing was happening at the time of the July committee.

Thank you for confirming that last week you invited prices from suitable contractors for the demolition of the building and that you expect to have written proposals by the end of this week.

I note that you have also said that upon receipt of the prices you will make a decision on the choice of preferred contractor and a provisional date for demolition. I would hope, but please confirm this to be the case, that you have no objection to advising us as to each of the following:

1. the preferred contractor once that decision has been taken,
2. the provisional date for demolition .
3. arrangements for the Contractor responsible for the preparation of a demolition management plan copying to the Council
 - (a) the demolition management plan ,and
 - (b) the Section 80 notice.

I also note that this week you will notify the service providers of the requirement for disconnection as to gas water electricity and telecoms. Please confirm you are happy to keep the Council reasonably advised on steps and speed of disconnection.

[Finally (subject to the comment made in the following paragraph) ,whilst you have said that you "...hope that as this process is proceeding (you) can engage productively with (us as) the local planning authority in relation to the "fall-back" position and any future development proposals for the site..." the Council's position is that it wishes to see early demolition of the unauthorised building before looking at any future development proposals] .

I am copying this email to all those who were sent a copy of your email on 3rd June and no doubt any of the people receiving this email can make contact with yourself or with me if they have any queries arising from our respective emails.

Regards

Julie Baird

Julie Baird | Head of Development Management



South Cambridgeshire Hall | Cambourne Business Park | Cambourne | Cambridge | CB23 6EA
t: 01954 713144 | e: julie.baird@scambs.gov.uk
www.scambs.gov.uk | facebook.com/south-cambridgeshire | twitter.com/SouthCambs

SIGN UP FOR BUSINESS SUPPORT NEWS AND INFORMATION

Joining our business register will also ensure you will be the first to know about financing and funding opportunities, contracts and tenders, updates on infrastructure or new developments, business workshops, awards competitions and local business news, including subscription to Open For Business - an e-newsletter sent out every other month

From: Cliff Moss [<mailto:hcmoss14@gmail.com>]

Sent: 03 June 2016 14:23

To: Baird Julie <Julie.Baird@scambs.gov.uk>

Cc: Cllr Bard <Cllr.Bard@scambs.gov.uk>; Cllr Cuffley <Cllr.Cuffley@scambs.gov.uk>; Cllr Batchelor J <Cllr.BatchelorJ@scambs.gov.uk>; Cllr Bradnam <Cllr.Bradnam@scambs.gov.uk>; Cllr Burling <Cllr.Burling@scambs.gov.uk>; Cllr Corney <Cllr.Corney@scambs.gov.uk>; Cllr Kindersley <Cllr.Kindersley@scambs.gov.uk>; Cllr McCraith <Cllr.McCraith@scambs.gov.uk>; Cllr OBrien <Cllr.OBrien@scambs.gov.uk>; Cllr Scott <Cllr.Scott@scambs.gov.uk>; Cllr Turner <Cllr.Turner@scambs.gov.uk>; cllr.morris@cottenhampc.org.uk; clerk@cottenhampc.org.uk; Cllr Edwards <Cllr.Edwards@scambs.gov.uk>; Swain Charles <Charles.Swain@scambs.gov.uk>; Cllr Harford <cllr.harford@scambs.gov.uk>; Christodoulides Katie <Katie.Christodoulides@scambs.gov.uk>; Cllr Wotherspoon <Cllr.Wotherspoon@scambs.gov.uk>; Reid Stephen <Stephen.Reid@scambs.gov.uk>; Paul Ursell <PaulUrsell@hcmoss.co.uk>; 'John Dadge' <jsd@bsm.uk.com>; Ayre Julie <Julie.Ayre@scambs.gov.uk>

Subject: The Maltings, Millfield, Cottenham

Dear Mrs Baird

Having returned from abroad yesterday I thought I should write personally on behalf of the Trustees who own the property in relation to the Councils exchange of emails earlier in the week with Paul Ursell, Managing Director of HC Moss (Builders) Ltd and our planning agent John Dadge of Barker Storey Matthews.

I am now able to confirm the program for demolition of the building, the arrangements for the payment of the Councils JR costs and I would also make one final plea for the Council to come to the table in relation to this matter on a without prejudice basis in relation to the demolition programme. Dealing with each item in turn :-

Demolition

We have, this week, invited prices from suitable contractors for the demolition of the building and expect to have written proposals by the end of next week.

Upon receipt of the prices we will make a decision on the choice of preferred contractor and arrange a provisional date for demolition.

Contractor will be responsible for the preparation of a demolition management plan and serving the Section 80 notice on the Council in respect of the proposed demolition.

Next week we will also notify the service providers of the requirement for disconnection although gas water electricity and telecoms.

You are no doubt aware that we cannot influence the speed of disconnection. Recent experience suggests that we should therefore allow six weeks for this to be completed although it must be stressed that we cannot proceed with demolition unless all of the services have been disconnected in that respect we are in the hands of the parties.

When we have confirmed dates for the completion of the disconnections the Section 80 noticed will be served and the contractor will arrange mobilisation and set the date on which the demolition will start and the date by which it will be complete and the site cleared. For the purpose of this correspondence with him that that will be within 4 to 6 weeks of commencement.

Based upon the information available to us at the present time and given that the process for procuring the demolition of the building has started has started anticipate that this will be **complete by end of August 2016**.

I hope that as this process is proceeding we can engage productively with the local planning authority in relation to the "fall-back" position and any future development proposals for the site.

The Council's JR costs

Mr Dadge has written to Mr Reid on our behalf to confirm that HC Moss (Builders) Ltd are in credit with the Council and to confirm that payment for the Council's costs may be taken by way of a deduction - see copy email below.

An Alternative approach (to demolition)

In his email of the 27th May Mr Dadge put a further alternative approach to Mrs Ayres but has received no response. The full email is set out below but the salient points are:-

If the Council were prepared to take a more pragmatic approach what is being offered is a proposal that has significant environmental improvements for the benefit of all.

- *A proposal which results in no more floor space than was originally on the site before the enforcement building was constructed.*
- *A proposal that has no more occupiers on the site than before the enforcement building was constructed.*
- *A proposal that results in no additional traffic to that which was present on the site before the enforcement building was constructed.*

The proposal is simply to relocate the companies, that were present on the site before the enforcement building was constructed, into the enforcement building, which is more appropriate to the needs of modern business. The buildings they vacate which are old and low quality would be demolished.

So, effectively, the status quo would be maintained in terms of business activity and traffic generation on the site but the premises within which those businesses operate would be much improved. There would also be a consequential improvement in environmental and amenity terms for residential neighbours as they would benefit from what is proposed as extensive landscaping to the frontage of the site and within the site that goes far beyond what the inspector had before him and beyond what is shown on the last planning application which H C Moss sought to have registered by the Local Planning Authority.

I do hope that even at this late stage the Council could consider this as alternative way forward and are prepared to meet to discuss it.

Given the interest in this situation and the need to keep planning committee members informed I have, for completeness, copied this response to all planning committee members, the ward Councillors and the Chairman and Clerk to the Parish Council.

Yours Sincerely

Clifford Moss

On behalf of the Trustees



HC Moss (Builders) Ltd
The Maltings, Mill Field
Cottenham
Cams CB24 8RE
Tel: 01954 250775
Mobile: 07770 645046

From: John Dadge
Sent: 02 June 2016 12:43
To: 'Reid Stephen'
Cc: hcmoss14@gmail.com; Baird Julie; Ayre Julie; Christodoulides Katie; Swain Charles; Funge Alistair
Subject: RE: The Maltings, Millfield, Cottenham

Dear Mr Reid

Paul Ursell of HC Moss (Builders) Ltd has asked me to respond to you in relation to the arrangements for payment of the Council's JR costs.

It appears that of the original planning application fee in the sum of £3080 for the original declined application, only £770 has been returned to HC Moss.

This was on the basis that the £2310 was retained as the LPA fee for the second application which of course SCDC also declined to accept. Effectively therefore the Council are in credit in that sum from HC Moss.

I have looked back at the costs claim by the Council in accordance with your schedule of 17 March 2016 and it is £1670 including VAT. Effectively, after deducting your costs, the Council still owe HC Moss £640.

Can I assume that the Council is happy to make the deduction of its JR costs from the credit and pay HC Moss £640 as the balance of monies owing to them?

If this is acceptable please take this email as authority on behalf of HC Moss (Builders) Ltd to make the necessary adjustments. If not please advise me of the procedure you would like us to follow.

Regards

John

John Dadge
Barker Storey Matthews
01733 556491

From: John Dadge
Sent: 27 May 2016 12:00
To: 'Ayre Julie'
Cc: Reid Stephen; Baird Julie; Christodoulides Katie; Harford Lynda; Cllr Edwards; Cllr Wotherspoon; Cllr Harford
Subject: RE: The Maltings, Millfield, Cottenham

Dear Mrs Ayre

I was disappointed to receive your email regarding the possibility of a meeting, given that I had spoken with Julie Baird on Monday who thought that this might be possible. That said I am also disappointed in the approach being taken as I believe the correct thing to do in terms of the proper planning of this area would be to take a broader perspective than the one the Council is taking in relation to the building itself.

The officers did not object to the overall design of the unauthorised building. The inspector, was not persuaded that planning permission should be granted for the construction of the brick building, which would result in the retention of 10 self-contained office or storage and distribution units.

In coming to his decision the inspector only considered the enforcement site itself. The overall site in the ownership of H C Moss was not considered in a comprehensive fashion. Indeed the inspector was required to consider only what was before him.

The principal issue for the inspector and his decision lay in the intensification of activity on the site; the multiple occupation of the enforcement building and the harm that was caused by the additional traffic utilising the site and access road as a result of the occupation of the enforcement building.

If the Council were prepared to take a more pragmatic approach what is being offered is a proposal that has significant environmental improvements for the benefit of all.

- A proposal which results in no more floor space than was originally on the site before the enforcement building was constructed.

- A proposal that has no more occupiers on the site than before the enforcement building was constructed.
- A proposal that results in no additional traffic to that which was present on the site before the enforcement building was constructed.

The proposal is simply to relocate the companies that were present on the site before the enforcement building was constructed into the enforcement building, which is more appropriate to the needs of modern business. The buildings they vacate which are old and low quality would be demolished.

So, effectively, the status quo would be maintained in terms of business activity and traffic generation on the site but the premises within which those businesses operate would be much improved .

There would also be a consequential improvement in environmental and amenity terms for residential neighbours as they would benefit from what is proposed as extensive landscaping to the frontage of the site and within the site that goes far beyond what the inspector had before him and beyond what is shown on the last planning application which H C Moss sought to have registered by the Local Planning Authority.

Viewing the site as a whole and not taking a narrow interpretation of just the enforcement site, I believe this has got to be a solution which is worth considering and exploring with the local community and that is why a meeting was sought.

I am copying this email to your full circulation list in the hope that it will prompt further discussion within the authority and result in the opportunity to meet with you and your planning colleagues and perhaps, if they are agreeable, with local members.

I look forward to hearing from you.

Regards.

John Dadge

John Dadge Dip TP MRTPI
Planning & Development Director
Tel 01733 556491
Fax 01733 896979
Email jsd@bsm.uk.com
Web www.bsm.uk.com
 37 Priestgate,
 Peterborough, PE1 1JL



Most Active Regional Agent in Cambridgeshire 2015

"Barker Storey Matthews is the trading name of BSMH Limited, registered in the England and Wales number 2566342, registered office at 150 High Street, Huntingdon, Cambridgeshire PE29 3YH. "This Message is intended only for the use of the person(s) ("the Intended Recipient") to whom it is addresses. It may contain information which is privileged and confidential within the meaning of applicable law. Accordingly any dissemination, distribution, copying or other use of this message or any of its content by any person other than the Intended Recipient may constitute a breach of civil or criminal law and is strictly prohibited. If you are not the Intended Recipient please contact the sender as soon as possible. Any e-mail attachment may contain viruses which could damage your computer system. Whilst reasonable precaution has been taken to minimise the risk, we cannot accept liability for any damage which you sustain as a result of any viruses. You should therefore carry out you own virus

checks before opening any attachment.



Please consider the Environment - Do you really need to print this email?

Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived

Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived

680

679

678

677

680

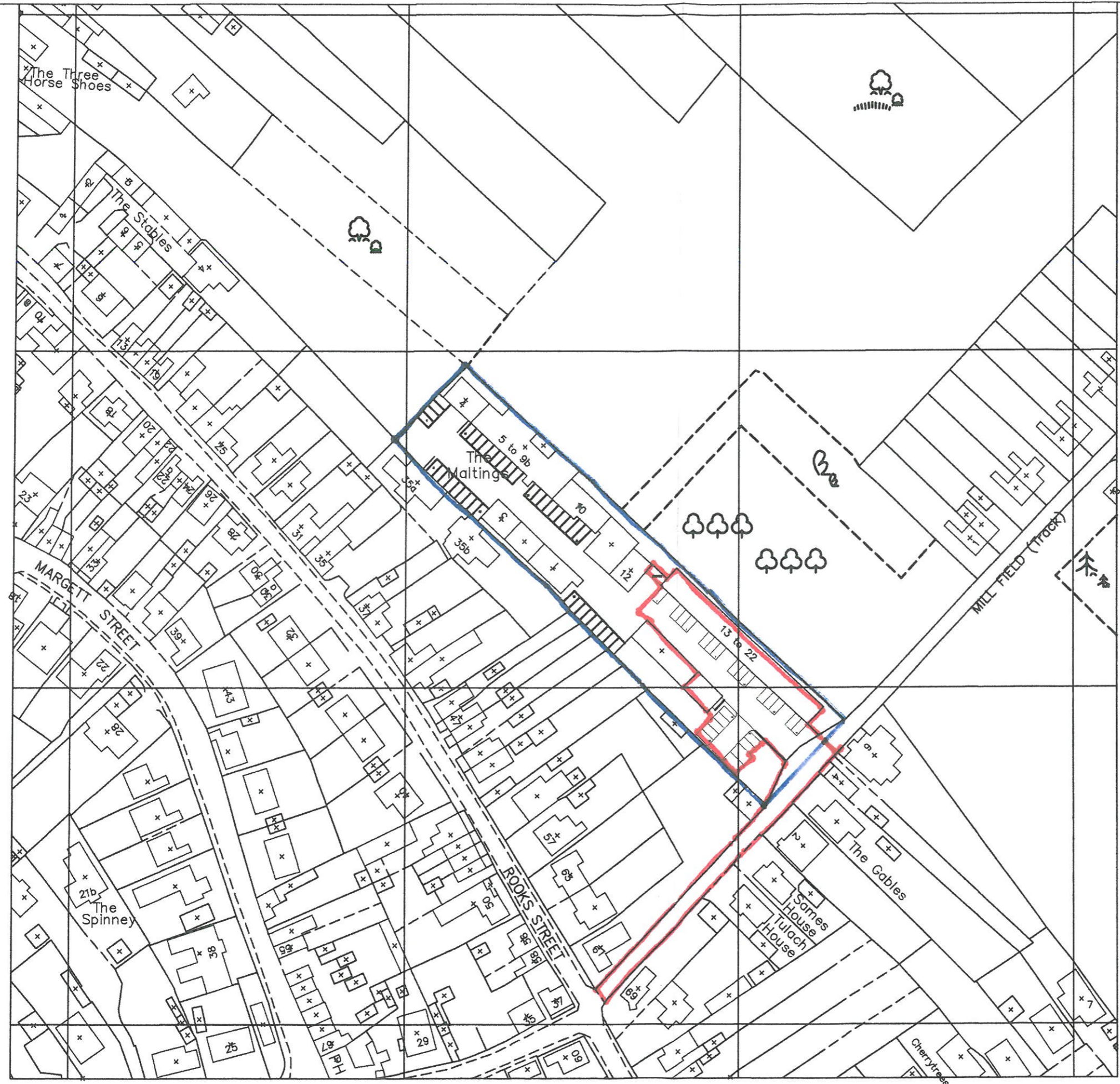
679

678

677

2676 84m

2676 84m



452

453

454

455

5451 8

5451 8

RECEIVED SCDC
 24 JUN 2013
 DEVELOPMENT CONTROL

REV	DESCRIPTION	DATE	BY

RDA

The Studio, Unit 4,
 The Maltings, Green
 Drift, Royston,
 Hertfordshire, SG8 5DY.
 Tel: 01763 246121
 Fax: 01763 245206

NO DIMENSIONS TO BE SCALED FROM THE DRAWING
 ALL DIMENSIONS TO BE CHECKED ON SITE AND VERIFIED WITH
 THE SUPERVISING OFFICER

Project
 Proposed Storage Units
 Millfield, Cottenham, Cambs
 for H C Moss (Builders) Ltd

Title
 Site Location Plan

Project No.	Drg.No.	Date	Author
2011	LPI	Scale 1:1250	Revision

This page is left blank intentionally.

Agenda Item 16



REPORT TO: Planning Committee
LEAD OFFICER: Planning and New Communities Director

6 July 2016

Enforcement Report

Purpose

1. To inform Members about planning enforcement cases, as at 20th June 2016. Summaries of recent enforcement notices are also reported, for information.

Executive Summary

2. There are currently 66 active cases (Target is maximum 150 open cases, Stretch target 100 open cases).
3. Details of all enforcement investigations are sent electronically to members on a weekly basis identifying opened and closed cases in their respective areas along with case reference numbers, location, case officer and nature of problem reported.
4. Statistical data is contained in Appendices 1, and 2 to this report.

5. **Updates to significant cases**

- (a) **Stapleford:**

Breach of Enforcement Notice on Land adjacent to Hill Trees, Babraham Road. Following continuing breaches of planning at this location an Injunction was approved by the High Court 17th November 2015, The compliance period to remove unauthorised vehicles and to cease unauthorised development represented by the commercial storage, car sales and non-consented operational works that have occurred there was by January 26th 2016. An inspection of the land on the 26th January 2016 revealed that the unauthorised motor vehicles, trailers, caravans etc. had along with the unauthorised track been removed from the land as required by the Injunction. The displaced vehicles have now been moved onto land at Little Abington owned by the occupier of Hill Trees and onto land adjacent to Hill Trees that belongs to Gonville and Caius College, Cambridge. Both parcels of land are the subject of extant enforcement notices. Currently advice has been sought through Counsel on the most effect route in dealing with this displacement and on balance it is felt that a High Court injunction, particularly given the recent successful outcome at Hill Trees and related planning history, including various unsuccessful challenges, is made to remedy the identified breaches. Case file currently in preparation.

- (b) **Smithy Fen:**
 Application received for the change of use of plot 11 Orchard Drive to provide a residential pitch involving the siting of 1 mobile home and one touring caravan, an amenity building for a temporary period until 2 May 2018. The application has in accordance with section 70C of the Town & Country Planning Act 1990 been declined. The applicants have applied for permission for a Judicial Review.
 Permission granted by the Honourable Mrs Justice Patterson DBE, Grounds to resist being filed both by the Council and by the Secretary of State for Communities and Local Government as second defendant. The Judicial review which was set for 29th October 2015 has taken place at the High Court of Justice, Queens Bench division, Planning Courts before The Honourable Mr Justice Lewis. The judgement was handed down on the 22nd January 2016 in favour of the Council. The judicial review claim was accordingly ordered to be dismissed.
 The Claimant had lodged an application for permission to appeal but this was refused 25th January 2016. Notwithstanding the refusal of permission to appeal by the Planning Court at first instance, the claimant has now applied to the Court of Appeal for permission to appeal the Judicial Review outcome from January. No further information at this time
- (c) **Sawston – Football Club**
 Failure to comply with pre-commencement conditions relating to planning reference S/2239/13 – Current site clearance suspended whilst application to discharge conditions submitted by planning agent. Application to discharge pre-commencement conditions received and subsequently approved for conditions 3, 4 and Boundary Treatment – Conditions, 6,7,14,22,23,25,26,27,28,29,30,31,32 and 33 have now also been discharged. Following an application for a Judicial Review regarding the stadium, the Judicial review has taken place at the High Court of Justice, Queens Bench division, Planning Courts. The judgement was handed down and reported on the 15th January 2016 in favour of the Council. The judicial review claim was accordingly ordered to be dismissed. The Claimant in this JR has now applied to the Court of Appeal for permission to appeal the decision of Mr Justice Jay. Counsel have been made aware and await the decision of the Court.
- (d) **Caxton**
 Land and property at Swansley Wood , St Neots Road, Caxton Unauthorised use of the area to the north of the land for the storage of containers contrary to the requirements of condition 1 of planning permission Reference No: S/2391/12/12/VC. Enforcement notice issued 31st March 2016. Appeal application submitted to the Planning Inspectorate but was found to be out of time. Compliance requested.
- (e) **Fulbourn – Barnsbury House, Coxs Drove**
 Unauthorised material change of use from a dwelling house (C3) to commercial leisure accommodation (Sui generis) A Planning application was submitted and subsequently appealed for the property but does not affect the overall use of the site. Compliance requested.

(f)

Cottenham – The Maltings Millfield

Retrospective planning application S/0767/13 submitted following the issue of a planning enforcement notice PLAENF 1039 for the retention of commercial building for offices Class B1 (A) and storage Class B8 for units 13 to 22 registered 24/6/2013 – Application refused 11/7/2014. Appeal submitted and subsequently the planning appeal was dismissed 30th March 2015 and the enforcement notice upheld. The owners HC Moss Ltd sought permission to apply to the High Court of Justice, Queens Bench Division – Planning Court for a Judicial Review. Mr Justice Dove having considered the application ordered on the 13th April 2016 that permission be refused and awarded the Councils costs totalling £1670.00p

A report is to be submitted to the July Planning Committee to approve direct action by the council in relation to demolition of the unauthorised building. Timing to be delegated to officers

(g)

Abington – 45 North Road

Following the unauthorised development at the above premises and subsequent issue of a planning enforcement notice, an appeal was made that was later dismissed by the planning inspectorate. The compliance period was increased to 9 months to demolish the unauthorised structure. During the compliance period a further planning application was submitted under planning reference S/1103/15/FL on the 27th April 2015 – The application was refused on the 19th November 2015 and again was appealed. The planning inspector dismissed the appeal on the 14th April 2016

A report is to be submitted to the July Planning Committee to approve direct action by the council in relation to demolition of the unauthorised extension and link. Timing to be delegated to officers

Investigation summary

6. Enforcement Investigations for May 2016 reflect a 25.5% decrease when compared to the same period in 2015. The Year to date total for investigations shows an increase of 1% when compared to the same period in 2015

Effect on Strategic Aims

- 7.. South Cambridgeshire District Council delivers value for money by engaging with residents, parishes and businesses. By providing an effective Enforcement service, the Council continues to provide its residents with an excellent quality of life.

Background Papers:

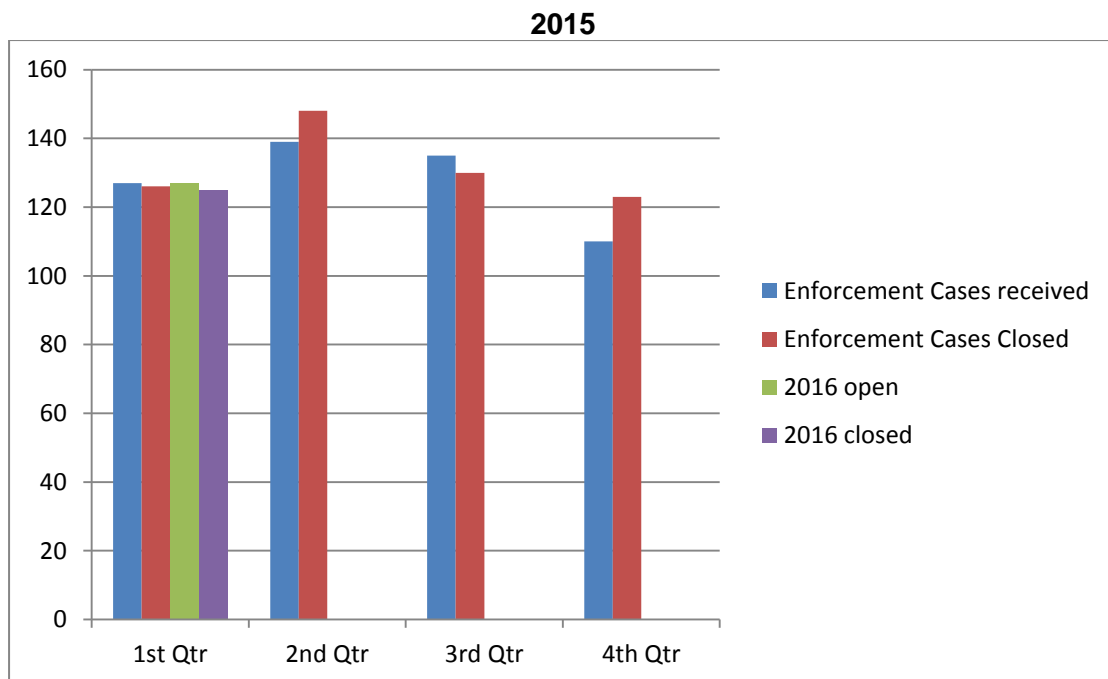
8. The following background papers were used in the preparation of this report:

Appendix 1
Appendix 2

Report Author: Charles Swain – Principal Planning Enforcement Officer
Telephone: (01954) 713206

Enforcement Cases Received and Closed

Month – 2016	Received	Closed
1 st Qtr. 2016	127	125
April 2016	57	56
May 2016	35	47
2016 - YTD	219	228
1 st Qtr. 2015	127	126
2 nd Qtr. 2015	139	148
3 rd Qtr. 2015	135	130
4 th Qtr. 2015	110	123
2015 YTD	511	527
2014 YTD	504	476



This page is left blank intentionally.

Notices Served and Issued

1. Notices Served

Type of Notice	Period	Calendar Year to date
	May 2016	2016
Enforcement	0	8
Stop Notice	0	0
Temporary Stop Notice	0	1
Breach of Condition	0	0
S215 – Amenity Notice	0	0
Planning Contravention Notice	0	0
Injunctions	0	0
High Hedge Remedial Notice	0	2

2. Notices served since the previous report

Ref. no.	Village	Address	Notice issued
None			

3. Case Information

Twenty three of the thirty five cases opened during May were closed within the same period which represents a 66% closure rate. Of the cases investigated during the May period 20 were classified as low priority (Development which may cause some harm but could be made acceptable by way of conditions (e.g. control on hours of use, parking etc). 14 were classified as medium (Activities that cause harm (e.g. adverse affects on residential amenity and conservation areas, breaches of conditions) and 1 case classified as high (works which are irreversible or irreplaceable (e.g. damage to, or loss of, listed buildings and protected trees, where highways issues could endanger life)

Change of Use x 4
 Breach of Condition x 9
 Breach of planning control x 12
 Listed building x 1
 Adverts x 3
 Other x 1
 Amenity x 1
 Conservation x 1

Built in accordance x 2
 unauthorised development x1

This page is left blank intentionally.

Agenda Item 17



REPORT TO: Planning Committee
LEAD OFFICER: Planning and New Communities Director

06 July 2016

Appeals against Planning Decisions and Enforcement Action

Purpose

1. To inform Members about appeals against planning decisions and enforcement action, and proposed hearing and inquiry dates, as of 24 July 2016.

Statistical data

2. Attached to this report are the following Appendices:
 - Appendix 1 - Decisions Notified by the Secretary of State
 - Appendix 2 – Appeals received
 - Appendix 3 - Local Inquiry and Informal Hearing dates scheduled

Contact Officer: Julie Baird Head of Development Management
Telephone Number:: 01954 713144

Report Author: Lisa Davey Technical Support Officer (Appeals)
Telephone Number: 01954 713177

This page is left blank intentionally.

Appendix 1

Decisions Notified By The Secretary of State

Reference	Address	Details	Decision	Date
S/2400/15/FL	15 Kirby Road Waterbeach	Change of use of land to residential garden and the erection of a fence	Dismissed	20/05/2016
PLAENF.1,671	34 Mingle Lane Stapleford	Enforcement Notice: Without planning permission, the change of use of a garden shed to a flight simulator facility for commercial purposes	Allowed / Enforcement Notice Quashed	26/05/2016
S/0559/15/VC	North Hall Farm Heydon	Removal of condition 3 of planning approval S/02323/12/FL (permanent occupancy)	Allowed	26/05/2016
S/0552/15/VC	North Hall Farm Heydon	Removal of condition 3 of planning approval S/1319/09/F (permanent occupancy)	Allowed	26/05/2016
S/0550/15/VC	North Hall Farm Heydon	Removal of Condition 6 of approval S/0354/10/F (permanent occupancy)	Allowed	26/05/2016
S/0956/15/FL	2 Church Walk Little Gransden	Erection of two storey outbuilding to provide garaging/storage	Dismissed	01/06/2016
S/0956/15/FL	2 Church Walk Little Gransden	Application for Costs (Appellant)	Refused	01/06/2016
S/2896/15/FL	9 Meadow Lane Linton	Extension to existing glazed link and the insertion of 7 roof lights to North-West facing roof slope	Dismissed	02/06/2016
S/3113/15/FL	29 High Street Waterbeach	Two storey rear extension following demolition of existing single storey extension	Dismissed	03/06/2016

Appendix 1

S/1442/15/OL	North of Lanthorn Stile Fulbourn	Residential Development and Associated Works including Access	Dismissed	07/06/2016
S/2713/15/RM	Land to Rear of 31 Histon Road, Cottenham	Reserved Matters Application for Access, Appearance, Landscaping, Layout and Scale for Erection of Dwelling and Garage (S/0900/15/OL)	Allowed	09/06/2016
S/0409/15/RM	Former Bayer CropScience Site Hauxton	Reserved matters for parts of phase 1 & phase 3 – 132 dwellings	Dismissed	13/06/2016
S/0410/15/RM	Former Bayer CropScience Site Hauxton	Reserved matters for part of phase 3 – 14 dwellings	Allowed	13/06/2016
S/1765/15/FL	6 Maltings Lane, Great & Little Chishill	Erection of a Three Bedroomed Barn-Style Dwelling with an Integral Garage and Associated New Access and Driveway	Allowed	14/06/2016
S/2409/14/FL	Land north of Dales Manor Business Park West Way Sawston	Solar Farm	Dismissed	15/06/2016
S/1615/14/FL	Land north of Dales Manor Business Park West Way Sawston	Solar Farm	Dismissed	15/06/2016
S/1248/15/FL	Land north-west 14 Ivatt Street Cottenham	Erection of 4 dwellings	Allowed	15/06/2016
S/3235/15/FL	11 New Road Guilden Morden	Side Extension and Porch to Dwelling	Allowed	20/06/2016
S/1663/15/FL	9 Lyndhurst Close Milton	Erection of detached Dwelling with detached garage	Dismissed	21/06/2016
S/1748/15/FL	22 Fen End Willingham	Erection of two storey house	Allowed	21/06/2016
S/1944/15/FL	The Grange Old North Road Bassingbourn	Development of one Eco-house	Dismissed	21/06/2016

Appendix 1

S/1098/15/OL	1 High Street Teversham	Construction of 2 No semi detached houses	Dismissed	22/06/2016
S/2244/15/OL	Orchard Cottage Bury Lane Meldreth	Outline application for the erection of timber framed eco- friendly detached house	Dismissed	22/06/2016
S/0276/15/OL	8 Greenacres Duxford	Demolition of Dwelling & Garage & Erection of up to 35 Dwellings	Allowed	24/06/2016

This page is left blank intentionally.

Appeals Received

Reference	Address	Details	Date Appeal lodged
S/0355/16/FL	36 Church Street, Stapleford	Alterations to existing detached annexe by raising the roof over part of its length.	28/04/2016
S/0537/16/LD	10 Church Road, Teversham	To construct two additional rooms attached to The Piggery	18/05/2016
S/0279/16/FL	81 Coles Road, Milton	Dormer window to roof	19/05/2016
S/3154/15/FL	Land adj 36 High Street, Guilford Morden	Proposed detached dwelling	23/05/2016
S/0709/16/FL	The Old Granary Mill Road Great Wilbraham	Retrospective application for change of use of outbuilding pertinent to dwelling in connection with child-minding business	24/05/2016
S/0635/16/FL	4A Water Lane Histon	Erection of a wooden car port	25/05/2016
S/0269/16/FL	15 New Town Cottenham	Two storey rear extension to dwelling house	31/05/2016
S/1818/15/OL	Land off Rampton Road Cottenham	Outline application for up to 225 residential dwellings	02/06/2016
S/3082/15/OL	Land between Fox Cottage & Acorns Fox Road Bourn	Outline for Erection of detached dwelling/vehicular access and associated works	09/06/2016
S/1320/14/FL	Dotterell Hall Farm Barns Cambridge Road Balsham	Alterations and Conversion of Agricultural Buildings to Five Dwellings, Erection of Garages, and Associated Works	09/06/2016
S/0664/16/FL	83 High Street Orwell	Application for drop kerb and new vehicular access.	15/06/2016

Appendix 2

S/0523/16/FL	Land adj to 7 Wilbraham Road Fulbourn	Agricultural worker's dwelling and construction of access to highway	20/06/2016
S/0813/16/FL	5 Green End Fen Ditton	Proposed two storey rear extension and extension to single storey garden shed / store	21/06/2016
S/0368/16/FL	8 Otter Gardens Bar Hill	Two storey side extension	23/06/2016

Appendix 3

Local Inquiry and Informal Hearing dates scheduled

- **Local Inquiries**

Reference	Name	Address	Planning decision or Enforcement?	Date confirmed/ proposed
S/0892/15/LD	Mr M Dwyer	Managers Accommodation Enterprise Nurseries Waterbeach	Planning Decision	05/07/16–06/07/16 Confirmed
S/2791/14/OL	Endurance Estates Strategic Land Ltd	East of New Road Melbourn	Planning Decision	12/07/16–15/07/16 Confirmed (Extra day added)
S/2273/14/OL	Mr D Coulson	Land at Teversham Road Fulbourn	Planning Decision	13/09/16-16/09/16 & 20/09/16-21/09/16 Confirmed
S/2870/15/OL	Bloor Homes (Eastern) & Cambridgeshire County Council	Land at Mill Road Over	Planning Decision	08/11/16-11/11/16
S/2510/15/OL	Gladman Developments Ltd	Land east of Highfields Road Caldecote	Non-Determination	Date TBC
S/0537/16/LD	Endurance Estates Strategic Land Ltd	Land south of West Road Gamlingay	Planning Decision	Date TBC

- **Informal Hearings**

Reference	Name	Address	Planning decision or Enforcement?	Date confirmed/ proposed
S/1527/15/FL	Mrs B England	The Three Tuns 30 High Street Guilden Morden	Planning Decision	28/06/16 Confirmed
S/0882/14/FL	Mr S Nugent	Land adj 41 Denny End Road Waterbeach	Planning Decision	19/07/2016 Confirmed (Venue Waterbeach Barracks)

