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Please note start time

27 June 2017

To: Chairman – Councillor Pippa Corney
Vice-Chairman – Councillor David Bard
All Members of the Planning Committee - Councillors John Batchelor,
Brian Burling, Kevin Cuffley, Anna Bradnam, Philippa Hart, 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, 5 JULY 2017** at **9.45 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

Alex Colyer

Interim Chief Executive

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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 October 2016) attached to the electronic version of the agenda on the Council's website.

PRESENTATION

1. Orchard Park

Representatives from Carter Jonas will give Members a briefing on the Reserved Matters application relating to Aparthotel, Orchard Park (66 apartments).

PROCEDURAL ITEMS

Agenda Item 2 will not be considered before 10.30am.

2. Apologies

Councillor Philippa Hart has sent Apologies for Absence and has appointed Councillor Anne Bradnam as her substitute. To receive any other apologies for absence from committee members.

3. 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.

4. Minutes of Previous Meeting

1 - 6

To authorise the Chairman to sign the Minutes of the meeting held on 10 May 2017 as a correct record.

PLANNING APPLICATIONS AND OTHER DECISION ITEMS

To view plans, drawings and other documents submitted with the application, follow the link called ‘Application file’ and select the tab ‘Plans and Docs’.

5. S/0096/17/OL- Linton (Agricultural Land North East of Back Road)

7 - 84

Outline planning permission for the erection of up to 95 dwellings with public open space, landscaping and sustainable drainage system and vehicular access from Back Road. All matters reserved apart from means of access.

6. S/1901/16/OL - Meldreth (Land at Eternit UK, Whaddon Road)

85 - 130

Outline planning permission for a mixed-use development (up to 150 dwellings, public open space and new technology plant), new car park and access for Sports and Social Club and associated infrastructure. All matters reserved with the exception of the means of access

7. S/2405/16/RM - Duxford - 8 Greenacres,

131 - 148

35 dwellings revised layout.

8. **S/1178/16/FL - Barton - 24 Roman Hill** **149 - 154**
- Single storey front extensions and rendering of front and rear elevations

MONITORING REPORTS

9. **Enforcement Report** **155 - 162**
10. **Appeals against Planning Decisions and Enforcement Action** **163 - 180**

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

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- **Do not** re-enter the building until the officer in charge or the fire brigade confirms that it is safe to do so.

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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.

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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'.

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Agenda Item 4

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee held on
Wednesday, 10 May 2017 at 9.45 a.m.

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

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

Officers in attendance for all or part of the meeting:

Julie Ayre (Planning Team Leader (East)), John Koch (Planning Team Leader (West)), Chris Morgan (Senior Planning Officer), Karen Pell-Coggins (Principal Planning Officer), Lydia Pravin (Planning Officer), Stephen Reid (Senior Planning Lawyer), Ian Senior (Democratic Services Officer), Sarah Stevens (Development Management Project Implementation Officer), David Thompson (Principal Planning Officer), William Tysterman (Planning Project Officer) and Rebecca Ward (Senior Planning Officer)

Councillors Sue Ellington, Andrew Fraser, Lynda Harford, Tumi Hawkins and Tim Wotherspoon were in attendance, by invitation.

1. PRE-APPLICATION - NORTHSTOWE

The Committee received an update on the Phase 2 Design Code for Northstowe. The Presentation covered the following aspects:

- The definition of a design code
- Users of a design code
- Why a design code should be used
- An overview of Northstowe
- Process
- Consultation, feedback and responses
- Further studies and related work
- Final draft code

Clarification was given that the discharge of the Condition relating to Design Coding would be the responsibility of Planning Committee.

2. APOLOGIES

Councillor Des O'Brien sent Apologies for Absence. Councillor Charles Nightingale was his substitute.

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

4. MINUTES OF PREVIOUS MEETINGS

The Committee authorised the Chairman to sign, as a correct record, the Minutes of the meeting held on 23 March 2017, subject as follows:

Minute 6 – S/2553/16/OL – Linton (Land off Horseheath Road)

Delete the third paragraph (“Councillor John Batchelor (the other local Member) concluded that the development was neither viable nor deliverable.”) and replace it with the following:

“Councillor John Batchelor (the other local Member) said that the minimum requirement of an outline application was to show that the proposal was viable and deliverable. The applicant had not done so, given that the indicative layout failed to meet minimum separation standards, and that the applicant had failed to offer a viable scheme to address surface and foul water drainage issues.”

In the fourth paragraph, between the words “...objections...” and “...the Committee refused...” add the words “...from statutory consultees...” so that the paragraph now states:

“Following further debate, and notwithstanding the absence of any technical objections from statutory consultees, the Committee **refused** the application contrary to the recommendation in the report from the Head of Development Management. Members agreed the reasons for refusal as being the likelihood that the proposal would 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 and the adopted Design Guide.”

Minute 7 – S/1411/16/OL – Cottenham (Rampton Road)

After the first set of bullet points, replace “Malcolm Dee (objector), Laurie Lane (applicant’s agent), Councillor Frank Morris (Cottenham Parish Council) and Councillors Tim Wotherspoon and Lynda H” with the completed paragraph

“Malcolm Dee (objector), Laurie Lane (applicant’s agent), Councillor Frank Morris (Cottenham Parish Council) and Councillors Tim Wotherspoon and Lynda Harford (local Members) addressed the meeting.”

The Committee authorised the Chairman to sign, as a correct record, the Minutes of the meeting held on 5 April 2017, subject as follows:

Minute 5 – S/2084/16/FL – Girton (Howes Close Sports Ground, Huntingdon Road)

In the first paragraph, between the words “...by virtue of...” and “...noise...” add the word “...additional...”.

5. S/1606/16/OL- COTTENHAM (LAND AT OAKINGTON ROAD)

Members visited the site on 9 May 2017.

The Planning Lawyer Informed Members that no decision notice had yet been issued in respect of Application S/1411/16/OL. He urged caution in the light of roundabout works already agreed as part of that application. He also reminded them about the possibility of Judicial Review proceedings.

Members expressed concern about the increased risk of damage to the heritage assets. Deferral was proposed and seconded for that reason and to make sure that all relevant information was presented to Members and the public in an accessible manner and in advance of the meeting.

Given the extension of the period for determining the application to 31 July 2017, the possibility of Judicial Review, and the desirability of further consideration being given to heritage assets and to the impact of the proposed new roundabout on those heritage assets, the Committee **deferred** the application

6. **S/0077/17/FL - COTTENHAM (2 DENMARK ROAD)**

Members visited the site on 9 May 2017.

Simon Clark (objector), Councillor Frank Morris (Cottenham Parish Council) and Councillor Lynda Harford (a local Member) addressed the meeting. Mr. Clark objected because of the adverse impact on amenity and privacy, visibility splays, and the demolition of a character building in the village centre. Councillor Morris expressed concern about the impact on the Conservation area, and two Listed Buildings. Further concerns related to access, loss of amenity, flood risk, and noise resulting from the proposal's proximity to industrial premises. Councillor Harford spoke in the context of affordable housing. She also referred to past incidences of flooding.

Councillor Deborah Roberts said the Conservation Area was a key factor. The street scene was also important. She could not endorse demolition of the existing building.

The Committee **approved** the application subject to the Condition and Informative set out in the report from the Joint Director for Planning and Economic Development, emphasis being placed on Condition (k) relating to overlooking.

**Councillor Kevin Cuffley left the meeting and was not present for any of the remaining items.
Councillor Brian Burling took over as Vice-Chairman for the remainder of the meeting.**

7. **S/0415/17/OL - CASTLE CAMPS (LAND OFF BARTLOW ROAD)**

Members visited the site on 9 May 2017.

Stephen Williams (objector), Lisa Allison (applicant's agent), Melanie Laing (Castle Camps Parish Council) and Councillor Andrew Fraser (a local Member) addressed the meeting. Mr. Williams referred to the Strategic Housing Land Availability Assessment, and to the problem of foul water drainage. Other concerns were road safety and effect on the rural character of the site. He said there was no evidence either of a need or desire for the proposal. Lisa Allison agreed to the submission of a Reserved Matters application within 12 months of Outline permission being granted. Melanie Laing referred to car parking concerns, highway safety, and drainage. Councillor Fraser referred again to the SHLAA and flood risk, and pointed out that the site was outside the village framework.

Committee members were concerned about the sustainability and overbearing aspects of the proposal. The diversity of villages in South Cambridgeshire was also an aspiration.

The Committee gave officers **delegated powers to approve** the application subject to

1. The prior completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 securing matters such as
 - a. a total of four affordable dwellings on site
 - b. a contribution of £888.00 towards the provision of waste receptacles
 - c. a monitoring fee of £500.00
 - d. informal open space on site, including a financial contribution towards maintenance and management
 - e. a financial contribution in respect of maintenance of drainage infrastructure and

In addition, it will be the responsibility of the developer to ensure that a management company is in place to deliver management and maintenance of the common areas, including the lighting, refuse collection area, footpaths and roads. Financial responsibility will rest with the occupiers of the dwellings

2. the Conditions and Informatives set out in the report from the Joint Director for Planning and Economic Development with modification to condition (b) to now be "Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of 1 year from the date of this permission."

Councillor Sebastian Kindersley left the meeting temporarily, was not present for items 8, 9 or the beginning of Item 10, and did not vote on Items 8, 9 or 10.

8. S/3064/16/OL - HARDWICK (LAND SOUTH OF ST NEOTS ROAD)

Members visited the site on 9 May 2017.

Nicholas Broderick, accompanied by Mr. Sheffield (objectors) and Paul Derry (applicant's agent) addressed the meeting. The objections related to the site's location outside the village framework, lack of sustainability, traffic congestion, lack of amenities, and unsuitability of hall Drive as an access. Further concerns were pollution and the volume of traffic. Paul Derry pointed to the benefit to Hardwick.

The Committee gave officers **delegated powers to approve** the application subject to

1. The prior completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 securing the matters set out in Appendix 2 to the report from the Joint Director for Planning and Economic Development, with the addition of the management arrangements for the emergency access route; and
2. The Conditions and Informatives referred to in the said report, with the addition of details of the surfacing of the emergency access road.

The meeting having been in progress for four hours, the Committee resolved to continue

9. S/3391/16/OL - SWAVESEY (BOXWORTH END)

Members visited the site on 9 May 2017.

John MacKenzie (for the applicant), Councillor Will Wright (Swavesey Parish Council) and Councillor Sue Ellington (local Member) addressed the meeting. Mr. Mackenzie said that Swavesey would benefit from 40% affordable housing. Councillor Wright pointed out that village infrastructure was at breaking point. He took issue with the applicant's assertion that Swavesey was a sustainable village, saying that the site was more than a mile from the village centre and one and a half miles from the Cambridgeshire Guided Busway. The lack of public transport would lead to an increase in traffic. The adverse impact of the development outweighed any benefit to the village as a whole. Councillor Ellington considered the housing height to be inappropriate, and expressed concern about the impact on the school and medical centre.

Committee members referred to the harmful impact on a rural location. The proposal did not reflect the rest of the village. Proposed building heights were not sensitive to the character of Swavesey. Concern was expressed at the cumulative impact of drainage, and the discharge from Over Sewage Works. Density should be looked at again.

The Committee **refused** the application, contrary to the recommendation contained in the report from the Joint Director for Planning and Economic Development. Members agreed the reasons for refusal as being the adverse impact on the rural character of the surrounding countryside, the density of development, and the impact on the capacity of surface water drainage infrastructure in Swavesey.

10. **S/2047/16/FL - CALDECOTE (LAND R/O 18-28 HIGHFIELDS ROAD)**

Members visited the site on 9 May 2017.

Dr Nadim Abdullah (objector), Philip Wright (for the applicant), Councillor Phil Claridge (Caldecote Parish Council) and Councillor Dr. Tumi Hawkins (local Member) addressed the meeting. Dr. Abdullah's concerns related to overlooking, location of and pollution from the car park, drainage and the loss of light. Philip Wright offered to discuss relocation of the proposed flats. Councillor Claridge repeated some of the concerns mentioned above, and added that the schools were at capacity, there was little or no local employment, and the proposal was unsustainable. Councillor Dr. Hawkins added that the affordable housing should be adaptable for use by disabled people.

During the Committee debate, Members mentioned the ongoing need to dispose of foul water sewage by tanker, and the lack of sustainability.

The Committee gave officers **delegated powers to approve** the application subject to

1. The prior completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 securing the items set out in Appendix 2 to the report from the Joint Director for Planning and Economic Development;
2. The Conditions and Informatives set out in Appendix 3 to the report from the Joint Director for Planning and Economic Development;
3. Additional Conditions relating to controlling the hours of use of the school car park and retention of the screening to Flat block 1-8; and
4. Updating plan numbers to include minor amendments to the roads and footpaths within the development.

Councillor Sebastian Kindersley rejoined the meeting during the course of this item. Accordingly, he did not vote.

11. S/1017/17/FL - CAMBOURNE (13 WOODPECKER WAY)

The Committee **approved** the application subject to the Conditions set out in the report from the Joint Director for Planning and Economic Development.

12. ENFORCEMENT REPORT

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

13. APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION

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

**Councillor Deborah Roberts left the meeting and
was not present in the Chamber for either Item
14(a) or Item 14(b)**

14 (a) Exclusion of Press and Public

RESOLVED that the press and public be excluded from the meeting during consideration of item 14(b) in accordance with the provisions of Section 100(A)(4) of the Local Government Act 1972 (as amended) (exempt information as defined in Paragraph 5 of Part 1 of Schedule 12A of the Act).

14 (b) S/1523/17/PO - Sawston (former John Faulkner School, land off Hammonds Road)

Officers summarised the circumstances leading to this application to vary the Legal Agreement made under Section 106 of the Town and Country Planning Act 1990. They referred to confidential legal Advice received from Counsel.

Officers agreed that, should there be any problems in concluding the variation, the matter would be referred back to the Planning Committee.

The Committee gave officers **delegated powers to approve** the application made under Section 106A of the Town and Country Planning Act 1990, subject to:

1. the end of the consultation period (without comments that would justify referring the matter back to the Planning Committee); and
2. completion of a Deed of Variation requiring the immediate payment of a revised Affordable Housing commuted sum of £181,518.

The Meeting ended at 4.35 p.m.

Agenda Item 5

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

5 July 2017

AUTHOR/S: Joint Director for Planning and Economic Development

Application Number: S/0096/17/OL

Parish(es): Linton

Proposal: Outline planning permission for the erection of up to 95 dwellings with public open space, landscaping and sustainable drainage system and vehicular access from Back Road. All matters reserved apart from means of access.

Site address: Agricultural Land North east of Back Road

Applicant(s): Gladman Developments Ltd.

Recommendation: Refusal

Key material considerations: Housing Land Supply
Principle of Development
Density
Housing Mix
Affordable Housing
Character and Appearance of the Area
Landscape Character
Design Considerations
Heritage Assets
Biodiversity
Ecology
Highway Safety and Sustainable Travel
Flood Risk
Neighbour Amenity
Developer Contributions

Committee Site Visit: Yes

Departure Application: Yes, 25 January 2017

Presenting Officer: Karen Pell-Coggins, Senior Planning Officer

Application brought to Committee because: The application is of local interest.

Date by which decision due: 13 April 2017

Executive Summary

1. The proposal, as amended, seeks permission for a residential development outside the Linton village framework and in the countryside. The development would not

normally be considered acceptable in principle in this location as a result of (i) its size and (ii) its out of village framework location. However, the Council acknowledges at present it cannot currently demonstrate a five-year housing land supply.

2. Given that the Council cannot demonstrate currently a five year housing land supply, its “housing supply policies” remain out of date (albeit “housing supply policies” do not now include policies ST/5, DP/1(a) or DP/7). As such, and in accordance with the decision of the Supreme Court in the *Hopkins Homes* appeal, para. 14 of the NPPF is engaged and planning permission for housing development should be granted, inter alia, “unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of [the] Framework taken as a whole ...”.
3. A balancing exercise needs therefore to be carried out. As part of that balance, in the absence of a five year housing land supply, considerable weight and importance should be attached to the benefit which a proposal brings in terms of delivery of new homes (including affordable homes). It is only when the conflict with other development plan policies – including, where engaged, ST/5, DP/1(a) and DP/7, which seek to direct development to the most sustainable locations – is so great in the context of a particular application as to “significantly and demonstrably outweigh” the benefit of the proposal in terms of deliver of new homes, that planning permission should be refused. This approach reflects the decision of the Supreme Court.
4. The benefits from the development are set out below: -
 - i) The provision of up to 95 dwellings towards 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.
 - ii) The provision of 38 affordable dwellings towards the identified need across the district.
 - iii) The provision of a significant amount of public open space including children’s playspace within the development.
 - iv) Developer contributions towards education, health, sport, open space and community facilities in the village.
 - v) Employment during construction to benefit the local economy.
 - vi) Greater use of local services and facilities to contribute to the local economy.
5. These benefits must be weighed against the following adverse impacts of the development: -
 - i) Location outside village framework and the objectives of policies DP/1(a) and DP/7.
 - ii) Scale of development and the objectives of policy ST/5
 - iii) Visual and landscape character impact upon the setting of the village.
 - iv) Potential impact of traffic generation upon the functioning and capacity of the public highway, impact of the access upon highway safety and inadequate pedestrian connectivity to village.
 - v) Potential impact upon features of important archaeological interest.
 - vi) Potential impact upon the Furze Hills Protected Roadside Verge County Wildlife Site and Hildersham Protected Verges.
6. In this case, the adverse impacts of this development in terms of the impacts upon highway safety, features of important archaeological interests and a Site of Biodiversity Importance are considered to significantly and demonstrably outweigh the benefits of the provision of a significant housing scheme, when assessed against the policies in the NPPF taken as a whole. On balance, planning permission should therefore be refused.

Planning History

7. *Site*
None relevant.
8. *Other Sites in Linton*
S/1963/15/OL - Residential Development for up to 55 Dwellings at Bartlow Road - Committee approval September 2016 (Awaiting Section 106)
S/2553/16/OL - Residential Development for up to 50 Dwellings at Horseheath Road – Refused (Appeal Hearing 27 June 2017)
S/1969/15/OL - Residential Development for up to 50 Dwellings at Horseheath Road – Refused (Appeal Hearing 27 June 2017)

Environmental Impact Assessment

9. The application does not fall under Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 but it would exceed the criteria in section 10b of Schedule 2 of the regulations given that the site area exceeds 5 hectares. However, the development is not considered to result in significant environmental impacts individually or cumulatively with other developments in the village that require the submission of an Environmental Impact Assessment.

National Guidance

10. National Planning Policy Framework 2012
National Planning Practice Guidance

Development Plan Policies

11. **South Cambridgeshire Local Development Framework Core Strategy DPD 2007**
ST/2 Housing Provision
ST/5 Minor Rural Centres
12. **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 curtilage or Setting of a Listed Building
CH/5 Conservation Areas
NE/3 Renewable Energy Technologies in New Development
NE/6 Biodiversity
NE/7 Sites of Biodiversity or Geological Importance
NE/11 Flood Risk
NE/12 Water Conservation
NE/17 Protecting High Quality Agricultural Land
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
TR/3 Mitigating Travel Impact

13. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**

Development Affecting Conservation Areas SPD - Adopted January 2009
Listed Buildings SPD - Adopted July 2009
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

14. **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/3 Protecting Agricultural Land
NH/4 Biodiversity
NH/5 Sites of Biodiversity or Geological Importance
NH/14 Heritage Assets
CC/3 Renewable and Low Carbon Energy in New Developments
CC/4 Sustainable Design and Construction
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
SC/12 Contaminated Land
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision
TI/8 Infrastructure and New Developments

Consultation

15. **Linton Parish Council** – Strongly recommends refusal of the proposal (as amended) on the grounds of unsustainable development. Please see Appendix 1 for full comments. The key concerns are as follows: -
on the following grounds:
- i) Outside village framework on edge of village.
 - ii) Distance to centre of village and facilities.
 - iii) Scale of development.
 - iv) Housing numbers undeliverable.
 - v) Lack of public consultation.
 - vi) Visual impact from long views and the rural setting of Linton in the open landscape.
 - vii) Visual impact from adjacent public right of way.
 - viii) Protection of existing landscape features.
 - ix) Loss of land for soakaway and surface water flooding.
 - x) Housing needs in the village are for smaller properties and bungalows.

- xi) No employment potential for village.
 - xii) Self contained development.
 - xiii) Infrastructure is at capacity- schools, medical services, community buildings, sewage etc.
 - xiv) Highway safety – safety and capacity of the A1307 road and hazardous junctions and Back Road is a minor road and narrows to a single carriageway in places.
 - xv) Traffic impact upon special Conservation Area
 - xvi) Traffic damage to Protected Roadside Verges along Back Road.
 - xvii) No paved footway to north of Back Road.
 - xviii) Parking and congestion in village.
 - ixx) Bus service stops and frequency.
 - xx) Cumulative impact of all proposed developments
16. **Landscape Design Officer** – Recommends refusal as it would be difficult to develop this site without significant harm to the open Chalkland landscape character, the approach to the village from the north west and the setting of Linton generally. In visual terms, there would be harm experienced by receptors in a number of locations both close to the site and in the wider landscape.
 17. The landscape of the site and its immediate area is a good example of the Cambridgeshire Chalklands landscape character – open rolling agricultural land divided by hedges and featuring distinctive hilltop woodlands.
 18. The site lies on the north side of the River Granta valley above Linton on the south facing slope of Rivey Hill, and forms both a key entrance and a landscape backdrop to Linton and the Granta Valley. It is formed of part of a pair of agricultural fields, divided by a mature native hedgerow that runs north-south.
 19. The northern and north east boundaries of the site are largely open and the site footprint is indistinguishable from the upper parts of the fields that climb towards Pain Pasture and its associated woodlands. The south west frontage facing Back Lane is also largely open, but with the field boundary noticeably higher than the road itself. The south east boundary is partly open; the lower part adjoins a telephone exchange compound, while the upper part is formed by the Icknield Way long distance footpath, which is open to the site.
 20. The two fields rise fairly steeply from west to east, from approximately 44m AOD at the roadside to approximately 65mAOD at the southern edge of Pains Pasture. The long north east boundary of the site footprint falls about half way up this slope, following the 55m AOD contour.
 21. The site, the adjacent agricultural land and the backdrop of Pains Pasture and associated woodland areas on the higher ground are essentially a single unit, both in landscape and visual terms, and should be considered as such when assessing potential Landscape and Visual effects.
 22. Development of the site would completely alter the landscape character of the site and its adjacent landscape. The proposed development is outside the existing Development Framework and would extend the village beyond the existing limit of development to the north. It would introduce inappropriate forms into a sensitive landscape, including the linear SUDs features along the frontage, which would appear perched above the road.
 23. Approaching Linton from the north west along Hildersham Road there are expansive views across the site, east along the side of the valley and north east to Rivey Hill and

its woodlands. The open road frontage to the site emphasizes the importance the rolling, rising landform to the character of this area.

24. Extending development north of Balsham Road or Back Lane – as at Tower View and Chalklands - will remove this rural foreground and close views to the hill tops and along the side of the valley. Although on the lower slopes of Rivey Hill, the site and adjacent landscape rise by over 20 metres between Back Lane to the Pains Pasture woodland. Within the site gradients are steep compared with Tower View or Chalklands. This will result in the stacking of rows of development above each other, compounding landscape and visual impacts.
25. The importance of the site and adjacent landscape as a setting for Linton is evident in longer views from the north and south, where the wooded valley lies below the rising landscape of open fields and woodland. The proposed development will appear in views from the south above the valley woodlands, and visually will fill the open land between the valley and woodland to the north of the site.
26. Views from the east will include those from the Icknield Way footpath. Currently there are expansive views over Linton and the Granta Valley to the south and west, which will be partially or completely blocked by development.
27. The applicants suggest that as the proposed development would be located on the lower slopes of Rivey Hill, it will be consistent with the extent of existing northern development and that existing and proposed planting and areas of open space would mitigate harmful landscape and visual effects and would integrate the development successfully into the landscape.
28. In my view the proposed mitigation will do little to reduce the Landscape and Visual harm. Existing developments north of Back Lane at Tower View and Chalklands demonstrate closed views, loss of landscape character and a poor relationship between the built form and the landscape. The proposed development would result in even greater adverse landscape and visual effects, given the steepness of the site, the gateway location and the function of the landscape as a setting and backdrop to Linton.
29. As proposed, development would appear stacked on the south facing slope. The height of the dwellings (approximately 8.0m) running on the 55m contour on the north east boundary will visually remove the open landscape and sense of space between the river valley and the wooded hill tops , both in close and longer views.
30. The proposed mitigation of planting of perimeter woodland blocks to the scheme could eventually filter and soften views to development at lower levels. However this form of planting will remain at odds with the local landscape character, and will further erode the sense of openness. Retaining limited areas of open farmland to the north and east of the development as suggested will do little to retain the landscape character on the approach to the village. The SUDs features along the Back Lane frontage will appear equally out of place in the landscape.
31. The applicants conclude that development can be accommodated without giving rise to material townscape/landscape or visual effects. However, the applicant's methodology and standards of assessment are inconsistent and no conclusions have been reached as to the significance of landscape or visual effects.
32. The assessment has separated the site from its immediate landscape surroundings and has not adequately considered the site and its landscape in its local context, to

the setting of Linton or to its relative quality within the wider Cambridgeshire Chalkland landscape.

33. Confining development to the lower slopes of Rivey Hill and the proposed landscape mitigation will not integrate the development into the landscape as suggested, and unacceptable levels of landscape and visual harm will remain.
34. In landscape and visual terms the proposed - or any similar - development is unacceptable at this site and location.
35. **Trees and Landscapes Officer** – Has no objections.
36. **Ecology Officer** – Objects to the application (as amended) on the grounds that whilst the presence of the Furze Hill Protected Roadside Verge (also a County Wildlife Site) has been acknowledged and mitigation presented to address the potential impact due to the construction of a new footpath, there are concerns in relation to the delivery of the mitigation as the land does not form part of the site area.
37. 95 additional dwellings in this location would result in further traffic movements along Back Road and this is already starting to be damaged by the current level of vehicle movements. This would result in further harm unless some sensitive road improvements such as passing places are proposed.
38. Further comments that the development should secure significant biodiversity and landscape enhancement that is not currently proposed such as woodland planting on the land to the north of the site.
39. There is a trackway connection to the nearby Pains Pasture Wood that then links to Rivey Wood. The woods may become subject to a greater level of human disturbance if a new population is established near y and the assessment should consider the potential for unmitigated indirect effects upon the nearby woodlands. Whilst the interpretation board is welcomed, it would be difficult to enforce no public access to the woodland.
40. It is pleasing to see the occurrence of rare plants along the Back Road have been taken as a habitat creation objective for the site.
41. The open basins proposed for SUDS are welcomed as they would attract wildlife but further details are required to ensure that they will be used for these purposes.
42. **Historic Buildings Officer** – Has no objections and comments that there are number of grade II listed buildings relatively close but not immediately adjacent to the site.
43. Little Linton Farm is the closest to the site. Historically, the site, farmhouse and barns were all under the same ownership but since much of the intervening/adjacent land has been developed for housing, this relationship no longer remains legible. Distant views of the development may be possible from the upper floors of the listed buildings. Distant views would also be possible from the college and former hospital but neither has had historic associations with the land and all views would be beyond existing housing.
44. Linton Conservation Area is well separated from the site by existing housing and vegetation.
45. Overall the level of harm from the proposal on the significance of heritage assets

would be negligible.

46. **Urban Design Officer** – Has no objections and comments that Linton has expanded significantly since its medieval linear core and the existing character of the northern part of the village is largely 20th century suburban development and village edges are no longer formed by development that is one plot deep. The slope of the site would make the development more prominent than that to the south but it would not cause substantial harm to the character of the built form. The density is 30 dwellings per hectare and this should preferably be reduced at the edge of the village without substantially increasing the density in the rest of the site.
47. **Environmental Health Officer** – Has no objections in principle subject to conditions in relation to the hours of construction work and deliveries, the hours of operation of power machinery, details of noise and vibration mitigation if piling foundations are proposed, measures for the spread of dust during construction, a construction programme, an artificial lighting scheme and details of air source heat pumps if proposed as a renewable energy technology within the development. Requests a further noise assessment at the detailed design stage to identify the amount of noise attenuation needed for habitable rooms.
48. **Contaminated Land Officer** – Comments that the site is currently agricultural land and the submitted report recommends an intrusive investigation to rule out or assess any risk from pesticides and herbicides. Recommends a detailed scheme for the investigation and recording of contamination and remediation of the land.
49. **Drainage Officer** – Has no objections subject to conditions in relation to surface water drainage and foul drainage.
50. **Affordable Housing Officer** – Comments that all developments that increase the net number of dwellings on a site by 3 or more need to provide 40% affordable housing suitable to address local housing needs.
51. The tenure mix for affordable housing in South Cambridgeshire District is 70% affordable rented and 30% intermediate housing. The fastest growing demand is for one and two bed properties.
52. As at May 2016 there were a total of 1689 applicants registered on the housing register for South Cambridgeshire. There are 85 people in need in Cottenham with a local connection.
53. This proposed scheme is for up to 95 dwellings, therefore 38 would need to be affordable.
54. In Major Developments, Rural Centres and Minor Rural Centres the type (house, flat, bungalow) and size (bedrooms) of affordable housing will be based on the need across the district as a whole. However with 5 Year Land Supply sites such as this, there is also a requirement to address local housing need.
55. As a starting point for discussions on the requirement for a local connection criteria on 5 year land supply sites, the first 8 affordable homes on each 5 year land supply site will be occupied by those with a local connection, the occupation of any additional affordable homes thereafter will be split 50/50 between local connection and on a Districtwide basis. If there are no households in the local community in housing need at the stage of letting or selling a property and a local connection applies, it will be made available to other households in need on a cascade basis looking next at

adjoining parishes and then to need in the wider district in accordance with the normal lettings policy for affordable housing. The number of homes identified for local people within a scheme will always remain for those with a local connection when properties become available to re-let.

56. In all cases the internal floor areas for the affordable housing should be required to meet the Nationally Described Space Standardsⁱ to ensure they meet the space standards required by a Registered Provider. Across the district there is a requirement for 5% of all affordable housing to be lifetime homes.
57. **Section 106 Officer** – Requires contributions in relation to formal sports space, formal children’s playspace, indoor community space, waste receptacles and monitoring. Formal and informal children’s play space and informal open space would be provided on site.
58. **Local Highways Authority** – Recommends refusal on the grounds of highway safety as there is insufficient information on the proposed access to determine if the development would have a detrimental effect upon the operation of the public highway. Requires the submission of an engineering drawing showing more detail on the undulation of the existing site.
59. The proposed pedestrian link (alleyway point) does not provide suitable pedestrian connectivity to and from the site as its width of 1.5 metres would not allow accessibility for all users. Requires an extension of the footway along Back Road past Crabtree Croft for a distance of 20 metres towards Linton and provide dropped kerbs as the junction provides good visibility for a pedestrian crossing.
60. Back Lane has a carriageway of variable width and is used by commercial and agricultural vehicles. If the carriageway is less than 5 metres in width for substantial lengths, the intensification of motor vehicle use that the site would generate would represent a detriment to highway safety. Requires the submission of a drawing showing the width of the carriageway from the development to Hildersham Road junction with the A1307.
61. The proposed inter vehicle visibility splays are not acceptable given that the 85% speeds as measured show that vehicles travel in excess of the signed speed limit at 40.7 mph in an easterly direction and 38.7 in a westerly direction. Splays of 2.4 metres x 90 metres are required.
62. **Cambridgeshire County Council Transport Assessment Team** – Objects to the application as insufficient detail has been submitted to make a sound assessment. Further information is required relation to the distribution and assignment of traffic and junction modelling. Mitigation is to be agreed once these details are submitted and accepted.
63. **Cambridgeshire County Council Historic Environment Team** – Objects to the application. Comments that the site lies in an area of high archaeological potential situated adjacent to the Icknield Way, an ancient trackway that runs from Norfolk to Wiltshire. Opposite the site is Linton medieval moat and manor and its associated moats and fishponds. Archaeological investigations in the vicinity revealed evidence of Saxon and medieval occupation. Little Linton deserted settlement remains are to the south west. Other investigations in the area have revealed Iron Age, Neolithic, Bronze Age and Roman occupation.
64. Recommends that the site is subject to an archaeological evaluation undertaken by

the developer prior to the granting of planning permission to allow for the fuller consideration of the presence/absence, nature, extent, quality and survival of archaeological remains. An informed judgement can then be made as to whether are planning consent will need to include provisions for recording and the preservation of important remains in situ.

65. Further comments (as amended) that there is aerial evidence of a barrow cemetery within the vicinity of the application area with one or two barrows at the north eastern side of the application area. The date of such cemeteries is usually Bronze Age though barrow construction persisted in the Roman and Saxon period also. Not all date sources have been checked. Should components of a barrow cemetery be present, the condition, nature and date of the burials needs to be established so that an informed decision can be made as to their preservation. To do this, a physical field evaluation is required.
66. **Cambridgeshire County Council Flood and Water Team** – Has no objections in principle to the proposed development. Comments that the applicant has demonstrated that surface water can be dealt with on site by using infiltration basins which have adequate volume to hold the 1% Annual Exceedance Probability plus an allowance for climate change. There is potential for the use of permeable paving on the site and this is supported as it controls the rate of surface water leaving the site and provides water quality treatment.
67. Further comments that due to the existing topography in the area the houses adjacent to Back Road and down the Woodlands have experienced surface water flooding. Overland flows from the greenfield site can be a contributing factor to this flooding in extreme rainfall events and there are concerns within the community. The applicant should look at overland flow paths in extreme rainfall events and landscaping options to ensure that overland flows are retained on site. Recommends the use of as many surface water features as possible to help retain the water throughout the site rather than at the end of the drainage scheme. Recommends a surface water drainage scheme and maintenance of the surface water system conditions.
68. **Environment Agency** – Has no objections in principle but comments that infiltration drainage will only be acceptable if the land is uncontaminated. Recommends conditions in relation to a remediation strategy to address any contaminated land. Also requests informatives with regards to surface water drainage, foul water drainage and pollution prevention.
69. **Anglian Water** – Has no objections. Comments that the foul drainage is in the catchment of Linton Water Recycling Centre that will have available capacity and the sewerage system at present has capacity for these flows. The proposed methods of surface water disposal do not relate to Anglia Water operated assets.
70. **Cambridgeshire County Council Growth Team** – Comments that there is insufficient early year's provision and primary school provision in the village to accommodate the development and contributions are therefore sought to mitigate the impact. The contributions required are £263,775 towards early years and £597,890 towards primary education. A scheme for expansion of the existing infants and junior schools through a full form of entry at the sites is has been put forward or a full form of entry for primary school provision elsewhere in Linton as both of the above sites are constrained in the land available for development. There is adequate secondary school provision at Linton Village College.
71. The Linton library is currently full and the development would require a contribution of

£10,025 towards a scheme to increase the capacity of the existing library. This would be achieved through the reorganisation of the layout including the remodelling of the existing library counter to enable extra shelving and appropriate resources.

72. The development lies within the catchment of the Thriplow Household Recycling Centre catchment area. There is insufficient capacity to accommodate the development. However, an extension is planned that has already pooled five developer contributions. No further contributions are therefore considered necessary.
73. **NHS England** – Comments are awaited.
74. **Cambridgeshire Fire and Rescue Service** – Requires adequate provision for fire hydrants through a condition of any consent.
75. **Cambridgeshire County Council Rights of Way Team** – Comments that bridleway no. 21 runs along the eastern boundary of the site and public footpath no. 1 runs to the south west of the site. Welcomes the proposal to create new routes linking into the existing public rights of way network. However, additional information is required in relation to the legal designation of the route.
76. **Cambridge Ramblers** – Objects to the proposal on the grounds that the development would be on the north west edge of Linton on the hillside next to Linton bridleway 21 (part of the Icknield Way) leading up to Rivey Hull via Rivey Wood. This walk is very pleasant, mainly open, climb. The development will close in on the bridleway and block views to the north west towards Hildersham as the bridleway is ascended. It will have a significant adverse impact upon the views from Back Road and the bridleway. It will affect the ambience and views not only from the bridleway itself but views across from the other side of the valley around Hadstock. There are very few hills in the district and this one is particularly valued by walkers.
77. **Campaign for the Protection of Rural England** – Objects to the application on the grounds of the local plan process should not be overridden even though there is not a 5 year housing land supply, housing needs forecasts should be met by existing sites, weight should be given to the merging Local Plan allocations, outside village framework, loss of agricultural land, scale of development and impact upon the character of the village.

Representations

78. Approximately 80 letters of objection have been received from local residents that have the following concerns: -
 - i) Outside village framework.
 - ii) Scale of development.
 - iii) Highway safety in terms of traffic generation, narrow roads, dangerous junctions on to A1307, speed of traffic, visibility, lack of footpaths, safe cycle route and construction traffic.
 - iv) Lack of infrastructure- schools, doctors, dentist, shops, bus services, sewerage.
 - v) Distance to village centre.
 - vi) Parking and congestion in village.
 - vii) Bus frequency and capacity.
 - viii) Flood risk and surface water drainage.
 - ix) Visual impact on landscape setting of village.
 - x) Loss of village character and historical nature of village ruined.
 - xi) Impact upon protected verges, ancient woodland and wildlife.

- xii) Loss of countryside and green space.
- xiii) Loss of agricultural land.
- xiv) Impact upon conservation area, listed buildings and archaeology.
- xv) Impact upon public right of way.
- xvi) Lack of low cost housing.
- xvii) Self-contained development.
- xviii) Limited employment in village attracts commuters.
- xix) Loss of privacy and views.
- xx) Noise, dust and light pollution.
- xxi) Lack of facilities for older children and adults.
- xxii) Cumulative impact.
- xxiii) Better brownfield sites.
- xxiv) Inaccurate data in reports and lack of data.
- xxv) Classification of application.

79. Two letters of support have been received from local residents that have the following comments: -

- i) Provision of housing for expanding population.
- ii) Low cost housing.
- iii) Supports village amenities.
- iv) Schools not full for catchment.

Site and Surroundings

80. The site is located outside the Linton village framework and in the countryside. It is situated to the north of the village and forms part of two arable fields that measure approximately 6.16 hectares in area. The topography of the site is rising land south to north. A mature hedge runs north to south through the centre of the site. A sporadic hedge with trees runs along part of the southern boundary. A public right of way runs along the eastern boundary of the site. A County Wildlife Site (Protected Roadside Verges) is situated to the west of the site. The site is situated within flood zone 1 (low risk). Open agricultural land lies to the north with woodland beyond. Open agricultural land also lies to the west. Residential developments are situated to the east and south.

Proposal

- 81. The proposal as amended seeks outline planning permission for a residential development of up to 95 residential dwellings. Access forms part of the application with all other matters reserved for later approval.
- 82. There would be one main access point to the site from Back Road between the junction with Symonds Lane and Crabtree Croft. The development would include 40% affordable housing (38 dwellings), public open space and children's playspace, surface water flood mitigation and attenuation and structural planting and landscaping.

Planning Assessment

83. 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.

Principle of Development

84. The site is located outside the Linton village framework and in the countryside where Policy DP/7 of the LDF and Policy S/7 of the Draft 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 erection of 95 dwellings would not be appropriate in this location and therefore not under normal circumstances considered to be acceptable in principle.
85. Linton is identified as a Minor Rural Centre under Policy ST/5 of the LDF and Policy S/8 of the emerging Local Plan where there is a reasonable range of services and facilities and residential developments of up to 30 dwellings are supported in policy terms. The erection of a residential development of up to 95 dwellings would exceed the scale of development appropriate in this location and therefore not under normal circumstances considered to be acceptable in principle.

Housing Land Supply

86. 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.
87. The Council accepts that it cannot currently demonstrate a five year housing land supply in the district as required by the NPPF, having a 4.1 year supply based on the methodology used 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 assessment of housing delivery (in the housing trajectory March 2017)). 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.
88. Unless circumstances change, those conclusions should inform, in particular, the Council's approach to paragraph 49 of the NPPF, which states that adopted policies "for the supply of housing" cannot be considered up to date where there is not a five year housing land supply. The affected policies, on the basis of the legal interpretation of "policies for the supply of housing which applied at the time of the Waterbeach decision, were are: Core Strategy DPD policies ST/2 and ST/5 and Development Control Policies DPD policy DP/7 (relating to village frameworks and indicative limits on the scale of development in villages).
89. Further guidance as to which policies should be considered as 'relevant policies for the supply of housing' emerged from a 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 and held that the term was 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 in the Council's development plan which have the potential to restrict or affect housing supply were to be considered out of date in respect of the NPPF. The decision of the Court of Appeal tended to confirm the approach taken by the Inspector who determined the Waterbeach appeal. As such, as a result of the decision of the Court of Appeal, policies including policy ST/5 of the Core Strategy and policies DP1(a) and DP7 of the Development Control Policies DPD fell to be considered as "relevant

policies for the supply of housing” for the purposes of NPPF para.49 and therefore “out of date”.

90. However, the decision of the Court of Appeal has since been overturned by the Supreme Court, in its judgement dated 10 May 2017. The principal consequence of the decision of the Supreme Court is to narrow the range of policies which fall to be considered as “relevant policies for the supply of housing” for the purposes of the NPPF. The term “relevant policies for the supply of housing” has been held by the Supreme Court to be limited to “housing supply policies” rather than more being interpreted more broadly so as to include any policies which “affect” the supply of housing, as was held in substance by the Court of Appeal.
91. The effect of the Supreme Court’s judgement is that policies ST/5, DP/1(a) and DP/7 are no longer to be considered as “relevant policies for the supply of housing”. They are therefore not “out of date” by reason of paragraph 49 of the NPPF. None of these adopted policies are “housing supply policies” nor are they policies by which “acceptable housing sites are to be identified”. Rather, together, these policies seek to direct development to sustainable locations. The various dimensions of sustainable development are set out in the Framework at para. 7. It is considered that policies ST/5, DP/1(a) and DP/7, and their objective, individually and collectively, of securing locational sustainability, accord with and further the social and environmental dimensions of sustainable development, and accord therefore with the Framework.
92. However, given that the Council cannot demonstrate currently a five year housing land supply, its “housing supply policies” remain out of date (albeit “housing supply policies” do not now include policies ST/5, DP/1(a) or DP/7). As such, and in accordance with the decision of the Supreme Court, para. 14 of the NPPF is engaged and planning permission for housing development should be granted, inter alia, “unless and adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of [the] Framework taken as a whole ...”.
93. This means that even if policies are considered to be up to date, the absence of a demonstrable five year housing land supply and the benefit, in terms of housing delivery of a proposed residential-let development supply cannot simply be put to one side. The NPPF places very considerable weight on the need to boost significantly the supply of housing, including affordable housing, particularly in the absence of a five year housing land supply. As such, although any conflict with adopted policies ST/5, DP/1(a) and, DP/7 is still capable, in principle, of giving rise to an adverse effect which significantly and demonstrably outweighs the benefit of the proposed development, any such conflict needs to be weighed against the importance of increasing the delivery of housing, particularly in the absence, currently, of a five year housing land supply.
94. A balancing exercise needs therefore to be carried out. As part of that balance, in the absence of a five year housing land supply, considerable weight and importance should be attached to the benefit which a proposal brings in terms of delivery of new homes (including affordable homes). It is only when the conflict with other development plan policies – including, where engaged, ST/5, DP/1(a) and DP/7, which seek to direct development to the most sustainable locations – is so great in the context of a particular application as to “significantly and demonstrably outweigh” the benefit of the proposal in terms of deliver of new homes, that planning permission should be refused. This approach reflects the decision of the Supreme Court in the *Hopkins Homes* appeal.

Sustainable Development

95. The NPPF states that there are 3 dimensions to sustainable development, economic, social and environmental.

Economic Aspects

96. The provision of up to 95 new dwellings will give rise to significant employment during the construction phase of the development and would have 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 in the short term.

Social Aspects

Provision of Housing

97. The development would provide a significant benefit in helping to meet the current housing shortfall in South Cambridgeshire through the delivery of up to 95 dwellings. This would include 38 affordable dwellings.

Housing Delivery

98. The development would provide a benefit in helping to meet the current housing shortfall in South Cambridgeshire through the delivery of up to 50 dwellings. However, no development programme has been submitted with the application to demonstrate that the development can be delivered within 5 years.

Scale of Development, Cumulative Impact and Services

99. This proposal for up to 95 dwellings and along with the proposals under planning application references S/1963/15/OL for 55 dwellings that has committee approval and S/1969/15/OL for 50 dwellings that is due to be heard at appeal shortly, may result in a total of 200 new dwellings within the village of Linton if all schemes were approved. Given the current lack of a 5 year housing land supply, it therefore needs to be determined whether the scale of the development is acceptable for this location in terms of the size of the village and the sustainability of the location.
100. The Services and Facilities Study 2013 states that in mid-2012 Linton had an estimated population of 4,530 and a dwelling stock of 1,870. It is one of the larger villages in the District. An additional 200 dwellings would increase the number of dwellings by 11%. This figure is substantial but is not considered to be out of scale and character with the size of the village and its services and facilities.
101. Whilst it is acknowledged that the most preferable location for development is first on the edge of the city of Cambridge and secondly in Rural Centres, it is considered that Linton is a reasonably sustainable location to accommodate increased housing development.
102. The village is ranked jointly No. 6 in the Village Classification Report 2012 in terms of access to transport, secondary education, village services and facilities and employment. It only falls below the Rural Centres which have slighter better accessibility to public transport.
103. The Services and Facilities Study 2013 identifies a wide range of services and facilities in the village that include a secondary school, junior school, infant school,

health centre, dentist, post office, 4 food stores plus a small supermarket, other services such as hairdressers, florists etc., 3 public houses, a village hall and 3 other community centres, a recreation ground and a bus route to Cambridge and Haverhill with a service every 30 minutes during the day Mondays to Saturdays and hourly on Sundays.

104. The majority of the services and facilities are located on the High Street. The site is situated on the edge of the village at a distance of approximately 800 metres from the shops and 800 metres from the nearest bus stop (10 minutes walk). It is a slightly longer walk to the infant's school and junior school but a shorter walk to the recreation ground and secondary school. These distances are considered reasonable and not unacceptable in terms of accessibility by walking and cycling. Given the above assessment, the future occupiers of the development would not be wholly dependent upon the private car to meet their day-to-day needs and wider demands could be served by public transport.

Housing Density

105. The site measures 3.18 hectares in area (net). The erection of up to 95 dwellings would equate to a maximum density of 30 dwellings per hectare. Whilst this density would be below the requirement of at least 40 dwellings per hectare for sustainable villages such as Linton under Policy HG1 of the LDF, it is considered appropriate in this case given the sensitive nature of the site on the edge of the village and the need for a significant landscape buffer along the northern and western boundaries to the open countryside.

Affordable Housing

106. 38 of the 95 dwellings (40%) would be affordable to meet local needs as set out in Policy HG/3 of the LDF. No details of the affordable mix have been provided. Given that the application is currently at outline stage only, it is considered that the exact mix could be agreed at the reserved matters stage in agreement with the Council's Affordable Housing Officer. The tenure mix sought would be 70% affordable rented and 30% shared ownership/intermediate which is in accordance with the Council's policy. Given that the proposal is considered a 5 year supply site, the first 8 dwellings would be available to those that have a local connection with the remainder being split 50% to those with a local connection and 50% to those district wide.

Market Housing Mix

107. The development would provide a range of dwelling types and sizes that range from one and two bedroom homes to larger family homes to comply with Policy HG/2 of the LDF or Policy H/8 of the emerging Local Plan. No details of the market mix have been provided. Given that the application is currently at outline stage only, it is considered that the exact mix of the market dwellings could be agreed at the reserved matters stage. The need for smaller properties in the village as identified by the Parish Council would then be considered. A condition would be attached to any consent to ensure that the mix is policy compliant.

Developer Contributions

108. 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.

109. 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.
110. The Planning Inspectorate Procedural Guide (5 August 2016) says that the following evidence is likely to be needed to enable the Inspector to assess whether any financial contribution provided through a planning obligation (or the local planning authority's requirement for one) meets the tests:
- i) the relevant development plan policy or policies, and the relevant sections of any supplementary planning document or supplementary planning guidance;
 - ii) quantified evidence of the additional demands on facilities or infrastructure which are likely to arise from the proposed development;
 - iii) details of existing facilities or infrastructure, and up-to-date, quantified evidence of the extent to which they are able or unable to meet those additional demands;
 - iv) the methodology for calculating any financial contribution necessary to improve existing facilities or infrastructure, or provide new facilities or infrastructure, to meet the additional demands;
 - v) details of the facilities or infrastructure on which any financial contribution will be spent.

Open Space

111. The Recreation and Open Space Study 2013 identified that Linton had a deficit of 4.19 hectares of sports space. Linton has one recreation ground with a senior football pitch and a cricket pitch with the cricket square next to the football goal area and a bowl green. The pavilion is in very good condition with home and away changing, a bar area and kitchen. There is a need for an additional football pitch to meet local need and improved drainage at the existing facility. The cricket club also require an additional pitch to meet the demand for additional junior teams. The 2013 study did not take account of the facilities at Linton Village College, which although at the current time are available for public hire, are not guaranteed through a community access agreement.
112. Off-site contributions are required towards additional facilities to meet the demand for the development in accordance with Policies SF/10 and SF/11 of the LDF.
113. Linton Parish Council highlights the lack of infrastructure in the village to cope with the development and comments that it ideally requires additional land to provide the facilities required for the village but states that this is not possible at present as no landowner would be prepared to sell for agricultural rates, while the Council does not have a 5 year housing land supply. It has therefore put forward projects for formal sports activities on land under public ownership. These include outdoor gym equipment and replacement of bowls area with a multi-use games area and tennis courts at Linton Village College. The contribution required would be tariff based contribution of approximately £107,000.
114. The Recreation and Open Space Study 2013 identified that Linton had a deficit of 3.41 hectares of children's play space. A Local Equipped Area of Play would be provided within the development. This will meet the needs of 2 to 8 year olds.
115. Linton Parish Council has requested a contribution of £25,000 to help fund a number of play facilities focussed at meeting the needs of older children arising from the

development including new play equipment and/or trim trail and/or climbing wall and/or BMX skate park.

116. No off-site contributions are required towards additional facilities to meet the demand for the development in accordance with Policies SF/10 and SF/11 of the LDF.
117. The Recreation and Open Space Study 2013 identified that Linton had a surplus of 0.27 hectares of informal open space. The development would provide a substantial amount of informal public open space within the development.
118. No off-site contributions are therefore required towards additional facilities to meet the demand for the development in accordance with Policies SF/10 and SF/11 of the LDF. However, contributions are required for maintenance of the space if adopted by the Parish Council.

Community Facilities

119. The Community Facilities Audit 2009 states that Linton is served by Linton Village Hall, which is run by a charity and can accommodate 170 persons seated and 200 standing. It holds an entertainment licence but no alcohol license, public dances, disabled access and toilets. There is only a basic kitchen but no food preparation area. Linton Village Hall is not considered to satisfy the Council's indoor facilities standard in terms of quantity of space and quality of space.
120. Off-site contributions are required towards community facilities to comply with Policy DP/4 of the LDF.
121. Linton Parish Council again highlights the lack of infrastructure in the village to cope with the development. It has therefore put forward a project for improvements to the Village Hall to include renovation/modernisation of the kitchen, refurbishment of the WC's and a redesign of the front façade and entrance foyer. Alternatively, the funds could go towards a new multi-purpose community centre with a focus aimed at young people and which will be available for hire by scouts, guides, brownies and other users. This would also need to be funded by other sources but at present these have not been identified. The contribution required would be tariff based contribution of approximately £48,000.
122. Off-site contributions are required towards community facilities to comply with Policy DP/4 of the LDF.

Waste Receptacles

123. The RECAP Waste Management Design Guide requires household waste receptacles to be provided for the development. Off-site contributions are required towards the provision to comply with Policy DP/4 of the LDF. The contribution would be £73.50 per dwelling and £150 per flat.

Monitoring

124. To ensure the provision and usage of on-site infrastructure, a monitoring fee of £1,300 is required.

Education

125. The development is expected to generate a net increase of 29 early year's children, of

- which 15 are entitled to free provision. The Linton Infants School will be full if existing developments in the area are approved. Therefore, a contribution of £263,775 towards early years provision is required.
126. The development is expected to generate a net increase of 34 primary aged children. The Linton Infant's School and Linton Junior School will both be full if existing developments in the area are approved. Therefore, a contribution of £597,890 towards primary provision is required.
127. The project put forward to address the need is a new Form Entry expansion of the Infant and Junior Schools in the village. However, there are currently constraints on both sites and if this is not possible following a detailed consultation with a number of parties, an alternative would be a new Form Entry expansion in primary education provision elsewhere in Linton. The cost of the project is £4,150,000 that would provide 210 places and 26 early years places.
128. Planning Officers are aware of a number of appeal decisions where Planning Inspectors have taken the view that, although the development gave rise to some form of mitigation being needed, the request to pay financial contributions does not meet the CIL tests on the basis that the infrastructure provider has failed to explain how the money would be spent.
129. At an appeal for 199 dwellings and care home in Melbourn, where the Council has refused the application partly on the lack of healthcare facilities, the Planning Inspector concluded that "...NHS England is currently reviewing other options to use the contribution to increase capacity in the area. In line with its 5 year forward view of changes in the delivery of primary healthcare, this includes the possible amalgamation of practices and co-locating of services. A Health Impact Assessment, focussed on the care home, would need to be provided at reserved matters stage; that may also point to a different conclusion. Thus whether the funding would be used to increase capacity by improving the Orchard Surgery or by other means is currently somewhat vague. This is potentially problematical in terms of the CIL Regulations. However, I accept that having the flexibility to attribute funding to a better scheme that may not yet have been identified can help to provide the most benefit to the local community with the least amount of funding. In order to provide assurance that the contribution would be used for the benefit of the residents of the development, NHS England undertakes to provide full details of the specific project to be funded by the contribution before drawing it down. As a last resort, the Agreement provides that, if the contribution is not spent for its intended purpose within 10 years, it has to be repaid. In these circumstances I consider that the healthcare contribution essentially complies with the tests of CIL Regulation 122".
130. Here Cambridgeshire County Council have said that they will use all reasonable endeavours to provide primary school capacity at the existing school sites, however, they also recognise that the feasibility study may highlight that this is not achievable. The County Council has also explained in their consultation response (as set out above) that there are a number of parties whose Authority would be needed in order to secure the works. In such circumstances, i.e. where the existing schools could not be expanded, the County Council has said that they would look to provide primary school capacity elsewhere in the village. No land has been identified for this purpose and it is not known whether the County Council has control over any land that would be suitable for this purpose. That said a local authority does have powers to compulsory purchase land where the objective is to achieve one of more of the following; (a) the promotion or improvement of the economic well-being of their area; (b) the promotion or improvement of the social well-being of their area; (c) the

promotion or improvement of the environmental well-being of their area.

131. Planning Officers have met with representatives from both schools in order to better understand how additional and suitable accommodation could be facilitated across the sites. Linton Infants School has a number of constraints relating to topography and its location within the conservation area. However it would appear that there are a number of different (albeit challenging) ways in which the needs of primary aged children could be met in the village. The current and informal view held by the schools is that a solution could be found to expand both sites such that they would (eventually) accommodate the equivalent of a 1 Form Entry school, i.e. an extra classroom per year group across both locations. Any developer monies would likely need be invested into the Infant School first, on the basis that research shows families moving into a new development do so either with young children or with the intention of having children. The immediate impact would therefore be on year groups Reception to Year 2.
132. It is far from ideal that a solution has not been identified to explain how mitigation will be addressed, however, there are many issues that need addressing. It is clear that there are similarities between the issue of primary education in Linton and the issue of health provision in Melbourn. As a result Planning Officers take the view that, on balance, and due to the exceptional circumstances, the request made by Cambridgeshire County Council does satisfy the CIL Regulations and the Planning Practice Guidance and should be secured if planning permission was granted.
133. The development is expected to generate a net increase of 24 secondary school places. The catchment school is Linton Village College. There is sufficient capacity in the area to accommodate the places being generated by this development. Therefore no contribution for secondary education is required.

Libraries and Life Long Learning

134. The proposed increase in population from this development (95 dwellings x 2.5 average household size = 238 new residents) will put pressure on the library and lifelong learning service in the village. Linton library is currently at capacity. A contribution of £10,024.56 is required to address the increase in demand that would go towards the modification of the library to create more library space and provide more shelving and resources.

Strategic Waste

135. This development falls within the Thriplow Household Recycling Centre catchment area for which there is currently insufficient capacity. The development would not require a contribution towards the project to expand capacity as 5 schemes have already been pooled towards this project.

Health

136. There is an existing medical centre in Linton on Coles Road. Comments from NHS England are awaited as to whether there is a need for contributions towards health facilities in the village. Members will be updated at the Committee meeting.

Summary

137. Appendix 2 provides details of the developer contributions required to make the development acceptable in planning terms in accordance with Policy DP/4 of the LDF

and paragraph 204 of the NPPF.

138. It is considered that all of the requested contributions to date meet the CIL tests and would be secured via a Section 106 agreement. Confirmation from the applicant to the contributions is awaited and members will be updated at the Committee meeting

Environmental Aspects

Character and Appearance of the Area

139. The site is located outside the Linton village framework and in the countryside. It comprises rising topography that provides an important setting to the village that lies within the valley of the River Granta.
140. The Landscape Design Officer has objected to the proposal. The proposed development would result in encroachment into this open landscape setting of the village within the open agricultural land that rises between the valley and woodland. This would lead to stacks of housing on rising land that would result in a visually intrusive and dominant mass of built form that would detract from the rural character and appearance of the area in short distance views from Back Road and the adjacent public right of way and long distance views from the A1307 and the road to Hildersham.
141. The site is located within the East Anglian Chalk National Landscape Character Area. The main characteristics of this area are the narrow continuation of the chalk ridge that runs south-west–north-east across southern England, visually simple and uninterrupted landscape of smooth, rolling chalkland hills with large regular fields enclosed by low hawthorn hedges, with few trees, straight roads and expansive views to the north, is an open landscape but trees on hill tops are visually distinct and characteristic. The smooth, rolling chalkland hills are dissected by the two gentle valleys of the rivers Granta and Rhee. The chalklands are traversed by several ancient trackways, including the major ancient trackway, the Icknield Way that is lined by archaeological features that include Neolithic long barrows and bronze-age tumuli.
142. The development would result in the loss of a proportion of the rolling chalkland hills that are distinctive to the landscape setting of the village and make an important contribution to the landscape character setting of the village.
143. Mitigation is proposed in the form of sensitive siting of the dwellings on the lower slopes of the site and planting of new woodland along the northern and western boundaries along with trees and hedgerows within the site. However, these measures would do little to reduce the landscape harm and visual effects.
144. The proposal is therefore contrary to Policies DP/3 and NE/4 of the Local Development Framework that seek to protect the character and appearance of the countryside and landscape character.

Design Considerations

145. The application is currently at outline stage only, with means of access included as part of the application. All other matters in terms of the layout of the site, scale, external appearance and landscaping are reserved for later approval.
146. The indicative layout plan shows a single linear spine road that runs centrally through

the site following its shape with small clusters of development of the main route.

The average density of the development across the site would be 30 dwellings per hectare. However, higher density development would be located closer to Back Road with lower density development on the northern, eastern and western parts of the site.

147. The development would be split into character areas. The spine road would be defined by a more formal linear arrangement of buildings to create a strong frontage with buildings set back in places to add interest. The shared private driveways/ lanes would have a more informal arrangement with different building orientations.
148. The dwellings are intended to have a maximum height of two storeys. The form, design and materials of the dwellings would reflect the traditional local vernacular.
149. 2.98 hectares of public open space would be provided on the site. This would consist of a large strategic landscape buffer along the northern and eastern boundaries and a central green corridor. A Local Equipped Area of Play together with smaller areas of informal open space would also be provided within the development.
150. The key principles set out above in relation to the design of the development are supported to ensure that the development would preserve the character and appearance of the area in accordance with Policy DP/2 of the Local Development Framework.

Biodiversity

151. The site contains a mature hedge that runs north to south through the site and a sporadic hedge and trees that form part of the southern boundary of the site. There is woodland to the north of the site.
152. The proposal would not result in the loss of any important trees and landscaping that contribute to the visual amenity of the area. The majority of the existing mature hedge and landscaping on the site would be retained (apart from access points) and protected within the development as it would form part of a new green corridor. This would be a condition of any consent.
153. A significant amount of new planting would be introduced on the site that would comprise a native hedgerows and woodland planting along the northern and western boundaries and groups of trees within the public open spaces on the site. This would be subject to a condition of any consent.
154. The proposal would therefore comply with Policy NE/6 of the Local Development Framework that seeks to maintain and enhance biodiversity.

Ecology

155. A Phase 1 habitat survey was submitted with the application that identified arable land, hedgerows, trees, grassland field margins and verges as the main habitats on the site. The site is considered of low ecological importance.
156. The hedgerows and trees provide foraging opportunities for bats commuting to the adjacent Pains Pasture woodland. The age and lack of key features of the trees on the site provided negligible suitability for bat roosts. Whilst there was evidence of bats using the hedge along the southern boundary, no bat roosts were found.

157. The hedgerows provide foraging opportunities for badgers commuting to the adjacent Pains Pasture woodland. Whilst there was evidence of this species close to the site, no evidence was found on the site itself.
158. The hedgerows, trees, grassland and arable land provide foraging, shelter and nesting habitats for birds. A number of bird species were recorded on the site but none of these were considered of significant ecological importance.
159. No evidence of reptiles, amphibians or other mammals was recorded on the site.
160. Mitigation is proposed in the form of retention and protection of the majority of the existing hedgerows and trees on the site and the creation of significant number of new habitats within the open space on the site including hedgerows, trees and woodland and ponds. Other measures such as the removal of vegetation outside the bird breeding season and restricted lighting is recommended together with enhancement such as bird and bat boxes. These measures would be subject to conditions of any consent.
161. The Furze Hill Road Side Verge County Wildlife Site is situated adjacent to the north west boundary of the site. The main interest feature of this area is a nationally scarce vascular plant species, lesser calamint.
162. The Hildersham Protected Roadside Verge is situated adjacent to the north west boundary of the site. The main interest feature of this area is calcareous grassland.
163. The proposal shows a new footway from the south western part of the site that links to the public right of way to the south of the site. The footway is proposed to be set back from the verges but it would cross the verge in one place. There is uncertainty over how this will be delivered as it is not known whether this land is owned by the applicants. The crossing of the verge would have an adverse impact upon these areas of interest.
164. Mitigation in the form of compensatory habitat creation is proposed to address this harm by the widening and management of verges along Back Road on site and the creation of calcareous grassland on the open space within the site. However, this would be isolated from the verges and their interest features and no precise details are given as to the extent of mitigation.
165. The development would result in an increase in traffic generation along Back Road. Given the narrow width of the road, traffic has already resulted in damage to the verges. The proposal would cause further harm unless some sensitive road improvements are suggested.
167. Pains Pasture is woodland that lies to the north of the site and Rivey Wood is ancient woodland that lies within 0.25 km of the site.
168. Whilst it is acknowledged that there are no footpaths or public access to these woodlands, the proximity of the development and ease of access to these areas may result in a greater use for human recreation notwithstanding the provision of an information board adjacent to the woodland and some small woodland areas within the site.
169. The Furze Hill Site of Special Scientific Interest lies within 0.5km of the site. The interest features of this area are calcareous grassland. The proposal is not considered to adversely affect this area.

Given the potential impact of the development upon the Furze Hill Protected Roadside Verge County Wildlife Site. The proposal is therefore considered to be contrary to Policy NE/7 of the Local Development framework that states planning permission will not be given for proposals that may have an unacceptable adverse impact, either directly or indirectly, on a Site of Biodiversity Importance.

Heritage Assets

170. The nearest listed buildings (grade II) to the site are at Little Linton to the south west of the site. The site is situated outside the conservation area.
171. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority 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.
172. Given the distance from the conservation area and listed buildings and their immediate surroundings that comprise modern residential development, the proposal is not considered to damage the setting of these designated heritage assets.
173. The traffic generation from the development is considered to have a neutral impact upon the conservation area and listed building in the historic core of the village given the existing level of traffic that uses this route.
174. The proposal would therefore comply with Policies CH/4 and CH/5 of the Local Development Framework that seek to preserve or enhance the character and appearance of heritage assets.
175. The site is nonetheless situated in an area of high archaeological potential with a significant number of important undesignated archaeological features adjacent to and within close proximity. No archaeological evaluation has been carried out on the site to date that demonstrates the proposal would not result in the loss of important archaeological remains that need to be preserved in-situ. The County Council's Historic Environment Team has stated this is required to ensure that the presence/absence, nature, extent, quality and archaeological remains in the area are considered in full to determine the impact of the development upon the significance of the assets.
176. In the absence of this, the proposal is therefore contrary to Policy CH/2 of the Local Development Framework that states archaeological sites will be protected in accordance with national policy (paragraph 135 of the NPPF).

Highway Safety and Sustainable Travel

177. Back Road leads out from the centre of the village of Linton, past the crossroads to Hildersham and Balsham and to the junction of the A1307 at Little Abington. It is a fairly straight but narrow road with a speed limit of 30 miles per hour close to the site. The road, however, narrows and bends between Linton and the crossroads at Hildersham and has a speed limit of 60 miles per hour along this section.
178. Back Road has variable widths and is used by both commercial and agricultural vehicles. The majority of traffic would be likely to use this road to travel to the A1307 and beyond to Cambridge.

179. The proposal would result in a maximum of 71 departures and 22 arrivals by vehicles in the am peak and 62 arrivals and 30 departures by vehicles in the pm peak. 80% of traffic is likely to use Back Road towards the A1307 at Hildersham that would result in 57 vehicles in the am peak and 50 vehicles in the pm peak. Existing flows are 159 westbound in the am peak and 339 eastbound in the pm peak that would increase to 216 in the am peak and 388 in the pm peak.
180. Further information is required on the distribution of traffic from the site. Given that the High Street is narrow and congested and may not be used, further details of the Hildersham Road junction with the A1307 and modelling of the High Street, Hildersham junction with the A1307 is needed to determine that the development would be acceptable and inform any mitigation measures required to ensure that the proposal would not be detrimental to highway safety.
181. No information has been submitted to demonstrate that the carriageway is of a satisfactory width to accommodate the proposed intensification in use as a result of this development.
182. The design of the proposed access point from the development on to Back Road is not considered to meet Local Highways Authority standards. Whilst the new access would have a width of 5.5 metres that would allow two-way vehicular traffic and would have a 3 metre wide footway/cycleway to its eastern side, no details have been provided of the land levels of the access to demonstrate that it would not have a detrimental effect upon the operation of the public highway.
183. The provision of inter vehicle visibility splays that measure 2.4 metres from the centre point of the new access road along the edge of the carriageway x 67.2 metres along the edge of the carriageway eastbound and 62.3 westbound would not be appropriate. Information has been submitted with the application that demonstrates 85% of vehicles using this section of the road significantly exceed the speed limit. Therefore, greater inter vehicle visibility splays of 2.4 metres along the centre point of the access from the edge of the carriageway x 90 metres along the edge of the carriageway are required to ensure that the proposal would not cause a hazard that would be detrimental to highway safety.
184. Notwithstanding the above, the proposal would not provide suitable pedestrian connectivity to the village as the shortest route from Back Road to Symonds Lane via Crabtree Croft has an alleyway with a width of 1.5 metres that would not allow accessibility for all users.
185. The proposal would therefore be contrary to Policy DP/3 of the Local Development Framework that seeks appropriate access from the highway network that does not compromise safety.

Flood Risk

186. The site is situated within Flood Zone 1 (low risk). The nearest watercourse is the River Granta. The site lies outside the floodplain for this watercourse and is therefore at low risk of fluvial flooding.
187. The topography on the site consists of land that falls fairly significantly north to south. The land to the south has experienced surface water flooding from overland flows from the existing greenfield site in the past in extreme rainfall events.

188. The proposed surface water drainage strategy for the site is the use of infiltration based SUDS. A number of drainage basins are proposed along the southern boundary at the lowest point of the site. The storage capacity of these basins incorporates flows from 1 % Annual Exceedance Probability plus an allowance for climate change to limit run-off to greenfield rates. There is also potential for the use of permeable paving. This is considered acceptable subject to a condition to agree the detailed design and monitoring as part of a legal agreement.
189. However, it is suggested that as many surface water features as possible are proposed to retain water throughout the site rather than at the end of the system to provide alternative overland flows in extreme events that would reduce the risk to the land to the south.
190. The proposal would therefore comply with Policy NE/11 of the Local Development Framework that states applications will be judged against national policy (paragraph 103 of the NPPF).

Neighbour Amenity

191. While the existing residents along Back Road would experience an increase in noise and disturbance from vehicular and pedestrian traffic as a result of the proposal, this impact is likely to be negligible to low, and not give rise to material harm given the existing level of traffic in the area and level of use of the proposed emergency access.
192. Although it is noted that there would be a change in the use of the land from an open field to residential dwellings, the development is not considered to result in a significant level of noise and disturbance that would adversely affect the amenities of neighbours. A condition would be attached to any consent in relation to the hours of use of power operated machinery during construction and construction related deliveries to minimise the noise impact upon neighbours.
193. The impact of the development itself on neighbours in terms of mass, light and overlooking will be considered at the reserved matters stage and would need to comply with Policy DP/3 of the LDF. It is noted that there are residential properties to the south and the land falls southwards.
194. The proposal is not considered to result in a significant increase in air pollution.

Other Matters

195. The development is not considered to result in a risk of contamination, providing a condition is attached to any consent to control any contamination identified during the development.
196. There is available capacity to cope with wastewater treatment and a condition would be attached to any consent to ensure an appropriate method of foul water drainage.
197. The site is located on grade 1 (excellent) agricultural land. The development would result in the permanent loss of this agricultural land contrary to policy NE/17 and paragraph 112 of the NPPF. 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. Therefore, limited weight can be attached to this policy.

198. The cumulative impacts of the other proposed developments in the village have been considered in relation to all material planning considerations.
199. The applicants have carried out consultation with the local community through a press advert and leaflet drop to 550 properties seeking views on the proposal that included a website for further information. A letter was written to the Parish Council that offered a meeting. This level of consultation is considered satisfactory.

Planning Balance

200. Given the fact that the Council cannot currently identify a five year supply of housing land, in accordance with the guidance in paragraph 14 of the NPPF, in balancing all of the material considerations, planning permission should be granted unless the harm arising from the proposal would 'significantly and demonstrably' outweigh the benefits.
201. This report sets out a number of benefits that would result from the development. These are set out below: -
- i) The provision of up to 95 dwellings towards 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.
 - ii) The provision of 38 affordable dwellings towards the identified need across the district.
 - iii) The provision of a significant amount of public open space including children's playspace within the development.
 - iv) Developer contributions towards education, health, sport, open space and community facilities in the village.
 - v) Employment during construction to benefit the local economy.
 - vi) Greater use of local services and facilities to contribute to the local economy.
202. Significant weight can be attached to the provision of 95 dwellings including 40% affordable housing to meet the lack of housing supply in the district in accordance with the guidance in the NPPF.
203. Significant weight can also be attached to the provision of open space and children's playspace within the development and contributions towards education, health, sport, open space and community facilities.
204. Moderate weight can be attached to the provision of employment during construction and the impact upon local services from the development.
205. This report sets out a number of adverse impacts that would result from the development. These are set out below: -
- i) Location outside village framework and the objectives of policies DP/1(a) and DP/7.
 - ii) Scale of development and the objectives of policy ST/5
 - iii) Visual and landscape character impact upon the setting of the village.
 - iv) Potential impact of traffic generation upon the functioning and capacity of the public highway, impact of the access upon highway safety and inadequate pedestrian connectivity to village.
 - v) Potential impact upon features of important archaeological interest.
 - vi) Potential impact upon the Furze Hills Protected Roadside Verge County Wildlife Site and Hildersham Protected Verges.
206. Limited weight can be attached to the location and scale of the development given the

absence of a five year housing land supply and the need to balance this conflict against the significant need for housing identified in the NPPF.

207. Moderate weight can be attached to the visual and landscape harm given that the site does not form part of a special landscape designation above the local level and the lower slopes of the land already comprise residential development such as Chalklands.
208. However, it is considered that significant weight can be attached to the potential impacts of the development upon highway safety, It has not been demonstrated that the proposal would have a safe and suitable access. The Transport Assessment has also not included information that is required to determine the impact of the development upon the capacity and functioning of the public highway. There is also inadequate pedestrian connectivity to the village. These are substantial concerns that would conflict with paragraph 32 of the NPPF and can be given significant weight.
209. The proposal also has the potential to have an adverse impact upon features of important archaeological interest as a proper evaluation of the site has not been carried out to date. This is another significant concern that would conflict with paragraph 13 of the NPPF and can therefore be given considerable weight.
210. It has not been demonstrated that the proposal would not harm a County Wildlife Site through traffic generation or the new footpath. This is a further major concern that would conflict with paragraph 118 of the NPPF and can be given substantial weight.

Conclusion

211. In summary, the adverse impacts of this development in terms of the impacts upon highway safety, features of important archaeological interests and a Site of Biodiversity Importance are considered to significantly and demonstrably outweigh the benefits of the provision of a significant housing scheme, when assessed against the policies in the NPPF taken as a whole. On balance, planning permission should therefore be refused.

Recommendation

212. It is recommended that the Planning Committee refuses the application for the following reasons: -
- i) The proposed development would result in encroachment into this open landscape setting of the village on land that rises between the valley and woodland. This would lead to a visually intrusive and dominant mass of built form that would detract from the rural character and appearance of the area in short distance views from Back Road and the adjacent public right of way and long distance views from the A1307 and the road to Hildersham. The proposal is therefore contrary to Policies DP/3 and NE/4 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 that seeks to protect the character and appearance of the countryside and retain or enhance the local character and distinctiveness of landscape character areas.
 - ii) Insufficient information has been submitted to demonstrate that traffic generation from the development would not be detrimental to the capacity and functioning of the public highway. In addition, the proposed access is considered to be substandard in terms of its visibility and potentially levels and would result in a hazard that would be detrimental to highway safety and there would be inadequate pedestrian connectivity to the village. The proposal is therefore contrary to Policy DP/3 of the South

Cambridgeshire Local Development Framework Development Control Policies DPD 2007 that states all development proposals should provide appropriate access from the highway network that does not compromise safety.

iii) Insufficient information has been submitted in relation to the impact of the proposal upon features of archaeological interest to demonstrate that the proposal could be accommodated on the site without harm to heritage assets. The proposal cannot be supported until the results of a trench-based field evaluation have been carried out prior to approval being granted. The proposal is therefore contrary to Policy CH/2 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 that states archaeological sites will be protected in accordance with national policy and paragraph 135 of the National Planning Policy Framework 2012 that states the effect of the proposal upon the significance of a non-designated heritage asset should be taken into account when determining an application having regard to the scale of any harm or loss and the significance of the heritage asset.

iv) Insufficient information has been submitted in relation to the impact and mitigation of the new footway and traffic from the proposal upon the Furze Hills Protected Roadside Verge County Wildlife Site and Hildersham Protected Verges. The proposal is therefore contrary to Policy NE/7 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007 that states planning permission will not be given for proposals that may have an unacceptable adverse impact, either directly or indirectly, on a Site of Biodiversity Importance.

v) The adverse impacts identified above are considered to significantly and demonstrably outweigh the benefits of providing additional housing (including affordable housing) to meet the Council's housing land supply, when assessed against the policies in the NPPF taken as a whole.

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/0096/17/OL, S/1963/15/OL, S/1969/15/OL and S/2553/16/OL.

Report Author:

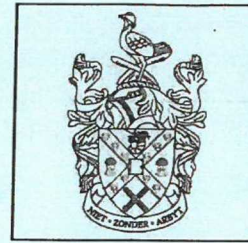
Karen Pell-Coggins
Telephone Number:

Senior Planning Officer
01954 713230

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Cambourne
Cambridge
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Appendix 1i



South
Cambridgeshire
District Council

Kathryn Wiseman
Linton Parish Council Clerk
Village Hall
15 Coles Lane
Linton
Cambridge
CB21 4JS

Planning and New Communities
Contact: Karen Pell-Coggins
Direct Dial: 01954 713230
Direct email: karen.pell-coggins@scambs.gov.uk
Our Ref: S/0096/17/OL
Your Ref:
Date 18 January 2017

This letter (with no plans attached) has been emailed to the Parish Council prior to sending out in the post, and for information, to the Ward Members

Dear Madam,

Proposal: Outline planning application for the erection of up to 95 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from Back Road. All matters reserved except for means of access.

Application Ref: S/0096/17/OL

Location: Agricultural land north east of Back Road, Linton

Applicant: Gladman Developments, Gladman Developments Ltd.

Attached is a copy of the above application for your retention.

We welcome any comments your Parish Council wishes to make, but would ask that they are made using either the online web form available, or on the form below and returned **no later than 21 days from the date of this letter**. After the expiry of this period, the District Council may determine the application without receipt of your comments.

Below is a link for your convenience to view all copies of documents, plans and forms in respect of the above proposal. As the website updates overnight, these will be available to view the following day from the date of this letter.

<https://www.scambs.gov.uk/services/planning-applications>

EXPLANATION OF APPLICATION SUFFIX

OL	Outline	LD	Lawful Development Certificate
FL	Full	PA	Prior Notification of Agricultural Development
RM	Reserved Matters	PD	Prior Notification of Demolition Works
LB	Listed Building Consent	PT	Prior Notification of Telecommunications Development
CA	Conservation Area Consent	HZ	Hazardous Substance Consent
AD	Advertisement Consent	DC	Discharge of Conditions
VC	Variation or Removal of Condition		

The Parish Council: - (Please delete appropriately)

Supports

Objects

Has no recommendation

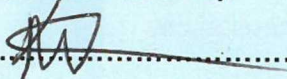
Comments: Please see attached

The Parish Council ~~does/does not~~ request that the application be referred to the District Council Planning Committee *(please delete)

Planning reasons: Due to the size of the application

Note: Where a Parish Councils requests that an application is determined by Planning

Committee there is real value and importance in Parish Council representatives attending Planning Committee to support their comments. Please note that the Parish Council can be represented at Planning Committee by any of it Councillors or the Parish Clerk (with the approval of their Parish Council).

Signed.....  Date 21/02/17

Clerk to the Parish Council or ~~Chairman of the Parish Meeting~~

Guidance:

What are Material Considerations?

A material consideration is a matter that should be taken into account in deciding a planning application or appeal against a planning decision.

Examples of material considerations can include (but are not limited to).

- Overlooking /loss of privacy
- Loss of light/overshadowing
- Highway Safety
- Traffic

EXPLANATION OF APPLICATION SUFFIX

OL	Outline	LD	Lawful Development Certificate
FL	Full	PA	Prior Notification of Agricultural Development
RM	Reserved Matters	PD	Prior Notification of Demolition Works
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AD	Advertisement Consent	DC	Discharge of Conditions
VC	Variation or Removal of Condition		

Comments made by LPC at the planning committee meeting on 15th February 2017

S/0096/17/OL Gladman Development Ltd – residential development for up to 95 dwellings on Back Road

General comments:

- The site lies at western outskirts of village, outside the village envelope, and some distance from the centre of the village with its amenities, shops, pubs, medical centre, schools and links to public transport.
- The distances are significantly greater than described in the application, if taking the distance from the middle of the site to the actual entrances of schools, etc. These distances suggest that the everyday sustainability of the development is less favourable than the application makes out.
- This site is outside the village envelope and was rejected in the SHLAA and Local Plan assessments as having no development potential (part of SHLAA site 197). Reasons included distance to key local services and facilities (graded as red in the SHLAA conclusions)).
- Linton is classified as a Minor Rural Centre which should allow a maximum of 30 houses in any one development. This is over 3 times that number.
- The as yet incomplete Neighbourhood Plan addresses the limits of development and housing in Linton and Hildersham; this application plays no part in the NP.
- The number of houses expected, along with the LEAP, SUDS and suitable protection of existing hedges, appears to be rather greater than the size of site would allow (compare visually to the rather cramped Woodlands). The housing numbers appear to be undeliverable.
- The indicated number of on-site parking spaces is insufficient for a settlement that would be largely for commuters.
- Public involvement by the developer has been limited to a brochure sent out only to a limited area of the village near to the site.
- LPC has met the development team (as we always seek to do) and are aware that they have no personal involvement in the village; this is a commercial exercise for them. For us, it is the future of the village, its character and its community.

Site and setting:

- Linton lies in a river valley, almost hidden until the village edge is reached, allowing appreciation of the natural landscape, ancient woodland, and the vista across open fields.
- This area around Rivey Hill and Furze Hill contains sites of scenic interest, Sites of Special Scientific Interest, protected verges due to their significant flora, and is a good example of Local Character Landscape. There are sites of Neolithic roundhouses in Rivey woods.
- The area contains listed buildings - Rivey Water Tower and mediaeval Little Linton. Traffic from the site would pass Symond's House, Morley House, and impact upon our Special Conservation Area.
- This development would be very visible in the rising ground and from the west, which would adversely affect the long views and setting of Linton in the open landscape.
- The pathway to the east of the site is part of the ancient Icknield Way. We have fought hard to protect it and the views from it. It deserves better than to have a character-free and inappropriate development plonked alongside it.
- The housing opposite the site is set low, so that it minimises the landscape impact to the approach to Linton. This development, set well up the hill, would be prominent and harm the natural character of the area.
- The trees in the area are in copses - the remains of ancient woodland. There is an ancient hedge running through the proposed development - how would this be protected in the long term? It is unlikely that this could be preserved in the surroundings of a housing estate.

- The suggested tree barrier would increase the impact of the development, increasing its bulk and height, and interfering with and blocking the vista rather than diminishing the impact of new housing.
- Should trees be planted, they take time and care to grow, and could not be protected.
- The proposed housing does not preserve the character of the local landscape, fields, meadows and softer edge of this rural village. It would destroy the character of the area and the setting of the village.

Flooding:

- A major issue is the loss of land for soak-away and the probability for worsening surface water flooding
- Floods of surface water and mud have already affected houses in the Woodlands estate, downhill of the proposed site, through to Kingfisher Walk, on the riverside. The road to Little Chilfords is known to run with water during storms.
- Surface water not absorbed by the open fields eventually ends up in the Granta.
- The river here has a series of bends, especially the right angled turns around Little Linton, which would lead to backup of water into the village centre (especially when sluice gates downstream are closed to protect Cambridge).
- Linton is part of a long-term flood amelioration scheme worked out and agreed by the Environment Agency (EA) and SCDC. This development threatens to impact upon work, which was done to protect Linton's historic and commercial centre and the villages downstream. EA river water levels confirm the efficacy of the work, but development at Bartlow Road will add further water upstream.
- The thesis written after the 2001 floods, local knowledge and the newly revised EA flood maps confirm there is more flooding, particularly surface water flooding, than is indicated in the submission.
- As stated in the application, it is in flood risk zone 1, but this refers to river flooding, not surface water flooding, which is the actual problem here.
- We are not confident that the SUDS scheme would cope with surface water floods from the hill. Open SUDS ponds will be a hazard to safety and health, even in dry weather.
- Our concern is that these ponds would fill, then overflow, at times when rainfall and surface water flooding are greatest, as they do not ultimately lead to a natural watercourse.

Sustainability:

- The housing needs of the village are predominantly for bungalows (for downsizers) and smaller, affordable homes. The housing mix here should reflect the needs, and lower budgets, of our current population.
- This development has no potential for employment within the village so would mainly attract incoming commuters; this is not conducive to sustainability. Village business are predominantly family run, with few employment vacancies.
- The application is inaccurate in the range of shops in the village - for example we have no furniture or clothes shops.
- The site, located at the edge of the village, with the emphasis on on-site pedestrian recreational routes and with its own LEAP, confirms that this would be self-contained introverted development, discouraging integration with the community and local life. The housing is aimed at commuters and not at current local needs. Again, this is not conducive to sustainability and inclusion into village structure.
- The infrastructure is at capacity for schools. This is supported by evidence from Head Teachers and Governors from the Infant and Junior Schools, and Linton Village College. The Infant School in particular has little room for expansion given its site in the conservation area.

- The schools take children from outside the village, as expected for a minor rural centre, so that any places taken by new residents would have a knock-on effect to neighbouring settlements. Local children are already being bussed to schools some distance from Linton; again not conducive to sustainability. Some people wishing to move to Linton cannot do so because there are no places at the Village College. This has prevented the sale of some existing houses.
- This application does not fully address the provision of utilities, of water, sewage and other physical aspects which are at or near capacity.

Traffic issues:

- The safety and capacity issues on the A1307 and its hazardous junctions are a major issue. The developments in Haverhill and Saffron Walden, both of which send traffic past Linton, make the A1307 increasingly busy and hazardous.
- This development would add to these traffic problems, especially as this is one of a series of speculative developments (currently over 200 houses are under consideration). These developments must be considered in terms of their cumulative effects, rather than as separate stand-alone applications.
- The development is located on Back Road, a minor rural road, designated as single carriageway. Once a farm cart track (based on historical information) this lane with its inadequate sub-base, is unsuited to even moderate levels of traffic.
- Back Road is designated as a safer cycling route and a police emergency road. It is the only road to use when the A1307 is blocked.
- Back Road, from the Abington junction, is a rat run. It is particularly used to avoid traffic queues on the A1307 past Linton.
- The verges of Back Road (S21) are protected due to their rare flora; there is local "red book" data on their rare species. They are being eroded by vehicles overlapping road edges. The impact of yet more traffic, especially HGVs, will damage these further.
- The junctions with the A1307 at Abington and Hildersham, and the Back Road junction at Hildersham crossroads, have not been assessed as part of the Transport Assessment. This is a major omission.
- The accident and crash data presented does not reflect the accidents that have been reported by residents and medical professionals (in the open meeting).
- Back Road is narrow and it is difficult for cars travelling in opposite directions to pass. This has already led to the sides of the road becoming badly rutted in many places, as drivers have to pull in tightly to the edges to make passing possible. Moreover, the road is winding and undulating and it has a raised verge, which is protected. This further hampers visibility for both drivers and cyclists.
- Leaving the estate turning towards Cambridge, traffic would take Back Road towards Hildersham. Traffic could then go through the picturesque village of Hildersham up congested Beech Road, meeting the A1307 at a still notoriously difficult junction. This would adversely impact Hildersham's Conservation Area and its historic buildings.
- Alternatively traffic could continue past the Hildersham crossroad, with its poor sightlines, to the A1307 junction at Abington. The right turn to Cambridge is particularly difficult at peak times. The left turn off the A1307 is on an awkward rising curve.
- Traffic from the site could also leave the village using the congested High Street, through our Special Conservation Area. The harm that this would bring is unacceptable, not just through congestion, damage to buildings and increased pollution, but also to the character of Linton.

- Leaving the development eastward, to reach the High Street, extra traffic would have to use Symond's Lane or Back Road/Balsham Road, both narrow and (due to resident and visitor parking, including that to Symond's House Care Home) effectively single lane traffic.
- The effect of the extra traffic on our lanes, and the cumulative impact on the A1307, have not been properly assessed. Traffic data has been gathered over a very short time and not at all at significant junctions. For example, data has been collected into Hillway, a cul-de-sac, but not at the Abington junction with the A1307. This creates serious distortion to the traffic picture.

Transport Assessment

- The site is at the far edge of the village, at significant distance from the village centre and its amenities.
- The distances stated have not been taken from the centre of the site to suitable access points, and the walking times significantly underestimated, particularly for the high proportion of older people and children (Linton has a skewed population of these groups) who currently use the walking routes.
- New paved footways are not proposed north of Back Road. South of Back Road is a grass track in front of houses, with no walking route between Back Road and the corner of the Woodlands (opposite the Community Orchard)
- The route to the village through Crabtree Croft ends in either coming down a bank or a diagonal crossing to Stantons Lane. Neither are particularly safe, and both are unprotected.
- Due to the limited parking and congestion in the historic village centre, it would be easier to use shops and supermarkets in nearby towns than to access local shops, so not benefitting village commerce; this is not conducive to sustainability.
- Further development would add to the traffic, parking and congestion problems within the Special Conservation Area of the village. Residents would drive rather than walk to shops and village amenities, particularly as the return is an uphill journey. This would add to the serious problems with parking in the High Street.
- Cycling in Linton is difficult due to the narrowing of roads by parked traffic.
- There are no cycle paths in the Linton area, and little scope to create safe cycle routes.
- The bus services stated in the application give a very rosy impression of public transport - two services no longer run and the bus stops on the High Street near the Crown do not exist. The stop on Back Road is for Haverhill-bound traffic only, due to the one way system, and it is a long walk to the nearest stops, which are on Cambridge Road.
- Due to congestion and parking issues, the No. 13 services through the village are under threat. The frequency of bus services stated in the application appear rather optimistic.
- To catch a train you still have a car journey to Whittlesford or Audley End. The stated time to travel to these stations is unrealistic, especially at peak times. It takes 30 to 35 minutes to drive to Audley End and park, and significantly longer to drive to Cambridge station, which has very limited parking capacity.
- At worst, it can take 15 to 20 minutes to leave the High Street, due to traffic density and unhelpful junctions on the A1307.

Infrastructure

- Leisure facilities described in the application are overstated - we have one cricket field/football pitch on the Recreation Ground, the netball/basketball court is unusable, and the artificial Bowls Green is in disrepair. The skate park is decaying and needs to be replaced.

- The facilities at LVC are, in principle, shared with the village, but are often not open or unavailable.
- We have insufficient community buildings for playgroups, clubs and youth groups. There are few facilities for the adult and older populations.
- Our schools are filled to capacity. This is supported by evidence from Head Teachers and Governors from the Infant and Junior Schools, and Linton Village College. The Infant School in particular has no room for expansion, given its site in the conservation area.
- Our schools take children from outside the village, as expected for a minor rural centre, so places taken by new residents would have a knock-on effect on neighbouring settlements. Local children are already being bussed to schools an unreasonable distance from Linton.
- The Medical Centre is re-organising to link with others in the area, partly due to pressure on the services. There is no public transport between the linked surgeries.
- The Medical Centre has a pharmacy for those outside the village. Linton residents have to use commercial pharmacies.
- The Community Warden supports 25 households to remain living independently on their own homes; the cumulative developments would swamp the care that could be provided
- The noise from the A1307 is significant for the village and for the site. The road noise is amplified by the valley so amelioration is essential for the site and the village in general.
- Lighting on site and from car headlights would create light pollution for neighbours
- This application does not fully address the utilities including water and other physical aspects. Sewage and foul water handling is not mentioned at all; the drains within the village are at or near capacity, using Victorian 6inch pipes in the village centre. The other infill developments being built in the village will absorb any current capacity. We already experience blockages and overflow of foul water sewers.

Summary:

- This development would bring significant harm to the character of the landscape, the historic area and the environment that far outweighs any benefit the housing would bring
- Building here would adversely affect water soak-away, adding to the river water levels and increasing the probability of flooding to our Special Conservation Areas and commercial village centre, and to sites and villages downstream.
- The effects on an already busy and dangerous Back Road, a rat run, would be unacceptable.
- The number of houses in the development appears to be undeliverable.
- Building here is not compatible with Linton continuing as a village community -a major reason we live here - and does not address the actual housing needs of current residents.
- This site is not sustainable by the criteria applied in the NPPF and should be rejected.

Conditions:

Subject to the above objections, any approval on this site should include:

- A suitable scheme of flood prevention measures. Land upstream is needed to compensate for loss of public amenity and to increase the active floodplain to balance the loss of soakaway caused by this development
- Road safety and capacity are major issues.
- Measures to protect the landscape and protected road verges must be included.
- Noise attenuation from the A1307 is needed for the site and the rest of the village, even without the additional burden of this development. This must be sympathetic to the landscape and local character.
- Safe pedestrian and cycle routes to be put in place - pavements, paths, etc
- Provision of sufficient education places to cope with the cumulative expansion of population
- Archaeological investigation of this site is needed, along with suitable protection of finds.

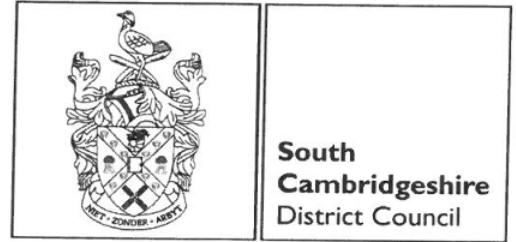
- Protection of the ancient hedges and areas of significant flora.
- The maintenance of the SuDs .
- During construction the damage to Back Road would be considerable, routes through Linton would not be practical - just how would materials get to the site?

Inconsistencies and inaccuracies in the applications are worrying and need further investigation.

Linton Parish Councils recommendation: To object. To refer to Full Planning Committee at South Cambridgeshire District Council.

South Cambridgeshire Hall
 Cambourne Business Park
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 0345 045 5215

Appendix 1ii



**South
 Cambridgeshire
 District Council**

Kathryn Wiseman,
 Linton Parish Council Clerk
 Village Hall
 15, Coles Lane
 Linton
 Cambridge
 Cambridgeshire
 CB21 4JS

Planning and New Communities
 Contact: Karen Pell-Coggins
 Direct Dial: 01954 713230
 Direct Email: karen.pell-coggins@scambs.gov.uk
 Our Ref: S/0096/17/OL
 Date: 10-Feb-2017

Dear Sir/Madam

Proposal Outline planning application for the erection of up to 95 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from Back Road. All matters reserved except for means of access.

Application Ref: S/0096/17/OL

Location Agricultural land north east of Back Road, Linton

Applicant: Gladman Developments, Gladman Developments Ltd.

The above planning application has been amended.

Additional information: - Transport Statement including appendices, which can be viewed via the Council's planning website.

Any comments that your Parish Council wishes to make should be made **on this form** and returned to the above address **not later than 21 days from the date of this letter**. (You should note that at the expiry of this period the District Council may determine the application.)

Comments of the Parish Council: *Please see attached.*

Recommendation of the Parish Council:- (please tick one box only)

Approve	Refuse	<input checked="" type="checkbox"/>	No Objections
---------	--------	-------------------------------------	---------------

Signed: *[Signature]* Date: *03/03/17*
 Clerk of the Parish Council or Chairman of the Parish Meeting

EXPLANATION OF APPLICATION SUFFIX

- | | | | |
|----|---------------------------|----|--|
| DC | Discharge of Condition | VC | Variation or Removal of Condition |
| OL | Outline | LD | Lawful Development Certificate |
| FL | Full | PA | Prior Notification of Agricultural Development |
| RM | Reserved Matters | PD | Prior Notification of Demolition Works |
| LB | Listed Building Consent | PT | Prior Notification of Telecommunications Development |
| CA | Conservation Area Consent | HZ | Hazardous Substance Consent |
| AD | Advertisement Consent | | |

S/0096/17/OL - Gladman Developments Ltd, Agricultural land northeast of Back Road – Amendment to outline planning application for the erection of up to 95 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from Back Road. All matters reserved except for means of access. Additional information: Transport Statement including appendices.

The previous comments on this application stand; these comments are additional to the comments already submitted.

General comments:

- The site lies at western outskirts of village, outside the village envelope, and some distance from the centre of the village with its amenities, shops, pubs, medical centre, schools and links to public transport.
- The distances are significantly greater than described in the application, especially if taking the distance from the middle of the site to the actual entrances of schools, etc. The everyday sustainability of the development is much less favourable than the application makes out.
- This site is outside the village envelope and was rejected in the SHLAA and Local Plan assessments as having no development potential (part of SHLAA site 197). Reasons included distance to key local services and facilities (graded as red in the SHLAA conclusions).
- Traffic data has not been collected from significant junctions.
- Traffic volumes for the site have been underestimated, especially for traffic impact on the A1307/High Street junction. The extra number of car journeys expected for 95 houses has been misjudged, especially as the residents are most likely to be commuters.
- Surface water regularly floods onto Back Road, into The Woodlands. A concern is that the SUDS ponds would fill, then overflow, at times when rainfall and surface water flooding are greatest, as they do not ultimately lead to a natural watercourse. Additional flood risk to Linton and villages downstream, and impact of flooding on driver and journey safety on Back Road, is expected if there is building on this hillside.

Site description

- The site is not accurately described. It is bordered by Back Road to the south, the road to Chilford Hall and uphill is a site of ancient woodland, beyond Paines Meadow.
- The pathway to the east of the site is not "an unmade track" but is part of the ancient Icknield Way, a long established and popular walking area, including a regular route used by the Ramblers Association. The Ramblers Association, Cambridge Past Present and Future and CPRE should be included as statutory consultees.
- We have fought hard to protect our part of the Icknield Way and the views from it. It deserves better than to have a character-free and inappropriate development alongside it.
- The site is at the far edge of the village, at significant distance from the village centre and its amenities.
- The distances stated have not been taken from the centre of the site to proper destination access points. The walking times significantly underestimated, particularly for the high proportion of older people and children (Linton has a skewed population of these groups) who currently use the walking routes.
- The transport to work data indicates travel is predominantly by car/van, but at a lower than expected level for the population - this is due to the high proportion of elderly/retired people and children. Another influx of commuters would have a proportionately greater impact on road use.

- There is only one site access with no emergency access. This is directly opposite and close to the Woodlands, creating a potentially dangerous junction, with limited visibility. The nuisance from noise and headlights to current houses would be significant.

Walking Routes

- There are no pavements adjacent to the site, just a grass path on the south side of Back Road, some parts now being part of gardens. There is little space for a pavement on the north side, between the road with its protected verges, the hedge and the site with its proposed SUDS pools.
- Walking on this part of Back Road is dangerous, and the impractical foot access to the village is reflected in the low "pedestrian flow" data. Few people walk from this area into the village
- There are no street lights on this part of Back Road,
- The route between Back Road and Symond's Lane - past our Community Orchard - has no pavement and is limited in width in some parts. Provision of pavement here, which would be needed to make walking routes safe and viable, might be unworkable.
- Walking to amenities, bus stops, etc., takes longer than suggested partly due to the need to use safer routes through areas of housing.
- A safer route to the village through Crabtree Croft ends in either coming down a bank or a diagonal crossing to Stantons Lane. Neither are particularly safe, and both are unprotected.
- New pavements to the village are not proposed, adding to the non-sustainability of the site.

Traffic issues for Back Road

- The effect of the extra traffic on our lanes, and the cumulative impact on the A1307, have not been properly assessed. Traffic data was gathered over a very short time and not at all at significant junctions. For example, data has been collected into Hillway, a cul-de-sac, but not at the Abington junction with the A1307. This creates serious distortion to the traffic picture.
- Back Road, from the Abington junction, is a rat run. It is particularly used to avoid traffic queues on the A1307 and standing traffic through Linton, in the evening.
- The data collected confirms the significant increase in traffic from Back Road onto Balsham Road in the evenings. The increased numbers should be seen in addition to those using Back Road from/to Symond's Lane to reflect the real use of Back Road.
- The development is located on Back Road, a minor rural road, once a farm cart track (based on historical information) this lane with its inadequate sub-base, is unsuited to even moderate levels of traffic. It is effectively a single lane track with passing places.
- The rural nature of Back Lane is confirmed by domesticated geese being a regular hazard!
- Back Road was recently re-surfaced, but is already disintegrating, especially at the edges. Extra traffic, especially the HGV traffic expected for the site might well result in the need for a complete re-build, a cost that CCC would not have budget for. We had to lobby for years to get repairs to the road due to CCC budget constraints.
- The verges of Back Road (S21) are protected due to their rare flora; there is local "red book" data on their rare species. They are being eroded by vehicles overlapping road edges. The impact of yet more traffic, especially HGVs, will damage these further.
- Back Road is narrow and it is difficult for cars travelling in opposite directions to pass. This has already led to the sides of the road becoming badly rutted in many places, as drivers have to pull in tightly to the edges to make passing possible. Moreover, the road is winding and undulating and it has a raised verge, which is protected. This further hampers visibility for both drivers and cyclists.
- Back Road is designated as a safer cycling route and a police emergency road. It is the only road to use when the A1307 is blocked.

- The accident and crash data presented does not reflect the accidents that have been reported by residents and medical professionals (as reported in the public meeting).
- Speeding is a known problem in the area of the proposed development. From the March 2013 survey data opposite the Woodlands, the average speed towards Hildersham is 40mph, with 70.45% exceeding the 30mph speed limit. Heading into Linton, the average speed is 36mph, with 61.41% exceeding the speed limit.
- Leaving the estate turning towards Cambridge, traffic would take Back Road towards Hildersham. Traffic could then go through the picturesque village of Hildersham up congested Beech Row, meeting the A1307 at a still notoriously difficult junction. This would adversely impact Hildersham's Conservation Area and its historic buildings.
- Alternatively traffic could continue past the Hildersham crossroad, with its poor sightlines, to the A1307 junction at Abington. The right turn to Cambridge is particularly difficult at peak times. The left turn off the A1307 is on an awkward rising curve.
- Traffic from the site could also leave the village using the congested High Street, through our Special Conservation Area. The harm that this would bring is unacceptable, not just through congestion, damage to buildings and increased pollution, but also to the character of Linton.
- Leaving the development eastward, to reach the High Street, extra traffic would have to use Symond's Lane or Back Road/Balsham Road, both narrow and (due to resident and visitor parking, including that to Symond's House Care Home) effectively single lane traffic. Houses in these area often have hidden drives and poor sight lines.

Traffic Issues for the A1307

- The junctions with the A1307 at Abington and Hildersham, and the Back Road junction at
- Hildersham crossroads, have not been assessed as part of the Transport Assessment. This is a major omission.
- Following the City Deal proposals for the A1307 and Linton High Street to speed bus journeys (see the A1307 Three Campuses to Cambridge Bus, Cycle and Walking Improvements report), there would be a bus lane east to west but not west to east. This will lead to further queuing of traffic through the "pinchpoint" of Linton and inevitably more traffic using Back Road as a rat run to avoid standing traffic through Linton.
- From the independent Iceni data, between 7:00 and 10:00 there were over 5,000 traffic movements and more than 5,100 at evening peak times at the High Street junction with the A1307. This is a main feeder junction for the village and does not include expected traffic from new developments. The estimated 60-70 additional traffic movements expected at peak times is unrealistic for 95 additional houses for commuters.
- The safety and capacity issues on the A1307 and its hazardous junctions are a major issue. The developments in Haverhill and Saffron Walden, both of which send traffic past Linton, make the A1307 increasingly busy and hazardous.
- The Iceni "Committed Developments assessment", notes:
The following approved application has been considered: Land at Horseheath Road Application (Ref: S/1963/15/OL) as far as we are aware this has not been approved.
- Also "the effects of other planning applications have not been considered". This would include Bartlow Road (S/1969/15/OL otherwise s/2553/16/OL), 1 Horseheath Road s/2504/14/OL, other infill housing and extensions. With this application, this is over 200 houses in the pipeline. These developments must be considered in terms of

their cumulative effects, rather than as separate stand-alone applications. Development at Haverhill (another 2,500 house recently approved), Saffron Walden, Steeple Bumstead, Horseheath, Abington, etc all contribute to traffic flows on the A1307 and consequent impact on Linton junctions.

Traffic issues for the village centre

- The proposals for the High Street by City Deal need to be considered as the impact of yet more development has not been taken into account. These proposals for the High Street involve loss of pavement and narrowing the carriage way of what is already the narrowest High Street in South Cambs.
- Due to the limited parking and congestion in the historic village centre, it would be easier for new residents to use shops and supermarkets in nearby towns than to access local shops, so not benefitting village commerce; this is not conducive to sustainability.
- To note, we do not have as many pubs and shops as described in the report - no clothes or furniture shops, fewer pubs and the pub and cafe on the Hadstock road closed long ago.
- Further development would add to the traffic, parking and congestion problems within the Special Conservation Area of the village. Residents would drive rather than walk to shops and village amenities, particularly as the return is an uphill journey. This would add to the serious problems with parking in the High Street.
- Cycling in Linton is already difficult due to the narrowing of roads by parked traffic. There are no dedicated cycle routes and no safe cycle link to this site
- There are no cycle paths in the Linton area, and little scope to create safe cycle routes.
- The bus services stated in the application give a very rosy impression of public transport - two services no longer run and the bus stops on the High Street near the Crown do not exist. The stop on Back Road is for Haverhill-bound traffic only, due to the one way system, and it is a long walk to the nearest stops, which are on Cambridge Road.
- Due to congestion and parking issues, the No. 13 services through the village are under threat. The frequency of bus services stated in the application appear rather optimistic.
- To catch a train you still have a car journey to Whittlesford or Audley End. The stated time to travel to these stations is unrealistic, especially at peak times. It takes 30 to 35 minutes to drive to Audley End and park, and significantly longer to drive to Cambridge station, which has very limited parking capacity.
- At worst, it can take 15 to 20 minutes to leave the High Street, due to traffic density and unhelpful junctions on the A1307. Car journey times reported might be possible at 5am (when one councillor travels) but generally not otherwise.

Summary:

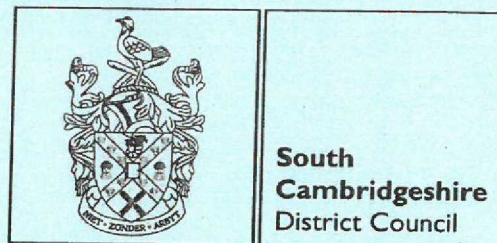
- The effects on an already busy and dangerous Back Road, a rat run, would be unacceptable.
- The City Deal proposals for the A1307 and Linton High Street would increase rat running along Back Road, especially in the evenings.
- If construction vehicles used Back Road the damage would be considerable, routes through Linton and its congested Special Conservation Area would not be practical - just how would materials get to the site?
- This site is not sustainable by the criteria applied in the NPPF and should be rejected.

LPC's Recommendation: To Object. To refer to SCDC Full Committee.

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South Cambridgeshire Hall
 Cambourne Business Park
 Cambourne
 Cambridge,
 CB23 6EA
 www.scambs.gov.uk
 0345 045 5215

Appendix 1iii



South
 Cambridgeshire
 District Council

Kathryn Wiseman,
 Linton Parish Council Clerk
 Village Hall
 15, Coles Lane
 Linton
 Cambridge
 Cambridgeshire
 CB21 4JS

Planning and New Communities
 Contact: Karen Pell-Coggins
 Direct Dial: 01954 713230
 Direct Email: karen.pell-coggins@scambs.gov.uk
 Our Ref: S/0096/17/OL
 Date: 15 May 2017

Dear Sir/Madam

Proposal: Outline planning application for the erection of up to 95 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from Back Road. All matters reserved except for means of access.

Application Ref: S/0096/17/OL

Location: Agricultural land north east of Back Road, Linton

Applicant: Gladman Developments, Gladman Developments Ltd.

The above planning application has been amended. A copy of the revised plans is attached.

Amended- transport statement addendum, revised ecology report and landscape comments.

Please look at documents on website.

Any comments that your Parish Council wishes to make should be made on this form and returned to the above address not later than 14 days from the date of this letter. (You should note that at the expiry of this period the District Council may determine the application.)

Comments of the Parish Council:

Recommendation of the Parish Council:- (please tick one box only)

Approve	<input type="checkbox"/>	Refuse	<input checked="" type="checkbox"/>	No Objections	<input type="checkbox"/>
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Signed: Date: 26/05/17
 Clerk of the Parish Council or Chairman of the Parish Meeting

EXPLANATION OF APPLICATION SUFFIX

- | | | | |
|----|---------------------------|----|--|
| OL | Outline | LD | Lawful Development Certificate |
| FL | Full | PA | Prior Notification of Agricultural Development |
| RM | Reserved Matters | PD | Prior Notification of Demolition Works |
| LB | Listed Building Consent | PT | Prior Notification of Telecommunications Development |
| CA | Conservation Area Consent | HZ | Hazardous Substance Consent |
| AD | Advertisement Consent | VC | Variation or Removal of Condition |
| | | DC | Discharge of Condition |

S/0096/17/OL Agricultural land northeast of Back Road amendments:

Transport

Linton Parish Councils comments:

Original comments and objects still stand.

These are initial comments due to the short time since receiving these amendments

Upon reviewing the traffic data, the number of cars using Back Road in rush hour is listed as 177 vehicles travelling towards Cambridge which is a substantial number of cars passing the entrance of the proposed site, often at high speed. The transport statement also noted that 351 cars are travelling towards Haverhill during the evening rush hour to avoid the pinch point on the A1307 at Linton.

Linton Parish Council request the raw data be sent through as this has been removed from the website and would also like to request it is re-instated online. Data was also not included for junction 3.

The Council noted that the reason for the amendment are the transport comments from 2nd march 2017. Some aspects have been accepted, some commented on but no solution and mitigation has been suggested and agreed.

For example-

Comment 2: Regarding footways- we have confirmed there is no suitable footways and no safe crossing points, and the data suggests it's busier than originally thought. This does not take into account the speed issue which is a contributing factor.

Comment 6: Referring to walking distances, amenities are further away than indicated and take far longer to walk to than suggested.

Comment 7: This is reference to the bus stops, they are inadequate and are not as described as in the report, the nearest being the A1307 or Swan Bridge. The transport amendments have not resolved the existing issues.

Width of the road is being increasingly eroded by the current traffic levels and is encroaching upon the protected verges and we see no way that the developer could deliver construction materials to site
Transport Plan - amendments.

LPC found it difficult to tie up the terms Icen/Count sequential used for junctions, with the everyday names that we use. We request that the junctions are identified and confirmed, using consistent terminology.

Please confirm whether we are correct in understanding:

1- "Hildersham Road" means the Back Lane from Hildersham Old Rectory/Balsham Road/Back Road crossroads up to Ley Rectory Farm/A1307 junction, at Abington

2 - "A1307/High **Street** Priority Junction" means main "A1307/Hildersham Hall Crossroads." The junction between A1307 and Beech Row, Hildersham, to the east of Hildersham Hall

3,- "A1307/Hildersham **Road** Priority Junction" means "A1307/Ley Rectory Farm Junction". This is where Back Lane meets the A1307 at Abington.

It appears that the reports have confused Linton with Hildersham - there appear to be two whole pages of data in the report saying Linton when it actually refers to Hildersham.

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These are very different junctions with very different traffic flows

Also, a non-existent road called Laburnum Way (p 2, same report) is referred to. .

It is stated that the Back Road measures "on average" 5 metres -

<http://plan.scams.gov.uk/swiftlg/MediaTemp/1145441-677667>. [Transport Assessment.pdf](#) - PDF 8, pg 5, 2.5.

"Back Road runs along the southern boundary of the site and is mostly rural in nature. It is a single carriageway road running in a south east to north west direction and is approximately 5m in width."

However, Councillors Bald (LPC) and Kelly (HPC) have measured this at several points between the Hildersham junction to where the electricity cables cross the lane at the water pumping station and house. . The width is actually around 4m, and often less - see attached report - Bald & Kelly (20.5.17).

Linton Parish Council's decision: **To object and refer to SCDC.**

Ecology

Linton Parish Council's comments: The current objections still stand.

There are concerns with the proposed overall design as this would still be interfering with the bat flight paths. The mitigation measures proposed to screen the site would be outside the redline, are not owned by the applicant and are not deliverable. The Council also has further concerns regarding the ancient hedge and Icknield Way.

Linton Parish Council's decision: **To object and refer to SCDC.**

Landscape

The landscape character and setting would indeed be affected, as well as the long views over Chalklands to the listed Rivey Tower. The visual effect on the landscape would be unacceptable.

There are also concerns relating to the impact line, as this covers the medieval fish pond and moat at Little Linton, meaning the development would have a wider impact than first envisaged.

Further comments will follow

Linton Parish Council's decision: **To object and refer to SCDC.**

Linton Parish Councils overall decision: To object on all aspects of the new amendment and refer to SCDC.

Back Road (Hildersham/Back Road crossroads The Old Rectory, Hildersham)

To Pumping Station House, Back Rd, Linton, Cambridge CB21 4LQ (ca. 860 ms.)

Width from tarmac edge to tarmac edge: various locations

20.5.2017, 4.30 pm

Jean Kelly – jeshere1@yahoo.com

Enid Bald – enidsmith20@talktalk.net

	Location	Width – Metres	Width – Imperial
1	Hill Lodge (Hildersham/Back Road crossroads)	4.8	15 ft 9 ins
2	Hildersham allotments footpath/Back Road	4.24	13 ft 9 ins
3	250 yard sign	4.2	13 ft 8 ins
4	(Half-way between 250 yard sign and telegraph pole)	4.4	14 ft 4 ins
5	Telegraph pole and manhole cover	4.05	13 ft 2 ins
6	Between telegraph pole and large wooden gate	3.9	12 ft 8 ins
7	Large wooden gate	3.9	12 ft 8 ins
8	Large pothole	3.96	13 ft
9	Unidentified location	3.66	12 ft
10	BMC telephone cover	4.14	13 ft 6ins
11	Unidentified location	3.6	12 ft 10 ins
12	Unidentified location	4.5	14 ft 8 ins
13	Unidentified location	4.03	13 ft 2 ins
14	Unidentified location	4.03	13 ft 2 ins
15	Large haystack (Linton end)	4.05	13 ft 4 ins
15	At two telegraph/electricity poles (on opposite sides of Back Road)	4.1	13 ft 5 ins
16	Between two telegraph/electricity poles (on opposite sides of Back Road), pole to pole	7.25	23 ft 8 ins

S/0096/17/OL - Gladman Developments Ltd, Agricultural land northeast of Back Road – Amendment to outline planning application for the erection of up to 95 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from Back Road. All matters reserved except for means of access. Additional information: Transport Statement including appendices.

The previous comments on this application stand; these comments are additional to the comments already submitted.

General comments:

- ❑ The site lies at western outskirts of village, outside the village envelope, and some distance from the centre of the village with its amenities, shops, pubs, medical centre, schools and links to public transport.
- ❑ The distances are significantly greater than described in the application, especially if taking the distance from the middle of the site to the actual entrances of schools, etc. The everyday sustainability of the development is much less favourable than the application makes out.
- ❑ This site is outside the village envelope and was rejected in the SHLAA and Local Plan assessments as having no development potential (part of SHLAA site 197). Reasons included distance to key local services and facilities (graded as red in the SHLAA conclusions).
- ❑ Traffic data has not been collected from significant junctions.
- ❑ Traffic volumes for the site have been underestimated, especially for traffic impact on the A1307/High Street junction. The extra number of car journeys expected for 95 houses has been misjudged, especially as the residents are most likely to be commuters.
- ❑ Surface water regularly floods onto Back Road, into The Woodlands. A concern is that the SUDS ponds would fill, then overflow, at times when rainfall and surface water flooding are greatest, as they do not ultimately lead to a natural watercourse. Additional flood risk to Linton and villages downstream, and impact of flooding on driver and journey safety on Back Road, is expected if there is building on this hillside.

Site description

- ❑ The site is not accurately described. It is bordered by Back Road to the south, the road to Chilford Hall and uphill is a site of ancient woodland, beyond Paines Meadow.
- ❑ The pathway to the east of the site is not "an unmade track" but is part of the ancient Icknield Way, a long established and popular walking area, including a regular route used by the Ramblers Association. The Ramblers Association, Cambridge Past Present and Future and CPRE should be included as statutory consultees.
- ❑ We have fought hard to protect our part of the Icknield Way and the views from it. It deserves better than to have a character-free and inappropriate development alongside it.
- ❑ The site is at the far edge of the village, at significant distance from the village centre and its amenities.
- ❑ The distances stated have not been taken from the centre of the site to proper destination access points. The walking times significantly underestimated, particularly for the high proportion of older people and children (Linton has a skewed population of these groups) who currently use the walking routes.
- ❑ The transport to work data indicates travel is predominantly by car/van, but at a lower than expected level for the population - this is due to the high proportion of elderly/retired people and children. Another influx of commuters would have a proportionately greater impact on road use.
- ❑ There is only one site access with no emergency access. This is directly opposite and close to the Woodlands, creating a potentially dangerous junction, with limited visibility. The nuisance from noise and headlights to current houses would be significant.

Walking Routes

- ❑ There are no pavements adjacent to the site, just a grass path on the south side of Back Road, some parts now being part of gardens. There is little space for a pavement on the north side, between the road with its protected verges, the hedge and the site with its proposed SUDS pools.
- ❑ Walking on this part of Back Road is dangerous, and the impractical foot access to the village is reflected in the low "pedestrian flow" data. Few people walk from this area into the village
- ❑ There are no street lights on this part of Back Road,
- ❑ The route between Back Road and Symond's Lane - past our Community Orchard - has no pavement and is limited in width in some parts. Provision of pavement here, which would be needed to make walking routes safe and viable, might be unworkable.
- ❑ Walking to amenities, bus stops, etc., takes longer than suggested partly due to the need to use safer routes through areas of housing.
- ❑ A safer route to the village through Crabtree Croft ends in either coming down a bank or a diagonal crossing to Stantons Lane. Neither are particularly safe, and both are unprotected.

- New pavements to the village are not proposed, adding to the non-sustainability of the site.

Traffic issues for Back Road

- The effect of the extra traffic on our lanes, and the cumulative impact on the A1307, have not been properly assessed. Traffic data was gathered over a very short time and not at all at significant junctions. For example, data has been collected into Hillway, a cul-de-sac, but not at the Abington junction with the A1307. This creates serious distortion to the traffic picture.
- Back Road, from the Abington junction, is a rat run. It is particularly used to avoid traffic queues on the A1307 and standing traffic through Linton, in the evening.
- The data collected confirms the significant increase in traffic from Back Road onto Balsham Road in the evenings. The increased numbers should be seen in addition to those using Back Road from/to Symond's Lane to reflect the real use of Back Road.
- The development is located on Back Road, a minor rural road, once a farm cart track (based on historical information) this lane with its inadequate sub-base, is unsuited to even moderate levels of traffic. It is effectively a single lane track with passing places.
- The rural nature of Back Lane is confirmed by domesticated geese being a regular hazard!
- Back Road was recently re-surfaced, but is already disintegrating, especially at the edges. Extra traffic, especially the HGV traffic expected for the site might well result in the need for a complete rebuild, a cost that CCC would not have budget for. We had to lobby for years to get repairs to the road due to CCC budget constraints.
- The verges of Back Road (S21) are protected due to their rare flora; there is local "red book" data on their rare species. They are being eroded by vehicles overlapping road edges. The impact of yet more traffic, especially HGVs, will damage these further.
- Back Road is narrow and it is difficult for cars travelling in opposite directions to pass. This has already led to the sides of the road becoming badly rutted in many places, as drivers have to pull in tightly to the edges to make passing possible. Moreover, the road is winding and undulating and it has a raised verge, which is protected. This further hampers visibility for both drivers and cyclists.
- Back Road is designated as a safer cycling route and a police emergency road. It is the only road to use when the A1307 is blocked.
- The accident and crash data presented does not reflect the accidents that have been reported by residents and medical professionals (as reported in the public meeting).
- Speeding is a known problem in the area of the proposed development. From the March 2013 survey data opposite the Woodlands, the average speed towards Hildersham is 40mph, with 70.45% exceeding the 30mph speed limit. Heading into Linton, the average speed is 36mph, with 61.41% exceeding the speed limit.
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LPC's Recommendation: To Object. To refer to SCDC Full Planning Committee.

S/0096/17/FL- Gladmans Development Ltd, Agricultural land northeast of Back Road, Linton- Amendment – Transport statement addendum, revised ecology report and landscape comments.

LPC's Comments: S/0096/17/OL Agricultural land northeast of Back Road amendments:

Transport

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Landscape

The landscape character and setting would indeed be affected, as well as the long views over Chalklands to the listed Rivey Tower. The visual effect on the landscape would be unacceptable.

There are also concerns relating to the impact line, as this covers the medieval fish pond and moat at Little Linton, meaning the development would have a wider impact than first envisaged.

Further comments will follow.

Linton Parish Council's decision: To object and refer to SCDC Planning Committee.

Linton Parish Councils overall decision: To object on all aspects of the new amendment and refer to SCDC Planning Committee.

S/0096/17/OL- Gladman Development Ltd, Agricultural land northeast of Back Road- Outline planning application for the erection of up to 95 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from Back Road. All matters reserved except for means of access.

Linton Parish Councils general comments:

- ❏ The site lies at western outskirts of village, outside the village envelope, and some distance from the centre of the village with its amenities, shops, pubs, medical centre, schools and links to public transport.
- ❏ The distances are significantly greater than described in the application, if taking the distance from the middle of the site to the actual entrances of schools, etc. These distances suggest that the everyday sustainability of the development is less favourable than the application makes out.
- ❏ This site is outside the village envelope and was rejected in the SHLAA and Local Plan assessments as having no development potential (part of SHLAA site 197). Reasons included distance to key local services and facilities (graded as red in the SHLAA conclusions)).
- ❏ Linton is classified as a Minor Rural Centre which should allow a maximum of 30 houses in any one development. This is over 3 times that number.
- ❏ The as yet incomplete Neighbourhood Plan addresses the limits of development and housing in Linton and Hildersham; this application plays no part in the NP.
- ❏ The number of houses expected, along with the LEAP, SUDS and suitable protection of existing hedges, appears to be rather greater than the size of site would allow (compare visually to the rather cramped Woodlands). The housing numbers appear to be undeliverable.
- ❏ The indicated number of on-site parking spaces is insufficient for a settlement that would be largely for commuters.
- ❏ Public involvement by the developer has been limited to a brochure sent out only to a limited area of the village near to the site.
- ❏ LPC has met the development team (as we always seek to do) and are aware that they have no personal involvement in the village; this is a commercial exercise for them. For us, it is the future of the village, its character and its community.

Site and setting:

- ❏ Linton lies in a river valley, almost hidden until the village edge is reached, allowing appreciation of the natural landscape, ancient woodland, and the vista across open fields.
- ❏ This area around Rivey Hill and Furze Hill contains sites of scenic interest, Sites of Special Scientific Interest, protected verges due to their significant flora, and is a good example of Local Character Landscape. There are sites of Neolithic roundhouses in Rivey woods.
- ❏ The area of contains listed buildings - Rivey Water Tower and mediaeval Little Linton. Traffic from the site would pass Symond's House, Morley House, and impact upon our Special Conservation Area.
- ❏ This development would be very visible in the rising ground and from the west, which would adversely affect the long views and setting of Linton in the open landscape.
- ❏ The pathway to the east of the site is part of the ancient Icknield Way. We have fought hard to protect it and the views from it. It deserves better than to have a character-free and inappropriate development plonked alongside it.
- ❏ The housing opposite the site is set low, so that it minimises the landscape impact to the approach to Linton. This development, set well up the hill, would be prominent and harm the natural character of the area.
- ❏ The trees in the area are in copses - the remains of ancient woodland. There is an ancient hedge running through the proposed development - how would this be protected in the long term? It is unlikely that this could be preserved in the surroundings of a housing estate.
- ❏ The suggested tree barrier would increase the impact of the development, increasing its bulk and height, and interfering with and blocking the vista rather than diminishing the impact of new housing.
- ❏ Should trees be planted, they take time and care to grow, and could not be protected.
- ❏ The proposed housing does not preserve the character of the local landscape, fields, meadows and softer edge of this rural village. It would destroy the character of the area and the setting of the village.

Flooding:

- ❏ A major issue is the loss of land for soak-away and the probability for worsening surface water flooding
- ❏ Floods of surface water and mud have already affected houses in the Woodlands estate, downhill of the proposed site, through to Kingfisher Walk, on the riverside. The road to Little Chilfords is known to run with water during storms.
- ❏ Surface water not absorbed by the open fields eventually ends up in the Granta.

- The river here has a series of bends, especially the right angled turns around Little Linton, which would lead to backup of water into the village centre (especially when sluice gates downstream are closed to protect Cambridge).
- Linton is part of a long-term flood amelioration scheme worked out and agreed by the Environment Agency (EA) and SCDC. This development threatens to impact upon work, which was done to protect Linton's historic and commercial centre and the villages downstream. EA river water levels confirm the efficacy of the work, but development at Bartlow Road will add further water upstream.
- The thesis written after the 2001 floods, local knowledge and the newly revised EA flood maps confirm there is more flooding, particularly surface water flooding, than is indicated in the submission.
- As stated in the application, it is in flood risk zone 1, but this refers to river flooding, not surface water flooding, which is the actual problem here.
- We are not confident that the SUDS scheme would cope with surface water floods from the hill. Open SUDS ponds will be a hazard to safety and health, even in dry weather.
- Our concern is that these ponds would fill, then overflow, at times when rainfall and surface water flooding are greatest, as they do not ultimately lead to a natural watercourse.

Sustainability:

- The housing needs of the village are predominantly for bungalows (for downsizers) and smaller, affordable homes. The housing mix here should reflect the needs, and lower budgets, of our current population.
- This development has no potential for employment within the village so would mainly attract incoming commuters; this is not conducive to sustainability. Village business are predominantly family run, with few employment vacancies.
- The application is inaccurate in the range of shops in the village - for example we have no furniture or clothes shops.
- The site, located at the edge of the village, with the emphasis on on-site pedestrian recreational routes and with its own LEAP, confirms that this would be self-contained introverted development, discouraging integration with the community and local life. The housing is aimed at commuters and not at current local needs. Again, this is not conducive to sustainability and inclusion into village structure.
- The infrastructure is at capacity for schools. This is supported by evidence from Head Teachers and Governors from the Infant and Junior Schools, and Linton Village College. The Infant School in particular has little room for expansion given its site in the conservation area.
- The schools take children from outside the village, as expected for a minor rural centre, so that any places taken by new residents would have a knock-on effect to neighbouring settlements. Local children are already being bussed to schools some distance from Linton; again not conducive to sustainability. Some people wishing to move to Linton cannot do so because there are no places at the Village College. This has prevented the sale of some existing houses.
- This application does not fully address the provision of utilities, of water, sewage and other physical aspects which are at or near capacity.

Traffic issues:

- The safety and capacity issues on the A1307 and its hazardous junctions are a major issue. The developments in Haverhill and Saffron Walden, both of which send traffic past Linton, make the A1307 increasingly busy and hazardous.
- This development would add to these traffic problems, especially as this is one of a series of speculative developments (currently over 200 houses are under consideration). These developments must be considered in terms of their cumulative effects, rather than as separate stand-alone applications.
- The development is located on Back Road, a minor rural road, designated as single carriageway. Once a farm cart track (based on historical information) this lane with its inadequate sub-base, is unsuited to even moderate levels of traffic.
- Back Road is designated as a safer cycling route and a police emergency road. It is the only road to use when the A1307 is blocked.
- Back Road, from the Abington junction, is a rat run. It is particularly used to avoid traffic queues on the A1307 past Linton.
- The verges of Back Road (S21) are protected due to their rare flora; there is local "red book" data on their rare species. They are being eroded by vehicles overlapping road edges. The impact of yet more traffic, especially HGVs, will damage these further.
- The junctions with the A1307 at Abington and Hildersham, and the Back Road junction at Hildersham crossroads, have not been assessed as part of the Transport Assessment. This is a major omission.

- The accident and crash data presented does not reflect the accidents that have been reported by residents and medical professionals (in the open meeting).
- Back Road is narrow and it is difficult for cars travelling in opposite directions to pass. This has already led to the sides of the road becoming badly rutted in many places, as drivers have to pull in tightly to the edges to make passing possible. Moreover, the road is winding and undulating and it has a raised verge, which is protected. This further hampers visibility for both drivers and cyclists.
- Leaving the estate turning towards Cambridge, traffic would take Back Road towards Hildersham. Traffic could then go through the picturesque village of Hildersham up congested Beech Road, meeting the A1307 at a still notoriously difficult junction. This would adversely impact Hildersham's Conservation Area and its historic buildings.
- Alternatively traffic could continue past the Hildersham crossroad, with its poor sightlines, to the A1307 junction at Abington. The right turn to Cambridge is particularly difficult at peak times. The left turn off the A1307 is on an awkward rising curve.
- Traffic from the site could also leave the village using the congested High Street, through our Special Conservation Area. The harm that this would bring is unacceptable, not just through congestion, damage to buildings and increased pollution, but also to the character of Linton.
- Leaving the development eastward, to reach the High Street, extra traffic would have to use Symond's Lane or Back Road/Balsham Road, both narrow and (due to resident and visitor parking, including that to Symond's House Care Home) effectively single lane traffic.
- The effect of the extra traffic on our lanes, and the cumulative impact on the A1307, have not been properly assessed. Traffic data has been gathered over a very short time and not at all at significant junctions. For example, data has been collected into Hillway, a cul-de-sac, but not at the Abington junction with the A1307. This creates serious distortion to the traffic picture.

Transport Assessment

- The site is at the far edge of the village, at significant distance from the village centre and its amenities.
- The distances stated have not been taken from the centre of the site to suitable access points, and the walking times significantly underestimated, particularly for the high proportion of older people and children (Linton has a skewed population of these groups) who currently use the walking routes.
- New paved footways are not proposed north of Back Road. South of Back Road is a grass track in front of houses, with no walking route between Back Road and the corner of the Woodlands (opposite the Community Orchard)
- The route to the village through Crabtree Croft ends in either coming down a bank or a diagonal crossing to Stantons Lane. Neither are particularly safe, and both are unprotected.
- Due to the limited parking and congestion in the historic village centre, it would be easier to use shops and supermarkets in nearby towns than to access local shops, so not benefitting village commerce; this is not conducive to sustainability.
- Further development would add to the traffic, parking and congestion problems within the Special Conservation Area of the village. Residents would drive rather than walk to shops and village amenities, particularly as the return is an uphill journey. This would add to the serious problems with parking in the High Street.
- Cycling in Linton is difficult due to the narrowing of roads by parked traffic.
- There are no cycle paths in the Linton area, and little scope to create safe cycle routes.
- The bus services stated in the application give a very rosy impression of public transport - two services no longer run and the bus stops on the High Street near the Crown do not exist. The stop on Back Road is for Haverhill-bound traffic only, due to the one way system, and it is a long walk to the nearest stops, which are on Cambridge Road.
- Due to congestion and parking issues, the No. 13 services through the village are under threat. The frequency of bus services stated in the application appear rather optimistic.
- To catch a train you still have a car journey to Whittlesford or Audley End. The stated time to travel to these stations is unrealistic, especially at peak times. It takes 30 to 35 minutes to drive to Audley End and park, and significantly longer to drive to Cambridge station, which has very limited parking capacity.
- At worst, it can take 15 to 20 minutes to leave the High Street, due to traffic density and unhelpful junctions on the A1307.

Infrastructure

- ❑ Leisure facilities described in the application are overstated - we have one cricket field/football pitch on the Recreation Ground, the netball/basketball court is unusable, and the artificial Bowls Green is in disrepair. The skate park is decaying and needs to be replaced.
- ❑ The facilities at LVC are, in principle, shared with the village, but are often not open or unavailable.
- ❑ We have insufficient community buildings for playgroups, clubs and youth groups. There are few facilities for the adult and older populations.
- ❑ Our schools are filled to capacity. This is supported by evidence from Head Teachers and Governors from the Infant and Junior Schools, and Linton Village College. The Infant School in particular has no room for expansion, given its site in the conservation area.
- ❑ Our schools take children from outside the village, as expected for a minor rural centre, so places taken by new residents would have a knock-on effect on neighbouring settlements. Local children are already being bussed to schools an unreasonable distance from Linton.
- ❑ The Medical Centre is re-organising to link with others in the area, partly due to pressure on the services. There is no public transport between the linked surgeries.
- ❑ The Medical Centre has a pharmacy for those outside the village. Linton residents have to use commercial pharmacies.
- ❑ The Community Warden supports 25 households to remain living independently on their own homes; the cumulative developments would swamp the care that could be provided
- ❑ The noise from the A1307 is significant for the village and for the site. The road noise is amplified by the valley so amelioration is essential for the site and the village in general.
- ❑ Lighting on site and from car headlights would create light pollution for neighbours
- ❑ This application does not fully address the utilities including water and other physical aspects. Sewage and foul water handling is not mentioned at all; the drains within the village are at or near capacity, using Victorian 6inch pipes in the village centre. The other infill developments being built in the village will absorb any current capacity. We already experience blockages and overflow of foul water sewers.

Summary:

- ❑ This development would bring significant harm to the character of the landscape, the historic area and the environment that far outweighs any benefit the housing would bring
- ❑ Building here would adversely affect water soak-away, adding to the river water levels and increasing the probability of flooding to our Special Conservation Areas and commercial village centre, and to sites and villages downstream.
- ❑ The effects on an already busy and dangerous Back Road, a rat run, would be unacceptable.
- ❑ The number of houses in the development appears to be undeliverable.
- ❑ Building here is not compatible with Linton continuing as a village community -a major reason we live here - and does not address the actual housing needs of current residents.
- ❑ This site is not sustainable by the criteria applied in the NPPF and should be rejected.

Conditions:

Subject to the above objections, any approval on this site should include:

- ❑ A suitable scheme of flood prevention measures. Land upstream is needed to compensate for loss of public amenity and to increase the active floodplain to balance the loss of soakaway caused by this development
- ❑ Road safety and capacity are major issues.
- ❑ Measures to protect the landscape and protected road verges must be included.
- ❑ Noise attenuation from the A1307 is needed for the site and the rest of the village, even without the additional burden of this development. This must be sympathetic to the landscape and local character.
- ❑ Safe pedestrian and cycle routes to be put in place - pavements, paths, etc
- ❑ Provision of sufficient education places to cope with the cumulative expansion of population
- ❑ Archaeological investigation of this site is needed, along with suitable protection of finds.
- ❑ Protection of the ancient hedges and areas of significant flora.
- ❑ The maintenance of the SuDS .
- ❑ During construction the damage to Back Road would be considerable, routes through Linton would not be practical - just how would materials get to the site?

❑

Inconsistencies and inaccuracies in the applications are worrying and need further investigation.

Linton Parish Councils recommendation: To Object.

To refer to full Planning Committee at South Cambridge District Council.

Back Road, Linton s/0096/17/OL - Further LPC comments on Landscape amendment

The landscape character and setting would indeed be affected, as well as the long views over Chalk landscape to the listed Rivey Tower, and beyond. The visual effect on the landscape would be unacceptable.

There are also concerns relating to the impact line, as this covers the Medieval fish ponds and Moat at Little Linton; development would have a wider impact than first envisaged.

Please see the original comments sent by LPC.

The amendment does not recognise that Linton is in a river valley, the site of the development being on rising ground and very conspicuous from the approach roads from Hildersham and Cambridge. The site is also clearly visible from the A1307 and building here would be particularly conspicuous on the rising ground across the valley.

This area around Rivey Hill and Furze Hill contains sites of Special Scenic Interest, Sites of Special Scientific Interest, protected verges due to their significant flora, and is a good example of Local Character Landscape. There are many historic sites in the area (see comments on Archaeology)

The housing opposite the site is set low, well down into the valley, so that it minimises the landscape impact to the approach to Linton. This development, set well up the hill, would be prominent and harm the natural scenic character of the area.

The proposed woodland mitigation would be inappropriate in this area - the character landscape is of low hedges with intermittent copses on the upper reaches. Planting of trees would not screen the housing, but would increase the impact of the development once they had grown sufficiently to be a barrier. The screening trees and hedges would need to be managed and cared for - this could not be guaranteed once the properties had been sold and occupied.

Screening planting at the northern boundary is said to be compatible with that on the southern boundary. The southern boundary is a protected road verge noted for its wildflower species, with low hedging and just a few trees. Such boundary treatment would not screen the development, which would be clearly visible from the Rivey hill and Icknield Way.

Visual effects - From the south, housing would be seen across the river valley, or looking upward from The Woodlands and Back Lane. As such, the buildings would appear more imposing due to their being on rising ground.

The long views on the approach to Linton would be interrupted by housing and screening planting, marring the appreciation of our countryside.

The edge to the village is of soft contours and low hedging; housing would interrupt the character landscape and rural views.

The proposed housing does not preserve the character of the local landscape, fields, meadows and softer edge of this rural village. It would harm the character of the area and setting of the village. The visual effect on the landscape would be unacceptable and detrimental to the historic village.

The statement acknowledges that there is an element of subjectivity in the assessment of landscape and visual effects, but this is the scenery that we live with every day. We deserve to have the landscape preserved and not harmed by inappropriate development.

Back Road, Linton s/0096/17/OL - Further comments on amended Ecology Submission

The development site is currently an arable field, sometimes with less than attractive crops but it does form part of the long views over rolling chalkland, with hedges and ancient woodland with a wide range of native species. It is part of the setting of the village, which nestles into the contours. Housing here would disrupt the setting and affect the natural scenery

Section 3.10 of the amended report states that "*All established trees on-site were inspected and assessed in terms of their potential to support roosting bats*". There are no such trees on the site, but many outside the redline, in the ancient Rivey Wood just uphill of the site, not in ownership of the developer. It is here that there would be bats and other protected species (section 4.8), affected by the lights and bulk of the building disrupting their flightpaths.

In section 4.19 and 4.20, "*Verge 3, located off-site at the eastern site boundary of A2 runs adjacent to a bare track (public bridleway)*" This might not contain sufficient species to be meet the criteria for county importance. However, this track is part of The Icknield Way and the area has wider importance.

Section 5.35 notes the use of the "bridleway" which runs on to Rivey Wood. The woods in this area are private property managed for game breeding and shooting, and already with issues regarding the dogs that affect the birds. The walking of dogs on-site only is unlikely with these wilder spaces for them to run: further pressure is expected on the ancient woodland and its inhabitants.

4.26, 4.27 Paines Pasture, an area of broadleaved woodland, located off-site runs adjacent to the northern site boundary, is considered to be of ecological importance at the Local level. The encroachment of housing to this area would be detrimental to this ancient woodland.

As stated in the application, this site is in flood risk zone 1, but this refers to river flooding, not surface water flooding, which is the actual problem here. We are not confident that the SUDS scheme would cope with the surface water that floods from the hill (section 5.20). This will lead to overspill at times when rainfall and surface water flooding are greatest, as the water does not ultimately lead to a natural watercourse. Open SUDS ponds will be a hazard to safety and health, even in dry weather..

Section 5.8 notes that "*the surface water drainage solution for the Site will be designed to prevent significant additional run-off from the Site into the River Granta*". It is the surface water flooding, spilling down the hill, over the road and into housing that is the concern. Another concern is that these ponds would fill, then overflow; any wildlife that might have established in the pond or its margin will be regularly disrupted. Dry ponds will be breeding grounds for mosquitoes; we have Anopheles mosquitoes in the area which can transmit malaria - once known a Fen Ague.

There are concerns with the proposed overall design and lighting interfering with wildlife and bat flight paths. The Council also has further concerns regarding the ancient hedge, woodland and effects on the Icknield Way. Once build could the legal obligations of wildlife protection law be enforced on residents? The mitigation measures proposed for the site would be outside the redline, are not owned by the applicant and are not deliverable.

Back Road development site s/0096/17/OL
Further LPC comments on the amended Archaeology Statement

The site comprising of fields on the North Western side of the village of Linton is of unknown archaeological significance, as it has not yet been surveyed. However, it lies in the proximity of the site at Little Linton which has been clearly shown to have been occupied since Prehistoric times. A great range of finds from Prehistoric to Medieval was revealed during work in the 1920's and then again in the excavations for a sewage pipeline from Linton into Cow Gallery Wood in 1992. The Little Linton site has yielded many monuments and items; possibly only revealed because this small area has been subjected to compulsory digs consequent to pipe laying, agricultural activity and building works.

Aerial photographs (1945) show evidence of a barrow cemetery both on and in the close vicinity of the site. Full evaluation of the site, especially in the area of the barrow cemetery would be needed before any consent is granted - it would not be enough to have this addressed by conditioning.

The highly visible Medieval Moat, Manor and fishponds (CHER 02413) TL 555 474 are in close proximity to the proposed development site TL 557 478 ?, and within the blue line drawn on the application plans as the "line of influence". Similarly when the Village College (TL555 470) was surveyed before building works, nine examples of occupation and detailed finds ranging from Neolithic to post-Medieval were identified (including: MCB19262, MCB18217, MCB18215, MCB19518). The finds include significant Saxon occupation evidence and inhumations (MCB18214).

Of note are the substantial inter-connecting roadways across this area. Primarily, the Via Devana (CHER 07970 TL 549 512) running throughout the entire Cambridge region but a particular stretch known as Worstead Street runs from the Chilford Hall site to the Gog Magog Hills a line which potentially crosses the fields in question. This is known locally as "The Roman Road".

Another road of importance is situated immediately adjacent to the site itself, which has yet to be examined for archaeology. This is the Ickniel Way, an ancient roadway which runs from Norfolk to Wiltshire, and noted as a "track" in the application.

The village as a whole is laden with evidence of continual occupation for the past 5,000 years. Archaeological investigations to the south of Cambridge Road revealed evidence of Iron Age occupation (ECB2922) and Roman villa and Bathhouse (CHER 9841). Further Anglo-Saxon cemetery evidence is located to the south east at Bartlow Road (MCB16249).

Other nearby listed buildings, within easy walking distance of the site, not including the Special Conservation area:

- II Wardens House to North of the Village College
- II Linton Village College
- II The Gazebo to East of Little Linton Farmhouse
- II Symonds House
- II Little Linton Farmhouse
- II Two Barns to East of East West Range of Barns West of Little Linton Farmhouse
- II Barn to North of Little Linton Farmhouse
- II Barn to West of East West Range of Barns West of Little Linton Farmhouse
- II The Peste House, Symond's Lane.
- II Clapper Stile to north-west of the Village College and west of the Recreation Ground

It seems that wherever the archaeological surveys look in the immediate area of this site, and even in the broader area of the village, there are multiple finds of historic interest ranging across the

complete historical time span. The site of Linton village has been continuously occupied for 5,000 years and a complete archaeological survey of the highest possible intensity is required on this site if significant artefacts are not to be lost under insensitive development.

Full evaluation of the site, especially in the area of the barrow cemetery is essential before considering any building consent is granted - it would not be enough to have this addressed by conditioning.

**s/0096/17/OL Linton Back Road development site-
Further LPC comments on the amended Transport Statement**

The Gladman's development site lies on the North Western side of Linton village. It is only accessed by Back Road which becomes a single track lane less than 4m wide (3.6m) at its narrowest and on average 4.07m wide as it leaves the village towards Cambridge. The data provided by IcenI for Gladmans have surprised local residents but they have given flesh to the suspicions about how the traffic uses the Linton streets during the rush hours in the morning and evening. The developers are selling the traffic situation in Linton as one thing and we residents are seeing and experiencing something completely different.

The A1307 is the main through route for traffic from Suffolk and Essex to move into the Cambridge area, including commuter routes for the South and HGV routes to sea ports. The A1307 is a notorious and dangerous highway; where it passes through the village it dissects Linton across the top of our High Street. The numbers of vehicles have been measured regularly and found to be well in excess of the allowed limits for an S1 category road (latest measure Sept 2016) especially for the proportion of HGVs using the road. The data recorded by IcenI for Gladmans show that in the recorded 90 minutes morning rush hour 1042 vehicles (45 HGV) passed through the junction directly towards Cambridge and the A11. This was added to by 158 vehicles filtering into the traffic flow from Linton High Street, including 9 HGVs. This is the route promoted by the developer as favoured for the development exiting the village.

The truth shown by the IcenI report for Gladmans is that more vehicles chose to leave the village via the single carriageway of Back Road than through the junction where the High Street meets the A1307. In the morning, the data show 177 (5HGV) leaving the village via Back Road as opposed to 158 (9HGV) at the High St junction. The explanation for this difference may lie more in the lack of queuing on Back Road than the convenience of the road, it being only a narrow winding single carriageway. In the evening the difference is much more profound with 351 (15 HGV) coming into Linton on Back Road; nearly 7 times as many as enter the village at the A1307/High St Jn= 56 (4HGV).

Queueing times for the stream High St towards A1307/Cambridge a.m.

Time	No. Vehicle
8:00	3.1
8:15	17.3
8:30	30.0
8:45	15.6

Average delay 8:15=5.58min; 8:30=4.44 min

The vehicles arriving in Linton on Back Road from the Cambridge direction could only arise from either a junction with the A1307 at Abington or a junction with the A1307 at Hildersham or from within the village of Hildersham. An additional survey by IcenI for Gladmans have shown that these junctions are being used to access Linton. In the morning 151 (1HGV) leave the Back Road at Abington to join the A1307 towards Cambridge and 21 (0HGV) leave the A1307 to join Back Road

towards Linton. 19 Vehicles (0HGV) leave Hildersham toward Cambridge on the A1307 and 19 leave Hildersham towards Linton on the A1307. Thus in the morning the majority of vehicles recorded leaving Linton on Back Road seem to access the junction with the A1307 at Abingdon.

A survey conducted by Icen for Gladmans has shown that in the evening 311 vehicles (2HGV) leave the A1307 at Abington and 21 (0HGV) leave the A1307 at Hildersham which become 34 leaving Hildersham onto Back Road. Therefore the evening traffic recorded in Linton on Back Road appears to have originated from the A1307 at Abingdon.

The central part of Linton village has a one way system which funnels traffic down from the North East side of the village towards the High St/A1307 Junction, via the Coles Lane /Back Road intersection which has been missed off the Icen report for Gladmans. This intersection in the one way system is the only route onto Back Road from Horseheath, Bartlow Roads and High St until the Symond's Lane junction near the development site. The numbers of vehicles using the Coles Lane/ Back Road junction have to be inferred, but:

A.M. 287 vehicles come down the Horseheath Rd (5HGV) joined by 145 from Balsham Rd (7HGV) , 218 (11HGV) passing the Symond's Lane Jn near the Dog and Duck. These are joined by others, so that 246 (12HGV) hit top of High St. , where they queue to join the A1307. There are no data for traffic from Coles Lane feeding into Back Rd at the junction near the Cemetery .

432 at Jn 3 minus 218 at Jn 5=214 lost at Coles Lane.

138 recorded Back Rd before Symonds Lane

214-138=76 down Back Rd towards Post Office and Balsham Road.

At Symonds Lane Jn 127 + 48 =175.

Therefore: Coles Lane and the High St Junction with A1307 are feeding the majority of the traffic out of the village in the morning. The bulk of the numbers come from the Horseheath Rd and feed down through the one way system in the High St before separating to take either High Street jn or Back Road route out of the village. Thus the Coles Lane junction with the one-way part of the High Street becomes the key junction in the analysis and yet it has not been included in the data.

The next most important junction is the Back Road junction with Coles Lane at the cemetery and that has not been included either. It has struck me as odd from the very start that the analysis should include a short cul de sac at Hillway, but neglect the key throughway junction used by all the traffic leaving the village on the West side.

P.M.

351 vehicles come down Back Road (15HGV) into Linton village.

318 (8HGV) turn up Horseheath Rd at Fire Station jn (jn 3) 158 (1HGV) turn down High St. 107 (3HGV) Turn out at High St A1307 jn (jn 6) 101 (1 HGV) Turn towards Balsham at Back Rd jn this is another route towards Horseheath road via the farm vehicle access road at Wheatsheaf Way.

The flow of traffic in the evening is very much through the village from Back Road and out towards the Horseheath and Barlow roads and their junctions with the A1307 flowing towards Haverhill.

Other issues

Other traffic issues concern the times the data were collected. The figures for AM peak hour in terms of number of observed vehicles is from 7am to 8am, although the proportion of HGV's starts to go up from 8am. Within the village there are other peaks near school opening and closing times, the development site traffic would add to this due its distance from the schools and lack of pavements from the site into the village.

Within the village, the traffic flow issues are exacerbated by parked cars - effectively the High Street is a single lane for much of its length between Symond's Lane and the A1307 junction, the main through route. The rest of the High Street is part of the one-way system.

Similarly, Back Road is part of the one-way system from Coles Lane to Balsham Road junctions, the stretch from Coles Lane junction out of the village towards Hildersham being effectively single lane due to parked cars.

There are inconsistencies in the Transport Assessment Addendum. In addition to the confusing junction names, as described in Parish Council comments, other issues include:

the date of the traffic survey is listed in different places within the report as being on 3rd March, 2nd March, 2nd February and 1st March;

the scenarios presented are described in different places as 2017 observed and 2016 observed, also referring to 2021 base and 2021 development case as well as 2022 base and 2022 development case, elsewhere.

One substantive point relates to the capacity analysis of the A1307/Hildersham Road junction. The Design Manual for Roads and Bridges (TA23/81), www.standardsforhighways.co.uk/ha/standards/dmrb/vol6/section2/ta2381.pdf, in section 7.3 states that an RFC (Ratio of Flow to Capacity) of 85% should normally be used for appraising junctions, not the 100% theoretical maximum capacity used in the report.

The basis for the analysis of traffic growth and impact of this development is questioned. The predicted growth of junction use 2021 is approx 10% increase across all junctions. However, the figures suggest an 18% growth, if including committed development (growth plus developments agreed, but not including expected infill housing, and Horseheath Road planning application). Approved developments at Balsham and other villages would access the A1307 through Linton, further adding to traffic.

Data would be needed for the Horseheath Rd and Barlow Road Junctions with A1307 to correctly assess through traffic and the impact of additional traffic from this development.

It is to be noted that Back Lane from Symond's Lane to Abington is unlit. This narrow, winding lane - basically a cart track with a tarmac surface - is also a designated safer cycle route, and part of the "Greenways" strategy to promote cycling.

The width of Back Road (edge to edge of tarmac) for a substantial stretch is less than the 5m stated, 3.6m in parts and around 4m approaching Hildersham, The protected verges are currently being encroached upon - more traffic, especially HGVs would only lead to further damage.

Drivers try to avoid queuing or slow traffic on the A1307 by cutting through Linton using the Back Road - Bartlow/Horseheath Road or High Street - Bartlow/ Horseheath routes. The massive expansion of Haverhill, approved or applied for, will again add to the traffic problems of Linton.

Queuing traffic on High Street, idling traffic held up in congestion, etc, will create build-up of air pollution, additional to that of the slow and queuing traffic on the A1307, particularly around the top of the High Street. This will be worsened by additional traffic create by further development of Linton.

Conclusion

The basis of the traffic data analysis is flawed, data collection incomplete, presentation of results and identification of junctions is misleading.

From the traffic issues raised we conclude that this development is inappropriate for Linton and not sustainable.

Back Road (Hildersham/Back Road crossroads The Old Rectory, Hildersham)

To Pumping Station House, Back Rd, Linton, Cambridge CB21 4LQ (ca. 860 ms.)

Width from tarmac edge to tarmac edge: various locations taken 20.5.2017, 4.30 pm

Jean Kelly – jeshere1@yahoo.com

Enid Bald – enidsmith20@talktalk.net

	Location	Width – Metres	Width – Imperial
1	Hill Lodge (Hildersham/Back Road crossroads)	4.8	15 ft 9 ins
2	Hildersham allotments footpath/Back Road	4.24	13 ft 9 ins
3	250 yard sign	4.2	13 ft 8 ins
4	(Half-way between 250 yard sign and telegraph pole)	4.4	14 ft 4 ins
5	Telegraph pole and manhole cover	4.05	13 ft 2 ins
6	Between telegraph pole and large wooden gate	3.9	12 ft 8 ins
7	Large wooden gate	3.9	12 ft 8 ins
8	Large pothole	3.96	13 ft
9	Unidentified location	3.66	12 ft
10	BMC telephone cover	4.14	13 ft 6ins
11	Unidentified location	3.6	12 ft 10 ins
12	Unidentified location	4.5	14 ft 8 ins
13	Unidentified location	4.03	13 ft 2 ins
14	Unidentified location	4.03	13 ft 2 ins
15	Large haystack (Linton end)	4.05	13 ft 4 ins
16	At two telegraph/electricity poles (on opposite sides of Back Road)	4.1	13 ft 5 ins
16	Between two telegraph/electricity poles (on opposite sides of Back Road), pole to pole	7.25	23 ft 8 ins

Google Earth sites 1 to 16

https://www.google.co.uk/maps/@52.1171257,0.2577732,3a,75y,90h,91.86t/data=!3m6!1e1!3m4!1s3!ADuN0U_og!RoFy22vluQ!2e0!7!13312!8i6656

<https://www.google.co.uk/maps/@52.1119511,0.2662875,3a,75y,111.61h,94.53t/data=!3m6!1e1!3m4!1svvg6vQNAdWqDrfphAvZAgw!2e0!7!13312!8i6656>



Imagery ©2017 The GeoInformation Group, Map data ©2017 Google 102 m

LOCATIONS OF SACK LANE
MUSUNUS MOTORS (APPEND)

Heads of terms for the completion of a Section 106 agreement

Linton – Back Road (S/0096/17/OL)	
South Cambridgeshire District Council (Affordable Housing)	
Affordable housing percentage	40%
Affordable housing tenure	70% affordable rent and 30% Intermediate
Local connection criteria	First 8 to be subject to local connection criteria then 50/50 thereafter

Section 106 payments summary:

Item	Beneficiary	Estimated sum
Early years	CCC	£263,755
Primary Education	CCC	£597,890
Libraries and lifelong learning	CCC	£10,024.56
Transport	CCC	Unknown
Sports	SCDC	£107,000
Children's play	SCDC	£25,000
Indoor community space	SCDC	£48,000
Household waste bins	SCDC	£73.50 per house and £150 per flat
Monitoring	SCDC	£1,000
TOTAL		£1,051,670
TOTAL PER DWELLING		£11,070.21

Section 106 infrastructure summary:

Item	Beneficiary	Summary
LEAP	SCDC	Onsite play area serving 2-8 year olds

Planning condition infrastructure summary:

Item	Beneficiary	Summary

CAMBRIDGESHIRE COUNTY COUNCIL	
Ref	CCC1
Type	Early years
Policy	DP/4
Required	YES
Detail	<p>According to County Council guidance the development is expected to generate a net increase of 29 early years children of which section 106 contributions would be sought for 15 children.</p> <p>In the context of the complexities of the current arrangements of provision within the village and the need to engagement with a number of stakeholders the Council wishes to seek a contribution on the following basis:</p> <ul style="list-style-type: none"> - A 1FE expansion of provision at both the Infant and Junior School sites, or - The potential for use of this contribution to help secure a 1FE expansion in primary education provision elsewhere in Linton should the outcome of detailed consultation identify an alternative approach to securing sufficient education provision within the village. <p>Detailed consultation review work required before a project details can be confirmed. Cost of project is expected to be in the region of £4,150,000 for 210 places and 26 EY places.</p>
Quantum	£263,755 (£17,585 per pupil)
Fixed / Tariff	Tariff
Trigger	50% of the contribution upon commencement of development 50% payable prior to occupation of 50% of dwellings
Officer agreed	Yes
Applicant agreed	N/A
Number Pooled obligations	None

Ref	CCC2
Type	Primary School
Policy	DP/4
Required	YES
Detail	<p>According to County Council guidance the development is expected to generate a net increase of 34 primary school aged children</p> <p>In the context of the complexities of the current arrangements of provision within the village and the need to engagement with a number of stakeholders the Council wishes to seek a contribution on the following basis:</p> <ul style="list-style-type: none"> - A 1FE expansion of provision at both the Infant and Junior School sites, or - The potential for use of this contribution to help secure a 1FE expansion in primary education provision elsewhere in Linton should the outcome of detailed consultation identify an alternative approach to securing sufficient education provision within the village. <p>Detailed consultation review work required before a project details can be confirmed. Cost of project is expected to be in the region of £4,150,000 for 210 places and 26 EY places.</p>
Quantum	£597,890 (£17,585 per pupil)

Fixed / Tariff	Tariff
Trigger	50% of the contribution upon commencement of development 50% payable prior to occupation of 50% of dwellings
Officer agreed	Yes
Applicant agreed	N/A
Number Pooled obligations	None

Ref	CCC3
Type	Secondary school
Policy	DP/4
Required	YES
Detail	According to County Council guidance the development is expected to generate a net increase of 12.5 secondary school places. The catchment school is Linton Village College. County education officers have confirmed that there is sufficient capacity in the area to accommodate the places being generated by this development. Therefore no contribution for secondary education is required.

Ref	CCC4
Type	Libraries and lifelong learning
Policy	DP/4
Required	YES
Detail	The proposed increase in population from this development (95 dwellings x 2.5 average household size = 238 new residents) will put pressure on the library and lifelong learning service in the village. Linton library already serves a population of nearly 5,000 including the villages of Linton, Hildersham and Horseheath. A contribution of £42.12 per increasing population for enhancement to the library in Linton, a total of £10,024.56 (238 new residents X £42.12). This contribution would be used towards the reorganisation of the layout of Linton Library including the remodelling of the existing library counter, to enable extra shelving units and appropriate resources (both Adult and Junior) to be installed in the library to serve the additional residents.
Quantum	£10,024.56
Fixed / Tariff	Fixed
Trigger	100% payable prior to occupation of 50% of dwellings
Officer agreed	YES
Applicant agreed	N/A
Number Pooled obligations	None (although this will soon be 1 as the s106 for the Bartlow Road application is close to completion and a further 1 for Horseheath Road should the appeal be allowed)

Ref	CCC5
Type	Strategic waste
Policy	RECAP WMDG
Required	NO
Detail	Thriplow HRC has pooled 5 contributions since 6 April 2010

Ref	CCC6
Type	CCC monitoring
Policy	None
Required	NO
Detail	The District Council does not support County Council monitoring requests on the basis that (i) it is contrary to a Court of Appeal decision

Appendix 2

	on section 106 monitoring (ii) the District Council will undertake this function and share information with CCC and (iii) appeal decisions against SCDC have supported the position that the monitoring of financial contributions does not justify securing a monitoring fee. On this basis the Council considers that the request fails to satisfy the tests as set out in CIL Reg 122 and para 204 of the NPPF.
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Ref	CCC7
Type	Transport
Policy	TR/3
Required	Unknown at this stage
Detail	<p>Cambridgeshire County Council Transport Assessment Team report as follows:</p> <p>Insufficient detail has been presented to make a sound assessment. The below issues related to the Transport Assessment will need to be addressed before the transport implications of the development can be fully assessed.</p>
Quantum	Unknown at this stage
Fixed / Tariff	Unknown at this stage
Trigger	Unknown at this stage
Officer agreed	Unknown at this stage
Applicant agreed	N/A
Number Pooled obligations	Unknown at this stage

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL	
Ref	SCDC1
Type	Sport
Policy	SF/10
Required	YES
Detail	<p>The recreation study of 2013 highlighted that Linton had a deficient level of sports space against South Cambs policies (i.e. the policy requires 7.22 hectares whereas the village only has 3.03 hectares). The study also said that there is a “need for an additional football pitch to meet local need and improved drainage at the existing facility. The cricket club also require an additional pitch to meet the demand for additional junior teams”. It also said the football pitches are prone to flooding.</p> <p>Linton Parish Council has therefore put forward projects that would be located on the recreation ground. These projects include:</p> <ul style="list-style-type: none"> • Outdoor gym equipment • Changing the bowling green for possible use as Multi Use Games Area, sports/football training area, tennis court, etc. • Tennis courts at Linton Village College • Land acquisition <p>The SPD also establishes the quantum of offsite financial contributions in the event that the full level of onsite open space is not being provided:</p> <p>1 bed: £625.73 2 bed: £817.17, 3 bed: £1,130.04 4+ bed: £1,550.31</p>
Quantum	£107,000 (est)
Fixed / Tariff	Tariff
Trigger	To be paid prior to the occupations of 50% of the dwellings (in each phase if more than one reserved matters application submitted)
Officer agreed	YES
Applicant agreed	N/A
Number Pooled obligations	None (although this will soon be 1 as the s106 for the Bartlow Road application is close to completion and a further 1 for Horseheath Road should the appeal be allowed)
Ref	SCDC2
Type	Children’s play space
Policy	SF/10
Required	YES
Detail	<p>The Recreation and Open Space Study July 2013, forming part of the Local Plan submission, showed that Linton needed 3.61 ha Children’s Play Space whereas the village had 0.20, i.e. a deficit of 3.41 ha of Children’s Play Space.</p> <p>The developer will also be required to provide a locally equipped area for play (LEAP) in accordance with the open space in new developments SPD to meet the needs of 2-8 year olds.</p> <p>Further the developer will be required to make a financial contribution of £25,000 in order to provide facilities to meet the needs of 8-14 year olds and Linton Parish Council has identified a number of local projects including</p>

	<ul style="list-style-type: none"> • Play equipment • Trim trail • Climbing wall • BMX/Skate park <p>Further the applicant is proposing that 2.98 ha of formal and informal open space (more than 48% of the gross site outline application area) is to be provided. If this is to be a material factor in the determination of the application then this area (and its future maintenance) will need to be secured through a section 106 agreement.</p>
Quantum	£25,000
Fixed / Tariff	Fixed
Trigger	LEAP to be laid out and available for use prior to the occupation of 50% of the dwellings Offsite contribution payable prior to occupation of 50% dwellings
Officer agreed	YES
Applicant agreed	N/A
Number Pooled obligations	None

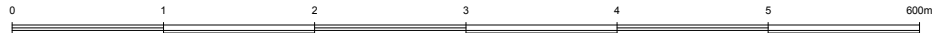
Ref	SCDC3
Type	Offsite indoor community space
Policy	DP/4
Required	YES
Detail	<p>In accordance with Development Control Policy DP/4 infrastructure and new developments, all residential developments generate a need for the provision of, or improvement to, indoor community facilities. Where this impact is not mitigated through onsite provision a financial contribution towards offsite improvement works will be required.</p> <p>The Council undertook an external audit and needs assessment undertaken in 2009, in respect of all primary community facilities in each village. The purpose of this audit was threefold (i) to make a recommendation as to the indoor space requirements across the District (ii) to make a recommendation on the type of indoor space based on each settlement category and (iii) make a recommendation as to the level of developer contributions that should be sought to meet both the quantity and quality space standard.</p> <p>Whilst not formally adopted as an SPD, this informal approach was considered and approved at the Planning and New Communities portfolio holder's meeting on 5th December 2009 and has been applied since.</p> <p>The community facilities audit of 2009 highlighted that Linton had a deficient level of indoor community space against South Cambs policies (i.e. the policy requires 111m² per 1000 people therefore Linton requires 488m² of space, whereas the village only has 160m²). The study also highlighted that a number of improvements should be made to Linton Village Hall.</p> <p>Linton Village Hall is run by a charity and is said to accommodate 170 seated, 200 standing. It holds entertainment licence but no alcohol licence, no public dances, disabled access and toilet, basic kitchen available but no food preparation allowed on the premises. Evening functions should end by 11.45pm (source Cambridgeshire.net website).</p>

	<p>As such Linton Village Hall is not considered to satisfy South Cambs indoor community facility standards from a quality perspective as well as quantity.</p> <p>If the application were to be approved then Linton Parish Council would look to either (i) fund several internal and external improvements to Linton Village Hall or (ii) build a multipurpose community centre with a focus aimed at young people and which will be available for hire by scouts, guides, brownies and other users.</p> <p>Likely projects to improve Linton Village Hall include:</p> <ul style="list-style-type: none"> • Renovate/modernise the kitchen (mainly dates from 1970s) • refurbish the ladies' and gents' toilets, • Redesign the foyer to create a modern look and feel • Re-model the front façade to make it more attractive. <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>
Quantum	Circa £48,000
Fixed / Tariff	Tariff
Trigger	To be paid prior to the occupations of 50% of the dwellings in each phase
Officer agreed	YES
Applicant agreed	N/A
Number Pooled obligations	None (although this will soon be 1 as the s106 for the Bartlow Road application is close to completion and a further 1 for Horseheath Road should the appeal be allowed)

Ref	SCDC4
Type	Household waste receptacles
Policy	RECAP WMDG
Required	YES
Detail	£73.50 per house and £150 per flat
Quantum	See above
Fixed / Tariff	Tariff
Trigger	Paid in full prior to commencement of each phase
Officer agreed	YES
Applicant agreed	N/A
Number Pooled obligations	None

Ref	SCDC5
Type	S106 Monitoring
Policy	Portfolio holder approved policy
Required	YES
Detail	To actively monitor the delivery of affordable housing, onsite open space and play equipment and thereafter to ensure the open space and play equipment is maintained.
Quantum	£1,000
Fixed / Tariff	Fixed
Trigger	Paid in full prior to commencement of development
Officer agreed	YES
Applicant agreed	N/A

Number Pooled obligations	None
Ref	SCDC6
Type	Onsite open space and play area maintenance
Policy	
Required	YES
Detail	<p>Paragraph 2.19 of the Open Space in New Developments SPD advises that 'for new developments, it is the developer's responsibility to ensure that the open space and facilities are available to the community in perpetuity and that satisfactory long-term levels of management and maintenance are guaranteed'. The Council therefore requires that the on-site provision for the informal open space and the future maintenance of these areas is secured through a S106 Agreement. Para 2.21 advises that 'if a developer, in consultation with the District Council and Parish Council, decides to transfer the site to a management company, the District Council will require appropriate conditions to ensure public access and appropriate arrangements in the event that the management company becomes insolvent (a developer guarantee)'.</p> <p>It is the Local Planning Authority's preference that the public open space is offered to the Parish Council for adoption, recognising that the Parish Council has the right to refuse any such offer.</p> <p>If the Parish Council is not minded to adopt onsite public open space the owner will be required to provide a developer guarantee of sufficient value to be a worthwhile guarantee. Furthermore with the details of the guarantee and guarantor would need to be submitted to and approved in writing by the Council prior to commencement of development. Should this not be forthcoming the planning obligation will also be required to include arrangements whereby the long term management responsibility of the open space areas and play areas passes to plot purchasers in the event of default.</p>
Quantum	
Fixed / Tariff	
Trigger	
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None



FOR INTERNAL USE ONLY

Scale - 1:5000

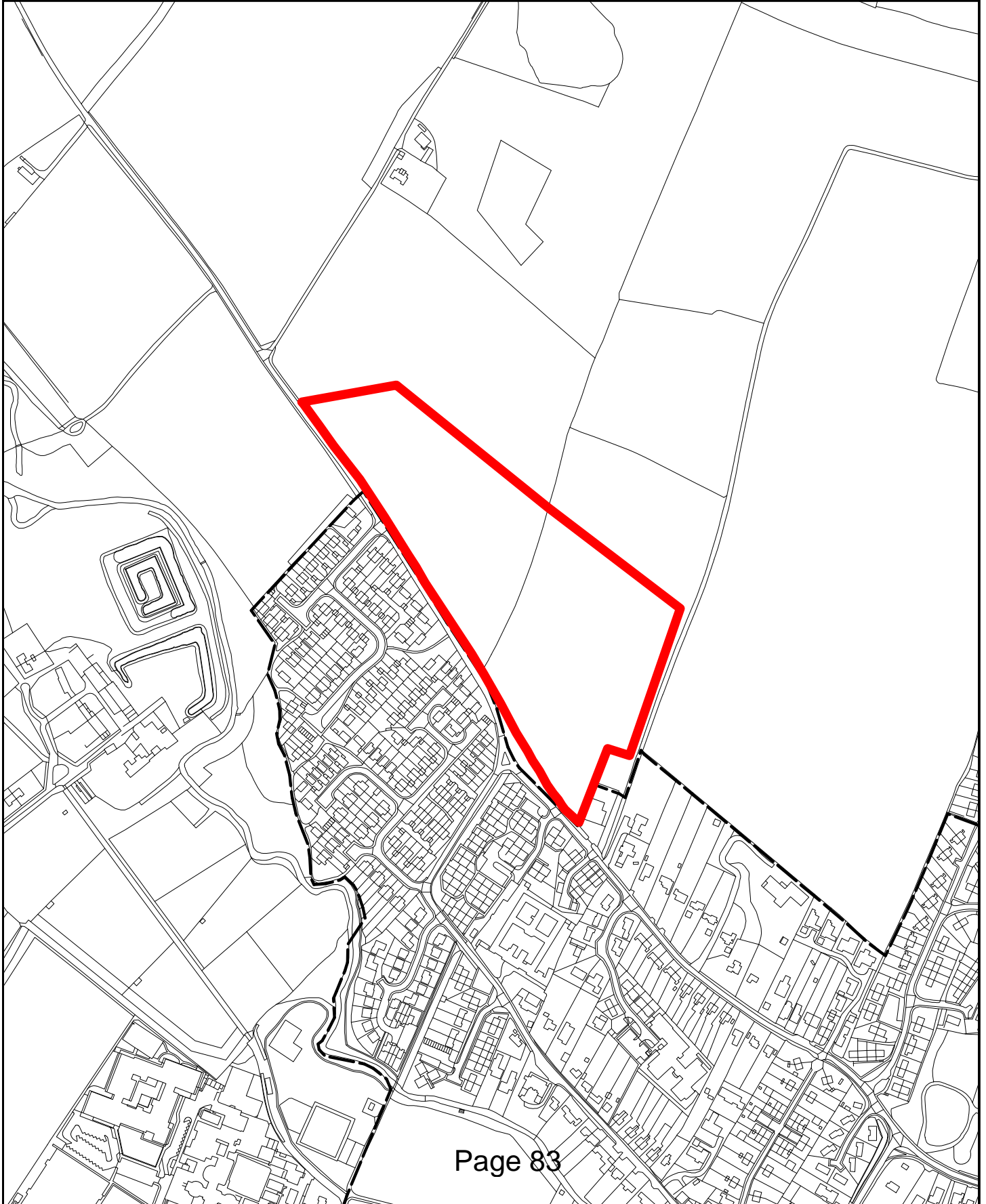
Time of plot: 12:08

Date of plot: 22/06/2017



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Cambridgeshire
District Council**

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Agenda Item 6

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

5 July 2017

AUTHOR/S: Joint Director for Planning and Economic Development

Application Number:	S/1901/16/OL
Parish(es):	Meldreth
Proposal:	Outline planning permission for a mixed use development (up to 150 dwellings, public open space and new technology plant), new car park and access for Sports and Social Club and associated infrastructure. All matters reserved with the exception of the means of access
Site address:	Land at Eternit UK, Whaddon Road, Meldreth SG8 5RL
Applicant(s):	Mr James Munnery, Footprint Land and Property
Recommendation:	Delegated approval (to complete section 106 agreement)
Key material considerations:	Five year supply of housing land Principle of development (including redevelopment of a brownfield site) Density of development Affordable housing (including viability considerations) Character of the village edge and surrounding landscape Highway safety Residential amenity of neighbouring properties Surface water and foul water drainage Remediation of contaminated land Trees Ecology Provision of formal and informal open space Section 106 Contributions
Committee Site Visit:	4 July 2017
Departure Application:	Yes (advertised 16 August 2016)
Presenting Officer:	David Thompson, Principal Planning Officer
Application brought to Committee because:	Approval of the planning application would represent a departure from the Local Plan and would be contrary to the recommendations of Meldreth and Whaddon Parish Councils.
Date by which decision due:	06 July 2017 (Extension of time agreed)

Executive Summary

1. The proposal represents a significant scale of development on a contaminated brownfield site outside the Meldreth village framework. The proposal would also involve the loss of a large part of the site, which is proposed to be designated as an Established Employment Area under policy E/15 of the emerging Local Plan, through redevelopment for residential. However, the planning application does include the provision of a 2,500 square metre building to be used for industrial purposes, on the part of the site to be retained for commercial use. Evidence has been provided which indicates that the number of people employed at the site would substantially increase as a result of the proposal. The new industrial building would compensate for the loss of the existing buildings, which have become largely redundant following advances in manufacturing techniques.
2. Following the receipt of additional information, none of the Council's internal consultees have recommended refusal. There are no objections to the proposals from the Highway Authority, the Flood Risk Authority or the Environment Agency. The indicative proposals are considered to demonstrate that the residential amenity of neighbouring properties would be preserved and the density of development would allow sufficient space to be retained between the buildings to preserve the residential amenity of the future occupants of the development.
3. The proposal includes the provision of 25% affordable housing on site. Based on the evidence provided, this is considered to be the level at which the scheme remains financially viable, given the extent of the contamination on the site and associated remediation costs.
4. In terms of its locational sustainability, it is acknowledged that the site is further than would be considered reasonable walking distance from Meldreth railway station. However, mitigation measures include a financial contribution to extend the community transport facility secured as part of the New Road scheme in Melbourn, improvements to the cycle way as well as footway links between the site and the train station would enhance more sustainable modes of travel to the rail station. In addition, it should be noted that even if residents of the development drive from the site to Meldreth train station, the majority of the journey to Cambridge or Royston would be via public transport, reducing the environmental harm arising from the scheme.
5. Overall, it is considered that the significant contribution the proposal would make to the deficit in the Council's five year housing land supply and the economic benefit of the additional employment that would result from the development outweigh the harm resulting from the environmental disbenefits (additional trip generation), the limited landscape harm arising from the scheme and the conflict with adopted policies DP/1(a) and DP/7 given the development is proposed on land outside the development framework for Meldreth. None of these disbenefits are considered to result in significant and demonstrable harm and therefore, it is considered that the proposal achieves the definition of sustainable development as set out in the NPPF.

Relevant Planning History

6. The below is not an exhaustive list of the planning history of the site but is considered to include the most relevant applications, explaining the development of the site and affecting this application:

S/2228/16/E1- Environmental Impact Assessment (EIA) Screening Opinion for

development of mixed use development of up to 150 dwellings and associated infrastructure, and a new technology plant, along with new access and car park associated with the Sports and Social Club – not considered to be EIA development.

S/0392/07/CM (application determined by Cambridgeshire County Council as the Local Planning Authority for minerals and waste development) – final restoration of landscaping of a former closed gate landfill by the importation of inert waste materials (land to the north of the application site) - approved.

S/506/94/F – erection of Sports Club building – approved.

S/1302/91/F – extension to offices -approved

S/1113/89/F – vehicular access extension to yard area and gatehouse – approved.

SC/0052/62 - erection of building for the manufacture of asbestos cement products – approved.

National Guidance

7. National Planning Policy Framework 2012 (NPPF)
Planning Practice Guidance

Development Plan Policies

The extent to which any of the following policies are out of date and the weight to be attached to them is addressed later in the report.

8. **South Cambridgeshire LDF Core Strategy DPD, 2007**

ST/2 Housing Provision

ST/3 Re-using previously developed land and buildings

ST/6 Group Villages

ST/8 Employment Provision

9. **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

ET/6 Loss of Rural Employment to Non-Employment Uses

HG/1 Housing Density

HG/2 Housing Mix

HG/3 Affordable Housing

HG/4 Affordable Housing Subsidy

NE/1 Energy Efficiency

NE/3 Renewable Energy Technologies in New Development

NE/4 Landscape Character Areas

NE/6 Biodiversity

NE/8 Groundwater

NE/9 Water and Drainage Infrastructure

NE/11 Flood Risk

NE/12 Water Conservation

NE/14 Lighting Proposals

NE/15 Noise Pollution

NE/17 Protecting High Quality Agricultural Land

CH/2 Archaeological Sites
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
TR/3 Mitigating Travel Impact

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
Development Affecting Conservation Areas SPD – Adopted January 2009

11. **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/10 Group Villages
HQ/1 Design Principles
H/7 Housing Density
H/8 Housing Mix
H/9 Affordable Housing
NH/2 Protecting and Enhancing Landscape Character
NH/3 Protecting Agricultural Land
NH/4 Biodiversity
NH/14 Heritage Assets
E/14 Loss of Employment Land to Non Employment Uses
E/15 Established Employment Areas
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
SC/2 Heath Impact Assessment
SC/6 Indoor Community Facilities
SC/7 Outdoor Playspace, Informal Open Space, and New Developments
SC/8 Open Space Standards
SC/10 Lighting Proposals
SC/11 Noise Pollution
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision
TI/8 Infrastructure and New Developments

Consultation

12. **Meldreth Parish Council** – strongly objects to the proposed development, giving the following reasons (summarised).

- There are 55 residents in Whaddon who are on the Affordable Housing Register. The under provision of affordable housing on the site is a key weakness of the scheme.
- The size of the development and the resulting increase in the housing stock in the village (equivalent to a 19% increase on the existing village) is considered to be of a scale that would have a detrimental impact on the character and appearance of Meldreth and would place an unsustainable burden on the capacity of services and facilities within the locality.
- The site is located further away from the services and facilities in the village than would normally be considered a reasonable walking distance. This ensures that occupants of the development would be reliant on the private car to make journeys to access these facilities, which would make existing problems associated with traffic congestion in Meldreth, particularly on the High Street, worse.
- There are existing congestion problems at Whaddon Gap on the A1198 and overflow parking from the railway station causes significant highway safety problems in the centre of the village. These situations would be made worse should the development be approved.
- The lack of capacity at the railway station car park is a problem that will be further exacerbated by the impact of the development of 199 houses at New Road in Melbourn. If this proposal is also approved, the problems will be further worsened.
- The decontamination of the site will involve a number of environmental risks which the application fails to fully address. Hazardous materials are likely to be encountered which could result in unacceptable health risks to nearby residents.
- The Parish Council conducted a survey of residents of Meldreth in August/September 2016. Forms were delivered to every residence in the village and an online questionnaire was produced. There were 900 surveys delivered and 562 people responded. Of those, 80% did not support the proposals, 17% did support the proposals and 3% did not express a definitive view either way.
- The survey of residents also asked whether the facilities in the village could cope with the additional population of the proposed development. In response, 88% of residents did not think that the facilities could cope, 9% felt that they could and 3% did not express a definitive view either way. Therefore, the overwhelming view of residents is that the services and facilities within Meldreth would not be able to accommodate the additional demands placed upon them by the population of the proposed development. The main areas of concern with regard capacity were in relation to health and education provision and the capacity of the road network. The impact on the environment and transport services were also major concerns, as was the under provision of affordable housing within the development.

13. In relation to the re-consultation exercise conducted on the receipt of additional information in relation to pedestrian and cycle connectivity from the site to Meldreth train station, Meldreth parish Council re-iterated their strong objection to the development. Concerns remain in relation to the safety of the proposed access

arrangements and the safety of the proposed cycle and footway routes, which are to be lit via 'runway lighting.'

14. **Whaddon Parish Council** – objects to the proposed development on the following grounds (summarised):
- The proposal would result in residential development in an unsustainable location, beyond walking distance from services and facilities.
 - The proposal would be of a scale that would be harmful to the rural character of the surrounding landscape and would overwhelm the limited facilities available in Whaddon.
 - There are environmental risks associated with the contamination on the site that ensure that the land is not suitable for residential development and disturbance of the ground could have an adverse impact on the health of nearby residents.
 - The site is poorly served by public transport and is beyond reasonable walking distance to Meldreth railway station. The car parking facilities at Meldreth and Royston station do not have the capacity to accommodate additional development as they are already congested.
 - There are existing congestion problems at Whaddon Gap on the A1198 and problems associated with speeding traffic through Whaddon village. These problems would be exacerbated by the proposed development.
 - Concerns raised in relation to the safety of the proposed access arrangements. The access to the development would be on a blind bend and would present a danger to vehicles approaching the site from Meldreth and entering the development via a right turn.
 - Services such as the doctors surgery in Melbourn, the primary school in Meldreth and the Village College in Melbourn would not be able to accommodate the additional demands placed upon them by the population of the proposed development.
 - The scheme does not make sufficient provision for affordable housing, for which there is an identified need in this part of the District.
15. **Carter Jonas (consultants appointed to assess the applicant's viability appraisal)** - having reviewed the initial viability report submitted with the planning application, and the assessment of anticipated costs associated with the remediation of the contamination on the site, conclude that the Council should seek a minimum of 25% affordable housing on the site, subject to a review clause. The review clause should be a fair mechanism for both parties to ensure that the maximum viable amount of affordable housing is achieved on site.
16. **District Council Environmental Health Officer (EHO)** – The Public Health Specialist has commented that the Health Impact Assessment has been assessed as meeting the required standard of the SPD Policy. The scheme is therefore acceptable in this regard.
17. A noise impact assessment has been included with the planning application. An assessment of the potential noise generated by traffic on Whaddon Road and the impact that this may have on the residential amenity of the occupants of the properties in the southern part of the development is included within the survey and mitigation measures are proposed. The mitigation measures suggested in the report are considered to be acceptable in principle but further details in terms of specification of the acoustic fencing etc. are required. In addition, a full assessment of the impact of traffic associated with the commercial use to be retained on the site will be required, although it is considered that the resulting noise levels would not have a significant

adverse impact on the amenity of the occupants of the proposed development. These details can be secured by condition.

18. Noise, vibration and dust minimisation plans will be required to ensure that the construction phase of the scheme would not have an adverse impact on the amenity of neighbouring residents. These details shall be secured by condition, along with a restriction on the hours during which power operated machinery should be used during the construction phase of the development and details of the phasing of the development.
19. The applicant will be required to complete a Waste Design Toolkit at the reserved matters stage in order to show how it is intended to address the waste management infrastructure, and technical requirements within the RECAP Waste Management Design Guide. In addition conditions should secure the submission of a Site Waste Management Plan. Provision of domestic waste receptacles by the developer will be secured via the Section 106 agreement.
20. **District Council Contaminated Land Officer** – No objection. The Phase 1 and 2 surveys submitted in support of the application indicate that there are widespread sources of contamination across the site. A number of recommendations are made in relation to further works required. These include: investigation of resin stores and coating stores to explore the full extent of contamination in these areas, further assessment of petroleum hydrocarbons and potential contaminants in the water below ground level, a strategy detailing remediation methods and the management of materials being removed being produced and further investigation of the former industrial processing areas of the site being agreed. These details will be required prior to the preparation of detailed plans for the redevelopment of the site. These details can be secured by condition at the outline stage.
21. **Air Quality Officer** – No objection. To ensure that sensitive receptors in the vicinity of the development are not affected by the negative impact of construction work such as dust and noise, as well as ensuring that the applicant complies with the Council's low emission strategy for a development of this scale, conditions should be included that require the submission of a Construction Environmental Management Plan/Dust Management Plan, and an electronic vehicle charging infrastructure strategy.
22. **District Council Urban Design Officer** – no objection to the principle of development. The development of 150 houses on approx. 7.6 hectares of land equates to a density of approximately 20 dwellings per hectare. This would be an appropriately low density of development given the rural location of the site. The proposal indicated development backing on to Whaddon Road at the southern edge of the development. This would not respect the prevailing character of development along Whaddon Road, where development fronts outwards, presenting an active frontage to the highway.
23. It is acknowledged, however, that this is detail issue which could be resolved at the reserved matters stage, as the indicative internal road layout could be altered to facilitate this change in the orientation of those plots. The existing award watercourse should be enhanced as part of the development and the hedgerow which runs between the two north-south aligned hedgerows should also be retained. There is a need to develop design briefs for each of the character areas as some of the areas of space between plots and the relationships between buildings shown on the indicative layout are not acceptable. These details should be resolved at the reserved matter stage. A condition is recommended to limit the heights of buildings to two storeys, to reflect the rural character of the site.

24. **District Council Landscape Design Officer** – expresses some concerns regarding the development of the eastern section of the development (projecting north/south) which results in an extension eastwards into the open countryside. As noted in the urban design comments, the award watercourse should not be culverted and should be a positive feature of the proposed development and the adjacent hedgerow retained. The scheme has been amended to ensure that the hedgerow frontage along Whaddon Road would be retained, with the proposed pedestrian/cycle link to Fenny End now sited behind this. There is a need to carefully consider the location of structural landscaping and open space within the site at the reserved matter stage.
25. **Cambridgeshire County Council Local Highway Authority** – following the submission of additional information, the Major Developments team have no objections to the proposals, subject to the required mitigation measures being secured. The combined trip generation of the commercial and residential development would result in 157 two way trips in the morning peak period and 154 two way trips in the evening peak period. The mitigation measures will include improvements to the bus stops on Kneesworth Road, near West Way, in addition to a contribution towards a community transport facility. The additional survey information provided assesses the impact of the additional traffic on key junctions, including the Station Road/High Street junction in Meldreth. An additional 54 trips would travel through the Whitcroft Road/ High Street junction in the morning peak time, with the same number during the evening peak period. An additional 28 vehicles would use the A10 junction during the morning peak period, 26 in the evening peak period. The survey information is considered sufficient to demonstrate that the development would not result in a significant impact on the capacity of the highway network.
26. In relation to the proposed access arrangements to the development, the Local Highway Authority has removed its initial objection, following the removal of the separate access to the Sports and Social Club and the submission of a Safety Audit in relation to the proposed access to the residential development. A number of conditions are requested covering the following issues: the level and surface material of the access should prevent displacement onto the highway, the detail of the construction of the access, the closure of existing accesses that are to become redundant, the timing of the completion of the pedestrian/cycle way link and the approval of a construction management plan prior to the commencement of development.
27. **Cambridgeshire County Council Historic Environment Team (Archaeology)** – No objection raised. The site is considered to be in a part of the District which is of high archaeological potential. There is artefact evidence of pre-historic occupation and there is evidence of Iron Age occupation, cropmark evidence of trackways and rectangular enclosures, as well as Roman remains to the south of the site. Hoback Farm Moat and enclosure and other features listed on the Historic Environment Record (HER) are located to the west of the site. There is further evidence of moats and post-mediaeval occupation of land to the south east of the site. It is considered that a condition can be imposed at the outline stage requiring further investigative work to be undertaken to ensure that any features of archaeological significance are not harmed by the redevelopment of the site.
28. **Cambridgeshire County Council Flood & Water Team** – no objection to the revised proposals. The revised Flood Risk Assessment (FRA) indicates that surface water attenuation measures allowing for 1890 metres cubed surface water to be managed on site and discharged to adjacent watercourses at a rate of 19 litres per second would be incorporated within the development. A condition requiring full

details of the attenuation measures to be adopted can be attached to the outline planning permission and details of the management and maintenance of the drainage systems can be included in the Section 106 Agreement.

29. **NHS England** - state that Melbourn surgery does not currently have capacity to accommodate the projected additional demand that will result from this development. On the basis of their calculation, NHS England have requested a sum of £49,380 to provide an additional 24.69 square metres of floorspace to accommodate the additional approximately 360 anticipated population increase (nb. Different projection to the County Council figure in this regard).

30. **Environment Agency** – No objection to the proposed development on the basis that a condition is attached to the planning permission requiring a remediation strategy dealing with the sources of contamination on the site is submitted to and approved in writing by the Local Planning Authority. Conditions also requested in relation to the prevention of access to the adjacent landfill site, details of surface water drainage measures and measures to be undertaken if piled foundations are to be used.

31. **Anglian Water**

Wastewater treatment – The foul drainage from this development is in the catchment of Melbourn 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.

Foul Sewage Network – The applicant will be required to develop a foul water drainage strategy that is acceptable to Anglian Water in order to mitigate the impact of the additional flows from the development. These details will need to be secured by condition at this outline stage.

Surface Water Disposal – The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last resort. Anglian Water and the Lead Local Flood Authority will need to be consulted on the detailed surface water drainage strategy for the development, which can be secured by condition at this outline stage.

There is a sewage pumping station within 15 metres of the site. Details of how the necessary 15 metre separation distance between this facility and the closest dwellings is to be achieved will need to be addressed at the reserved matter stage, otherwise there will be a need to relocate this substation.

32. **Affordable Housing Officer** – The site is located outside of the development framework of Meldreth and should therefore be considered as an exception site for the provision of 100% affordable housing to meet the local housing need in line with Policy H/10 of the proposed Local Plan. Within the context of a lack of five year housing land supply however, the position would be to require 40% of the units to be affordable dwellings, provided on site, unless viability considerations demonstrate otherwise. In this case, the proposal is for the provision of 25% (38 units) of affordable housing on site, justified on the basis of the costs of remediation resulting in 40% affordable provision being unviable. Part of the viability case, which has been verified by Carter Jonas, is that the tenure split would be 50% affordable rent and 50% shared ownership.

- There are currently 48 people on the Housing Register who live in or have a local

connection to Meldreth.

- The mix and tenure split for the 38 affordable dwellings should be as follows:

- Affordable Rent (19 units):

6 x 1 bed

9 x 2 bed

2 x 3 bed

2 x 4 bed

Shared ownership (19 units):

19 x 2 bed

- 8 properties should be allocated to those with a local connection to Meldreth and the remaining 30 should be allocated on a 50/50 split basis between applicants with a local connection to Meldreth and those with a District wide connection.

- Properties should be built to DCLG technical housing standards.

33. **Section 106 Officer** – details of the specific policy compliant contributions are discussed in detail in the main body of the report. A detailed matrix summarising all of the Section 106 contributions is attached to this report as Appendix 1
34. **Cambridgeshire County Council Growth Team** – This proposal would result in an anticipated 45 children in the early years age bracket, 23 of which would qualify for free provision. There is currently insufficient capacity at Meldreth primary school (where the pre-school facility is located) to accommodate the additional pupils generated by the development. The identified project is a 26 pupil capacity early years classroom with ancillary facilities. This would form part of the project to expand the primary school capacity on the site to accommodate the additional population of the development. The overall project would result in 2 new classrooms on the school site.
35. In relation to primary aged children, the proposed development would result in an anticipated 53 additional pupils within the catchment of Meldreth Primary School. Whilst there is some capacity at the school, 30 of the pupils could not be accommodated within the confines of the existing building. The identified project to mitigate the impact of the development is an additional classroom, in addition to the classroom identified to meet the additional capacity requirement in pre-school provision.
36. A Milestone 1 Report has been produced detailing the costs of the combined project. The total cost of the project is £1,777,144 and that sum should be secured from this development via the Section 106 Agreement.
37. The County Council consider that there is currently capacity at Melbourn Village College to accommodate the 38 secondary school age children that would be anticipated to be generated by this development.
38. In relation to lifelong learning, a figure of £28.92 per the additional residents (approx. 375 in the Council's calculation) is based on the standard charge approach adopted by the Museums, Libraries and Archives Council and is considered to be CIL compliant to make the scheme acceptable in planning terms. The total contribution from this scheme is approximately £10,845.00 (depending upon final housing mix.)

39. **Historic England** – There are a number of designated heritage assets within a 1.5km radius of the site. To the east of the site is the grade I listed Church of Holy Trinity in Meldreth and the Meldreth conservation area. To the north east of the site is Malton Farmhouse, which is grade II* listed, Rectory Farmhouse to the west is also grade II* listed. The church of St. Mary in Whaddon is grade II* listed. To the south east of the site is The Grange at Whaddon which is grade II* listed. The proposed development would not directly affect the setting or significance of any of these heritage assets. However, there is a need to respond to local character. It seems unlikely that the development would adversely affect the setting of Meldreth conservation area.
40. **District Council Ecology Officer** – No objections to the proposals. The bat survey submitted with the application demonstrates that the buildings to be demolished have limited potential for roosting. The location of the Pipistrelle roost found during the survey period has been clarified and is not within the application site. The retention of boundary habitats and the indicative location of the areas of public open space are supported. The recommendation that a badger survey be undertaken prior to the commencement of development is supported and should be secured by condition. The compensatory measures (creation of swallow nesting habitat and bat roosting habitat) are supported but should be supplemented with additional measures. Areas of wet flush and semi-improved grassland and ditches would be lost and therefore suitable replacement habitats need to be secured. Measures to protect nesting birds also need to be enhanced. However, all of these issues can be dealt with at the reserved matters stage when the layout is to be fixed. Updated mitigation strategies addressing the protection of nesting birds and badgers and ecological enhancements can be secured by condition.
41. **District Council Tree Officer** – no objections to the principle of development. There will be a need to submit a comprehensive arboricultural assessment and tree protection plan with the reserved matters application. Details of tree protection measures should be secured by condition at this outline stage.
42. **Cambridgeshire Fire and Rescue Service** – No objection to the proposals subject to adequate provision being made within the development for fire hydrants which could be secured by a condition or through a Section 106 agreement.
43. **County Council Definitive Map Officer** – no objections to the proposals. The right of way which runs along the eastern boundary of the the application site would be retained in the indicative layout. There is a need to ensure that the footpath remains in position and free from obstruction during or as a result of the construction process. This will need to be secured at the reserved matters stage and conditions attached as appropriate.

Representations

44. 20 letters (including representations received via the website) have been submitted in relation to the application (18 objections and 2 letters of support).
45. The responses in objection to the proposals raise the following issues (summarised):
- The proposed development is too large in the proposed location, outside of the development framework of Meldreth.
 - The site is too isolated to be considered sustainable and is not served by good transport links.

- The development would not accord with the policies of the adopted Core Strategy as it is not in close proximity to services and facilities which would meet the day to day needs of the residents and would therefore depend on the use of the private car.
- The services and facilities in Meldreth are 1 mile away from the site. Whilst a footpath/cycle link is proposed, the likelihood is that the majority of residents will use the car to access these facilities and the railway station in the village.
- The local schools and health facilities do not have capacity to accommodate the additional population that would result from the proposed development.
- The proposed development would significantly increase the volume of traffic on the road network, which is already severely impacted upon by the heavy goods vehicles accessing the Marley Eternit site.
- The cumulative impact of this development and the development of 199 units and a care home in Melbourn would have an unacceptable impact on the capacity of the road network, the doctors surgery and the Village College in Melbourn.
- The station car park is often full and will not be able to accommodate the additional traffic from the development.
- It is considered that the future of the site as an employment use should not depend on the ability to develop a large part of it for residential development.
- The proposal for no affordable homes (as originally submitted) is unacceptable.
- The proposal to create only 25 new jobs would not be of significant benefit to the village.
- The clean up of the contamination on the site is likely to result in air pollution that would be detrimental to the health of nearby residents.
- The level of trips generated by the scheme and the speed at which cars currently travel along Whaddon Road ensure that the proposed development represents a highway safety hazard.
- The cost of remediating the land is a legal obligation that would be placed on the landowner as the controller of contaminated land. The costs of remediation should not be factored in to the viability case relating to affordable housing provision and Section 106 contributions.
- The traffic from the proposed development would add to the already significant problem of congestion on the A10 at peak travel times.
- The proposed development would have a population the same size as the entire village of Whaddon and must therefore be considered a disproportionately large scale of development in this isolated location.
- The proposed junction improvements to Fenny Lane do not go far enough to mitigate the impact of the development in highway safety terms.
- Support for some residential development may have been expressed during public consultation but that does not mean that development on the scale proposed would be supported.
- The applicant has overstated the practicality of using the bus service to commute to Cambridge – with only one bus to and one back on weekdays.
- The proposed development would have an adverse impact on the residential amenity of adjacent properties, particularly through the noise generated by additional traffic movements.
- The proposed development would have an adverse impact on the rural character of the surrounding landscape.
- The proposed development would have an adverse impact on the biodiversity value of the site.
- There is a screen wall associated with the brick buildings towards the front of the site which contains sculptures which reference the historic use of the site. This wall and the buildings in this part of the site should be considered non-designated heritage assets. The significance of these assets should be fully explored. There is no certainty that the sculpted features would be retained as a feature of the

development as the proposal is in outline form only.

46. The letters of support make the following comments (summarised):
- The additional population would improve the vitality and viability of the village.
 - The proposed development would preserve the employment use of the site
 - The residents of the proposed development would benefit from the use of the facilities in the adjacent Sports and Social Club.
 - The proposed pedestrian link would be a sustainability benefit of the scheme.
47. In addition to these letters and the responses to the survey undertaken by Meldreth Parish Council (referred to in paragraph 11 above), the applicant undertook 3 surveys, 1 each month in February, May and August 2016. There were 305 (17% of the village population) responses to the first survey, 77 (4% of the village population) to the second and 191 to the third (11% of the village population). Taken as a whole, 29% of respondents support the brownfield development of the site, 62% supported the development of the brownfield site and land to the east (adjacent to Fenny Lane), with 35% of respondents supporting either or both of these options. The applicant's surveys did corroborate the results of the survey undertaken by the Parish Council in that the vast majority (94%) of the respondents to the 3 surveys considered that the services and facilities in Meldreth would not be able to cope with the demands placed on them by the additional population resulting from the proposed development.

Site and Surroundings

48. The application site is part of the site operated by Marley Eternit, located approximately 1 kilometre north west of Meldreth. The application site covers the south eastern corner of the site which is occupied by redundant buildings and land to the east of that which includes a hardstanding car parking area and a section of enclosed grassland extending northwards. The site is accessed via connection to Whaddon Road in the south western corner.

Proposal

49. The applicant seeks outline planning permission for the erection of a mixed use development of up to 150 dwellings, public open space and new technology plant (2500 square metres floor area), new car park and access for Sports and Social Club and associated infrastructure. All matters are reserved except for access.

Planning Assessment

50. The key issues to consider in the determination of this application in terms of the principle of development are the implications of the five year supply of housing land deficit on the proposals and whether the proposal is considered to meet the definition of sustainable development. An assessment is required in relation to the impact of the proposals on the character of the surrounding landscape, highway safety, the residential amenity of neighbouring properties, environmental health, surface water and foul water drainage capacity, the provision of formal and informal open space and other section 106 contributions.

Principle of Development

Five year housing land supply and sustainability of the proposed development:

51. The National Planning Policy Framework (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.

52. The Council accepts that it cannot currently demonstrate a five year housing land supply in the district as required by the NPPF, having a 4.1 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 March 2017). 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.
53. Unless circumstances change, those conclusions should inform, in particular, the Council's approach to paragraph 49 of the NPPF, which states that adopted policies "for the supply of housing" cannot be considered up to date where there is not a five year housing land supply. The affected policies which, on the basis of the legal interpretation of "policies for the supply of housing" which applied at the time of the Waterbeach decision were: Core Strategy DPD policies ST/2 and ST/5 and Development Control Policies DPD policy DP/7 (relating to village frameworks and indicative limits on the scale of development in villages). The Inspector did not have to consider policies ST/6 and ST/7 but as a logical consequence of the decision these should also be considered policies "for the supply of housing".
54. 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 and held that the term was not to be restricted '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 in the adopted Development Plan which have the potential to restrict or affect housing supply may be considered out of date in respect of the NPPF.
55. The decision of the Court of Appeal tended to confirm the approach taken by the inspector who determined the Waterbeach appeal. As such, as a result of the decision of the Court of Appeal, policies including policy ST/6 of the Core Strategy and policies DP/1 (a) and DP/7 of the Development Control Policies DPD fell to be considered as "relevant policies for the supply of housing" for the purposes of the NPPF para 49 and therefore out of date.
56. However, the decision of the Court of Appeal has since been overturned by the Supreme Court in its judgement dated 10 May 2017. The principal consequence of the decision of the Supreme Court is to narrow the range of policies which fall to be considered as "relevant policies for the supply of housing" for the purposes of the NPPF. The term "relevant policies for the supply of housing" has been held by the Supreme Court to be limited to "housing supply policies" rather than more being interpreted more broadly so as to include any policies which "affect" the supply of housing, as was held in substance by the Court of Appeal.
57. The effect of the Supreme Court's judgement is that policies ST/6, DP/1(a) and DP/7 are no longer to be considered as "relevant policies for the supply of housing". They are

therefore not “out of date” by reason of paragraph 49 of the NPPF. None of these adopted policies are “housing supply policies” nor are they policies by which “acceptable housing sites are to be identified”. Rather, together, these policies seek to direct development to sustainable locations. The various dimensions of sustainable development are set out in the NPPF at para 7. It is considered that policies ST/6, DP/1(a) and DP/7 and their objectives, both individually and collectively, of securing locational sustainability, accord with and furthers the social and environmental dimensions of sustainable development, and therefore accord with the Framework.

58. However, given the Council cannot demonstrate a five year supply of housing land, its policies remain out of date “albeit housing supply policies” do not now include policies ST/6, DP/1(a) and DP/7. As such, and in accordance with the decision of the Supreme Court, para 14 of the NPPF is engaged and planning permission for housing should be granted, inter alia “unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole ...”
59. This means that even if policies are considered to be up to date, the absence of a demonstrable five year housing land supply cannot simply be put to one side. Any conflict with adopted policies ST/6, DP/1(a) and, DP/7 is still capable of giving rise to an adverse effect which significantly and demonstrably outweighs the benefit in terms of housing delivery of the proposed development in terms of a residential-led development cannot simply be put to one side. The NPPF places very considerable weight on the need to boost the supply of housing, particularly affordable housing, particularly in the absence of a five year housing land supply. As such, although any conflict with adopted policies ST/6, DP/1(a) and, DP/7 is still capable, in principle, of giving rise to an adverse effect which significantly and demonstrably outweighs the benefit of the proposed development, any such conflict needs to be weighed against the importance of increasing the delivery of housing, particularly in the absence currently of a five year housing land supply.
60. A balancing exercise therefore needs to be carried out. As part of that balance in the absence of a five year housing land supply, considerable weight and importance should be attached to the benefits a proposal brings in terms of the delivery of new homes (including affordable homes). It is only when the conflict with other development plan policies – including where engaged policies ST/6, DP/1(a) and DP/7 which seek to direct development to the most sustainable locations – is so great in the context of a particular application such as to significantly and demonstrably outweigh” the benefit in terms of the delivery of new homes that planning permission should be refused.
61. This approach reflects the decision of the Supreme Court in the *Hopkins Homes* appeal.
62. As part of the case of the applicant rests on the current five year housing land supply deficit, the developer is required to demonstrate that the dwellings would be delivered within a 5 year period. Officers are of the view that the applicant has demonstrated that the site can be delivered within a timescale whereby weight can be given to the contribution the proposal could make to the 5 year housing land supply.
63. The site is located outside the Meldreth village framework, in the open countryside, where policy DP/7 of the LDF and Policy S/7 of the Draft 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 erection of a residential development of up to 150 dwellings would therefore not under normal circumstances be considered acceptable in principle since it is contrary to this adopted and emerging

policy. The proposal is not currently an Established Employment Area, although it is proposed to be identified as such under policy E/15 of the emerging Local Plan. Nevertheless, section 3 of the NPPF (entitled supporting a prosperous rural economy) gives support in principle for the development of existing employment sites to increase employment opportunities.

64. Development in Group Villages (the current and emerging status of Meldreth) is normally limited under policy ST/6 to schemes of up to an indicative maximum of 8 dwellings, or in exceptional cases 15, where development would lead to the sustainable recycling of a brownfield site bringing positive overall benefit to the village. 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.
65. By proposing 150 dwellings, the scheme would significantly exceed the indicative maximum of 15 on a brownfield site. The principal consideration is that the NPPF requires development to be assessed against the definition of sustainable development. Specifically in relation to the size of development in or on the edge of Group Villages, the Inspector in the recent Over appeal decision (18 January 2017) stated that ‘...the strict application of the existing settlement hierarchy and blanket restriction on development outside those areas would significantly restrain housing delivery.....this would frustrate the aim of boosting the supply of housing.’
66. In light of the above, it is not appropriate, in the case of all Group Villages, to attach the same weight to policy DP/7 and DP/1(a) in the ‘blanket’ way. It is necessary to consider the circumstances of each Group Village to establish whether that village can accommodate sustainably (as defined in the NPPF) the development proposed, having regard in particular to the level of services and facilities available to meet the needs of that development. Similarly, each planning application must be assessed on its own merits and the increased employment opportunities on the site would enhance the sustainability credentials of the scheme and this must be weighed in the balance with the impact of the residential element of the proposals.
67. The environmental issues, including impact on the open countryside, are assessed in the following sections of the report. In relation to the loss of higher grade agricultural land, policy NE/17 states that the District Council will not grant planning permission for development which would lead to the irreversible loss of grades 1, 2 or 3a. This site is classified as grade 2 agricultural land although it is clear that it has not been used for agricultural purposes for some time and certainly the area covered by hardstanding and buildings cannot be considered as fit for purpose agricultural land.
68. The site is not allocated for development in the existing or the emerging Local Plan. However, given the brownfield status of the majority of the site, the mixed use nature of the proposed development and the fact that the Council cannot demonstrate a five year supply of housing land, it could be argued that the need for housing overrides the need to retain the agricultural land when conducting the planning balance. Given the extent of the housing supply deficit, it is considered that compliance with criteria b, where sustainability considerations and the need for the development are sufficient to override the need to protect the agricultural value of the land, of NE/17 should be afforded more weight than the conflict with criterion a where the land has not specifically allocated for development.

Previously developed land:

69. The NPPF defines previously developed land as 'land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure.' It is clear that the areas covered by hardstanding and existing buildings are previously developed land. The strip of land which extends northwards on the eastern edge of the site is undeveloped. The applicant has indicated that this area was used operationally during the process of remediating the landfill site to the north of the application site.
70. The land has an undeveloped character but it is enclosed by metal fencing on its northern and eastern boundaries and so appears physically to be separated from the surrounding open agricultural land. Officers are of the view that the undeveloped character of the land itself excludes this part of the site from the definition of previously developed land although the landscape quality of the area is severely compromised by the fact that it runs along the eastern edge of the industrial site and is enclosed by metal fencing. Overall therefore, officers are of the view that significant weight should be given to the fact the majority of the development (approx. 120 of the dwellings, the commercial building and associated works) would be on land that does meet the definition of previously developed land. The environmental harm arising from the overall scheme (discussed in detail later in this report) would not be sufficient to significantly and demonstrably outweigh the benefits of the proposals.
71. Paragraph 17 of the NPPF sets out the core principles of the planning system. One of these principles is to 'encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value' and another is to 'promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas...' Paragraph 111, in relation to conserving the natural environment, restates the principle in support of the development of suitable brownfield sites. Officers are of the view that significant weight should be given to the mixed use nature of this development and the key environmental benefits that remediating a contaminated brownfield site would achieve.
72. The proposals are assessed below against the social and economic criteria of the definition of sustainable development.
- Social Sustainability:
73. 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.
74. The development would provide a clear benefit in helping to meet the current housing shortfall in South Cambridgeshire through delivering up to an additional 150 residential dwellings, 25% of which would be affordable (38 units), a level which has been independently verified as the viable level of on site provision given the costs of remediating the land (covered in detail later in this report). Ensuring that the housing mix in the market element of the scheme would accord with emerging policy H/8 is a matter to be dealt with at the reserved matters stage.
75. The affordable housing can be secured through a Section 106 Agreement. Officers are of the view the provision of up to 150 additional houses, including the affordable dwellings, is a social benefit and significant weight should be attributed this in the decision making process, particularly in light of the Housing Officer's confirmation that there is a demonstrable need for affordable housing in Meldreth. Alongside this is the economic benefit of increasing the number of people employed on the site through the

development of the 2500 square metre commercial unit.

76. The adopted Open Space SPD requires the provision of approximately 4500 square metres of public open space for a development on the scale proposed, depending on the final mix, which is to be determined at the reserved matters stage (this figure represents an approximate amount based on a policy compliant mix). The scheme exceeds this amount by a significant margin (approximately 5000 square metres is shown on the indicative masterplan) and would include sufficient space for the inclusion of an equipped play area with land surrounding it, as required by the SPD. Given that Meldreth has an identified short fall in play space and informal open space, the fact that this amount of space can be provided at the density of development indicated is considered to be a significant social benefit of the proposals. Details of the management of the public open space can be secured in the Section 106 Agreement at this outline stage.

77. 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 indicative layout plan demonstrates that the site can be developed for the number of dwellings proposed, although there are aspects which require further consideration at the reserved matters stage. The nearest property in the proposed development is some 300 metres from the nearest dwelling in the main village. Any sense of isolation in terms of creating a stand alone community is offset through the creation of a footpath and cycleway link to the junction with Whitecroft Road and the reasonable access to facilities and services discussed below.

Impact on services and facilities:

78. The proposal would significantly exceed the level of development supported by policy ST/6 and would not be within the existing framework boundary as required by policy DP/7. The site is located closer to Meldreth than Whaddon and Meldreth has a greater range of services and facilities which are more likely to be used by the occupants of the proposed development. Therefore an assessment needs to be made in relation to the impact of the development on facilities in Meldreth and whether this impact is considered to meet the definition of sustainable development.

79. Paragraph 204 of the NPPF relates to the tests that local planning authorities should apply to assess whether planning obligations should be sought to mitigate the impacts of development. In the line with the CIL regulations 2010, the contributions must be:

- necessary to make the scheme acceptable in planning terms
- directly related to the development
- fairly and reasonably related in scale and kind to the development proposed.

80. Whilst there are bus stops within approximately 600 metres of the site on Kneesworth Road, the service to and from both Royston and Cambridge is infrequent and would not allow commuting to either of those settlements. However, Meldreth train station is located 1 mile to the south east of the site. The proposal includes the creation of a footpath and cycleway link to the junction with Whitecroft Road, from where there is a footpath which connects to the station. The train service to both Cambridge and Royston operates every 30 minutes at commuting times and hourly during the day on weekdays and hourly on Saturdays and Sundays. The journey time to Cambridge is 20 minutes (some services 15 minutes) and the journey time to Royston is 4 minutes.

81. It is acknowledged that the train station is further than 800 metres from the proposed development. However, the scheme will make provision for cycling the 1 mile journey

and would provide 10 additional cycle stands at the station. Rail cards would also be provided as part of the Travel Plan as an incentive. In addition, the development would contribute to an expansion of the community transport scheme approved as part of the New Road development in Melbourn. This would provide a sustainable alternative means of transport to the private car, on a more regular basis within close proximity of the site, allowing access to services and facilities in larger settlements.

82. In assessing the issue of addressing a housing shortage and accounting for the rural character of the majority of the District, the Inspector deciding the Over appeal concluded that 'the level of approvals (of new dwellings across the district) are not at such a scale or rate that they are making significant in-roads into the shortfall.' In relating that situation to the merits of the Over scheme, the Inspector stated 'a concern that the location of this development would lead to journeys for shopping trips is therefore something that is potentially to be repeated in other such locations and therefore does not make this site significantly less sustainable than any other site....'
83. Over as a village has a GP surgery which Meldreth does not but otherwise the level of services and facilities in the two villages are comparable. However, Over does not have significant sources of employment or services that would go beyond meeting basic day to day needs and access to these would therefore generate trips out of the village. The bus service from Over to Cambridge is far less frequent than the train service to Royston or Cambridge from Meldreth and the journey time is longer. The train service in Meldreth is closer to this site than the Guided bus was the Over scheme and operates on a similar frequency. The Over scheme was smaller in scale but proposed the development of a greenfield site for residential development only and did not include a contribution to a community transport scheme.
84. Whilst each application must be determined on its own merits, the distance from a development to a regular public transport service is an important element in assessing environmental sustainability. This development also incorporates an element of employment which would be accessible on foot from the residential units, which substantially enhances the economic sustainability of this proposal.
85. Cambridgeshire County Council is the Education Authority. This proposal would result in an anticipated 45 children in the early years age bracket, 23 of which would qualify for free provision. There is currently insufficient capacity at Meldreth primary school (where the pre-school facility is located) to accommodate the additional pupils generated by the development. The identified project is a 26 pupil capacity early years classroom with ancillary facilities. This would form part of the project to expand the primary school capacity on the site to accommodate the additional population of the development. The overall project would result in 2 new classrooms on the school site
86. The County Council consider that there is insufficient capacity at the primary school to accommodate the 53 children within this age bracket anticipated to result from the population of the proposed development. Whilst there is some capacity at the school, 30 of the pupils could not be accommodated within the confines of the existing building. The identified project to mitigate the impact of the development is an additional classroom, in addition to the classroom identified to meet the additional capacity requirement in pre-school provision.
87. A Milestone 1 Report has been produced detailing the costs of the combined project. The total cost of the project is £1,777,144 and that sum should be secured from this development via the Section 106 Agreement.

It is considered that there is capacity at Melbourn Village College to accommodate the

- 38 children of secondary school age anticipated to result from the population of the proposed development.
88. In relation to lifelong learning, a figure of £28.92 per the additional residents (approx. 283 in the Council's calculation) is based on the standard charge approach adopted by the Museums, Libraries and Archives Council and is considered to be CIL compliant to make the scheme acceptable in planning terms. The total contribution from this scheme is approximately £10,845.00 (depending upon final housing mix.)
 89. The applicant has submitted a health Impact Assessment to address this concern. This Assessment confirms that the nearest doctor's surgery is located in Melbourn. Officers have contacted the GP surgery and corroborated the evidence that the surgery is still taking on patients. However, based on the number of patients per GP, the surgery is operating beyond capacity (on the basis of 1 GP to 1750 patients as per the Royal College of GP guidelines). As such, mitigation would be required to increase the capacity in healthcare provision.
 90. Officers acknowledge the physically constrained nature of the Melbourn surgery site. However, as highlighted by the appeal decision in relation to the scheme for 199 units and a care home at New Road in Melbourn, there are a number of potential changes to how surgeries will be managed in the period between the granting of outline planning permission and the occupation of development. The Inspector considered it appropriate in that case to ensure that NHS England provided a specific mitigation plan prior to drawing down any money sought from the developer. This was considered to provide as much certainty as was possible at the point of determination that the contribution would be CIL compliant and spent on mitigating the impact of the development.
 91. In this case, NHS England have provided a consultation response and have requested a sum of £49,380 to provide an additional 24.69 square metres of floorspace to accommodate the additional approximately 360 anticipated population increase (nb. Different projection to the County Council figure in this regard). It is considered that the contribution can be secured on the basis of the provision of a robust mitigation strategy being agreed prior to the money being released to ensure that a specific and deliverable project is identified. This would follow the precedent set in this regard by the appeal quoted above.
 92. The fact that the developer has agreed to the principle of paying the contribution to fund the additional infrastructure required to offset the impact of the development in this regard ensures that the impact of the scheme on the capacity of these facilities could be adequately mitigated, weighing in favour of the social sustainability of the scheme.
 93. In addition to the primary school and mobile library service, Meldreth has a post office and village store, a public house, community rooms, the social club adjacent to the application site, recreation ground. There is also a bowling green and a village hall in Meldreth.
 94. Facilities at the recreation ground include a neighbourhood equipped area of play space, football pitches, basketball and tennis courts. Alongside the regular train service, this represents a better range of services and facilities than is evident in a number of the smaller Group Villages in the District.
 95. All of these facilities are within 2km of the site. Only the sports and social club is within 800 metres. However, given that the proposal includes the provision of a pedestrian and cycleway link from the site a contribution to the community transport scheme, the connectivity to the services and facilities in the centre of Meldreth would be improved.

96. Nevertheless, there would be some harm arising from the distance between the site and facilities required to meet day to day needs. This environmental harm needs to be weighed against the close proximity of an employer which would be expanding as part of the overall scheme and the significant environmental benefits resulting from the reuse of a brownfield site which is heavily contaminated.

Economic sustainability:

97. Given the likely scale of the contamination and the fact that the large scale industrial manufacturing process that previously occupied the site is no longer a viable form of employment, it is considered that the proposed development of a technology plant (use class B2) as part of the mixed use development is a significant economic benefit of the proposals. This is considered to limit the harm arising from the proposal to develop part of the site for non-employment purposes and would safeguard the existing employees on the site (approximately 75) and add a further 25 jobs.
98. Given that the site is within the open countryside as opposed to within a village framework, the provisions of policy ET/6 (loss of rural employment to non-employment uses) do not strictly apply. Even if this policy did apply, the proposal is for a mixed use scheme which involves employment uses as opposed to resulting in the complete change of use of the site. The policy states that the redevelopment of employment sites to non-employment uses should be resisted unless at least one of three criteria apply. Criterion b. states that if 'the overall benefit to the community of the proposal outweighs any adverse effect on employment opportunities and the range of available employment land and premises,' the loss of an employment site may be justified. Emerging policy E/14 does include sites on the edge of villages in subjecting employment sites to the same requirements as under ET/6, although is considered only to be worthy of limited weight in the decision making process due to the nature of the representations received during the Local Plan consultation process, in line with the guidance within the NPPF.
99. Given that the proposal would result in an expansion of employee numbers on the site, it is considered that the harm arising from the loss of physical space on the site would not be sufficient to outweigh the community benefits of affordable housing in a Parish and wider District where there is an identified need and the wider social benefit of boosting significantly the supply of housing, as required by national planning policy. As such, officers consider that the proposals do not conflict with existing or emerging policy in this regard.
100. The provision of up to 150 new dwellings as part of the scheme 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.

Overall, it is considered that the proposed development would achieve the social and economic elements of the definition of sustainable development, subject to the mitigation measures quoted above, which the applicant has agreed to in principle and can be secured via a Section 106 agreement.

Density of development housing mix and affordable housing

Density:

101. The scheme would be of a lower density than required by policy HG/1 of the LDF and emerging Local Plan policy H/7 (30 dwellings per hectare) when taking the site as whole (approx. 7.1 hectares in area). The density equates to approximately 22

dwellings per hectare. However, both policies include the caveat that a lower density may be acceptable if this can be justified in relation to the character of the surrounding locality. Given the rural location of the site and the fact that there will need to be a grading of the density and height of development out from the core towards the edges of the development, it is considered that this proposal meets the exception tests of the current and emerging policy with regard to the density of development.

102. Whilst this layout is not fixed, the illustrative masterplan is considered to demonstrate that 150 units could be accommodated on the site without resulting in a density of development that would be out of character with the edge of village location. Matters of design and landscape impact are discussed in detail in the following section of the report.

Housing mix:

103. Under the provisions of policy HG/2, the market housing element of proposed schemes is required to include a minimum of 40% 1 or 2 bed properties. The detail of the housing mix proposed within the market element of the scheme (112 units) has not been specified.
104. Policy H/8 of the emerging Local Plan is less prescriptive and states that the mix of properties within developments of 10 or more dwellings should achieve at least 30% for each of the 3 categories (1 and 2 bed, 3 bed and 4 or more bed properties), with the 10% margin to be applied flexibly across the scheme. This policy is being given considerable weight in the determination of planning applications due to the nature of the unresolved objections, in accordance with the guidance within paragraph 216 of the NPPF.
105. As the application is outline only, a condition requiring this mix is recommended to ensure that the scheme is policy compliant and would deliver a high proportion of smaller units, in a District where there is a need to increase the stock of this type of housing.

Affordable Housing:

106. As has been highlighted by a number of the representations received to the planning application, the scheme originally proposed no affordable housing. The reasons for this original submission were based on viability grounds in relation to the cost of remediating the contaminated site and on the basis of a discount to be applied under the Vacant Building Credit (VBC). VBC was introduced through PPG as a national incentive to secure the re-use of brownfield sites and allows a developer to discount the total floor area of vacant buildings from the policy complaint level of affordable housing. The total floor area of the buildings to be demolished is 10,985 square metres. Taking guidance in H/11 of the emerging Local Plan for average plot size (85 square metres for a 3 bed house with 5 occupants), the amount of floorspace to be demolished would be the equivalent to more than the 60 units required to reach 40% affordable housing as required by adopted policy.
107. During negotiations with the developer, Officers were able to point to appeal cases where the District Council has successfully defended appeals in relation to the wider PPG guidance relating to schemes for 10 or fewer dwellings on the basis of the evidenced need (1700 names on the District Housing Register) and where there is an identified need in the Parish where the application site is located. As confirmed by the Housing Officer, there is a need for 44 affordable homes in Meldreth Parish. Those appeal decisions confirmed that both the Written Ministerial Statement which

announced the guidance contained within the PPG and the Local Plan are material considerations and must be given weight in the determination of planning applications.

108. Both existing LDF policy HG/4 and emerging Local Plan policy H/9 state that, where viability information justifies a lower percentage of provision, a level of on site affordable housing below the assumed position of a minimum of 40% affordable housing can be accepted. The applicant has provided viability information relating to the costs of remediating the contamination on the site. The cost of remediation has been calculated at a total of £7,025,389. Following a review of the applicant's costs by MLM, independently appointed by the District Council, this figure was reduced by £1,207,000 as it became apparent that piled foundations would not be suitable and raft foundations could be used in the construction of the development, resulting in a reduction in the overall remediation costs.
109. Paragraph 173 of the NPPF states that 'To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and a willing developer to enable the development to be deliverable.'
110. Carter Jonas have independently reviewed the overall viability of the scheme. Their report concludes that a residual land value could be achieved that would allow the developer to contribute 25% of the units on site to be affordable dwellings for the scheme to remain commercially viable, following the reduction of the remediation costs. The Housing Officer has completed a viability appraisal using the Homes and Communities Agency's approved model and has reached the conclusion that there would be a small surplus at this level, but that this would not be sufficient to increase the percentage of units over the 25% mark.
111. On that basis, the applicant has agreed to the provision of 25% affordable units on site and for their to be a review mechanism included within the Section 106 Agreement to ensure that if the developer return is greater than anticipated in the viability assessment, a percentage of that gain is recouped by the District Council to provide additional affordable housing within the District. Following this amendment to the scheme, officers are satisfied that the level of affordable housing proposed does comply with the provisions of local and national planning policy. This has been verified as a level of provision which still allows the scheme to be financially viable following the remediation of the contaminated site.

Character of the village edge and surrounding landscape

Landscape Impact

112. The applicant has submitted a Landscape and Visual Impact Assessment (LVIA) with the application. The report assesses the anticipated impact of the proposed development on a number of view points within the site and along the southern and eastern boundaries. The appraisal highlights that there are a number of relatively tall structures, including the cement silos, the machine tower and modern buildings at the front of the site. The report highlights that the taller elements of the infrastructure within the site, although partially screened by the mature planting on the boundary of the Marley Eternit site, clearly contrast with the character of the relatively flat and expansive nature of the surrounding farmland. For these reasons, the value of the site in terms of contributing to the value of the wider landscape and the sensitivity of the impact of the proposed development are considered to be low.

113. In relation to the impact of the development on the setting of the closest villages – Meldreth and Whaddon - the report considers that modern infill development has increased the density of development in Chiswick End, Meldreth and that new houses have replaced pasture land and hedgerows on the south western edge of Meldreth. The overall sensitivity of the impact of development on the site on the character of the two neighbouring settlements is considered to be low.
114. In relation to field boundary vegetation, the report acknowledges that the open fields which characterise the wider landscape have planted hedgerow boundaries and these form important biodiversity value. These boundaries are generally locally distinctive in terms of species and therefore overall contribute positively to the amenity of the landscape. The value of the hedgerow features on the site are therefore considered to be medium in value, with the impact of the scheme (revised to retain the vast majority of the hedgerow to the front of the site) considered to be low.
115. While the Landscape Design Officer (LDO) has raised some concerns, there is no objection per se to the proposals and he considers the density of development to be acceptable in this location. The LDO has raised the issue of including the green field in the north eastern portion of the site within the development. As stated previously, officers are of the view that this part of the site does not meet the definition of brownfield land. However, it is enclosed by metal fencing and dense hedgerow planting on the northern and eastern boundaries, which clearly provide a sense of containment and indicate a visual associated with the Marley Eternit site as opposed to the wider open agricultural fields beyond the site.
116. At the density proposed, the indicative masterplan indicates addition tree planting along the eastern and western boundaries and a 'buffer' area of open space could be located in the northern part of this land to create a softer edge to the development. Each of these elements of mitigation could be secured at the reserved matters stage.
117. An Award Watercourse runs along the northern and eastern boundaries of the site and skirts the edges of the existing carpark associated with the Social Club. The LDO has stated that this should be retained as a feature within the development and this is acknowledged. The indicative masterplan suggests that a footpath would be constructed along the eastern edge of the site, which results in the need to culvert the watercourse. This footpath could easily be relocated to the western edge of the additional planting proposed along that boundary, until the point where it meets the Public Right of Way at the density proposed and is therefore a layout matter to be resolved at the reserved matters stage.
118. The Urban Design Officer (UDO) has also raised no objection to the principle of development. Comment has been made that the row of properties fronting on to Whaddon Road should present an active frontage to the road and this is acknowledged. At the density proposed, it would be possible to develop internal access roads to the rear of the hedge row which would provide access to the dwellings on the southern edge of the site. As such, this is a matter to be resolved at the reserved matters stage. There is no objection in landscape or design terms to the location of the new commercial technology building, which is indicatively sited to the north west of the existing factory units on the site.
119. The principle of having a variety of character areas across the site is supported, there is a need to consider the relationship between the buildings and how they respond to the open space within the scheme and the sensitive edges of the development. The UDO has suggested that development should be restricted to 2 storey in height and 8.5 metres across the development. Given the height of some of the existing buildings in

the western part of the site, it is considered that some parts of the site could accommodate taller development than others. The applicant has agreed to a condition limiting development to two storeys in height and a maximum ridge height of 9.5 metres. The buildings on the edge of the development would need to be smaller in height and the applicant is willing to accept a condition requiring a minimum of 5% of the properties within the scheme to be bungalows. Such a condition is considered to meet the statutory tests as it would help to meet an identified need in terms of accommodation type and also soften the landscape impact of the development. Comments made by the UDO in relation to the layout of plots and car parking arrangements are details to be dealt with at the reserved matters stage.

120. As such, officers conclude that there will be no unacceptable adverse impact on landscape character or the countryside and the proposals are therefore capable of complying with policies DP/3 and NE/4 of the LDF
121. Within the context of a lack of five year housing land supply, the Inspector for the New Road, Melbourn appeal (199 dwellings and a care home) provided guidance in a case where landscape harm is identified and balancing this against the need to address the lack of housing land supply. In that case the Inspector concluded in relation to landscape harm that 'while the development of this site would cause very limited harm to the wider landscape, there would be a greater localised harm to the character of the village and its countryside setting, in conflict with development control policies. This carries fairly significant weight (in the planning balance).' In weighing this harm against the benefit of housing provision in that location, the Inspector concluded that '...while there would be some notable adverse impacts, they would not be sufficient to outweigh the very significant benefits of the proposal (i.e. the provision of additional housing in the District).'
122. Officers acknowledge that each site must be assessed on its own merits and that the number of houses proposed at Melbourn was greater than the 150 proposed in this scheme. However, the Inspector acknowledged that there would be 'screening' of open views from the edge of the village and a detrimental impact upon the rural character of the landscape in that case. This harm applies in a similar way to this scheme and has been commented upon by local residents and reflects the concern in terms of the scale of the development.
123. In light of all of the above, it is considered that, on balance, the limited harm to the landscape arising from this proposal would not itself outweigh the benefits of providing additional housing (including 25% affordable, justified on the basis of viability), the economic benefit of the creation of additional employment on the site and the environmental benefits of the remediation and redevelopment of a site that is predominantly brownfield land and all of which is visually associated with the Marley Eternit site as opposed to the surrounding landscape.

Trees

124. The District Council Tree Officer has raised no objections to the proposals. The proposals to enhance the landscape planting on a number of the boundaries of the site and the amendments to retain more of the hedgerow along the frontage of the site are welcomed. There will be a need to submit a comprehensive arboricultural assessment and tree protection plan with the reserved matters application. Conditions requiring a more detailed tree protection scheme and details of new landscape planting can also be secured at this outline stage.

Ecology

125. The Ecology Officer has raised no objections to the application. The bat survey submitted with the application demonstrates that the buildings to be demolished have limited potential for roosting. The location of the Pipistrelle roost found during the survey period has been clarified and is not within the application site. The retention of boundary habitats and the indicative location of the areas of public open space is supported.
126. The recommendation that a badger survey be undertaken prior to the commencement of development is supported and should be secured by condition. The compensatory measures (creation of swallow nesting habitat and bat roosting habitat) are supported but should be supplemented with additional measures. Areas of wet flush and semi-improved grassland and ditches would be lost and therefore suitable replacement habitats need to be secured.
127. Measures to protect nesting birds also need to be enhanced. However, all of these issues can be dealt with at the reserved matters stage when the layout is to be fixed. Updated mitigation strategies addressing the protection of nesting birds and badgers and ecological enhancements can be secured by condition.

Highway safety and parking

128. Following the submission of additional information, the Major Developments team have no objections to the proposals, subject to the required mitigation measures being secured. The combined trip generation of the commercial and residential development would result in 157 two way trips in the morning peak period and 154 two way trips in the evening peak period.
129. The mitigation measures will include improvements to the bus stops on Kneesworth Road, near West Way, in addition to a contribution towards a community transport facility. The additional survey information provided assesses the impact of the additional traffic on key junctions, including the Station Road/High Street junction in Meldreth. Other measures include the provision of a cycle/pedestrian link from the edge of the development to Whitecroft Road, the provision of a subsidised railcard in the Travel Plan for occupants of the development and the provision of 10 cycle stands at Meldreth railway station. Each of these measures can be secured by condition or the Section 106 Agreement. A financial contribution to extend the community transport scheme approved as part of the New Road Melbourn appeal would also be secured.
130. An additional 54 trips would travel through the Whitecroft Road/ High Street junction in the morning peak time, with the same number during the evening peak period. An additional 28 vehicles would use the A10 junction during the morning peak period, 26 in the evening peak period. The survey information is considered sufficient to demonstrate that the development would not result in a significant impact on the capacity of the highway network.
131. In relation to the proposed access arrangements to the development, the Local Highway Authority has removed its initial objection, following the removal of the separate access to the Sports and Social Club and the submission of a Safety Audit in relation to the proposed access to the residential development. A number of conditions are requested covering the following issues: the level and surface material of the access should prevent displacement onto the highway, the detail of the construction of the access, the closure of existing accesses that are to become redundant, the timing of the completion of the pedestrian/cycle way link and the approval of a construction management plan prior to the commencement of development. The conditions are

considered to be reasonable and necessary and can be attached to the decision notice at this outline stage.

132. Given the relatively low density of the scheme, it is considered that there would be sufficient space to locate 2 car parking spaces on each plot, meeting the requirements of the LDF standards of 1.5 spaces per dwelling across developments with additional room for visitor parking.
133. The proposals are therefore considered to comply with the requirements of policy DP/3 in terms of highway safety and the traffic generated and policy TR/1 in respect of promoting sustainable modes of travel.,

Residential amenity

134. The application is in outline 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 closest neighbouring properties to the south, east and west, would be a sufficient distance from the site to ensure that unreasonable overlooking and overshadowing would be avoided. Whilst the level of trips generated by the development would be significant, the proposal would also reduce the size of the commercial floor space on the site, ensuring that the volume of heavy goods vehicles visiting the site would be lower than the existing lawful situation may result in. On that basis, it is considered that the proposed development would not have an adverse impact on the residential amenity of neighbouring properties, subject to the detail of the layout and height of the development, which are to be determined at the reserved matters stage.
135. At approximately 22 dwellings per hectare within the developed area, the average plot size would be approximately 400 square metres in size (although space for the internal roads and public open space would need to be deducted from this). Having accounted for these deductions, this is considered sufficient space to achieve a dwelling size greater than the minimum residential space standards proposed in policy H/11 of the emerging Local Plan (85 square metres for a 3 bed house with 5 occupants) and allow sufficient space for 80 square metres of garden space (the upper limit of the standards within the adopted Design Guide) along with the required space for driveways etc to the front of the plots.
136. It is considered that the indicative layout demonstrates that 150 units could be located on the site, with sufficient separation distances retained between properties to preserve the residential amenity of the occupants of the development, with the minimum separation distances quoted in the Design Guide (25 metres between elevations with habitable rooms facing each other and 12 metres between blank elevations and those with habitable room windows) capable of being achieved.
137. A noise impact assessment has been included with the planning application. An assessment of the potential noise generated by traffic on Whaddon Road and the impact that this may have on the residential amenity of the occupants of the properties in the southern part of the development is included within the survey and mitigation measures are proposed. The mitigation measures suggested in the report are considered to be acceptable in principle but further details in terms of specification of the acoustic fencing etc. are required. In addition, a full assessment of the impact of traffic associated with the commercial use to be retained on the site will be required, although it is considered that the resulting noise levels would not have a significant adverse impact on the amenity of the occupants of the proposed development. These

details can be secured by condition.

138. Standard conditions relating to the construction phase of the development have been recommended by the EHO and these can be attached to the decision notice. It is considered that the proposed number of units can be accommodated on the site without having any adverse impact on the residential amenity of the occupants of each of the plots within the development in accordance with policy DP/3 which seeks to prevent an unacceptable impact on residential amenity.

Surface water and foul water drainage

Surface water drainage

139. The site is located within flood zone 1 (lowest risk of flooding). The Lead Local Flood Authority (LLFRA) has not raised an objection to the revised proposal.
140. The revised Flood Risk Assessment (FRA) indicates that surface water attenuation measures allowing for 1890 metres cubed surface water to be managed on site and discharged to adjacent watercourses at a rate of 19 litres per second could be achieved. A condition requiring full details of the attenuation measures to be adopted can be attached to the outline planning permission and details of the management and maintenance of the drainage systems can be included in the Section 106 agreement.
141. The details of the surface water drainage strategy can be secured by condition at the outline stage and the means of management and maintenance can be included as clauses in the Section 106 Agreement.
142. The Environment Agency and Anglian Water have also raised no objection in relation to surface water drainage on the basis that this condition is attached to the decision notice.

Waste and Foul water drainage

143. Anglian Water (AW) has raised no objections to the proposals. In relation to Wastewater treatment, AW confirm that the foul drainage from this development is in the catchment of Melbourn Water Recycling Centre, which currently does not have capacity to treat the flows from your development site. AW confirm that they 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. This is a legal requirement of AW as statutory undertaker under legislation beyond the remit of the Town and Country Planning Act and therefore does not represent grounds to refuse a planning application.
144. In relation to the foul drainage network, the applicant will be required to develop a foul water drainage strategy that is acceptable to AW in order to mitigate the impact of the additional flows from the development. These details will need to be secured by condition at this outline stage.
145. There is a sewage pumping station within 15 metres of the site. Details of how the necessary 15 metre separation distance between this facility and the closest dwellings is to be achieved will need to be addressed at the reserved matter stage, otherwise there will be a need to relocate this substation.

Section 106 contributions

146. In addition to the County Council in terms of pre-school capacity and the NHS already identified in this report, the Section 106 Officer has confirmed that the site has the capacity to achieve the 150 residential units proposed and also meet the required provision for formal and informal space on site. As none of the details are to be fixed at this stage, a legal agreement should make provision for an eventuality where equipped open space would need to be provided off site should the proposal at the reserved matters stage involved a scheme which would not meet the Open Space SPD requirement in full through on site provision.
147. A contribution of approximately £40,000 would be provided towards the expansion of the car park at the village hall, which is located opposite the primary school. This would help to manage congestion on the High Street at peak times outside the primary school and would assist in mitigating the additional trips that would be generated by the proposed development. A contribution of approximately £42,000 towards the provision of a Multi Use Games Area at the recreation ground in addition to the onsite provision is to be secured through the Section 106 Agreement. A sum of £15,000 would be secured towards the provision of outdoor gym equipment, also at the recreation ground. These schemes would enhance the quality of recreation space within the village, in compliance with policy SF/11 of the LDF and are considered to be CIL compliant given the additional demand on the recreation ground facilities as a result of the increased population of the village. As there have been less than 5 pooled contributions made towards these projects previously, these contributions are considered to be compliant with the CIL regulations.
148. The provision of contributions towards the installation and maintenance of real time passenger information systems to enhance the environmental sustainability of the scheme, forming part of the highways mitigation package, would also be secured via the Section 106 Agreement. This contribution is considered to be CIL compliant as necessary to improve the quality of alternatives to the use of the private car, by providing a greater incentive to use public transport, which can be accessed immediately adjacent to the entrance to the site. Footway and bus stop improvements can be secured by condition, alongside the Travel Plan and additional cycle stands at Meldreth station. In addition, the Parish Council have identified a project relating to the renovation of the village hall, to enhance indoor community meeting space. The cost of this project is approximately £8,500 and this sum shall be secured through the Section 106 Agreement.
149. The provision of free membership to the Sports and Social Club for a period of 2 years for residents of the development would also be an environmental benefit of the proposal, providing access to a recreation facility within walking distance of the residential development. The provision of a contribution of £30,000 towards the community transport facility secured via the New Road Melbourn scheme would further enhance the environmental and social sustainability of the scheme and would be proportionate in relation to the £45,000 secured as part of the allowed appeal on that site, with details of additional routes connecting to Meldreth to be secured as part of the Section 106 Agreement.

Other matters

Archaeology and Heritage:

150. Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990 requires decision-makers to pay “special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

151. 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”.
152. 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.
153. 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”.
154. 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.
155. The site is considered to be in a part of the District which is of high archaeological potential. There is artefact evidence of pre-historic occupation and there is evidence of Iron Age occupation, cropmark evidence of trackways and rectangular enclosures, as well as Roman remains to the south of the site. Hoback Farm Moat and enclosure and other features listed on the Historic Environment Record (HER) are located to the west of the site. There is further evidence of moats and post-mediaeval occupation of land to the south east of the site.
156. The County Council Archaeologist has considered the report submitted by the applicant the findings. It is considered that further investigation is considered to be necessary and any necessary mitigation implemented before development commences. This requirement can be secured by condition.
157. There are no listed buildings within close proximity of the site, the closest being in excess of 600 metres to the west. There are however a number of designated heritage assets within a 1.5km radius of the site. To the east of the site is the grade I listed Church of Holy Trinity in Meldreth and the Meldreth conservation area. To the north east of the site is Malton Farmhouse, which is grade II* listed, Rectory Farmhouse to the west is also grade II* listed. The church of St. Mary in Whaddon is grade II* listed. To the south east of the site is The Grange at Whaddon which is grade II* listed.
158. Historic England consider that the proposed development would not directly affect the setting or significance of any of these heritage assets. However, there is a need to respond to local character. Historic England conclude that the development would not adversely affect the setting of Meldreth conservation area and this can be ensured through the securing of a suitable layout, design and scale of development at the reserved matters stage. The conditions to limit the height of the development to 2 storeys and a maximum ridge height of 9.5 metres and to include a minimum of 5% bungalows would also help to reduce the impact of the scale and massing of the development on these designated heritage assets. In conclusion, given the separation

distances to be retained and acknowledging the comments from Historic England, it is considered that the proposals would not result in harm to the significance or the setting of any designated heritage assets.

159. In relation to the comments received from a neighbouring resident, it is acknowledged that the brick buildings associated screen wall which contains sculptures which reference the historic use of the site are of some architectural merit and importance. However, given the environmental benefits associated with the remediation of contamination on the site and the fact that Historic England does not consider the replacement of these buildings a constraint on the development of the site, it is considered that the benefits of the development would outweigh any harm to the non-designated assets in this case. A condition can be attached to the outline planning permission requiring the inclusion of the sculptures referencing the historic use of the site in the boundary treatment at the entrance to the development, as part of a public art strategy.

Environmental Health:

160. The Public Health Specialist has reviewed the Health Impact Assessment and considers that it meets the required standard of the SPD Policy. The scheme is therefore acceptable in this regard.
161. There is no objection to the proposal in respect of air quality. However, to ensure that sensitive receptors in the vicinity of the development are not affected by the negative impact of construction work such as dust and noise, as well as ensuring that the applicant complies with the Council's low emission strategy for a development of this scale, conditions should be included that require the submission of a Construction Environmental Management Plan/Dust Management Plan, and an electronic vehicle charging infrastructure strategy.
162. As indicated previously, a full assessment of the impact of traffic associated with the commercial use to be retained on the site will be required, although it is considered that the resulting noise levels would not have a significant adverse impact on the amenity of the occupants of the proposed development. These details can be secured by condition.
163. The Phase 1 and 2 surveys submitted in support of the application indicate that there are widespread sources of contamination across the site. A number of recommendations are made in relation to further works required. These include: investigation of resin stores and coating stores to explore the full extent of contamination in these areas, further assessment of petroleum hydrocarbons and potential contaminants in the water below ground level, a strategy detailing remediation methods and the management of materials being removed being produced and further investigation of the former industrial processing areas of the site being agreed. These details will be required prior to the preparation of detailed plans for the redevelopment of the site. These details can be secured by condition at the outline stage.
164. Noise, vibration and dust minimisation plans will be required to ensure that the construction phase of the scheme would not have an adverse impact on the amenity of neighbouring residents. These details shall be secured by condition, along with a restriction on the hours during which power operated machinery should be used during the construction phase of the development and details of the phasing of the development.
165. The applicant will be required to complete a Waste Design Toolkit at the reserved

matters stage in order to show how it is intended to address the waste management infrastructure, and technical requirements within the RECAP Waste Management Design Guide. In addition conditions should secure the submission of a Site Waste Management Plan. Provision of domestic waste receptacles by the developer will be secured via the Section 106 agreement. The developer should ensure that the highway design allows for the use of waste collection vehicles and this is a detailed matter relating to the layout of the scheme at the reserved matters stage.

166. The applicant has committed to 10% of the energy requirements generated by the development being produced by renewable sources. A condition will be required to ensure that the noise impact of any plant or equipment for any renewable energy provision such as air source heat pumps is fully assessed and any impact mitigated. It is considered that each of these issues could be dealt with through the imposition of conditions at this outline stage.

Conclusion

167. Given the fact that the Council cannot currently identify a five year supply of housing land, in accordance with the guidance in paragraph 14 of the NPPF, in balancing all of the material considerations, planning permission should be granted unless the harm arising from the proposal would 'significantly and demonstrably' outweigh the benefits.
168. The proposed development would provide a significant number of dwellings. 25% of which would be affordable and officers are satisfied that while this percentage is below the normally accepted minimum provision, this level of provision has been satisfactorily justified on viability grounds. This is a benefit which should be given significant weight and importance in the determination of the planning application in accordance with the advice in the NPPF. The creation of additional employment on the site through the development of a new technology facility is a significant economic benefit of the proposals. In addition, there would be significant environmental benefits achieved through the remediation of a heavily contaminated site and the re-use of a predominantly brownfield site to significantly boost the supply of housing in the District.
169. There would be some limited harm on the character of the landscape. The proposal would retain a significant proportion of the hedgerow along the frontage of the site and would supplement the landscaping on the boundaries of the site with the open countryside. Suitable conditions can be imposed to help mitigate the identified impact
170. The density of the development is considered to be acceptable, allowing for the level of public open space within the development to exceed the policy required level. It is considered that the number of units proposed could be achieved in a manner that would preserve the residential amenity of neighbouring properties and the height restriction of 9.5 metre, 2 storey buildings would prevent an overbearing impact on either the amenity of neighbouring properties or the character of the surrounding landscape.
171. It is acknowledged that this proposal would significantly exceed the indicative maximum number of dwellings suggested as an appropriate scale of development in Group Villages by the policies of the LDF. It would be outside the village framework of Meldreth within both the adopted and emerging development plan and would be in excess of 800 metres from the facilities in Meldreth. As such, there is a conflict with policies ST/6, DP/1(a) and DP/7.
172. However, in the absence of a five year housing land supply, this conflict needs to be balanced against the benefit of the proposal in terms of its contribution to the supply of housing (and affordable housing) and employment in accordance with para 14 of the

NPPF. It is only where the conflict with those policies of the development is so great as to “significantly and demonstrably” outweigh the benefits of the proposal, particularly in terms of housing delivery, that planning permission should be refused.

173. An important issue is that within 1 mile of the site there is a regular public transport connection to Cambridge and Royston, both of which contain a wide range of services and facilities, as well as employment opportunities to supplement the enhanced employment on the Marley Eternit site itself.
174. In addition, the proposal would provide a contribution towards the community transport vehicle secured via the New Road Melbourn scheme, which would provide an alternative to the use of the private car for occupants of the development, reducing the environmental harm caused by the distance between the site and local facilities. This would be a significant environmental benefit of the scheme, alongside the other mitigation measures detailed in the report, including the provision of a cycle way/pedestrian link and additional cycle stands at Meldreth rail station.
175. As such, although located outside the development framework of a group village, accessibility to services and to public transport is considered adequate and can be improved. The weight that can therefore be attached to the conflict with policies DP/1(a) and DP/7 which are intended to ensure that development is directed to the most sustainable locations in the district is limited.
176. It is considered that the scheme includes positive elements which enhance social, economic and environmental sustainability. These include:
 - the positive contribution of up to 150 dwellings towards the housing land supply in the district based on the objectively assessed need for 19,500 dwellings and the method of calculation and buffer identified by the Waterbeach Inspector
 - the creation of additional employment on the land to be retained as part of a commercial operation, creating a mixed use development and job opportunities within close proximity of the residential units
 - providing a level of affordable housing which has been independently assessed as the a suitable proportion given the viability constraints provided by the abnormal costs of remediating the contaminated site
 - significant public open space, including a Local Equipped Area of Play on the site and a commuted sum towards the provision of additional equipped play space elsewhere in Meldreth, a village which currently has a significant under provision in this regard.
 - The remediation of a brownfield site and redevelopment of this in a manner which retains an employment use on the site.
 - The provision of a contribution towards the operation of the community vehicle secured as part of the New Road Melbourn scheme, to be operated by the Parish Council, providing an alternative to single occupancy car journeys.
 - The provision of a cycle and pedestrian link from the site to Whitecroft Road, the provision of 10 cycle stands at Meldreth train station, subsidised train travel for residents of the development and upgrades to existing bus stops. These improvements would all enhance the environmental sustainability of the scheme.
 - potential to result in an increase in the use of local services and facilities

As such, although a conflict with policies DP/1(a) and DP/7 arises, given the particular circumstances of the development and the opportunity to encourage and improve the use of local services and public transport, the weight to be given to this conflict is

limited. In terms of the balance required by para 14 of the NPPF, the absence of a five year housing land supply means the conflict with these policies is not considered to significantly and demonstrably outweigh the benefits of the proposal particularly in terms of the contribution which it would make to housing supply. It is therefore considered that there is no basis to seek the withholding of planning permission for the proposed development, subject to the imposition of necessary planning conditions and the securing of a planning obligation, as set out below.

Recommendation

177. Officers recommend that the Committee grants planning permission, subject to the following:

Section 106 agreement

To secure provision of onsite affordable housing, the provision of public open space, the management of the public open space and surface water drainage within the development and the community benefits and education contributions listed in the matrix is attached to this report as Appendix 1.

Draft conditions

- (a) Outline planning permission
- (b) Time limit for submission of reserved matters
- (c) Time limit for implementation (within 2 years of approval of reserved matters)
- (d) Approved plans
- (e) Landscaping details
- (f) Contaminated land assessment
- (g) Approval of measures to prevent access to adjacent landfill site
- (h) Dust, noise, vibration mitigation strategy
- (i) Details of renewable energy generation (including water efficiency/conservation measures) within the development and associated noise assessment and mitigation measures – 10% renewables and compliance.
- (j) Scheme to detail upgrading of bus stops on Kneesworth Road, near West Way,
- (k) Scheme for provision of additional cycle stands at Meldreth train station
- (l) Details of footway and cycle way link to Whitecroft Road
- (m) Assessment relating to impact of noise associated with commercial vehicles on the amenity of the occupants of the residential units
- (n) Foul water drainage scheme
- (o) Surface water drainage scheme (management and maintenance to be secured through Section 106)
- (p) Sustainable drainage strategy
- (q) Tree Protection measures
- (r) Retention of existing planting on site boundaries
- (s) Compliance with flood risk assessment
- (t) Detailed plans of the construction of the accesses
- (u) Pedestrian visibility splays
- (v) Ecological enhancement and habitat management plan
- (w) Site waste management plan
- (x) Restriction on the hours of power operated machinery and deliveries during construction
- (y) Phasing of construction – including timing of cycle way/pedestrian link
- (z) Compliance with ecological survey submitted
- (aa) Travel Plan (to include subsidised railcard)
- (bb) Sports Club Membership scheme for qualifying residents

- (cc) Submission of strategies to mitigate any potential impact on badgers and nesting birds
- (dd) Scheme of archaeological investigation
- (ee) Scheme detailing measures preventing public access to former landfill site
- (ff) Closure of existing accesses which are to become redundant
- (gg) External lighting to be agreed
- (hh) Cycle storage
- (ii) Housing mix within market element to be policy compliant
- (jj) Boundary treatments
- (kk) Waste water management plan
- (ll) Construction environment management plan
- (mm) Details of piled foundations
- (nn) Fire hydrant locations
- (oo) Screened storage for refuse
- (pp) Minimum of 5% bungalows
- (qq) Maximum height of residential development limited to 2 storey and 9.5 metres
- (rr) Vehicle Charging Infrastructure Strategy
- (ss) Details of public art – retention of sculptures within brick screen wall as part of public realm/boundary treatments within development

Informatives

- (a) Environmental health informatives
- (b) Exclusion of indicative plans from approval – indicative layout plan not to be approved at this outline stage
- (c) Regulations affecting Public Right of Way

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/1901/16/OL

Report Author: David Thompson Principal Planning Officer
 Telephone Number: 01954 713250

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Heads of terms for the completion of a Section 106 agreement

Village – Marley Eternit Meldreth (S/1901/16/OL)	
South Cambridgeshire District Council (Affordable Housing)	
Affordable housing percentage	25% Overage required
Affordable housing tenure	50% affordable rent and 50% Intermediate
Local connection criteria	First 8 to be allocated to those with a local connection to Meldreth, with the remaining allocated 50/50 between local connection and the District wide Housing Register

Section 106 payments summary:

Item	Beneficiary	Estimated sum
Early years	CCC	See 'Primary School'
Primary School	CCC	£1,777,144
Libraries and lifelong learning	CCC	£10,845
Transport	CCC	£57,000
Sports	SCDC	£15,000
Indoor community space	SCDC	£49,000
Household waste bins	SCDC	£73.50 per house and £150 per flat
Monitoring	SCDC	£2,000
Healthcare	SCDC	£49,380
TOTAL		£1,958,369
TOTAL PER DWELLING		£13,055.79

Section 106 infrastructure summary:

Item	Beneficiary	Summary
Local Equipped Area for Play	SCDC	

Planning condition infrastructure summary:

Item	Beneficiary	Summary
Marley Eternit sports and social club membership	SCDC	2 year membership for each qualifying resident
Travel Plan	CCC	Including subsidised rail travel
Pedestrian/cycle link	CCC	From development to Whitecroft Road
Bus stop upgrade	CCC	Bus stop serving Kneesworth Road
Cycle stand	CCC	10 cycle stands at Medreth station

CAMBRIDGESHIRE COUNTY COUNCIL	
Ref	CCC1
Type	Early years
Policy	DP/4
Required	YES
Detail	See 'Primary School'
Ref	CCC2
Type	Primary School
Policy	DP/4
Required	YES
Detail	<p>According to County Council guidance the development is expected to generate a net increase of 53 primary education aged children. This development lies within the catchment area of Meldreth Primary School.</p> <p>County Education Officers have confirmed that there is insufficient capacity in the school in the next 5 years to accommodate all the places generated by this development. Therefore a contribution will be required towards primary education provision.</p> <p>The identified project is an additional 30 place classroom and ancillary work at Meldreth Primary School to accommodate the additional primary-aged children arising from this development.</p> <p>The cost of this work is included within the project to expand Meldreth Primary School by 2 classrooms, which also includes the classroom required for early year's mitigation (see Early Years section above). The project costs therefore include both the early years and the primary education mitigation.</p> <p>A Milestone 1 Report has been produced which includes project costs. Once those elements are removed which are not related to the pressures arising from the new development the total project cost is £1,777,144.</p> <p>The number of primary-aged pupils arising from this development is taking up all the spaces being provided by the additional classroom.</p> <p>The sum of money sought by CCC will fully fund the expansion works to the Primary School and it is likely that such works will take place in advance of occupation of the development. The s106 agreement will need wording such that, in the event the Primary School works cost less than the figure quoted in the agreement, then any difference should be payable by way of an affordable housing commuted sum and not be returned to the Owner as is usually the case. As such CCC will need to covenant to provide SCDC with full details as to primary school expansion build costs.</p>
Quantum	£1,777,144 (maximum)
Fixed / Tariff	Fixed
Trigger	50% of the contribution upon commencement of development
	50% payable prior to occupation of 50% of dwellings
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

Appendix 1

Ref	CCC3
Type	Secondary school
Policy	DP/4
Required	NO
Detail	Melbourn Village College has sufficient capacity

Ref	CCC4
Type	Libraries and lifelong learning
Policy	DP/4
Required	YES
Detail	<p>The proposed increase in population from the development will be approximately 375 new residents (150 x 2.5 average household = 375). Meldreth is currently served by one mobile stop and this development will have a significant impact on library provision in the village. A contribution of £28.92 per head will be required for provision of an additional route stop and to purchase additional books, resources and equipment required to meet the library and lifelong learning needs of this new population.</p> <p>Therefore a contribution of £10,845 (375 x £28.92 = £10,845) towards LLL is sought.</p>
Quantum	£10,845
Fixed / Tariff	Fixed
Trigger	50% of the contribution upon commencement of development
	50% payable prior to occupation of 50% of dwellings
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	NONE

Ref	CCC5
Type	Strategic waste
Policy	RECAP WMDG
Required	NO
Detail	Thriplow HRC has maximised its pooling for s106 contributions

Ref	CCC6
Type	CCC monitoring
Policy	None
Required	NO
Detail	<p>The County Council have sought a contribution of £650 (at a rate of £50 per hour) towards the cost of monitoring. The District Council does not support this request as (i) it is contrary to a Court of Appeal decision on section 106 monitoring (ii) the District Council will undertake this function and share information with CCC and (iii) appeal decisions against SCDC have supported the position that the monitoring of financial contributions does not justify securing a monitoring fee. On this basis the Council considers that the request fails to satisfy the tests as set out in CIL Reg 122 and para 204 of the NPPF.</p>

Ref	CCC7
Type	Transport
Policy	TR/3
Required	YES
Detail	<p>RTPI to be installed at Kneesworth Road at a cost of £27,000</p> <p>Community transport at a cost of £30,000</p>

Appendix 1

Quantum	£57,000
Fixed / Tariff	Fixed
Trigger	RTPI contributions payable prior to occupation of first dwelling Community transport payable in 3 equal instalments at (1) prior to first occupation (2) prior to occupation of 20 th dwelling and (3) prior to occupation of 40 th dwelling
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	NONE

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Ref	SCDC1
Type	Sport
Policy	SF/10
Required	YES
Detail	<p>Meldreth has an identified deficit of 1.17 ha of sports space.</p> <p>Meldreth Parish Council has requested the sum of £15,000 towards the installation of outdoor gym equipment to be located on the recreation ground.</p> <p>This equipment would be suitable for all age ranges, particularly teenagers to adults of all ages. There is a lack of such facilities in the village and this will be exacerbated by a significant increase in village population. A low impact opportunity to improve health with a variety of exercise opportunities. This equipment will be an incentive to make the recreation ground a whole community meeting place thus integrating residents from all over the village.</p>
Quantum	£15,000
Fixed / Tariff	Fixed
Trigger	To be paid prior to the occupation of 25 dwellings
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

Ref	SCDC2															
Type	Children's play space															
Policy	SF/10															
Required	YES															
Detail	<p>Meldreth has an identified deficit of 1.33 ha of children's play space.</p> <p>The developer will be required to provide an onsite LEAP satisfying need of 2-8 year olds with an offsite contribution of £42,500 as requested by Meldreth Parish Council towards installing an all weather play surface comprising two Five-a-side goals and two basketball nets measuring 15 meters by 24 meters with line markings.</p> <table border="1" data-bbox="576 1435 1275 1653"> <thead> <tr> <th></th> <th>Formal play space</th> <th>Informal play space</th> </tr> </thead> <tbody> <tr> <td>1 bed</td> <td>Nil</td> <td>Nil</td> </tr> <tr> <td>2 bed</td> <td>7m2</td> <td>7m2</td> </tr> <tr> <td>3 bed</td> <td>9.7m2</td> <td>9.7m2</td> </tr> <tr> <td>4+ bed</td> <td>13.3m2</td> <td>13.3m2</td> </tr> </tbody> </table>		Formal play space	Informal play space	1 bed	Nil	Nil	2 bed	7m2	7m2	3 bed	9.7m2	9.7m2	4+ bed	13.3m2	13.3m2
	Formal play space	Informal play space														
1 bed	Nil	Nil														
2 bed	7m2	7m2														
3 bed	9.7m2	9.7m2														
4+ bed	13.3m2	13.3m2														
Quantum	£42,500															
Fixed / Tariff	Fixed															
Trigger	<p>LEAP to be laid out and available for use prior to occupation of 40 dwellings</p> <p>Payment of offsite play contribution made prior to occupation of 60 dwellings</p>															
Officer agreed	YES															
Applicant agreed	YES															
Number Pooled	None															

Appendix 1

obligations											
Ref	SCDC3										
Type	Informal open space										
Policy	SF/10										
Required	YES										
Detail	<p>The applicant will be required to provide a minimum level of informal open space in accordance with the table below</p> <table border="1" data-bbox="625 506 1230 689"> <thead> <tr> <th></th> <th>Informal open space</th> </tr> </thead> <tbody> <tr> <td>1 bed</td> <td>5.4 m2</td> </tr> <tr> <td>2 bed</td> <td>7m2</td> </tr> <tr> <td>3 bed</td> <td>9.7m2</td> </tr> <tr> <td>4+ bed</td> <td>13.3m2</td> </tr> </tbody> </table>		Informal open space	1 bed	5.4 m2	2 bed	7m2	3 bed	9.7m2	4+ bed	13.3m2
	Informal open space										
1 bed	5.4 m2										
2 bed	7m2										
3 bed	9.7m2										
4+ bed	13.3m2										
Quantum											
Fixed / Tariff											
Trigger											
Officer agreed	YES										
Applicant agreed	YES										
Number Pooled obligations	None										

Ref	SCDC4
Type	Offsite indoor community space
Policy	DP/4
Required	YES
Detail	<p>Meldreth Parish Council has requested a contribution of £8,500 to replace ageing boiler and carry out refurbishment and modernisation of work surfaces, cookers and flooring.</p> <p>A further request has been made for £40,500 in order to provide more parking at the village hall. For those who cannot walk or cycle to the village school additional car parking capacity at the village hall will ensure a safer environmental for dropping off and collecting children. Extra capacity will help to avoid unacceptable street parking congestion. The Village hall is a major centre for the community and additional parking capacity there will encourage an enhanced level of community cohesion for an increased population. Greater use of the adjacent recreation ground is expected to be a further consequence of the proposed scheme.</p>
Quantum	£49,000
Fixed / Tariff	Fixed
Trigger	To be paid prior to the occupation of 40 dwellings
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

Ref	SCDC5
Type	Household waste receptacles
Policy	RECAP WMDG
Required	YES
Detail	£73.50 per house and £150 per flat
Quantum	See above
Fixed / Tariff	Tariff

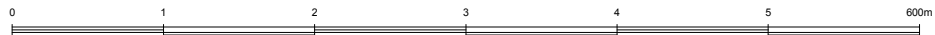
Appendix 1

Trigger	Paid in full prior to commencement of each phase
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

Ref	SCDC6
Type	S106 Monitoring
Policy	Portfolio Holder approved policy
Required	YES
Detail	To ensure the timely delivery of onsite infrastructure
Quantum	£2,000
Fixed / Tariff	Fixed
Trigger	Paid in full prior to commencement of development
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

Ref	SCDC7
Type	Onsite open space and play area maintenance
Policy	
Required	YES
Detail	<p>Paragraph 2.19 of the Open Space in New Developments SPD advises that 'for new developments, it is the developer's responsibility to ensure that the open space and facilities are available to the community in perpetuity and that satisfactory long-term levels of management and maintenance are guaranteed'. The Council therefore requires that the on-site provision for the informal open space and the future maintenance of these areas is secured through a S106 Agreement. Para 2.21 advises that 'if a developer, in consultation with the District Council and Parish Council, decides to transfer the site to a management company, the District Council will require appropriate conditions to ensure public access and appropriate arrangements in the event that the management company becomes insolvent (a developer guarantee)'.</p> <p>It is the Local Planning Authority's preference that the public open space be offered to Meldreth Parish Council for adoption, recognising that the Parish Council has the right to refuse any such offer.</p> <p>If the Parish Council is not minded to adopt onsite public open space the owner will be required to provide a developer guarantee of sufficient value to be a worthwhile guarantee. Furthermore with the details of the guarantee and guarantor would need to be submitted to and approved in writing by the Council prior to commencement of development. Should this not be forthcoming the planning obligation will also be required to include arrangements whereby the long term management responsibility of the open space areas and play areas passes to plot purchasers in the event of default.</p>
Quantum	
Fixed / Tariff	
Trigger	
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

OTHER OBLIGATIONS	
Ref	OTHER 1
Type	Health
Policy	DP/4
Required	YES
Detail	NHS England has requested a contribution of £49,380 to provide an additional 24.69 square metres of floorspace to accommodate the additional approximately 360 anticipated population increase.
Quantum	£49,380
Fixed / Tariff	Fixed
Trigger	100% prior to occupation of 50% of the dwellings
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	NONE



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Scale - 1:5000

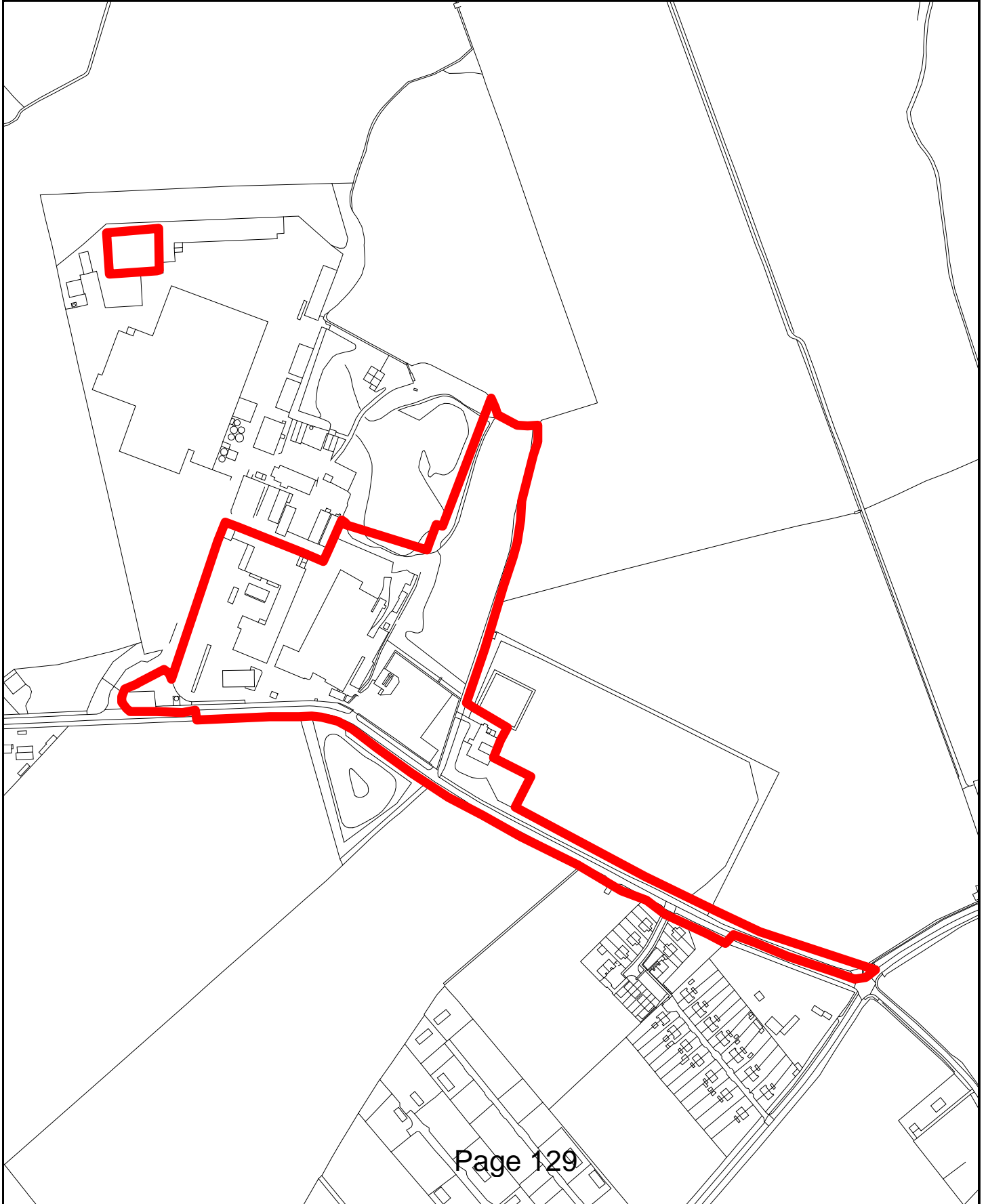
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Date of plot: 14/06/2017



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Agenda Item 7

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

5 July 2017

AUTHOR/S: Joint Director for Planning and Economic Development

Application Number: S/2405/16/RM

Parish(es): Duxford

Proposal: Application for approval of reserved matters (appearance, landscaping, layout and scale) for the development of up to 35 dwellings following outline planning permission S/0276/15/OL

Site address: 8 Greenacres, Duxford, Cambridgeshire, CB22 4RB

Applicant(s): Philip Wright, Cala Homes, North Home Counties

Recommendation: Approval

Key material considerations: Layout
Scale
Appearance
Landscaping

Committee Site Visit: No

Departure Application: Yes

Presenting Officer: Thorfinn Caithness, Principal Planning Officer

Application brought to Committee because: The application is a departure from the Adopted Development Plan and Duxford Parish Council recommends refusal of the application.

Date by which decision due: 9 June 2017

Executive Summary

1. This is an application for the approval of reserved matters comprising layout, scale, appearance and landscaping of a residential development of up to 35 dwellings, following approval of outline planning permission 13/0276/15/OL on appeal on 24 June 2016. The principle of residential development of the site for up to 35 dwellings is established as acceptable. Access to serve the site from Greenacres, facilitated by the demolition of 8 Greenacres was agreed at the outline stage. 8 Greenacres has been demolished under a Prior Notification Procedure.
2. An application for approval of reserved matters, ref: S/3396/16/RM was refused by the Planning Committee on 23 March 2017 because Members had concerns about the over concentration of affordable housing within the site, contrary to the Council's adopted policy which seeks to distribute / 'pepper pot' affordable housing throughout sites in the interests of creating sustainable communities. The committee also refused the application because of an unacceptable landscaping scheme, in particular the existing mature boundary hedges on the Northern and Western site boundaries are located outside of the application site and are not owned or controlled by the applicant. Members were therefore concerned that the site could become unacceptably exposed if these hedges are removed. This current application has sought to overcome these two previous reasons for refusal.
3. When determining the outline application appeal the Inspector identified two main issues influencing the development of the site: -
 - 1) Whether or not the proposed development would provide a suitable site for housing, having regard to the principles of sustainable development and the supply of housing; and.
 - 2) The effect of the proposed access on highway safety and the living conditions of residents of Greenacres during both construction and operational phases.
4. The Inspector concluded favourably in relation to both of these key issues. Other key conclusions reached by the Inspector were as follows: -
 - (a) Duxford has good access to a wide range of employment opportunities within a short distance.
 - (b) On balance, the site provides a sustainable location for development.
 - (c) The development should be measured as sustainable in other ways, such as employment for the construction industry, provision of increased housing to reduce the shortfall and to increase housing choice, including the chronic need for affordable homes (40% on site provision).
 - (d) The site possessed no environmental challenges to development.
 - (e) Construction traffic would cause short term harm to the living conditions of residents of Greenacres, which could be managed by a Construction Environment Management Plan.
 - (f) The traffic to be generated from the proposed additional properties would not result in an adverse effect upon living conditions of residents and the Highway Authority has confirmed that the accesses are safe.
 - (g) The s106 agreement addresses concerns about Duxford Primary School capacity through a contribution of £65,000. The agreement also secures financial contributions to libraries and lifelong learning, community facilities, off-site public open space, household waste and monitoring.
 - (h) Anglian Water has confirmed the village sewerage system has adequate capacity.

- (i) There are no objections from consultees in relation to pollution, ecology, and trees and hedgerows.
5. When approving the outline planning permission the Inspector imposed a number of pre-commencement conditions, as follows: -
- (7) Tree Protection;
 - (10) Ecological Enhancement;
 - (11) Contamination;
 - (12) Construction Management Statement;
 - (14) Waste Management and Minimisation Strategy.
 - (15) Visibility Splays
 - (17) Surface Water
 - (18) Foul Water
6. All of the pre-commencement conditions imposed on the outline consent have been formally discharged.
7. The layout of the site, the scale and appearance of the houses and the proposed landscaping proposed by this layout are all considered to be acceptable for the reasons set out in the report below. The recommendation to Members of the Planning Committee is to approve the application.

Site and Surroundings

8. The area of the site is 1.2 hectares. It is irregularly shaped and comprises a field to the north of Greenacres. The majority of the site is located outside of the defined Development Framework for Duxford. Access to the site has been approved at the outline stage via Greenacres. No. 8 Greenacres has recently been demolished to facilitate this approved access.
9. The site lies outside of the Duxford Conservation Area and is not constrained by any other heritage assets. The site is not affected by flood risk and there were no other site constraints identified by the Inspector. The site is bounded by mature hedges, particularly on this Northern and western sides. These existing Northern and Western boundary hedges lie outside of the red line application site.

Proposal

Amount

10. The application seeks reserved matters approval for the layout, scale, appearance and landscaping of 35 dwellings on 1.2 hectares of land. There will be 21 no. market and 14 no. affordable homes. The mix of property sizes is as follows: -
- 1 bed flats – 4
 - 2 bed flats and houses – 13
 - 3 bed houses – 6
 - 4 bed houses – 11
 - 5 bed house – 1

Layout

11. The layout proposes a spine road which feeds into the site off Greenacres and heads North and West in an informal manner providing access to a number of distinct

character areas. These character areas comprise entrance gateway, village green area, arrival square, informal courtyard and rural close. The layout achieves 25m back to back separation distances from existing neighbouring properties. Two clusters of affordable homes are proposed within the site to address Members' previous about insufficient pepper potting of affordable homes. A formal green space is proposed within the site. This is larger than is required by policy. This formal open space incorporates a Local Area for Play (LAP), is easily and safely accessible from all parts of the site and benefits from good surveillance from properties. Three smaller informal green open spaces are also proposed within the site, including one near the access gateway.

Scale

12. The vast majority of the site comprises buildings of two storey scale; however, plots 27 and 28 located centrally within the site are 2.5 storeys with rooms accommodated within the roofs. The scale of development is classed as a major development however it is smaller by comparison to other residential development sites being proposed on the edges of other settlements in the district.

Appearance

13. The application proposes a mix of house types, sizes and tenures. The properties will be constructed using a mix of materials, to reflect the styles, colours and textures already prevalent within Duxford. These will include red and buff coloured bricks, render, occasional weatherboarding and tiles and slates for the roofs. A mix of boundary treatments are proposed including green hedges, walls, railings, post and rail and close boarded fences.

Landscaping

14. Landscaping of the site includes a number of formal and informal green open spaces, including a larger, formal space with Local Area of Play (LAP), the size of which is greater than required by policy, and some smaller incidental open spaces. New green hedges are proposed on the more exposed edge of village Northern and Western boundaries. These hedges will be planted parallel to existing mature hedges on the Northern and Western boundaries which lie outside of the application site. This new hedge will be contained along the Southern boundary of the site. The site is contained by existing development on its Eastern side and so significant new planting is considered less necessary here. Small areas of exposed parking within the site will be broken up and softened by additional within site planting. A number of within site hard surface and boundary treatments are proposed to create character, definition and enclosure, including permeable paving, railings, low walls and hedges and post and rail fences. A number of existing trees and hedges are proposed for retention on parts of the Eastern and Northern boundaries. Additional landscaping is provided throughout the site with more trees and greenery proposed between the dwellings and along the access roads. The application includes the removal of an earth bund on the North Eastern boundary which was created by the previous site owner to prevent the theft of vehicles from the site.

Access

15. Access was formally determined at the outline stage and therefore is not a reserved matter. The sole vehicular and pedestrian access into and out of the site is from the south, via Greenacres. The developer has investigated the possibility of a pedestrian connection to the existing public right of way to the North, however due to land

ownership constraints this is not currently possible. The proposed layout plan shows a footpath leading up to the northern boundary to facilitate a potential future connection in the event that agreement from the neighbouring landowner can be secured.

Public Open Space

16. The application proposes the on site provision of 857 sqm of open space, including 446 sqm of local area for play (LAP). This exceeds the minimum policy amount secured by the section 106 on the outline consent. The legal agreement also secures developer contributions towards off-site open and community space.

Planning History

17. S/3396/16/RM – Application for approval of reserved matters (appearance, landscaping, layout and scale) for the development of up to 35 dwellings following outline planning permission S/0276/15/OL. Refused 29 March 2017.

S/0276/15/OL – Outline application for demolition of dwelling and garage at no. 8 Greenacres and development of up to 35 dwellings (use class C3) with all matters reserved except for access – Refused, Allowed on appeal 24 June 2016 (APP/W0530/W/15/3138791).

S/2846/16/DC – Discharge of Condition 11 (Geo-Environmental Site Assessment) of Planning Permission S/0276/15/OL – Approved 14 February 2017.

S/2533/16/DC – Discharge of Condition 10 (Ecological Enhancement) of Outline Planning Permission S/0276/15/OL – Approved 11 November 2016.

S/0426/17/DC – Discharge of Condition 15 (Visibility Splays) of Outline Planning Permission S/0276/15/OL – Approved 16 March 2017.

S/0427/17/DC – Discharge of Conditions 17 (Surface Water) and 18 (Foul Water) of Outline Planning Permission S/0276/15/OL – Approved 9 May 2017.

S/0301/17/DC – Discharge of Condition 7 (Arboricultural Method Statement) of Outline Planning Permission S/0276/15/OL – Approved 16 March 2017.

S/0429/17/DC – Discharge of Conditions 12 (Construction Management Plan) and 14 (Waste Management and Minimisation Strategy) of Outline Planning Permission S/0276/15/OL – Approved 12 June 2017.

S/3627/16/PN - Prior notification of proposed demolition of dwelling and garage at 8 Greenacres – Deemed Consent.

18. **National Guidance**
19. National Planning Policy Framework
20. Paragraph 6 – The purpose of the planning system is to contribute to the achievement of sustainable development.
21. Paragraph 7 – Sets out that there are 3 dimensions to sustainable development: economic, social and environmental.
22. Paragraph 14 – At the heart of the NPPF is a presumption in favour of sustainable

development. For decision taking this means approving development proposals that accord with the development plan without delay; and, where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole.

23. Paragraph 47 – Sets out that a key objective of the planning system is to boost significantly the supply of housing.
24. Paragraph 49 – States that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
25. Paragraph 56 – 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.

Planning Practice Guidance

26. **Development Plan Policies**
27. **South Cambridgeshire Local Development Framework Core Strategy DPD 2007**
ST/2 Housing Provision
ST/6 Group Villages
28. **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
29. **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

30. **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/7 Housing Density
H/8 Housing Mix
H/9 Affordable Housing
NH/2 Protecting and Enhancing Landscape Character
NH/4 Biodiversity
CC/9 Managing Flood Risk
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

31. **Consultation**

32. **Duxford Parish Council**

Objections on the following grounds: -

- Overlooking nature of Plot 1 over the gardens of 9 and 10 Greenacres.
- Overbearing nature of Plot 35 on 9 and 10 Greenacres.
- Overlooking nature of Plot 29 on 5 The Old Nursery and 53 Moorfield.
- No pedestrian connection to footpath to the North.
- Excessive density.
- Design of the estate road will not be adopted by the Highway Authority.
- Inadequate parking provision.
- Lack of Green space.

33. **Highways**

No objections. The Highway Authority will not seek to adopt the development because the footway to the majority of the eastern side of the development is below 2m in width. This is considered to be a substandard provision for pedestrians, the most vulnerable of highway users and top of the nationally accepted user hierarchy, would become the responsibility of the Highway Authority if the site were adopted, which presents an undue risk. There appears to be no good design or engineering reason why a 2m wide footway cannot be provided on this side of the carriageway, thus making the site suitably accessible by all. A condition is recommended requiring the proposed access to be constructed using a bound material for the first ten metres from the boundary of the adopted public highway into the site, to prevent debris spreading onto the adopted public highway.

34. **Affordable Housing Officer**

Recommend approval. Previous concerns regarding clustering of the affordable housing has been adequately addressed.

Urban Design Officer

35. This application is for the reserved matters approval for 35 units. A previous reserved matter application for the same site / scheme was refused recently at committee. The revised plans seek to address the reasons for refusal (additional of a perimeter hedge and layout of the affordable houses).

The affordable housing has been split into two clusters rather than altogether which is an improvement on the previous scheme, and the perimeter hedge has been added. The previous layout was already very tight for the mix and amount of housing shown. Without a reduction in numbers to allow these elements to be accommodated, the site has become even more squeezed, and would be significantly improved by the loss of even a single unit, or the introduction of more semi-detached units. This would help to address the following concerns:

- Plot 14 (ground floor flat) – has wide patio doors opening straight onto the road with no defensible space, likewise flat 15 has patio doors opening straight into the parking court
- The flats have no private external space
- The parking has become more dominant, with an increase in the number of parking space which are in front / project forwards of the houses, especially units 19-25 where every plot has parking in front of the houses
- The visitor spaces are not appropriately located within the front garden of plot 25 which compromises the privacy of this unit, and will not appear to be for the use of visitors

I removed my previous objection on the basis that 5 amendments were made, 2 of these elements have returned to the designs, and are not supported and should be removed:

- The mini gablets as they are not a traditional feature or characteristic of this area (plots 2, 7-10, 30 & 35)
- The Weinerberger smoked yellow multi gilt stock brick is not supported, a closer match to the traditional buff brick of South Cambridgeshire is required.

Landscape Design Officer

36. I have considered the soft landscape works drawings Planting Plan /01-05 Rev P6 All recommendations have been included within the revised drawings, which are acceptable and are supported. This includes a new native mixed hedge around the site boundary to the north , west and south of the site. Confirmation of details of bins, knee rails, brick walls, railings and timber bench can be agreed by condition.

Ecology Officer

37. No objections. Measures to secure ecological enhancement of the site have been secured under a separate discharge of condition consent.

Sustainability Officer (Huntingdonshire District Council)

38. No comments.

Environmental Health Officer

39. No objections.

Sustainable Urban Drainage Systems Engineer

40. Drainage details have been approved under a separate discharge of condition consent.

Lead Local Flood Authority

41. No comments. Drainage details have been approved under a separate discharge of condition application.

Environmental Health (Contaminated Land)

42. No objections.

Tree Officer

43. No objections.

Environment Agency

44. No comments. Drainage details have been approved under a separate discharge of condition application.

Natural England

45. No objections.

Cambridgeshire Fire and Rescue

46. No response.

Representations

47. **Local Residents** – 20 letters of objection have been submitted by local residents.

The following objections have been raised: -

- Overbearing effects of Plot 29 on 5 The Old Nursery and 53 Moorfield Road.
- Overbearing effects of Plot 35 on 9 and 10 Greenacres.
- Loss of amenity and privacy.
- Loss of Light / overshadowing effects.
- Lack of screening / insufficient landscaping.
- Insufficient separation distances from existing properties.
- Lack of local services and facilities to support proposed development.
- Excessive density.
- Loss of local character.
- Insufficient car parking.
- Reduction in road safety for pedestrians in Greenacres.
- Increased traffic in Greenacres and on other local roads.
- No connection to public right of way to the North.
- Noise nuisance from construction activities.
- Insufficient play space provision.
- Adverse effect on school which is already at capacity.

- Adverse effect on village life and tranquillity.
- Increased danger to school children.
- Unsustainable location.

Duxford Primary School Head Teacher

Concerned that the school does not have sufficient capacity to accommodate the increased number of children. Also concerned about children's safety when walking and cycling to school.

48. **Planning Assessment**

49. **Principle**

50. The principle of the residential development of this site for up to 35 dwellings is established through outline planning consent S/0276/16/OL, allowed at appeal. Access to the site through Greenacres has also been established.

51. The Inspector imposed a number of pre-commencement conditions, covering a variety of matters, including drainage, contamination, ecology, visibility splays, construction method statement and traffic management, site waste minimisation and tree method statement. All of these pre-commencement conditions have been approved under separate discharge of condition applications.

52. **Layout**

53. Layout relates to how the buildings and public and private spaces are arranged on the site, and the relationship between them and the building and spaces around the site.

54. The proposed layout is considered to be acceptable and one which should be supported. The scheme has an informal estate road, a green entrance gateway and a larger green space within the site. Existing landscaping on the Eastern boundary is to be retained. New hedge planting is proposed on the Northern, Southern and western boundaries and the majority of the proposed dwellings are to be set into the site away from these boundaries so that rear and side gardens back onto these greens. This approach to layout also ensures that there will be acceptable separation distances between the proposed buildings and existing land and property surrounding the application site, to ensure no direct overlooking / loss of privacy and no physical overbearing effects.

55. The Urban Design Officers comments about some of the parking being too dominant are noted, however where parking is proposed in communal areas, the impact of this is softened by the use of smaller blocks broken up by planting, which is considered to be a satisfactory design approach. The locations of some of the visitor parking spaces have been amended to ensure they are positioned in public areas not close to private amenity areas. The layout of the affordable housing has now been split up into two areas to overcome Members' previous concerns about lack of pepper potting.

56. Overall, the proposed layout is considered to be acceptable and in accordance with Policies DP/2 and DP/3 of the South Cambridgeshire adopted Development Control Policies DPD and the Council's adopted Design Guide.

57. **Scale**

58. Scale relates to how big the buildings and spaces are (their height, width and length).

59. The vast majority of the site comprises buildings of two storey scale. Plots 27 and 28, located centrally within the site, are 2.5 storeys with accommodation in the roof, but these two properties have a satisfactory separation distance from the nearest neighbour to the North. The size and position of the proposed open space provides an attractive, relatively central green space within the site. Overall, the scale, mass and bulk of the proposals are considered to be compatible with the local context and will not appear overbearing or out of keeping with their surroundings. The proposed scale is considered to be acceptable and in accordance with Policies DP/2 and DP/3 of the South Cambridgeshire adopted Development Control Policies DPD.

60. **Appearance**

61. Appearance relates to what the buildings and spaces will look like, including building materials and architectural details.

62. The application proposes a mix of house types, sizes and tenures, helping to meet local needs and facilitating the creation of a diverse community. The properties will be constructed using a mix of materials reflective of the style and local vernacular of Duxford. The NPPF outlines that the planning system should not be overly prescriptive in terms of its design requirements through unsubstantiated requirements to conform to certain development forms or styles. The Urban Design officer's objection to the Weinerberger brick is noted. Full details of materials can be agreed by planning condition. It is considered that the proposed green spaces, tree planting, various boundary treatments and perimeter hedges will collectively compliment and soften the visual and physical impacts of the development and enable it to satisfactorily blend with the surrounding context. Overall, the design and appearance of the buildings and the other integral components are considered to be acceptable and in accordance with Policies DP/2 and DP/3 of the South Cambridgeshire adopted Development Control Policies DPD.

63. **Landscaping**

64. Members refused a residential development scheme on this site in March of this year because of concerns that the existing mature boundary hedges on the Northern and Western boundaries lie outside of the application site and their long term preservation in situ could not be guaranteed. The current application proposes new additional hedges along the Northern, Western and Southern boundaries of the site. It is considered that these proposals satisfactorily overcome the previous concerns. The scheme also proposes a considerable amount of new tree planting within the site, combined with gateway and central green space areas. Satisfactory tree protection is secured by the latest Arboricultural Assessment and Protection proposals which the Council's tree officer is satisfied with. The Landscape officer supports the proposed landscaping subject to agreeing details of bins, bench and some of the boundary treatments by planning condition.

65. It is considered that the application site and proposed development will be satisfactorily softened and screened within wider views in the landscape therefore the proposed landscaping is considered to be acceptable and in accordance with Policies DP/2 and DP/3 of the South Cambridgeshire adopted Development Control Policies DPD.

66. **Access, Parking and Highway Safety**

67. Access was formally determined at the outline stage and therefore is not a reserved

matter. The sole vehicular access into and out of the site is from the south, via Greenacres.

68. Concerns have been expressed that the proposal provides insufficient parking which would encourage cars to spill out into Greenacres, to the detriment of highway safety and residential amenity however.
69. The Council's adopted parking standards are set out in Appendix 1 of the South Cambridgeshire District Council Local Development Framework Development Control Policies DPD. This states that developers will be required to provide car parking spaces in accordance with the maximum standards, because over provision of car parking would encourage a car-dominated culture which would not be sustainable. Appendix 1 sets out that for Use Class C3 dwellinghouses developers should provide an average of 1.5 spaces per dwelling (up to a maximum of 2 spaces per 3 or more bedrooms in poorly accessible areas). The appendix confirms that garages are counted as parking spaces. In addition, Appendix 1 states that provision for short term parking generated by services vehicles, salespeople and visitors should also be accommodated. As a general guide, this provision should not fall below 0.25 spaces per dwelling provided with two parking spaces.
70. The application proposals provide 56 dedicated spaces for the proposed dwellings. This exceeds the requirement of 52.5 spaces based on an average of 1.5 spaces per dwelling. All properties with three or more bedrooms will have 2 spaces, either on driveways, within garages or a combination of the two.
71. With respect to visitor parking, there are 18 (no.) properties provided with two parking spaces, which equates to a visitor parking requirement of 4.5 spaces. The application proposes a total of 5 visitor spaces within the site, which again exceeds the 4.5 spaces required. In addition, there are 2 visitor spaces proposed at the entrance to the estate for use by those visiting the existing Greenacres properties.
72. Overall, the proposed car parking provision is considered to be satisfactory and in accordance with Appendix 1 of the South Cambridgeshire District Council Local Development Framework Development Control Policies DPD, and the scale of the development and the off-street provision proposed are not such that cars are likely to spill out into Greenacres
73. The Highway Authority has outlined has no objections to the development but has advised that it will not adopt the estate road because it is not satisfied with certain design features, notably an insufficient width of footpath. In response to this, the developer has explained that the road will be private but it will be built to adoptable standards. It has also been tracked and works for South Cambridgeshire District Council refuse vehicles. The Highway Authority has requested a condition to ensure the road is constructed with a bound material to prevent debris from an unmade road spilling onto the adopted public highway.
74. The developer has explored the option of providing a pedestrian connection to the existing public right of way which runs along the Northern boundary of the site. It is not possible to achieve this because it requires the consent of the adjacent landowner to punch a hole through the Northern boundary hedge (which lies outside of the red line application site). The proposed layout shows a path leading up to the Northern boundary to facilitate a possible connection in the future, should agreement with the adjacent landowner be reached. The fact that this pedestrian link cannot currently be delivered is not considered to render the application proposals unsustainable / unacceptable. Even without this connection the access proposals to the site, which

were in any case determined at the outline stage, are considered to be acceptable.

75. **Affordable Housing**

76. The development makes 40% (14 units) provision of affordable housing in accordance with policy. The Council's Housing Strategy is satisfied with the proposed provision in terms of layout and house types. Previous concerns regarding clustering of affordable housing have been overcome by providing two areas of affordable housing – Plots 11-18 and 30-35.

77. **Housing Mix**

78. The application proposes an acceptable mix of 1, 2, 3 and 4-bed properties which complies with adopted and emerging Development Plan policies.

79. **Density**

80. The application site measures 1.2 hectares and proposes 35 dwellings. This equates to a density of 29 dwellings per hectare. This is considered to be an acceptable density for the site and one which is reflective of the local context. This density is also lower than the 30-40 dwellings per hectare that adopted and emerging Local Plan policies now seek to deliver on sites in more sustainable and accessible locations. The Council's Urban Design officer has suggested that the reduction of the scheme by a single plot would free up space to enable less dominant parking to be designed in and space to provide outside private amenity space for the flats. These comments and concerns are noted however this proposed unit number reduction would reduce the density to 28 dwellings per hectare, at a time when the district has a shortfall in housing and when land should be used more effectively and efficiently. On balance, this suggested reduction in numbers and density is not considered necessary to render the design density of the scheme acceptable. It is considered that the proposed 35 houses and flats can be satisfactorily accommodated on the site, taking account of the need to deliver a quality living environment for future residents and one which delivers an acceptable design in terms of public and private amenity areas and parking provision.

81. **Neighbour Amenity**

82. The proposals are considered to be acceptable in relation to neighbour amenity, having regard to the proposed layout and orientation of the proposed dwellings relative to existing surrounding properties. Acceptable separation distances from existing surrounding neighbours and between the proposed properties themselves can be achieved in accordance with the requirements of the Council's adopted Design Guide, to ensure no unacceptable harm to privacy and amenity.

83. All of the proposed detached and semi-detached houses will have good sized private rear amenity spaces (gardens) which accord with the Council's adopted Design Guide (which states that two bedroom houses in rural settings should have private garden space of 50 square metres and houses with 3 bedrooms or more in rural settings should have private garden space of 80 square metres).

84. Plots 13-18 comprise 6 flats located in a block of 3 ground floor flats and 3 first floor flats. The three first floor flats (Plots 16, 17 and 18) are served with a Juliet balcony with large double door openings providing a pleasant internal environment opening out and connecting to the outside. However, none of these first floor flats have any private outdoor space provision.

85. The three ground floor flats are served with large ground floor windows. Plot 13 has a double door feature opening onto a small green area for outside sitting, albeit this is visible in the public domain and therefore not private. The large window features to Plots 14 and 15 face onto the road and car park and do not open in the same way and therefore these two flats are not equipped with any immediate connection to the outside. As with the three first floor flats, there are no private outside amenity spaces serving these ground floor flats.
86. Paragraph 6.71 of the adopted Design Guide states that every home should have the benefit of some private or communal outside amenity space. This can take the form of private gardens, communal gardens, roof terraces or balconies. Within denser development of settlements and urban extensions, the careful design of outside amenity spaces is required to optimise the benefits of good locations and ensure these spaces offer maximum benefit to new residents. In such compact developments within appropriate urban contexts there will be an emphasis on private balconies and communal gardens / terraces. Relatively modest balconies, roof terraces and communal decks can offer significant benefit to residents of urban environments where they are properly integrated into new development, respect local character, are secure, quiet, attractive and have good microclimate. In relation to balconies the adopted Design Guide states, amongst other things, that that they should be of sufficient size as to permit outside sitting / dining, be secure and relatively private and be placed on the quiet side of the building where possible.
87. In relation to Plots 13-18 it is the case that the application proposals, in terms of provision of outside amenity space, do not accord with the requirements of the Council's adopted Design Guide, in that there is no private amenity space proposed for all six flats. Moreover, for the three flats served with balconies, these are Juliette style and therefore do not provide space for outside sitting. However, it is the case that 4 of the 6 flats are served with some form of connection to the outside and three first floor flats are equipped with relatively pleasant and attractive Juliette balcony features which are likely to be attractive and used by future residents.
88. Although it is the case that Plots 14 and 15 have no useable outdoor space and no balcony or terrace facility, these two units are within easy access of the green space feature within the estate. There is also a smaller incidental green space to the immediate East side of the block of flats and so there are considered to be some options for sitting out which are an alternative to more orthodox dedicated private amenity spaces. It is also the case that those seeking a smaller flat home / lifestyle are not in need of and / or do not want for a private garden and the regular maintenance that this brings. On balance, therefore, although there is a clear degree of conflict with the adopted Design Guide in relation to provision of private outdoor amenity space, it is considered that the majority of the scheme is acceptable in this regard. Furthermore, the provision of alternatives to a private garden is a material consideration to which weight can be attached, as is the provision of a range and choice of different property types to cater for different lifestyle choices, needs and demands.
89. **Developer Contributions**
90. Developer contributions were established at the outline planning application stage and will be secured by the legal agreement pertaining to that consent. This includes financial contributions towards off-site community, play and sports space provision, education, household waste and libraries and lifelong learning, public transport and strategic waste.

91. **Other Matters**

92. The Inspector imposed a number of pre-commencement conditions dealing with tree protection, ecological enhancement, contamination, construction management, lighting, waste management and minimisation, visibility splays and foul and surface water. All of these pre-commencement conditions have been formally discharged and strategies are in place.

93. **Conclusion**

94. The principle of the development of 35 houses and access to the site from Greenacres has been established by the outline consent, allowed on appeal.

95. This application seeks to agree the remaining reserved matters only; namely layout, scale appearance and landscaping and the submitted details are considered to be acceptable.

96. 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

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

i) **The development hereby permitted shall be carried out in accordance with the following approved plans and particulars: -**

Site Layout Plan – Rev AF

- **L1046-2.1 – 1000 – P7 Landscape Masterplan**
- **L1046 – 2.1 – 1001 – P3 Boundary Treatment**
- **L1046 – 2.1 – 1011 P7 Planting Plan 01**
- **L1046 – 2.1 – 1012 P7 Planting Plan 02**
- **L1046 – 2.1 – 1013 P7 Planting Plan 03**
- **L1046 – 2.1 – 1014 P7 Planting Plan 04**
- **L1046 – 2.1 – 1015 P7 Planting Plan 05**
- **L1046 – 2.1 – 1020 P6 Play Strategy**
- **L1046 - 2.1 - 1050 - P1_Details 01**
- **L1046 - 2.1 - 1050 - P1_Details 02**
- **PL02- 03 Rev A Street Scenes**
- **PL02 - 04 Plot 1 - Plans and Elevations**
- **PL02 – 05 Rev A Plot 2 - Plans and Elevations**
- **PL02 - 06 Plot 3 - Plans and Elevations**
- **PL02 - 07 Plots 4 and 5 - Plans and Elevations**
- **PL02 - 08 Plot 6 - Plans and Elevations**
- **PL02 – 09 Rev A Plots 7-8 & 9-10 - Plans and Elevations**
- **PL02 – 10 Rev A Plots 11-18 - Plans**
- **PL02 – 11 Rev A Plots 11-18 - Elevations**
- **PL02 - 12 Plot 19 - Plans and Elevations**
- **PL02 - 13 Plot 20 - Plans and Elevations**
- **PL02 - 14 Plot 21 - Plans and Elevations**
- **PL02 - 15 Plot 22 - Plans and Elevations**
- **PL02 - 16 Plots 23 & 24 - Plans and Elevations**

- **PL02 - 17 Plots 25 & 26 - Plans and Elevations**
- **PL02 - 18 Plot 27 - Plans and Elevations**
- **PL02 - 19 Plot 28 - Plans and Elevations**
- **PL02 - 20 Plot 29 - Plans and Elevations**
- **PL02 – 21 Rev A Plots 30 to 33 - Plans and Elevations**
- **PL02 - 22 Rev A Plot 34 to 35 - Plans and Elevations**
- **Arboricultural Method Statement – revised 22.06.17**

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

- ii) The proposed access be constructed using a bound material, for the first ten metres from the boundary of the adopted public highway into the site, to prevent debris spreading onto the adopted public highway.**

(Reason: in the interests of highway safety).

- iii) No development above slab course level 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 Policies DP/2 and CH/5 of the adopted Local Development Framework 2007.)

- iv) There shall be no occupation of the dwellings hereby approved until the developer has submitted for approval in writing by the local planning authority, details of the timber bench and bin in the play area, knee rails, brick wall with brick coping and metal black railing.**

Reason – To ensure the appearance of the development is satisfactory in accordance with Policies DP/2 and CH/5 of the adopted Local Development Framework 2007.)

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:

Thorfinn Caithness
Telephone Number:

Principal Planning Officer
01954 713126



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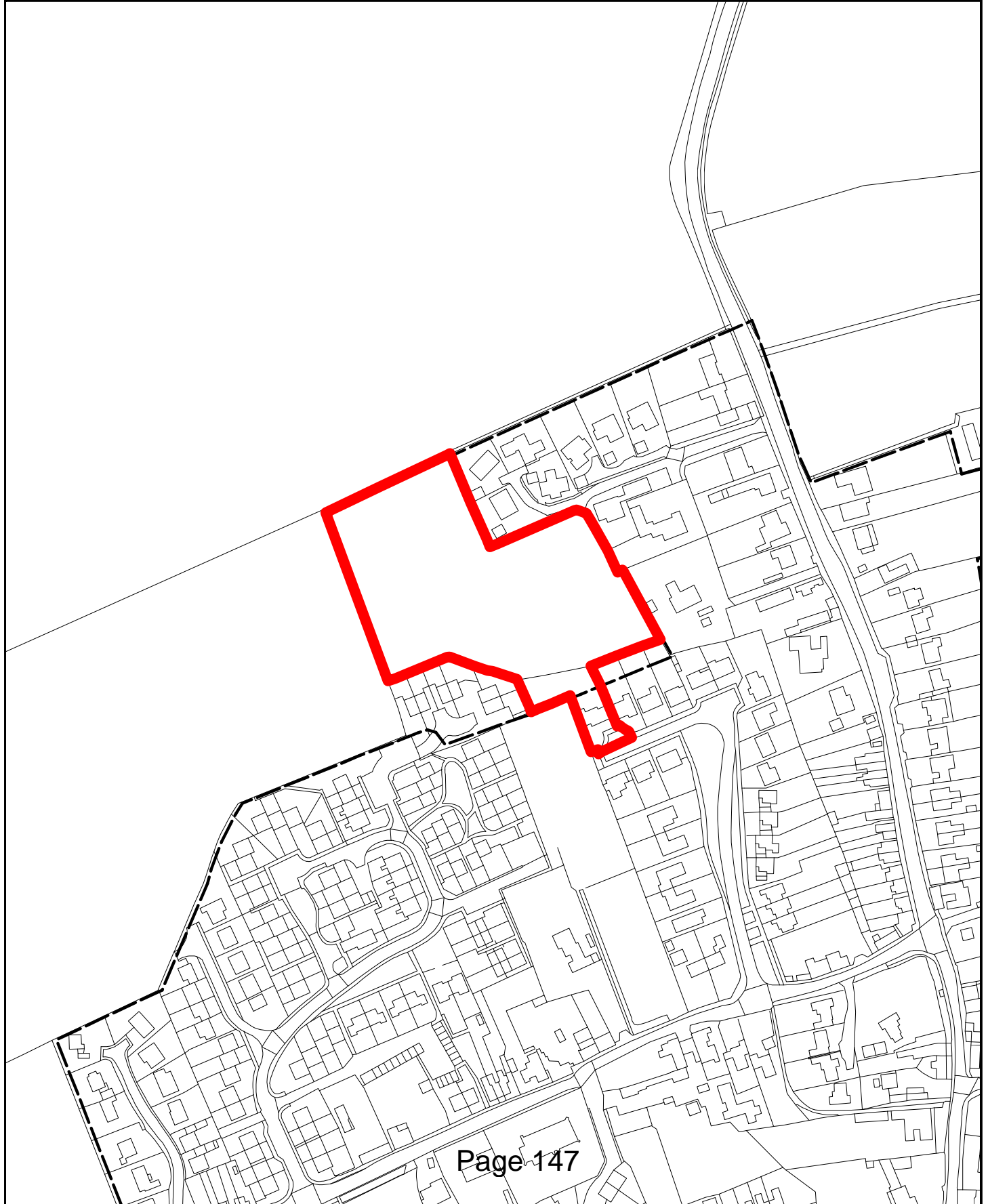
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Date of plot: 22/06/2017



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Agenda Item 8

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

5 July 2017

AUTHOR/S: Joint Director for Planning and Economic Development

Application Number: S/1178/17/FL

Parish(es): Barton

Proposal: Single storey front extensions and rendering of front and rear elevations

Site address: 24, Roman Hill, Barton, Cambridge, Cambridgeshire, CB23 7AX

Applicant(s): Helen Durrant

Recommendation: Delegated Approval

Key material considerations: Impact upon the Green Belt, and impact upon the countryside

Committee Site Visit: Not required

Departure Application: No

Presenting Officer: Rebecca Whitney, Planning Project Officer

Application brought to Committee because: The applicant is related to an employee of South Cambridgeshire District Council

Date by which decision due: 20 June 2017 (Extension of time to 06 July 2017 has been requested.)

Relevant Planning History

1. No relevant planning history.

Planning Policies

2. National Planning Policy Framework 2012 (NPPF)
Planning Practice Guidance
3. **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/1 Development in the Green Belt
HG/6 Extensions to Dwellings in the Countryside

4. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
District Design Guide SPD - Adopted March 2010
5. **South Cambridgeshire Local Plan Submission - March 2014**
HQ/1 Design Principles
NH/8 Mitigating the Impact of Development In and Adjoining the Green Belt
S/4 Cambridge Green Belt
S/7 Development Frameworks

Consultations

6. **Barton Parish Council** - Recommends approval of the proposed extension and other works.

Representations

7. The owner/occupier of No.22 Roman Hill has no objections to the proposed plans.

Site and Surroundings

8. The application site is a two storey residential dwelling located outside of the Development Framework of Barton, and within the Green Belt.

Proposal

9. The proposal seeks permission for the erection of single storey front extensions and to finish the front and rear elevations in render.

Planning Assessment

10. The main issues to be considered in this instance are the impact upon the Green Belt and countryside.

Impact upon the Green Belt

11. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The proposed extensions are single storey and to the front of the dwelling, The rear of the property backs on to open Green Belt and countryside land. The proposal includes the application of cream render to the front and rear elevations.
12. Paragraph 89 of the NPPF states that the construction of new buildings is inappropriate within the Green Belt unless certain exceptions apply. One of these exceptions is the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
13. The proposed development is of a size and scale that does not result in a disproportionate addition over and above the size of the original building. It is considered appropriate for its location in the Green Belt such that the proposed extensions and application of render are not considered to result in development that is not inappropriate in the Green Belt. The proposals would also not have any adverse effect on the rural character and openness of the Green Belt.
14. The proposed development is therefore considered to be in accordance with policies GB/1 and GB/2 of the South Cambridgeshire District Council, Local Development

Framework, Development Control Policies, Adopted July 2007, and policy NH/8 of the South Cambridgeshire Local Plan, Proposed Submission July 2013.

Impact upon the Countryside

15. The property lies outside of the Development Framework and therefore is categorised for planning purposes as being situated in the countryside. As such, the development must adhere to a set of guidelines and policies to ensure that its impact upon the landscape is limited.
16. The development is of a permanent design that is in scale and character with the dwelling at present, for which it will provide ancillary use only. The proposed extensions would not exceed the existing height of the dwelling, and would not result in an increase in volume or gross internal floor area of 50% or more. As a result, the proposed development is considered to comply with Policy HG/6 of the South Cambridgeshire District Council, Local Development Framework, Development Control Policies, Adopted July 2007.

Design

17. The relevant section of Roman Hill is characterised by visually separate, detached dwellings set back from the front boundaries. The gaps between buildings create a sense of openness and allow views into the countryside and Green Belt to the east.
18. The proposed single storey front extensions would not result in significant harm to the character of the area, nor impact on the separation between the dwellings. The proposed additions are clearly subservient to the main dwelling, would not extend beyond the principal elevation and would not exceed the height of the existing single storey elements.
19. The proposed application of render to the front and rear elevations is not considered to result in harm to the character of the dwelling or the street scene. The dwellings immediately adjacent to No.24 are finished in brick with dark cladding details, however other dwellings on Roman Hill have light cladding details, feature render panels or are fully rendered.
20. The proposed development is considered to be a subservient addition which maintains the character and appearance of the area. The proposed development is therefore considered to comply with policy DP/2 of the South Cambridgeshire District Council Local Development Framework, Development Control Policies, Adopted July 2007.

Impact upon Residential Amenity

21. The proposed extensions would infill the spaces between the existing single storey elements of the principal elevation.
22. The proposed extensions are not considered to cause a significant increase in overlooking or overshadowing of neighbouring properties, and therefore are not considered to have an unacceptable negative impact on neighbour amenity. As a result, the proposed development is considered to comply with policy DP/3 of the South Cambridgeshire District Council, Local Development Framework, Development Control Policies, Adopted July 2007.

Recommendation

23. Officers recommend that the Committee approve the application subject to:

Conditions

- (a) Time Limit (3 years) (SC1)
- (b) Drawing numbers (SC95)

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/1178/17/FL

Report Author:

Rebecca Whitney
Telephone Number:

Planning Project Officer
01954 713029



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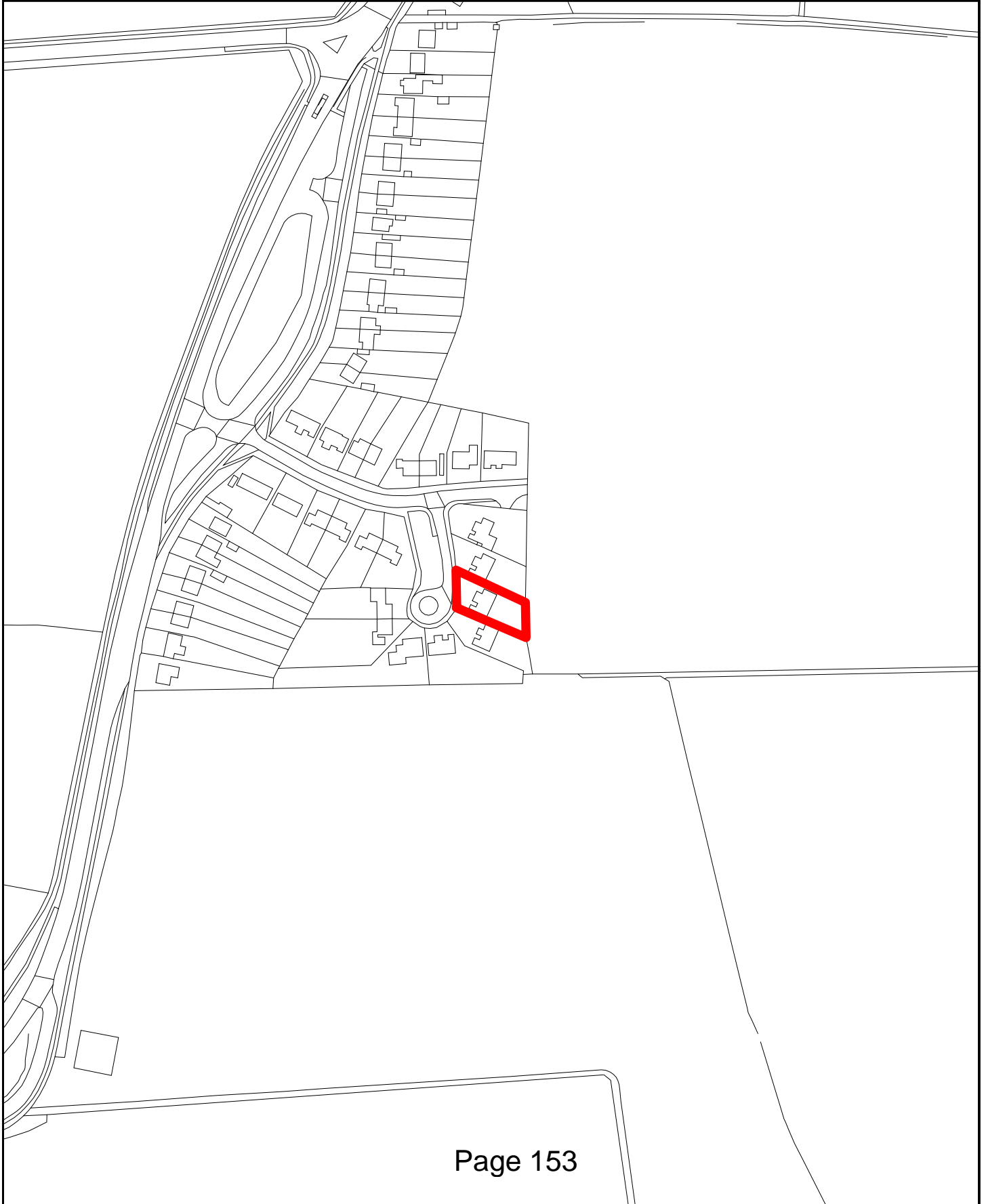
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Date of plot: 05/06/2017



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Agenda Item 9



REPORT TO: Planning Committee

5 July 2017

LEAD OFFICER: Joint Director of Planning & Economic Development

Enforcement Report

Purpose

1. To inform Members about planning enforcement cases, as at 21st June 2017
Summaries of recent enforcement notices are also reported, for information.

Executive Summary

2. There are currently 90 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.

Updates to significant cases

5. (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.

File prepared and instruction given to apply for a High Court Injunction.

Preparation work including further detailed inspections of the lands in question, personal service etc. is currently being carried out along with a witness statement to facilitate the High Court Injunction application.

(b) **Cottenham - Smithy Fen:**

Work continues on Setchel Drove, following the placement of a number of static caravans on four plots in breach of the current planning consent and High Court Injunction applicable to each plot. Formal letters have been issued to those reported owners and occupants on Setchel Drove, covering the breaches of planning control and breach of the High Court Injunction - Copies of the Injunction and Housing leaflets, covering those that may be threatened with homelessness or eviction has been issued – Given the complexity and number of departments within the organisation that may be involved in any future action the Councils Tasking & Coordination group are facilitating a joint approach with Planning, Environmental Health, Housing, Benefits & Council Tax, and Legal.

(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 has been made aware.

Permission to appeal allowed – Appeal Listed for a 1 day hearing on the 19th January 2017. The Court of Appeal upheld the Appeal i.e. Planning permission quashed and it will now need to be returned to Planning Committee. Currently waiting for revised documents to be submitted by latest 30th June 2017 and scheduled July 2017 Planning Committee at the earliest.

(d) **Woburn – 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 was to be submitted to the July Planning Committee to approve direct action by the council in relation to demolition of the unauthorised extension however a further three applications were received from the land owner prior to committee and therefore this item has been withdrawn from the agenda in order to allow officers the opportunity to review the information.

Three LDC's (Lawful Development Certificate) under planning references

S/1739/16, S/1655/16 and S/1615/16 that were submitted have since been refused. A further application under planning reference S/0443/17/LD has been determined and was also refused. Prosecution proceedings have now been instigated for the non-compliance with the original enforcement notice. The hearing which had been set for 10am on 20 April 2017 at Cambridge Magistrate's Court had not been listed by the Court due to a computer error. Two further planning applications submitted by the land owner were not validated. The case was held on the 27 April 2017, where the defendants pleaded guilty, Each was fined £1500.00p, with £500.00p costs and £100.00p victim surcharge. Work is currently underway to comply with the enforcement notice.

- (e) **Fulbourn - St Martin's Cottage, 36 Apthorpe Street,**
Erection of a wooden building in rear paddock of No.36 Apthorpe Street, Fulbourn, intended for commercial use as a carpentry workshop. The building is, in the absence of a planning permission in breach of planning control and has a detrimental impact upon the Green Belt and open countryside.
- A retrospective planning application has not been submitted in order to try and regularise the breach of planning control identified therefore an application to issue an enforcement notice for the removal of the building was made. Enforcement Notice issued 9th September 2016 effective date 21 October 2016 Compliance period – Three months - Appeal received by the Planning Inspectorate. Appeal to be Written Reps. Site inspection by the Inspector was carried out on the 16th May 2017
- (f) **Histon – Land at Moor Drove**
Unauthorised development within the Green Belt of agricultural land and occupation of a section of the land, including stationing of five (5) touring caravans. Immediate application of a High Court Injunction made to prevent further development and occupation of the land. Application successful. Enforcement Notice to be issued requiring removal of the five (5) unauthorised touring caravans. Retrospective planning application received, awaiting validation. Planning reference S/2896/16 refers. Since application a planning agent has been engaged to provide outstanding information in order to allow original application to be validated. Application now validated
Enforcement notices (3) issued 10 January 2017 covering the section of land the subject of the unauthorised development. Planning Appeal Submitted and received by the Planning Inspectorate, Hearing has been set for October 2017.
- (g) **Horseheath - Thistledown Cardinals Green**
Erection of a wooden lodge sited in the rear garden for the purpose of an annexe for independent living accommodation, without the benefit of a planning consent. Application submitted, subsequently refused. Planning reference S/1075/16/FL refers. Enforcement notice issued wooden lodge to be removed within three months (7 May 2017) unless an appeal is received in the meantime. Planning Appeal now submitted in relation to the planning decision. Appeal to be Written Reps.
- (h) **Willingham – The Oaks Meadow Road**
The use of the chalet building as a dwelling house without the benefit of planning permission. A retrospective planning application had previously been

submitted and was due to be heard at the 7th December 2016 Planning Committee but was withdrawn by the applicant. Enforcement Notice issued and subsequently Appealed. Appeal to be by Enquiry 19th & 20th September 2017

Investigation summary

- 6 Enforcement Investigations for May 2017 reflect a 60% increase when compared to the same period in 2016. Fifty Six (56) cases opened in total for the period.

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:

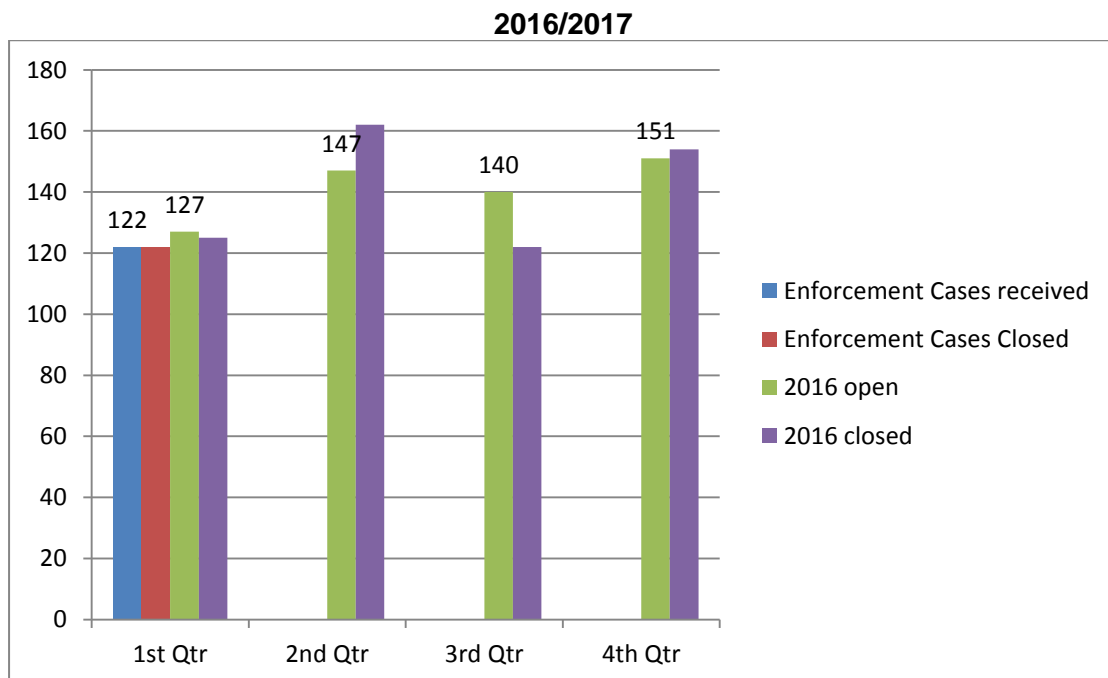
The following background papers were used in the preparation of this report:

- **Appendices 1 and 2**

Report Author: Charles Swain Principal Planning Enforcement Officer
Telephone: (01954) 713206

Enforcement Cases Received and Closed

Month – 2017	Received	Closed
April 2017	36	27
May 2017	56	64
June 2017	-	-
1 st Qtr. 2017	122	122
2 nd Qtr. 2017	-	-
3 rd Qtr. 2017	-	-
4 th Qtr. 2017	-	-
1 st Qtr. 2016	127	125
2 nd Qtr. 2016	147	162
3 rd Qtr. 2016	140	122
4 th Qtr. 2016	151	154
2016 - YTD	565	563
2015 -YTD	511	527
2014 -YTD	504	476



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Notices Served and Issued

1. Notices Served

Type of Notice	Period	Calendar Year to date
	May 2017	2017
Enforcement	0	7
Stop Notice	0	0
Temporary Stop Notice	2	4
Breach of Condition	0	1
S215 – Amenity Notice	0	1
Planning Contravention Notice	0	1
Injunctions	0	0
High Hedge Remedial Notice	0	0

2. Notices served since the previous report

Ref. no.	Village	Address	Notice issued
SCD-ENF-020617 Activity consisting of building, engineering, mining or other operations without planning permission	Elsworth	Constellation Mobile Home Park The Drift	Temporary Stop Notice
SCD-ENF-19917 Unauthorised development due to a breach of condition 6 – S/3197/15/FL	Fowlmere	1 & 2 The Butts	Temporary Stop Notice

3. Case Information

Thirty seven of the Fifty Six cases opened during May were closed within the same period which represents a 66.0% closure rate.

A breakdown of the cases investigated during May is as follows

Low priority - Development that may cause some harm but could be made acceptable by way of conditions e.g. Control on hours of use, parking etc.
Four (4) cases were investigated

Medium Priority -Activities that cause harm (e.g. adverse affects on residential amenity and conservation areas, breaches of conditions)
Forty Nine (49) cases were investigated

High Priority (works which are irreversible or irreplaceable (e.g. damage to, or loss of, listed buildings and protected trees, where highways issues could endanger life)
Three (3) cases were investigated

The enquiries received by enforcement during the May period are broken down by case category as follows.

Adverts	x 02
Amenity	x 02
Breach of Condition	x 19
Breach of Planning Control	x 04
Built in Accordance	x 02
Change of Use	x 02
Conservation	x 00
Listed Building	x 03
Other	x 06
Unauthorised Development	x 14
Permitted Development	x 02
<u>Total Cases reported</u>	<u>56</u>

Agenda Item 10



REPORT TO: Planning Committee

5 July 2017

LEAD OFFICER: Joint Director for Planning and Economic Development

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 26th June 2017 Summaries of recent decisions of importance are also reported, for information.

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
 - Appendix 4 - Appeal summary prepared by John Koch

Contact Officer: Stephen Kelly Joint Director for Planning and Economic Development for Cambridge and South Cambridgeshire
Telephone Number:: 01954 713350

Report Author: Ian Papworth Technical Support Team Leader (Appeals)
Telephone Number: 01954 713406

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Appendix 1

Decisions Notified By The Secretary of State

Reference	Address	Details	Decision	Date	Planning Decision
S/1682/16/FL	5 Church Road, Hauxton	Alterations and extension to house to form two dwellings	Dismissed	28/4/17	Delegated Refusal
S/2074/16/FL	Fountain Farm, Park Lane, Gamlingay	Proposed new dwelling and detached double garage	Dismissed	2/5/17	Delegated Refusal
S/3055/16/FL	28, Winfold Road, Waterbeach	Two Storey Side Extension and Single Storey Rear Extension	Dismissed	05/05/17	Delegated Refusal
S/1338/15/OL	Land south of West Road and west of Mill Street, Gamlingay	Outline application for the development of up to 29 dwellings, including open space with access applies for in details	Allowed	5/5/17	Committee Refusal
S/0218/16/FL	73 High Street, Melbourn	Conversion of the existing shop to one flat and convert the remainder of the existing house to 3 flats, creating 4 No. 1 bed flats	Dismissed	15/5/17	Delegated Refusal
S/0191/16/OL	Site South of Thompsons Meadow, Trap Road, Guilden Morden	Outline Planning Application for up to 30 dwellings and formation of new access (all other matters including landscape, layout, scale and appearance	Dismissed	11/05/17	Delegated Refusal

Appendix 1

		are reserved)			
S/3096/15/FL	6 New Road, Gt & Lt Chishill	Erection of a new single storey dwelling & garage	Dismissed	15/05/17	Delegated Refusal
S/0851/16/FL	Hallmark Hotel, Land South side of Huntingdon Road, Bar Hill	Development of 40 residential dwellings across two sites comprising: 6, two storey houses and 27 apartments in 3 and 4 storey blocks, 47 car parking spaces and associated landscaping including the retention of part of the bund and provision of a play area on part of the hotel car park and other surplus space (Site 1) and 7, two storey houses served by 14 car parking spaces and associated landscaping on part of hotel staff car park and underutilised part of golf course (Site 2) new pedestrian access off Crafts Way and a children's play area along with associated landscaping on land between Sites 1 and 2	Allowed	05/06/2017	Delegated Refusal
S/1826/16/FL	62 Earith Rd, Willingham	New Box Dormer Window	Allowed	19/05/2017	Non Determination

Appendix 1

		to Extend over Balcony and Minor Modelling to Front Façade			
S/1566/16/OL	To the West of the Cemetery, Land North of The Causeway, Bassingbourn	Outline application for 26 residential dwellings with associated access, highway, parking and landscaping.	Allowed	09/06/2017	Delegated Refusal
ENF/0261/15	Tatyana Cottage, Chesterton Fen Road, Milton	First floor extension on outbuilding	Withdrawn (Enf. Notice withdrawn)	14/06/2017	
S/0746/16/FL	123, Meldreth Road, Whaddon	Demolition of existing bungalow and erection of a two-storey replacement dwellinghouse	Allowed	16/06/2017	Delegated Approval

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Appeals Received

Reference	Address	Details	Date Appeal lodged
S/2513/16/FL	38, High Street Foxton	Proposed erection of a new two bedroom detached dwelling	23/03/17
S/3622/16/FL	45 Church Street, Haslingfield	Demolition of existing bungalow, and construction of 2 No. two storey detached houses	03/05/17
S/3364/16/FL	Spinney Hill Farm, Newton Road, Whittlesford	Change of use from a dwelling house and former agricultural land to a nature reserve and burial ground, the demolition of existing buildings, the erection of a remembrance Hall and associated car parking and landscaping	08/05/17
S/3147/16/OL	Land side of No. 4 Barley Road, Heydon	Outline planning permission for three dwellings and garages with all matters reserved apart from access, layout and scale	
S/2553/16/OL	Horseheath Road, Linton	Outline planning application with all matters reserved for up to 50 dwellings and allotments (not less than 0.45 hectares)	20/04/2017

Appendix 2

S/3371/16/FL	33, Magna Close, Great Abington	New Dwelling	02/05/2017
S/0139/17/FL	2, High Street, Oakington And Westwick	Retrospective wooden fence surrounding the back garden with a gate ,up to 2 metres in height.	28/05/2017
S/0209/17/FL	Old GPO Building, Ermine Way, Arrington	Change of use from commercial to mixed use - live work unit - demolition of existing buildings - construction of new single unit with workshop/office area and associated small dwelling unit	06-06-17
S/3256/16/FL	Orchard Stables, 30, East Drive, Highfields Caldecote	Proposed consolidation of existing agricultural, stables and outbuildings to the rear curtilage of the property known as 30 East Drive, Highfields, CB23 7NZ for the proposed development of a single dwelling with access drive and landscaping and garage	09/06/17

Appendix 2

S/0570/17/FL	Farriers, Newton Road , Whittlesford	Demolition of existing dwelling excluding detached leisure building. Erection of a replacement dwelling and associated works	08 06/17
S/0686/17/FL	6 Caraway Road Fulbourn Cambridge CB21 5DU	Side extension for new staircase	23/05/20 17
S/0129/17/FL	156 Girton Road, Girton	Proposed fences and gates to front	23/5/17
S/1991/16/OL	Land to the North of Whittlesford Road, Newton	Outline application for residential development with all matters reserved apart from access	02/6/17
S/2916/16/VC	Mobile Home, Mill Green Meadow, Mill Green, Shudy Camps	Variation of Condition 2 (approved plans) of planning permission S/2009/15/FL	06//06/17
S/0025/17	The Shed, St Johns Farm, St Johns Lane, Horningsea, CB25 9JQ	Single storey side and rear extension	26/05/2017

Appendix 2

S/0251/17/FL	2 The Lakes, Twentypence Road, Cottenham	Two storey front extension to existing dwelling plus internal alterations and changes to rear doors and windows.	09/06/2017
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Appendix 3

Local Inquiry and Informal Hearing dates scheduled

- **Local Inquiries**

Reference	Name	Address	Planning decision or Enforcement?	Date confirmed/proposed
S/1818/15/OL	Gladman Developments Ltd	Cottenham Land off Rampton Rd	Planning Decision	21 st , 22 nd , 26 th and 27 th Sept 2017 Confirmed
ENF/0012/17	Mr Thomas Buckley	The Oaks, Meadow Road, Willingham	Enforcement Notice	19/09/2017 & 20/09/2017 Confirmed
S/2764/16/OL	Wellbeck Strategic Land II LLP and Mr B J Fletcher and Mrs S J Fletcher	Land off Grafton Drive, Caldecote	Non Determination	05/09/2017 for 4 days Confirmed

- **Informal Hearings**

Reference	Name	Address	Planning decision or Enforcement?	Date confirmed/proposed
S/1969/15/OL	Mr Jon Green	Horseheath Road, Linton	Planning Decision	TBC
S/2553/16/OL	Mr Jon Green	Horseheath Road, Linton	Planning Decision	TBC
ENF/0433/16	Mr Tony Price	7 Moor Drove, Cottenham	Enforcement Notice	10/10/2017 Confirmed
ENF/433/B/16	Mr Tony Price	7 Moor Drove, Cottenham	Enforcement Notice	10/10/2017 Confirmed
ENF/433/C/16	Mr Tony Price	7 Moor Drove, Cottenham	Enforcement Notice	10/10/2017 Confirmed
S/3396/16/RM	Cala Homes North Home Counties	8 Greenacres, Duxford	Planning Decision	TBC

Appendix 3

S/1027/16/OL	Bloor Homes Eastern	Land south of Fen Drayton Road, Swavesey	Planning Decision	19/09/2017 Confirmed
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Summaries of recent decisions

K B Tebbit Ltd and Davidsons Development Ltd – Outline application for 49 dwellings, community car park and coach drop-off facility, pumping station and associated infrastructure – Hurdleditch Road, Orwell – Appeal allowed. Appellant’s application for costs refused.

1. The Committee refused the application on the basis that the unsustainable location of the site for the proposed development, with particular regard to its access to services and facilities, and any resulting need to travel by the private car, and the effect of the proposed development upon the existing landscape character of the area and the setting of the village. The appeal was considered by way of a hearing attended by Cllr Van de Weyer and a member of Orwell Parish Council.
2. While the hearing took place before the *Hopkins Homes* Supreme Court judgement, the inspector received comments from the main parties following the judgement before issuing his decision. In doing so he confirmed that the Supreme Court Judgement makes clear that it is not necessary to label policies DP/1 (part a) and DP/7 of the Adopted Local Development Framework Development Control Policies Development Plan Document 2007 and ST/6 of the adopted Core Strategy Development Plan Document 2007 as being out of date.
3. However, whilst these policies are generally consistent with those aims of the Framework seeking to steer developments to accessible locations to reduce the dependency on the need to travel by the private car, their weight is reduced in this case due to the significant shortfall in terms of housing supply within the District and the difficulties faced by the Council in addressing the deficit.
4. As in other recent appeal decisions, the inspector considered there to be a very significant shortfall in the supply of housing. The proposal would provide for up to 49 new houses, of which 40% would be affordable dwellings. In the context of the Council’s shortfall in the supply of housing, the scheme would make a substantial contribution to which he gave considerable weight.
5. In terms of the sustainability issue, he considered that that the site would be located close to existing local facilities and services providing for some day to day needs of residents and would allow for the opportunity for some journeys to be made by public transport to facilities and services located further afield. Nevertheless, the location of the development would result in the likelihood that residents would utilise the private car in order to access those services and facilities that are located further afield with only limited or no public transport accessibility. He concluded that the proposal would result in moderate harm to the objectives of policies DP/1, DP/7 and TR/1 along with the relevant provisions of paragraphs 7 and 17 of the NPPF.
6. In landscape terms, although the development would extend beyond the settlement edge, the inspector did not consider the protection of the existing settlement edge to be of such importance in this location to protect the setting of the village or the landscape character of the area. Representations were made by other parties on views to the Church of St Andrews from Hurdleditch Road. Given that the proposed development would only affect views to the church for only a limited section of Hurdleditch Road, no significant adverse impacts were found in this respect. New planting would be possible that provides the opportunity to soften the visual impact of the new housing in views on the approach to the village.

7. The inspector found no significant harm arising in terms of any impacts upon the future of the school. All other concerns could be satisfactorily mitigated by way of conditions. The proposed section 106 planning obligation including provision for affordable housing, on-site open space, off-site sports and play areas, Orwell Clunch Pits SSSI, bus-stop maintenance and traffic regulation orders were all accepted as being necessary and CIL compliant.
8. Overall the adverse impacts were not found to significantly and demonstrably outweigh the benefits. Consequently the proposal would represent sustainable development and the appeal was allowed.
9. The appellant claimed an award of costs based on the fact that the Council had allowed development outside of other Group Villages and it therefore should have done so in this case. In response, the inspector was satisfied that in this respect, each decision should be made on its merits and, whilst other appeal decisions can be relevant, just because a development has been carried out at one Group Village it does not necessarily mean that all Group Villages are suitable locations for residential development. He also noted that the Council has approved other housing development at Group Villages. He accepted that the Council had given consideration to the significance of its housing shortage in making its decision and has not acted unreasonably in this respect. While there were inconsistencies in the Council's evidence on landscape impact and the setting of the village these were not of such a magnitude to have resulted in the appellant incurring unnecessary expense.
10. Unreasonable behaviour resulting in unnecessary expense during the appeal process had not been demonstrated. An award of costs was therefore not justified.

Comment: This decision is important as a planning inspector has confirmed the legal advice given to the Council regarding the status of policies ST/6, DP/1(a) and DP/7 as no longer being out of date. This allows the decision-maker to give weight in principle to the objectives of these policies, albeit this must still be considered in the light of paragraphs 14 and 49 of the NPPF and the Council's inability to demonstrate an up to date supply of housing land. The fact that this appeal was allowed confirms that the Supreme Court judgement does not alter the approach that needs to be adopted.

M Scott Properties Ltd – Outline application for 26 dwellings with associated access, parking and landscaping – Land west of the Cemetery and north of The Causeway, Bassingbourn – Appeal allowed. Appellant's application for costs dismissed

11. Planning Committee refused the application on the basis that the proposal would have an adverse impact on the character of the landscape by developing within the open space between the eastern boundary of the settlement of Bassingbourn and the western boundary of the settlement of Kneesworth. The inspector also considered the impact on local infrastructure and the suitability of the site for housing. The appeal was determined by way of written representations. Although the decision post-dates the *Hopkind Homes* judgement of the Supreme Court, the inspector did not invite comments from the main parties on the significance of that decision.
12. The inspector noted that the site lies in an area which has no national or local designation although its open character is valued by local residents. It would nonetheless result in the loss of about 1ha of best and most versatile agricultural land. In visual terms, given the enclosed nature and the relatively level topography of

the site and immediate surroundings, the appeal site provides a minimal contribution to the wider surrounding area and the proposal would have limited harm on the character of the wider landscape. Nonetheless, the site, together with the adjoining cemetery and fields to the north and south of The Causeway, provides a contribution to the visual gap, preventing coalescence between the villages of Bassingbourn and Kneesworth and adds to the open character and appearance of this part of the village.

13. The development would undermine the gap between the two villages although the proposal would only be visible over short distances on the approach into the village along The Causeway. Whilst the inspector recognised that the impacts of the development could be mitigated by restricting the height of the buildings through planning condition to match those in the area and in time by the retention and enhancement of the hedgerow along the frontage of the site, he concluded the proposal would harm the landscape character of the local area and exacerbate the coalescence between the villages.
14. In considering the overall balance, the landscape harm carried significant weight. The loss of the agricultural land carried moderate weight. Against that, the proposal would provide 26 new dwellings, of which 10 would be affordable. Given the “severe” shortfall in housing provision in the area and the “chronic” shortage of affordable homes, this was a significant social benefit carrying very substantial weight. The contributions towards play equipment and the sports pavilion on the adjacent recreation ground; the contribution towards a new pavilion in Bassingbourn; and the provision of a LAP were viewed as social benefits of the scheme which carried moderate weight. The opportunities for biodiversity, renewable energy technologies, footpath improvements, general accessibility and economic benefits during construction all carried additional moderate weight.
15. The inspector was satisfied that the various infrastructure contributions (except a payment towards monitoring costs) were justified to make the development otherwise acceptable.
16. He concluded that the adverse impacts identified did not significantly and demonstrably outweigh the scheme’s benefits and the proposal would represent a sustainable form of development when assessed against the policies of the Framework taken as a whole. Consequently the proposal would represent sustainable development and the appeal was allowed.
17. The appellant’s claim for costs was that the reason for refusal was unnecessary as there was a delay in providing information and complying with deadlines. Committee members had also failed to appreciate and apply relevant national policy. The reason for refusal was considered to be vague and unsupported by any objective analysis and evidence from the Council, including that at application stage. The Committee had also failed to undertake a proper balancing exercise against the overall benefits of the development and principles of sustainable development.
18. In response the inspector found that given the complex and substantial nature of the application, the Council had actively engaged with the appellants during the application process. The reason for refusal was complete, precise, specific and relevant to the application and had been adequately substantiated by the Council. While the committee took a different view to that of its officers, the conduct of the committee had not been unreasonable and there were matters of planning judgement based on an assessment of fact and degree of the effects on the main issues relating

to the development. The Council had not acted unreasonably and no award of costs was justified.

Comment: While the inspector agreed that the landscape harm carried “significant” weight, this still had to be considered in the light of paragraphs 14 and 49 of the NPPF and the Council’s inability to demonstrate an up to date supply of housing land. Once again, the balance has been tilted in favour of approval given the wider sustainability benefits of the development. Even if the Supreme Court judgement had been taken into account this is unlikely to have led to a different decision given the requirements of the NPPF.

Hallmark Hotels (Bar Hill) Ltd – 40 residential dwellings and associated parking, landscaping, play area and pedestrian access – Land south of Huntingdon Road, Bar Hill – Appeal allowed. Appellant’s claim for costs allowed

19. Planning Committee refused the application for two reasons. First, that the identified need for affordable housing in this location outweighs the requirement for a design of the specification proposed in the application. The proposed scheme would incur high build costs and this had resulted in a provision of 20% affordable housing (inclusive of a commuted sum for the equivalent of two offsite units). It was considered that the development in the eastern part of the site in particular could be constructed to a reduced specification and the level of public art across the scheme could be reduced to release more funding for the provision of additional affordable units on site. It was considered that other planning objectives do not fully justify the level of affordable housing proposed. The second reason raised concerns that the bulk, scale and massing of the two blocks of apartments in the front (western) portion of the site were detrimental to the established character of the entrance to the settlement of Bar Hill.
20. The appeal was considered by way of a hearing attended by councillors Bunty Waters and Lynda Harford.
21. Given issues of viability, the appellant advanced the appeal scheme with no affordable housing but with a fall-back position that would be the equivalent of 20% affordable housing (comprising 6 shared ownership homes and a contribution of £185,500.71). In contrast, the Council were unable to provide a figure at the hearing as to the percentage of affordable housing it considered could be viably delivered.
22. In terms of policy HG/3 the abnormal costs of the development would mean that a 40% affordable housing level could not be achieved. The Council’s evidence queried the build costs and the public art strategy. The inspector found the build costs were likely to be slightly higher than necessary and it is therefore conceivable that the design specification could be reduced without the overall design quality of the proposal being unduly compromised. In this respect, it was difficult to justify the entire public art strategy given the compelling local need for affordable housing.
23. The Council were, however, unable to identify a financial figure for those build costs it considered to be unnecessary and therefore the inspector opined it was difficult to ascertain whether any savings would be significant. The viability position was unlikely to be as bad as suggested by the appellant and as such, it is likely that 20% affordable housing could be achieved with a slightly higher profit level for the appellant. Given the disagreements between the Council and appellant the independent report from Carter Jonas, which the appellants and Council’s Planning Officers confirmed should be given ‘maximum weight’, was a material consideration

of added importance. As a result, the inspector was not satisfied the appellants had demonstrated that the scheme could provide any affordable housing.

24. Nevertheless, in refusing the application, the Council had not accepted the recommendations of Carter Jonas. Instead, the Council had suggested that the level of affordable housing should be beyond a 20% equivalent. However, such a proposition was not supported by substantive evidence including a costing of savings that could be made. While some savings could be made, it was unlikely that the savings would be so great as to provide affordable housing beyond a 20% threshold and deliver a minimum 15% developer return. Consequently, with the equivalent provision of 20% affordable housing, secured through a planning obligation, the inspector concluded the proposal would provide an adequate level of affordable housing.
25. The inspector found that the concept of a flatted scheme would not be harmfully out of character with the area and its location. Whilst this would not be the case in all views of the proposed buildings, the bund, alongside the retention and provision of landscaping and green roofs, would soften the visual impact of the flats to an acceptable extent. As a consequence, the bulk, scale and massing of the proposed buildings would not harm the character and appearance of the area. The flats would be a landmark feature at the entrance to the village, but this was not considered to be a matter weighing in favour or against the proposal. Whilst the proposal would not enhance the character and appearance of the area it would at least preserve it.
26. In reaching this view the inspector found it important to note that at least 26 letters of objection were lodged, including Bar Hill Parish Council, many of which raised concerns with the design of the proposal. The District Council had suggested that the proposal would be at odds with the District Design Guide but at the hearing the Council were unable to refer to any specific section of the document that would support its proposition. As such, in the absence of evidence to the contrary, there was no conflict with the District Design Guide. The proposal would therefore integrate with, and thus preserve, the character and appearance of the area.
27. Taken together, the inspector concluded that the adverse impact of the proposal was of limited weight and the benefits were of moderate weight. Consequently, the appeal scheme would not have adverse impacts that would significantly and demonstrably outweigh its benefits when assessed against the policies in the Framework taken as a whole. The proposal would be sustainable development for which the Framework carries a presumption in favour. The appeal was therefore allowed.
28. The appellant's claim for costs was that the Council had failed to substantiate its reason for refusal and in terms of the second reason had gone against the advice of both the Design Enabling Panel (DEP) and Urban Design Officer without proper rational justification. Late evidence had also been submitted in an attempt to alter its position at the hearing.
29. The inspector found that the Council had entirely failed to substantiate a proposition of more than 20% affordable housing which in any event was at odds with the independent review undertaken by Carter Jonas. There were no figures to support its stance that building costs were too high with only vague references to where savings could be made. There was no evidence to support what the level of affordable housing should be or why the independent advice had been ignored.
30. The design approach had followed a robust design process leading to amendments whereby it was ultimately endorsed by the DEP. The NPPF makes it clear that regard

should be had to the recommendations from a local design review panel and there was no justification as to why these had been set aside. Nonetheless, the Council was able to substantiate its case in terms of its impact and contribution to the rural setting of the village. A planning balance had been struck and this aspect of the Council's case had been adequately approached.

31. Officers also felt the need to submit late evidence in response to issues of viability. In reply, the inspector concluded that this exercise could have been done much earlier in the process. While the inspector accepted this evidence, he considered it had led the hearing been extended in order to examine the matters raised. The Council subsequently withdrew the evidence as it went outside the scope of the concerns raised by the planning committee. This had led to unnecessary expense for the appellant.
32. Costs were therefore awarded to the appellant on the grounds that the Council had acted unreasonably as it had failed to substantiate its first reason for refusal. This unreasonable behaviour had been compounded by procedural failings in the way it presented its case.

Comment: This appeal provided a significant challenge for officers given the recommendation to approve the planning application. Members' decision not to accept the independent advice of Carter Jonas could not be satisfactorily addressed. While the inspector was critical of Committee's resolution to disagree with the advice of either the DEP or the Urban Design Officer, officers were at least able to substantiate a design case, which "on balance" was sufficient to prevent further costs from being awarded.