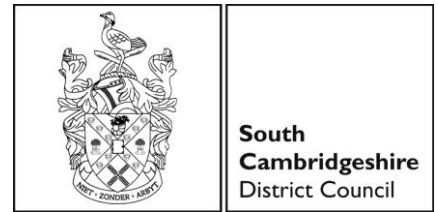


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25 July 2017

To: Chairman – Councillor Pippa Corney
Vice-Chairman – Councillor David Bard
All Members of the Planning Committee - Councillors Henry Batchelor (substitute for John Batchelor), Brian Burling, Kevin Cuffley, 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, 2 AUGUST 2017 at 10.00 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
Beverly Agass
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.

PROCEDURAL ITEMS

- 1. Apologies**
Councillor Henry Batchelor is substituting for Councillor John Batchelor. To receive apologies for absence from other committee members.
- 2. Declarations of Interest**

1. **Disclosable pecuniary interests (“DPI”)**
A DPI is where a committee member or his/her spouse or partner has any kind of beneficial interest in the land under consideration at the meeting.
2. **Non-disclosable pecuniary interests**
These are interests that are pecuniary involving a personal financial benefit or detriment but do not come within the definition of a DPI. An example would be where a member of their family/close friend (who is not their spouse or partner) has such an interest.
3. **Non-pecuniary interests**
Where the interest is not one which involves any personal financial benefit or detriment to the Councillor but arises out of a close connection with someone or some body /association. An example would be membership of a sports committee/ membership of another council which is involved in the matter under consideration.

3. **Minutes of Previous Meeting** **1 - 8**
To authorise the Chairman to sign the Minutes of the meeting held on 5 July 2017 as a correct record.

PLANNING APPLICATIONS AND OTHER DECISION ITEMS

Except in the case of Agenda Item 16, each application has already been determined by Committee and is simply being reviewed in the light of a Supreme Court ruling. Links to previous meetings (reports, Appendices and other documents) are included within each item below for ease of reference.

4. **S/1294/16/FL - Orchard Park (Parcel L2, Topper Street)** **9 - 16**

Erection of a mixed-use residential led development comprising 63 1xbedroom units on the upper floors including 40% affordable housing along with 67 car parking spaces, cycle parking and associated hard and soft landscaping to include a Gym (Use Class D2) and two commercial units (Flexible use Class comprising Use Classes A1(non food retail), A2 and D1) at ground floor.

[Decision: 1 February 2017 \(Item 6\)](#)
5. **S/3064/16/OL - Hardwick (Land south of 279 St Neots Road)** **17 - 24**

Outline planning permission for the erection of up to 155 dwellings following the demolition of 2 existing dwellings, areas of landscaping and public open space and associated infrastructure works, with all matters reserved except for access

[Decision: 10 May 2017 \(Item 8\)](#)
6. **S/1694/16/OL - Hardwick (Agricultural field west of Grace Crescent)** **25 - 32**

Outline planning permission for the erection of up to 98 dwellings

with all matters reserved except for access

[Decision: 1 March 2017 \(Item 9\)](#)

7. **S/1963/15/OL - Linton (Land North and South of Bartlow Road)** 33 - 40

Outline application for residential development of up to 55 Houses

[Decision: 7 September 2016 \(Item 4\)](#)

8. **S/1433/16/FL - Great Abington (Land to the rear of, Strawberry Farm, Pampisford Road)** 41 - 48

Outline application with all matters reserved except for means of access for the residential development comprising 8 dwellings, including affordable housing provision, landscaping and associated infrastructure

[Deferred: 11 January 2017 \(Item 9\)](#)

[Withdrawn from the agenda: 1 February 2017 \(Item 9\)](#)

[Decision: 1 March 2017 \(Item 6\)](#)

9. **S/2921/15/OL) - Willingham (Land South of 1b Over Road)** 49 - 56

Outline Proposal for Erection of 26 Dwellings including 10 Affordable Units and Ancillary Access Arrangements (All Matters Reserved Apart from Access)

[Decision: 7 September 2016 \(Item 5\)](#)

10. **S/3077/16/OL - Guilden Morden (Site South of Thompsons Meadow, Trap Road)** 57 - 66

Outline planning permission for the proposed development of up to 16 dwellings (8 market and 8 affordable) with all matters reserved except access

[Decision: 1 March 2017 \(Item 9\)](#)

11. **S/0746/15/OL - Whittlesford (Lion Works, Station Road West)** 67 - 74

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

[Decision: 6 July 2016 \(Item 4\)](#)

12. **S/2647/15/OL - Papworth Everard (Land To The East Of Old Pinewood Way And Ridgeway)** 75 - 122

Outline planning permission with all matters reserved except for access and for strategic landscaping areas for the residential development of up to 215 dwellings, including affordable housing as well as land to be reserved for nursery use (Use Class D1), open

space including strategic landscaping, play areas and sustainable drainage features and associated infrastructure including foul sewerage pumping stations

[Decision: 2 November 2016 \(Item 4\)](#)

13. **S/0415/17/OL - Castle Camps (Land off Bartlow Road)** 123 - 130

Outline application for the erection of up to 10 dwellings with all matters reserved expect for access

[Decision: 10 May 2017 \(Item 7\)](#)

14. **S/2903/14/OL - Cambourne West (Land to the West of Cambourne (Excluding Swansley Wood Farm))** 131 - 138

Development of up to 2,350 residential units including affordable housing; retail, use classes A1-A5 (up to 1.04 ha); offices/light industry, use class B1 (up to 5.66ha); community and leisure facilities, use class D1 and D2 (up to 0.92 ha); Two primary schools and one secondary school (up to 11.28 ha), use class D1; three vehicular access points including the extension and modification of Sheepfold Lane, a four arm roundabout provided on A1198/Caxton Bypass and an access point off the A1198, south of the Caxton Gibbet to serve the proposed employment uses; a network of segregated pedestrian and cycle routes; sustainable drainage system and other infrastructure; together with associated earth works, parking, open space, including equipped play, playing fields and landscaping.

[Decision: 11 January 2017 \(Item 4\)](#)

15. **S/2047/16/FL - Caldecote (Land r/o 18-28 Highfields Road, 18 , Highfields Road, Highfields)** 139 - 146

Demolition of existing buildings and erection of residential development to provide 71 dwellings including 28 affordable dwellings with associated vehicle and pedestrian accesses and open space, and a car park for school/community use

[Decision: 10 May 2017 \(Item 10\)](#)

16. **S/1144/17/OL - Caldecote (Land off Grafton Drive)** 147 - 194

New application

Residential development of up to 58 dwellings with associated infrastructure, landscaping, and public open space. All matters reserved except for access

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

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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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"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 3

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee held on
Wednesday, 5 July 2017 at 9.45 a.m.

PRESENT: Councillor Pippa Corney – Chairman
Councillor David Bard – Vice-Chairman

Councillors: John Batchelor Anna Bradnam (substitute)
Brian Burling Kevin Cuffley
Sebastian Kindersley David McCraith
Des O'Brien Deborah Roberts
Tim Scott Robert Turner

Officers in attendance for all or part of the meeting:

Julie Ayre (Planning Team Leader (East)), Thorfinn Caithness (Principal Planning Officer), John Koch (Planning Team Leader (West)), Karen Pell-Coggins (Principal Planning Officer), Stephen Reid (Senior Planning Lawyer), Ian Senior (Democratic Services Officer), Sarah Stevens (Development Management Project Implementation Officer), Charles Swain (Principal Planning Enforcement Officer) and David Thompson (Principal Planning Officer)

Councillors Henry Batchelor and Nigel Cathcart were in attendance, by invitation.

1. ORCHARD PARK

Colin Brown (Carter Jonas) and others attended the meeting to make a pre-application presentation to the Committee in relation to an Aparthotel at Orchard Park.

The presentation focussed on the following:

- Consented outline planning scheme
- The site and context
- How the proposed plan is configured
- Design intent – proposed scheme
- Layouts
- Design approach
- Elevations

2. APOLOGIES

Councillor Philippa Hart sent Apologies for Absence. Councillor Anna Bradnam was present as substitute.

3. DECLARATIONS OF INTEREST

Councillor John Batchelor declared a non-pecuniary interest in respect of Minute 5 (S/0096/17/OL- Linton (Agricultural Land North East of Back Road)). He was Chairman of Linton Village College Governors, and had been involved in discussions with the County Education Department relating to possible contributions under Section 106 of the Town and Country Planning Act 1990. He had also been present at Linton Parish Council meetings at which the application had been discussed, but was considering the matter afresh.

Councillor David McCraith declared a non-pecuniary interest in Minute 6 (S/1901/16/OL - Meldreth (Land at Eternit UK, Whaddon Road)). He had been present at Whaddon Parish Council meetings at which the application had been discussed, but was considering the matter afresh.

Councillor Tim Scott declared a Non-Disclosable Pecuniary Interest in Minute 8 (S/1178/16/FL - Barton - 24 Roman Hill)). He farmed land adjoining the application site, and left the meeting prior to consideration of the item. He took no part in the debate and did not vote.

4. MINUTES OF PREVIOUS MEETING

The Committee authorised the Chairman to sign, as a correct record, the Minutes of the meeting held on 10 May 2017.

5. S/0096/17/OL- LINTON (AGRICULTURAL LAND NORTH EAST OF BACK ROAD)

Members visited the site on 4 July 2017.

The Case Officer confirmed that the applicant was prepared to accept Community Infrastructure Levy (CIL) compliant contributions, and summarised the report

Jean Kelly (objector from Hildersham), Councillor Enid Bald (Linton Parish Council) and Councillor Henry Batchelor (local Member) addressed the meeting.

Jean Kelly highlighted the impact of increased traffic to Hildersham, and potential damage to grass verges due to the narrow nature of the roads. She also referred to the implications for landscape views and local archaeology. Linton Parish Council did not see a need for more houses in the village at this stage. The development would dominate. The Parish Council had concerns about the impact on archaeology, and the problem of surface water drainage, and flood risk. Councillor Bald expressed local fears about increased traffic, highway safety and general harm to Linton. The development was considered to be unsustainable.

Councillor Bald said that the application site had not been selected to form part of the emerging Local Plan, and was not in the Neighbourhood Plan. Linton Parish Council did not see a need for more houses in the village at this stage. The development would dominate. The Parish Council had concerns about the impact on archaeology, and the problem of surface water drainage, and flood risk. Councillor Bald expressed local fears about increased traffic, highway safety and general harm to Linton. The development was considered to be unsustainable.

Councillor Henry Batchelor summed up his concerns as relating to

- Cumulative impact
- The nature of the site
- The increasing weight that could be given to policies in the emerging Local Plan to substantiate the argument of unsustainability.

Councillor Henry Batchelor urged the Committee to refuse the application.

Speaking as the other local Member, Councillor John Batchelor also urged refusal, describing the proposed development as overbearing. He pointed out that the proposal would result in the loss of an area of Grade 1 agricultural land. He said it would cause significant and demonstrable harm to the village, such as to outweigh any benefits that might flow from the development.

During the ensuing debate, Committee members made the following points:

- There was a profound, and significantly adverse, impact
- The applicant had been given the opportunity to provide additional information requested, but had not done so
- Food production should be a key material consideration in this instance

Despite the finely balanced arguments, the Case Officer considered that landscape was a sufficient reason to refuse the application, and defending any subsequent appeal.

The Committee **refused** the application unanimously, for the reasons set out below (amended from those set out in the report from the Joint Director for Planning and Economic Development):

- 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 and 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. 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. This reason alone is considered to result in an adverse impact that would 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.
- 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 proposal would result in the loss of a proportion of grade I agricultural land. The proposal is therefore contrary to paragraph 112 of the NPPF 2012 that states Local Planning Authorities should take into account the economic and other benefits of the best and most versatile agricultural and where development of agricultural land is demonstrated to be necessary, poorer quality land should be used in preference to that of a higher quality.
- vi) 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.

6. **S/1901/16/OL - MELDRETH (LAND AT ETERNIT UK, WHADDON ROAD)**

Members visited the site on 4 July 2017.

The Case Officer updated the report, referring to two new Conditions. He summarised the report, highlighting paragraph 176, viability, transport issues, highway safety, and residential amenity.

The following addressed the meeting: Philip Kratz (speaking on behalf of the objector – Marley Eternit Working Group), Andy Frost (applicant's agent accompanied by others), Councillor Richard Goddin (Meldreth Parish Council, representing the comments also of Whaddon Parish Council), Councillor Nigel Cathcart (a local Member representing Whaddon), and County Councillor Susan van de Ven (representing Meldreth, and also delivering a statement on behalf Councillor Philippa Hart (the local Member for Meldreth)).

Philip Kratz said that something looking "so wrong" could not be right. The application was for too many houses located too far from the village. He suggested that the Committee might like to consider the following as reasons for refusal, namely

- Settlement hierarchy and character
- Infrastructure
- Loss of employment
- Sustainability because of location

Andy Frost argued that the benefits of the proposal outweighed any harm caused by it. He referred to his client's successful remediation of a similar site in the North West of England. Mr. Frost confirmed that, should there be less contaminated land than expected, there could be scope for more affordable housing. He said that a Tech Hub was, in effect, a "one stop shop".

Richard Goddin said that the two Parish Councils had concerns about

- The size of the proposed development
- Connectivity
- Traffic
- Access from Whaddon

County Councillor Susan van de Ven said that

- The required sustainable nature of the proposed development placed considerable stock on community transport as a core service for getting to and from Meldreth.
- Community Transport was not the same thing as regular public transport, and was not intended to fill the gap when bus services disappear.
- Continuation of council subsidies upon which community transport providers depend to cover their expenses could not be guaranteed beyond 2017-18.
- There was no guarantee of subsidy for the last remaining non-statutory public bus between Meldreth and Royston.
- There was no commercial bus service to act as a back-up after the subsidized service had been withdrawn
- The notion of improving bus stops, and providing Real Time Information for the remaining subsidized bus that comes once per day and is set to lose its operating subsidy, showed “a lack of understanding of reality”.
- The indication was that community transport provision for this new remote community would be an extension of the ‘Melbourn scheme’ involving a new vehicle operated by ‘the Parish Council. Meldreth Parish Council was unaware of such a scheme, or its role in running a vehicle.
- Royston and District Community Transport was the only Community Transport provider in the area, and was not aware of the the Meldreth Road planning application.
- The applicant had portrayed a localized transport system that did not exist, but which was integral to the sustainability of the proposed settlement.

In her absence from the meeting, Councillor Susan van de Ven read a prepared statement from Councillor Philippa Hart (local District Councillor for Meldreth). In summary, the statement said

- Councillor Hart’s family business, Roger Hart Farms, farmed, as tenants, land belonging to Marley adjacent to the application site, and that cllr Hart lived with her family within half a mile of the site.
- when Meldreth residents were asked via public consultation for their views on this proposal, 80% of the respondents were against it going ahead.
- Were it not for the fact that South Cambridgeshire District Council could not currently provide a five year housing land supply, an application in this location on this site for this proposed use would never be acceptable.
- When Marley took on the site at Meldreth with its history of manufacturing amongst other things asbestos they took on the commercial liability of its inevitable eventual decontamination. Those costs were now seemingly being indirectly passed to the local community in being required upon "viability" grounds to accept a reduced allocation of affordable homes.
- committee members need to be satisfied that the offer of a new technology building and up to 25 new jobs can actually be conditioned. Had Marley chosen, rather than residential development, to develop the proposed site for a use consistent with creating employment (beyond a construction phase) then the extent of the decontamination operation would have been commensurately less and therefore less costly.
- In view of the other speculative developments coming forward in Meldreth and Melbourn, if planning permission is given for this site, it would be the thin end of the wedge, leading to further unplanned development in this no man’s land, and the establishment of a large settlement way outside our village framework.
- Councillor Hart urged the Committee to refuse the application.

Councillor Cathcart highlighted the fact that the proposed development was a similar size

to Whaddon. He expressed concerns about traffic and land contamination.

Speaking as the other local Member, Councillor David McCraith described the proposal as a small village. Council policy was to promote minor developments like this as extensions to existing settlements. Councillor McCraith identified a number of risks and concerns, including environmental, traffic and on street parking. The offer of 25% affordable housing was unacceptable, and the proposal as a whole was unsustainable.

During the ensuing debate, Committee members made the following points:

- The applicant had underestimated the extent of the land radiation work required. It was unreasonable that South Cambridgeshire District Council should, in effect, be penalised for that underestimation by having to accept a reduced level of affordable housing.
- Doubt as to whether the site had been marketed sufficiently in the context of its use as an employment site
- The proposed development was not sustainable
- Public transport proposals were inadequate and, coupled with the proposed development's location, being some way from Meldreth, was likely to create a sense of social isolation, and a reliance on cars.
- There was likely to be an adverse impact from siting houses, in an otherwise quiet location, next to industrial units.
- Remediation should be completed before any building takes place.
- The report from the Local Highways Authority was totally inadequate as it failed to consider implications for the A1198.
- There was a precedent for this kind of development – at Barrington.

The Committee **deferred** the application and instructed officers to commission an Independent Highway Assessment focussing on the safety of the proposed access to the development in the context not only of traffic approaching from the A10 but also traffic approaching from the A1198. The Committee requested that the Independent Highway Assessment's conclusions be reported back to Members, together with the application for determination. The Committee also requested that any subsequent report should include more detailed information in respect of land contamination, and an assessment of noise. A legal interpretation was also required to ascertain if the decontamination costs were required in any event and, therefore, whether they justified a lower level of affordable housing.

Councillor Des O'Brien left the meeting, and was not present in the Chamber for Agenda items 7, 8, 9 and 10.

7. S/2405/16/RM - DUXFORD - 8 GREENACRES,

The Case Officer referred to a previous application for Reserved Matters, which had been refused on 23 March 2017. Members had agreed the reasons for refusal as being unacceptable design, and the failure to spread the affordable housing throughout the development, contrary to Policies DP/2 and HG/3 of the South Cambridgeshire Local Development Framework 2007. Members also noted that the northern and western site boundaries were not within the applicant's control and that, the inability to secure a link from the proposal site to the Right of Way rendered the site unsustainable in that there was no easy access to the railway station. Poor design and site layout had also been a reason for refusal.

Philip Wright from CALA Homes addressed the meeting. He highlighted changes made by

the current application: better “pepper potting” of the affordable housing, the addressing of landscaping concerns, and that the application was now policy compliant. There were no technical objections to the proposal.

The Case Officer confirmed that the applicant would be required to ensure that, in the absence of its adoption by the County Council, the on-site roads and footpaths would be maintained by a management company for the development. The Planning Lawyer added that, in doing this, any costs that might be passed on to residents, was not a material factor that the Committee could consider when determining the application. Concern was expressed that the footpath should be maintained to a standard making it accessible to disabled people.

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

1. The prior completion of a Planning Obligation requiring the applicant to put in place a management plan ensuring, in perpetuity, maintenance of the on-site roads and footpaths; and
2. The Conditions set out in the report from the Joint Director for Planning and Economic Development.

Councillor Tim Scott left the meeting, and was not present in the Chamber for Agenda items 8, 9 and 10.

8. S/1178/16/FL - BARTON - 24 ROMAN HILL

The Case Officer corrected a typographical error in paragraph 13 of the report and confirmed that the proposal was not considered to be inappropriate development in the Green Belt.

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

9. ENFORCEMENT REPORT

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

In relation to the Stapleford matter, officers were due to meet with Counsel on 17 July 2017 to discuss the High Court application.

Members’ attention was drawn to recent events at Smithy Fen, Cottenham.

In relation to 45 North Road, Abington, the owner had now complied with the Enforcement Notice.

10. APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION

The Committee **received and noted** a report on Appeals against planning decisions and enforcement action, and a summary of recent decisions in Bar Hill, Bassingbourn, and Orwell.

The Meeting ended at 2.05 p.m.

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Agenda Item 4

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2 August 2017

AUTHOR/S: Joint Director for Planning and Economic Development

Application Number: S/1294/16/FL

Parish(es): Orchard Park

Proposal: Erection of a mixed-use residential led development comprising 63 one bedroom units on upper floors including 40% affordable housing along with 67 car parking spaces, cycle parking and associated hard and soft landscaping, gymnasium (D2 use class) and two commercial units (comprising flexible A1, A2 and D1 uses)

Site address: Parcel L2, Topper Street, Orchard Park

Applicant(s): Turnwood Limited

Recommendation: Delegated approval (subject to complete Section 106)

Key material considerations: Principle of development, Visual impact, Affordable housing, Residential amenity, Highway safety & parking provision, Ecology, Surface water and foul water drainage, Environmental impacts, Section 106 Contributions

All of these matters were considered in the report presented to Planning Committee in March 2017, when Members resolved to grant planning permission. This report focusses on the implications of the Supreme Court judgement relating to the extent of Local Plan policies which are considered to affect the supply of housing.

Committee Site Visit: 31 January 2017

Departure Application: No

Presenting Officer: Katie Christodoulides, Senior Planning Officer

Application brought to Committee because: To consider the implications of the *Hopkins Homes* Supreme Court judgement relating to the extent of Local Plan policies which are considered to affect the supply of housing.

Date by which decision due: 4 August 2017 (extension of time agreed)

Introduction

1. This application was considered at the 1 February 2017 meeting of the Planning Committee. The Committee resolved to approve the application subject to the prior completion of a Legal Agreement (as detailed in the previous report and the attached appendix), The application remains undetermined pending the completion of the section 106 agreement. A copy of that report and the updated report are appended to this report.
2. On 10 May 2017, the Supreme Court gave judgment in *Suffolk Coastal DC v Hopkins Homes Limited* and in the conjoined matter of *Richborough Estates Partnership LLP v Cheshire East BC* [2017] UKSC 37.
3. The Supreme Court Judgement narrows the range of development plan policies which can be considered as 'relevant policies for the supply of housing'. Those policies are now not to be considered out of date, even when a five-year housing land supply cannot be demonstrated.
4. In respect of South Cambridgeshire this means that the Local Development Framework Policies that were listed as being out of date at the time when this application was considered are no longer held to be out of date.
5. On 30 June 2017, the Court of Appeal issues a further judgement in *Barwood Strategic Land v East Staffordshire Borough Council*. The Court held that the "presumption of sustainable development" within the National Planning Policy Framework (NPPF) falls to be determined in accordance with paragraph 14 and there was not any wider concept of a presumption of sustainable development beyond that set out in and through the operation of, paragraph 14. Paragraph 14 of the NPPF has been applied in this supplementary report with the approach of the Supreme Court in *Suffolk Coastal* and it is not considered that the *Barwood Land* decision requires any further changes to the advice set out above.
6. The overriding issue however is not whether the policies are out of date but whether, in light of the continuing lack of a five year housing land supply, it can be shown that the "adverse impacts ... would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole". That is the test required by paragraph 14 of the NPPF, regardless of whether policies are 'out of date' or not. This test should be given considerable weight in the decision making process even though the definition of policies affecting the supply of housing has been narrowed by the Supreme Court judgement. Given the need to boost the supply of housing, the contribution of the proposal to the supply of housing (including affordable housing) is considered to outweigh the conflict with the policies of the LDF.
7. This report considers the officer advice given to Members at the February 2017 meeting in relation to the policies relating to the supply of housing and the extent to which this has changed as a result of the Supreme Court decision.

Planning Assessment

8. 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.

9. The effect of the Supreme Court's judgement is that policies 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 DP/1(a) and DP/7 and their objectives, both individually and collectively, of securing sustainable development accord with and furthers the social and environmental dimensions of sustainable development, and therefore accord with the Framework.
10. Any conflict with adopted policies 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. Nonetheless, the NPPF places very considerable weight on the need to boost 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 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.
11. A balancing exercise therefore needs to be carried out. It is only when the conflict with other development plan policies – including where engaged policies 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.
12. Although this proposal is located outside the development framework, accessibility to public transport from the site is considered to be a significant benefit of the location. In addition, the scheme would further improve the community facilities within Orchard Park, enhancing social and economic sustainability of the scheme and the overall sustainability. Access to services and facilities is also considered to be adequate. 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.

13. It is considered that the scheme includes positive elements which demonstrate that as a whole the scheme achieves the definition of sustainable development. These include:
- the positive contribution of up to 63 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 provision of 25 affordable dwellings on site, consisting of 25 dwellings at 80% equity share of the open market value, with the remaining 20% retained by the Council in perpetuity. This would meet the local housing need in Orchard Park and provide housing for nearby workers in the Science Park who are seeking to purchase a house.
 - The provision of improvements to cycle facilities on Arbury Road through a financial contribution.
 - The provision of off-site open space through a financial contribution which would go towards outside gym equipment at the community centre, together with a contribution towards the refurbishment and improvement of the health centre at Arbury Road surgery.
 - The provision of commercial units at ground floor level would increase vitality in the area and the number of social leisure spaces through the proposed gymnasium.
 - Employment during construction to benefit the local economy.
 - Potential to result in an increase in the use of local services and facilities.
 - Environmental benefits of ecological enhancements, landscaping and renewable technology provision.

Conclusion

14. Officers consider that notwithstanding the conflict with policies DP/1(a) and DP/7, this conflict can only be given "limited" weight. None of the disbenefits arising from the proposals are considered to result in significant and demonstrable harm when balanced against the positive elements and therefore, it is considered that the proposal achieves the definition of sustainable development as set out in the NPPF.
15. The provision of 63 dwellings, including 25 affordable dwellings can be given significant weight. The contributions towards cycle facilities, community facilities, health provision all carry weight in favour of the proposals. Employment during construction to benefit the local economy and the potential for an increase in the use of local services can also be given some limited weight.
16. None of the disbenefits arising from the proposals are considered to result in significant and demonstrable harm when balanced against the positive elements and therefore, it is considered that the proposal achieves the definition of sustainable development as set out in the NPPF.

Recommendation

17. Officers recommend that the Committee again resolves to grant planning permission subject to the conditions and section 106 agreement as before.

18. The following items are appended to this report:

- a. Appendix 1 – report presented to committee in February 2017
- b. Appendix 2 – Section 106 matrix appended to February Committee report
- c. Appendix 3 – Update report presented to committee in February 2017

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.

Where the [Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, then they must be available for inspection—

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
 - (b) on the Council's website; and
 - (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.
- South Cambridgeshire Local Development Framework Development Core Strategy (adopted January 2007)
 - South Cambridgeshire Local Development Framework Development Control Policies DPD (adopted July 2007)
 - Planning File Ref: S/1734/14/OL

Report Author:

Katie Christodoulides
Telephone Number:

Senior Planning Officer
01954 713314

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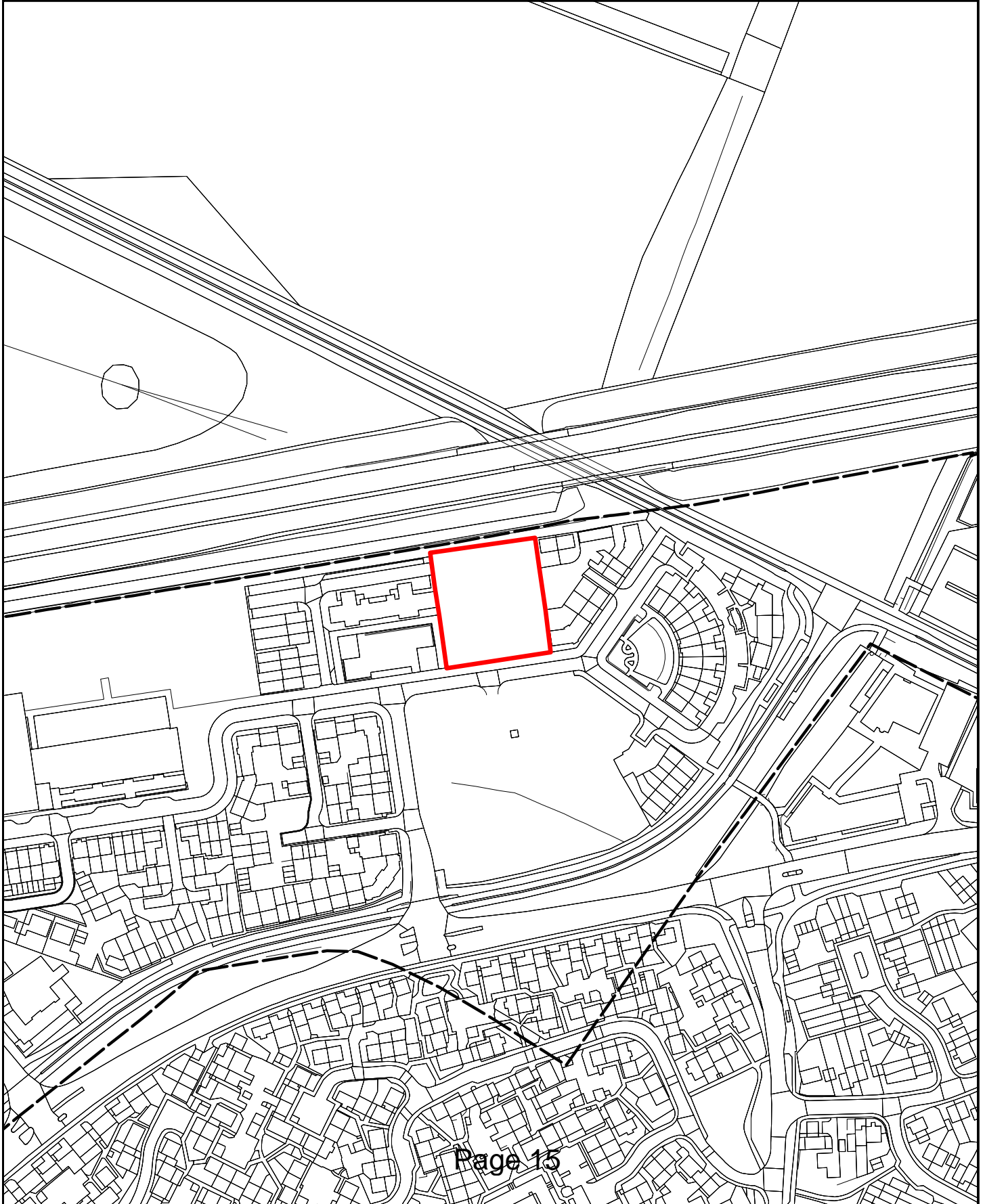
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Agenda Item 5

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2 August 2017

AUTHOR/S: Joint Director for Planning and Economic Development

Application Number:	S/3064/16/OL
Parish(es):	Hardwick
Proposal:	Outline planning permission for the erection of up to 155 dwellings following the demolition of 2 existing dwellings, areas of landscaping and public open space and associated infrastructure works, with all matters reserved except for access
Site address:	Land south of 279 St. Neots Road, Hardwick
Applicant(s):	Circle Housing Group
Recommendation:	Delegated approval (to complete section 106 agreement)
Key material considerations:	<p>Five year supply of housing land, Principle of development, Density of development and affordable housing, Character of the village edge and surrounding landscape, Highway safety, Residential amenity of neighbouring properties, Surface water and foul water drainage, Trees, Ecology, Provision of formal and informal open space, Section 106 Contributions</p> <p>All of these matters were considered in the report presented to Planning Committee in March 2017, when Members resolved to grant planning permission. This report focusses on the implications of the Supreme Court judgement relating to the extent of Local Plan policies which are considered to affect the supply of housing.</p>
Committee Site Visit:	Undertaken on 09 May 2017
Departure Application:	Yes (advertised 13 December 2016)
Presenting Officer:	David Thompson, Principal Planning Officer
Application brought to Committee because:	To consider the implications of the <i>Hopkins Homes</i> Supreme Court judgement relating to the extent of Local Plan policies which are considered to affect the supply of housing.
Date by which decision due:	31 August 2017 (Extension of time agreed)

Introduction

1. This application was considered at the 10 May 2017 meeting of the Planning Committee. The Committee resolved to approve the application subject to the completion of a Section 106 agreement and conditions (as detailed in the previous committee report and the attached appendix.) The application remains undetermined pending the completion of the section 106 agreement. A copy of that report is appended to this report.
2. On 10 May 2017, the Supreme Court gave judgment in *Suffolk Coastal DC v Hopkins Homes Limited* and in the conjoined matter of *Richborough Estates Partnership LLP v Cheshire East BC* [2017] UKSC 37.
3. The Supreme Court Judgement narrows the range of development plan policies which can be considered as 'relevant policies for the supply of housing'. Those policies are now not to be considered out of date, even when a five-year housing land supply cannot be demonstrated.
4. In respect of South Cambridgeshire this means that the Local Development Framework Policies that were listed as being out of date at the time when this application was considered are no longer held to be out of date.
5. On 30 June 2017, the Court of Appeal issues a further judgement in *Barwood Strategic Land v East Staffordshire Borough Council*. The Court held that the "presumption of sustainable development" within the National Planning Policy Framework (NPPF) falls to be determined in accordance with paragraph 14 and there was not any wider concept of a presumption of sustainable development beyond that set out in and through the operation of, paragraph 14. Paragraph 14 of the NPPF has been applied in this supplementary report with the approach of the Supreme Court in *Suffolk Coastal* and it is not considered that the *Barwood Land* decision requires any further changes to the advice set out above.
6. The overriding issue however is not whether the policies are out of date but whether, in light of the continuing lack of a five year housing land supply, it can be shown that the "adverse impacts ... would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole". That is the test required by paragraph 14 of the NPPF, regardless of whether policies are 'out of date' or not. This test should be given considerable weight in the decision making process even though the definition of policies affecting the supply of housing has been narrowed by the Supreme Court judgement. Given the need to boost the supply of housing, the contribution of the proposal to the supply of housing (including affordable housing) is considered to outweigh the conflict with the policies of the LDF.
7. This report considers the officer advice given to Members at the 10 May 2017 meeting in relation to the policies relating to the supply of housing and the extent to which this has changed as a result of the Supreme Court decision.

Planning Assessment

8. 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.

9. The effect of the Supreme Court's judgement is that policies DP/1(a), DP/7 and ST/6 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 DP/1(a), DP/7 and ST/6 and their objectives, both individually and collectively, to secure a sustainable level of development, accord with and further the social and environmental dimensions of sustainable development, and therefore accord with the Framework.
10. Any conflict with adopted policies DP/1(a), DP/7 and ST/6 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. Nonetheless, the NPPF places very considerable weight on the need to boost 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 DP/1(a), DP/7 and ST/6 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.
11. A balancing exercise therefore needs to be carried out. It is only when the conflict with other development plan policies – including where engaged policies DP/1(a), DP/7 and ST/6 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.
12. Although this proposal is located outside the development framework of a group village, accessibility to public transport from the site is considered to be a significant benefit of the location. In addition, the scheme would further improve the community facilities within the village, enhancing social sustainability of the scheme and the overall sustainability of Hardwick. Access to services and facilities within the village is also considered to be adequate. 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.

13. It is considered that the scheme includes positive elements which demonstrate that as a whole the scheme achieves the definition of sustainable development. These include:
- the contribution of up to 155 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 provision of 62 affordable dwellings on site, making a significant contribution to the identified need in Hardwick (currently 44 people within the village currently on the Housing Register) and the wider District
 - significant public open space, including a Local Equipped Area of Play (LEAP) on the site and a commuted sum towards the provision of additional equipped play space elsewhere in Hardwick, a village which currently has a significant under provision in this regard.
 - the provision of a self contained, purpose built community centre building (adding to the funding already secured as part of the Grace Crescent scheme) which would address the fact that the existing provision is considered to be below the required standard.
 - the provision of a contribution towards the maintenance of the community vehicle secured as part of the Grace Crescent scheme, to be operated by the Parish Council, providing an alternative to single occupancy car journey, alongside the regular bus service operating within close proximity of the site.
 - the provision of upgrades to bus stops on St. Neots Road, the provision of 10 cycle stands at the east bounds stop on that road and improvements to the footpath network along St. Neots Road. These improvements would all enhance the environmental sustainability of the scheme.
 - the potential to result in an increase in the use of local services and facilities

Conclusion

14. Officers consider that notwithstanding the conflict with policies DP/1(a), DP/7 and ST/6, this conflict can only be given “limited” weight. The previously identified impact on landscape character and loss of agricultural land still results in limited harm.
15. The provision of up to 155 dwellings, including up to 62 affordable dwellings can be given significant weight. The contributions towards the provision infrastructure in relation to public open space, community facilities and local transport all carry weight in favour of the proposals. Employment during construction to benefit the local economy and the potential for an increase in the use of local services can also be given some limited weight.
16. None of the disbenefits arising from the proposals are considered to result in significant and demonstrable harm when balanced against the positive elements and therefore, it is considered that the proposal achieves the definition of sustainable development as set out in the NPPF.

Recommendation

17. Officers recommend that the Committee again resolves to grant planning permission subject to the conditions and section 106 agreement as before.

18. The following items are appended to this report:

- a. Appendix 1 – report presented to committee in May 2017
- b. Appendix 2 – Section 106 matrix appended to March committee report

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/3064/16/OL

Report Author:

David Thompson
Telephone Number:

Principal Planning Officer
01954 713250

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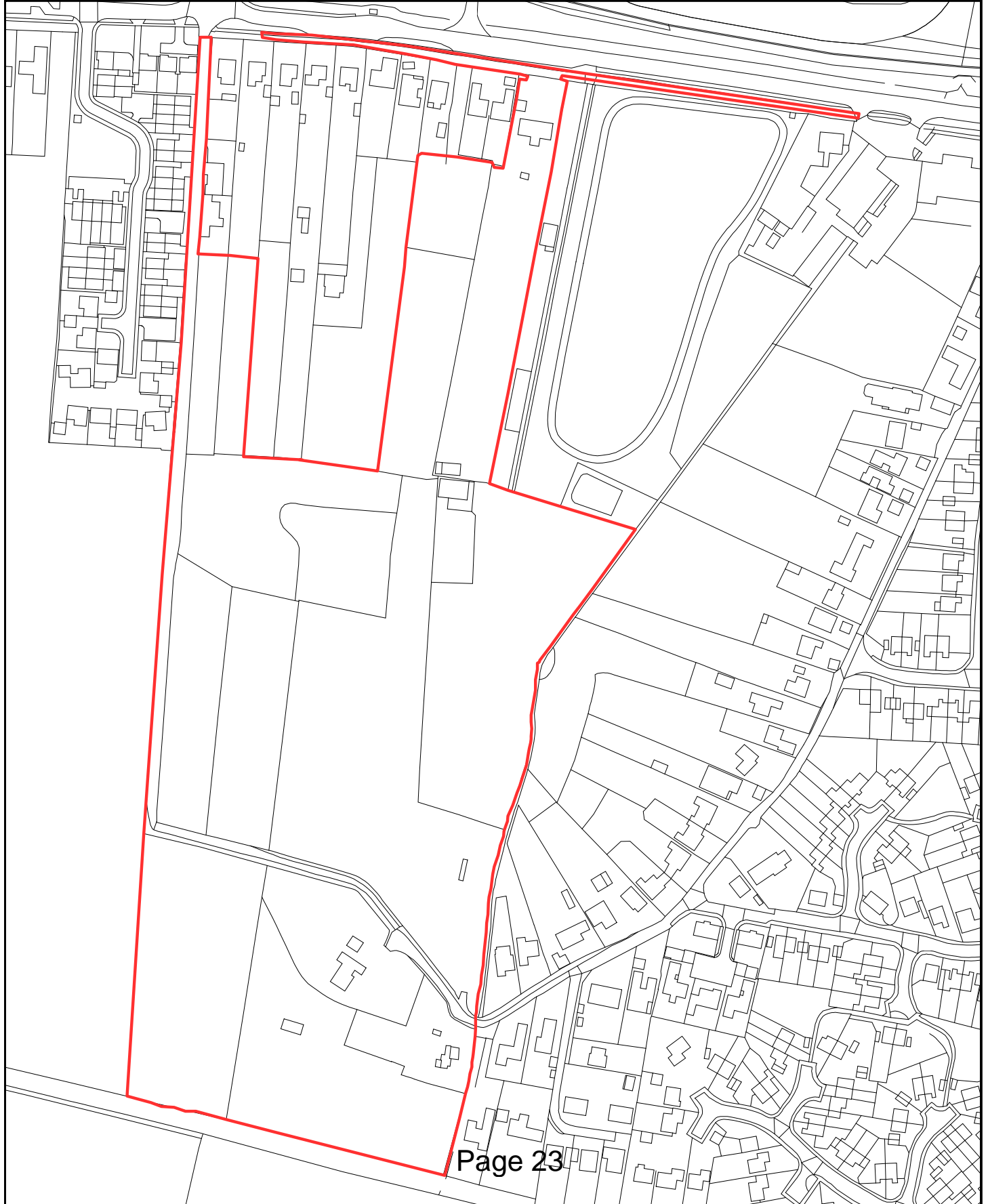
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Agenda Item 6

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2 August 2017

AUTHOR/S: Joint Director for Planning and Economic Development

Application Number:	S/1694/16/OL
Parish(es):	Hardwick
Proposal:	Outline planning permission for the erection of up to 98 dwellings with all matters reserved except for access.
Site address:	Agricultural field west of Grace Crescent. Hardwick CB23 7AH
Applicant(s):	Hill Residential
Recommendation:	Delegated approval (to complete section 106 agreement)
Key material considerations:	<p>Five year supply of housing land, Principle of development, Density of development and affordable housing, Character of the village edge and surrounding landscape, Highway safety, Residential amenity of neighbouring properties, Surface water and foul water drainage, Ecology, Provision of formal and informal open space, Section 106 Contributions</p> <p>All of these matters were considered in the report presented to Planning Committee in March 2017, when Members resolved to grant planning permission. This report focusses on the implications of the Supreme Court judgement relating to the extent of Local Plan policies which are considered to affect the supply of housing.</p>
Committee Site Visit:	Undertaken on 28 February 2017
Departure Application:	Yes
Presenting Officer:	David Thompson, Principal Planning Officer
Application brought to Committee because:	To consider the implications of the <i>Hopkins Homes</i> Supreme Court judgement relating to the extent of Local Plan policies which are considered to affect the supply of housing.
Date by which decision due:	31 August 2017 (Extension of time agreed)

Introduction

1. This application was considered at the 1 March 2017 meeting of the Planning Committee. The Committee resolved to approve the application subject to the completion of a Section 106 agreement and conditions (as detailed in the previous committee report and the attached appendix.) The application remains undetermined pending the completion of the section 106 agreement. A copy of that (and an update) report are appended to this report.
2. On 10 May 2017, the Supreme Court gave judgment in *Suffolk Coastal DC v Hopkins Homes Limited* and in the conjoined matter of *Richborough Estates Partnership LLP v Cheshire East BC* [2017] UKSC 37.
3. The Supreme Court Judgement narrows the range of development plan policies which can be considered as 'relevant policies for the supply of housing'. Those policies are now not to be considered out of date, even when a five-year housing land supply cannot be demonstrated.
4. In respect of South Cambridgeshire this means that the Local Development Framework Policies that were listed as being out of date at the time when this application was considered are no longer held to be out of date.
5. On 30 June 2017, the Court of Appeal issues a further judgement in *Barwood Strategic Land v East Staffordshire Borough Council*. The Court held that the "presumption of sustainable development" within the National Planning Policy Framework (NPPF) falls to be determined in accordance with paragraph 14 and there was not any wider concept of a presumption of sustainable development beyond that set out in and through the operation of, paragraph 14. Paragraph 14 of the NPPF has been applied in this supplementary report with the approach of the Supreme Court in *Suffolk Coastal* and it is not considered that the *Barwood Land* decision requires any further changes to the advice set out above.
6. The overriding issue however is not whether the policies are out of date but whether, in light of the continuing lack of a five year housing land supply, it can be shown that the "adverse impacts ... would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole". That is the test required by paragraph 14 of the NPPF, regardless of whether policies are 'out of date' or not. This test should be given considerable weight in the decision making process even though the definition of policies affecting the supply of housing has been narrowed by the Supreme Court judgement. Given the need to boost the supply of housing, the contribution of the proposal to the supply of housing (including affordable housing) is considered to outweigh the conflict with the policies of the LDF.
7. This report considers the officer advice given to Members at the March 2017 meeting in relation to the policies relating to the supply of housing and the extent to which this has changed as a result of the Supreme Court decision.

Planning Assessment

8. 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.

9. The effect of the Supreme Court's judgement is that policies DP/1(a), DP/7 and ST/6 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 DP/1(a), DP/7 and ST/6 and their objectives, both individually and collectively, to secure sustainable development accord with and further the social and environmental dimensions of sustainable development, and therefore accord with the Framework.
10. Any conflict with adopted policies DP/1(a), DP/7 and ST/6 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. Nonetheless, the NPPF places very considerable weight on the need to boost 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 DP/1(a), DP/7 and ST/6 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.
11. A balancing exercise therefore needs to be carried out. It is only when the conflict with other development plan policies – including where engaged policies DP/1(a), DP/7 and ST/6 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.
12. Although this proposal is located outside the development framework of a group village, accessibility to public transport from the site is considered to be a significant benefit of the location. In addition, the scheme would further improve the community facilities within the village, enhancing social sustainability of the scheme and the overall sustainability of Hardwick. Access to services and facilities within the village is also considered to be adequate. 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.

13. It is considered that the scheme includes positive elements which demonstrate that as a whole the scheme achieves the definition of sustainable development. These include:
- the positive contribution of up to 98 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 provision of 39 affordable dwellings on site, making a significant contribution to the identified need in Hardwick (currently 44 people within the village currently on the Housing Register) and the wider District
 - the provision of a significant amount of 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 Hardwick, a village which currently has a significant under provision in this regard.
 - The provision of a self contained, purpose built community centre building (or financial contribution equivalent to this) which would address the fact that the existing provision is considered to be below the required standard.
 - The provision of a community vehicle, to be operated by the Parish Council, providing an alternative to single occupancy car journeys and a supplement to the regular bus service operating from St. Neots Road in to Cambridge.
 - The provision of upgrades to bus stops on St. Neots Road, the provision of 10 cycle stands at the east bounds stop on that road and improvements to the footpath network between the site and St. Neots Road. 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

Conclusion

14. Officers consider that notwithstanding the conflict with policies DP/1(a), DP/7 and ST/6, this conflict can only be given “limited” weight. The previously identified impact on landscape character and loss of agricultural land still results in limited harm.
15. The provision of up to 98 dwellings, including up to 39 affordable dwellings can be given significant weight. The contributions towards the provision infrastructure in relation to public open space, community facilities and local transport all carry weight in favour of the proposals. Employment during construction to benefit the local economy and the potential for an increase in the use of local services can also be given some limited weight.
16. None of the disbenefits arising from the proposals are considered to result in significant and demonstrable harm when balanced against the positive elements and therefore, it is considered that the proposal achieves the definition of sustainable development as set out in the NPPF.

Recommendation

17. Officers recommend that the Committee again resolves to grant planning permission subject to the conditions and section 106 agreement as before. To correct the recommendation in paragraph 159 of the original committee report, the affordable housing is to be provided on site rather than by way of a commuted sum.
18. The following items are appended to this report:
 - a. Appendix 1 – report presented to committee on 1 March 2017
 - b. Appendix 2 – update report presented to committee on 1 March 2017
 - c. Appendix 2 – Section 106 matrix appended to 1 March committee report

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.

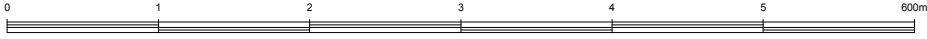
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- South Cambridgeshire Local Plan Submission 2014
- Planning File Reference: S/1694/16/OL

Report Author:

David Thompson
Telephone Number:

Principal Planning Officer
01954 713250

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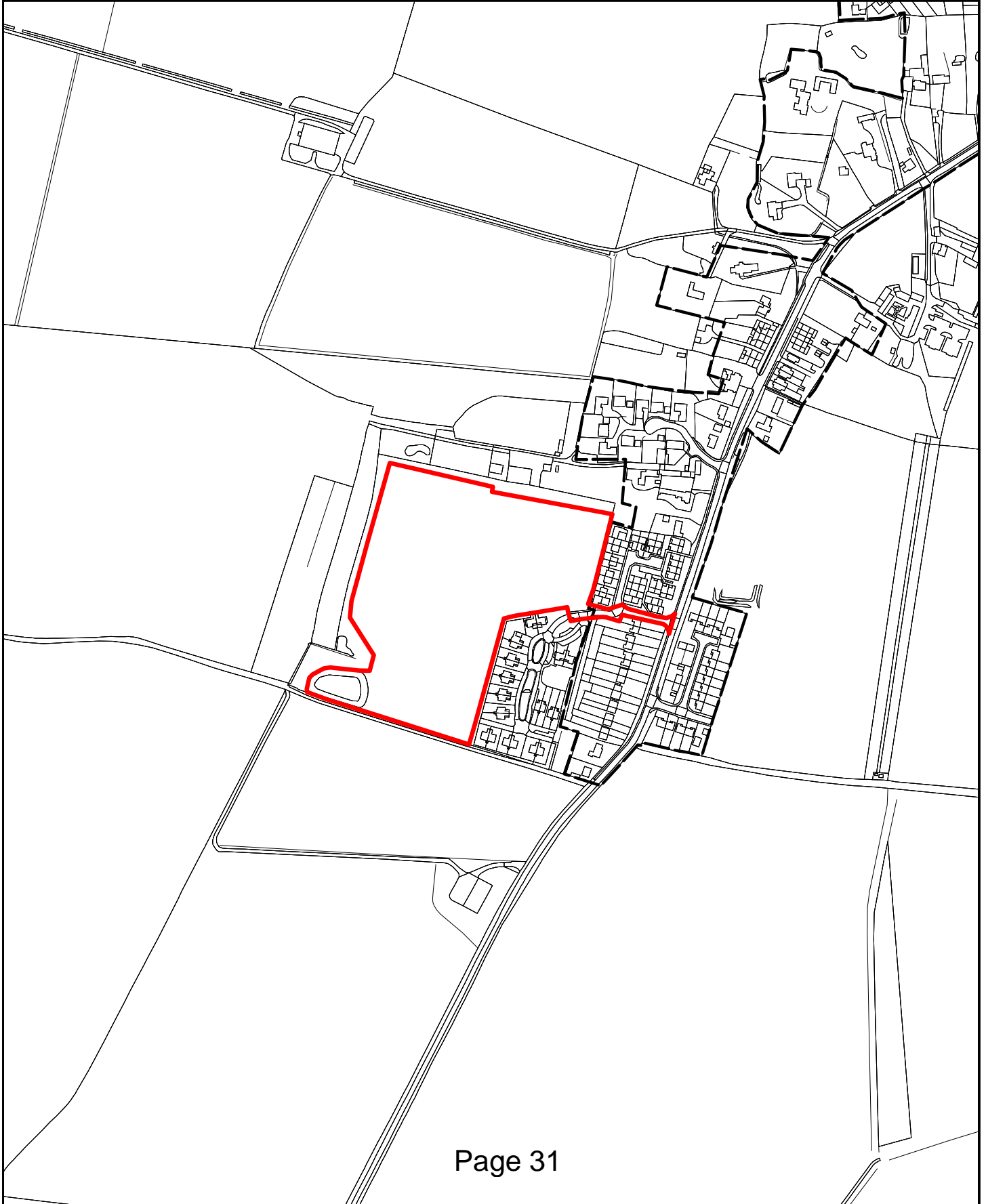
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Agenda Item 7

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 2 August 2017
AUTHOR/S: Joint Director for Planning and Economic Development

Application Number: S/1963/15/OL

Parish(es): Linton

Proposal: Outline application for residential development of up to 55 Houses

Site address: Land North and South of Bartlow Road, Linton

Applicant(s): Pembroke College, University of Cambridge and G W Balaam & Sons Ltd.

Recommendation: Delegated Approval

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

All of these matters were considered in the report presented to Planning Committee in March 2017, when Members resolved to grant planning permission. This report focusses on the implications of the Supreme Court judgement relating to the extent of Local Plan policies which are considered to affect the supply of housing.

Committee Site Visit: 6 September 2016

Departure Application: Yes

Presenting Officer: Karen Pell-Coggins, Principal Planning Officer

Application brought to Committee because: To consider the implications of the *Hopkins Homes* Supreme Court judgement relating to the extent of Local Plan policies which are considered to affect the supply of housing.

Date by which decision due: 28 February 2017 (Extension of Time)

Introduction

1. This application was considered at the 7 September 2016 meeting of the Planning Committee. The Committee resolved to approve the application

subject to the prior completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 relating to affordable housing, community facilities, open space, strategic waste, transport requirements, waste receptacles and maintenance and management of the surface water drainage scheme, the conditions referred to in the committee report, and subject to the two additional planning conditions below: -

- (a) Prior the commencement of any development, a scheme for the provision and implementation of foul water drainage to connect to manhole 7501 via a pumped regime shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development, or in accordance with the implementation programme agreed in writing with the Local Planning Authority.
(Reason – To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policy NE/10 of the adopted Local Development Framework 2007).
 - (b) Prior to the commencement of any development, a detailed scheme for the provision and implementation of flood risk and surface water drainage mitigation, in accordance with the Flood Risk Assessment reference 151077 dated July 2015 by Rossi Long Consulting shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency and Linton Parish Council. The scheme shall take into account any subsequent changes in any revised flood map produced by the Environment Agency between approval and implementation of the scheme. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.
(Reason – To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework, 2007).
2. The application remains undetermined pending the completion of the section 106 agreement. A copy of the original committee report and its appendices are appended to this report.
 3. On 10 May 2017, the Supreme Court gave judgment in *Suffolk Coastal DC v Hopkins Homes Limited* and in the conjoined matter of *Richborough Estates Partnership LLP v Cheshire East BC* [2017] UKSC 37.
 4. The Supreme Court Judgement narrows the range of development plan policies which can be considered as ‘relevant policies for the supply of housing’. Those policies are now not to be considered out of date, even when a five-year housing land supply cannot be demonstrated.
 5. In respect of South Cambridgeshire this means that the Local Development Framework Policies that were listed as being out of date at the time when this application was considered are no longer held to be out of date.
 6. On 30 June 2017, the Court of Appeal issues a further judgement in *Barwood Strategic Land v East Staffordshire Borough Council*. The Court held that the “presumption of sustainable development” within the National Planning Policy Framework (NPPF) falls to be determined in accordance with paragraph 14

and there was not any wider concept of a presumption of sustainable development beyond that set out in and through the operation of, paragraph 14. Paragraph 14 of the NPPF has been applied in this supplementary report with the approach of the Supreme Court in *Suffolk Coastal* and it is not considered that the *Barwood Land* decision requires any further changes to the advice set out above.

7. The overriding issue however is not whether the policies are out of date but whether, in light of the continuing lack of a five year housing land supply, it can be shown that the “adverse impacts ... would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole”. That is the test required by paragraph 14 of the NPPF, regardless of whether policies are ‘out of date’ or not. This test should be given considerable weight in the decision making process even though the definition of policies affecting the supply of housing has been narrowed by the Supreme Court judgement. Given the need to boost the supply of housing, paragraph 14 is considered to outweigh the conflict with the policies of the LDF.
8. This report considers the officer advice given to Members at the 7 September 2016 meeting in relation to the policies relating to the supply of housing and the extent to which this has changed as a result of the Supreme Court decision.

Planning Assessment

9. 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.
10. The effect of the Supreme Court’s judgement is that policies DP/1(a), DP/7 and ST/5 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 DP/1(a), DP/7 and ST/5 and their objectives, both individually and collectively, of securing sustainable development accord with and furthers the social and environmental dimensions of sustainable development, and therefore accord with the Framework.
11. Any conflict with adopted policies DP/1(a), DP/7 and ST/5 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. Nonetheless, the NPPF places very considerable weight on the need to boost 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 DP/1(a), DP/7 and ST/5 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.

12. A balancing exercise therefore needs to be carried out. It is only when the conflict with other development plan policies – including where engaged policies DP/1(a), DP/7 and ST/5 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.
13. Although this proposal is located outside the development framework of a Policy ST/5 Minor Rural Centre, where a maximum scheme size of 30 dwellings only is normally allowed, accessibility to public transport from the site is considered to be a significant benefit of the location, meaning that a larger proposal of up to 55 dwellings is considered to be acceptable. In addition, the larger scheme of up to 55 dwellings would further improve the community facilities within the village, enhancing the social sustainability of the scheme and the overall sustainability of Linton. Access to services and facilities within the village is also considered to be adequate. The weight that can therefore be attached to the conflict with policies DP/1(a), DP/7 and ST/5 which are intended to ensure that development is directed to the most sustainable locations in the district is limited.
14. Policies HG/1 (Housing Density), HG/2 (Housing Mix), NE/6 (Biodiversity), NE/17 (protecting High Quality Agricultural Land), CH/2 (Archaeological Sites), CH/4 Development Within the Setting of as Listed Building) and CH/5 (Conservation Areas) were all policies that were previously considered to be relevant policies for the supply of housing. That is no longer the case. However, no conflict (that couldn't be addressed at reserved matters stage and through the use of an appropriate condition in respect of archaeological matters) was identified with any of these policies and thus none of them require a reassessment in terms of any harm that might arise.
15. It is considered that the scheme includes positive elements which demonstrate that as a whole the scheme achieves the definition of sustainable development. These include:
 - the positive contribution of up to 55 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.
 - Contribution of 40% affordable housing in the context of a high level of district wide housing need and a local housing need for 79 applicants
 - Potential for access to public transport, services and facilities and local employment.

- Developer contributions towards sport space, children’s play space, community facilities in the village and improvements to traffic schemes in the village.
- Employment during construction to benefit the local economy.
- Greater use of local services and facilities to contribute to the local economy.

Conclusion

16. Officers consider that notwithstanding the conflict with policies DP/1(a), DP/7 and ST/5, this conflict can only be given “limited” weight. The previously identified impact on landscape character and loss of agricultural land still results in limited harm.
17. The provision of up to 55 dwellings, including up to 22 affordable dwellings can be given significant weight. The contributions towards the provision infrastructure in relation to public open space, community facilities and local transport all carry weight in favour of the proposals. Employment during construction to benefit the local economy and the potential for an increase in the use of local services can also be given some limited weight.
18. None of the disbenefits arising from the proposals are considered to result in significant and demonstrable harm when balanced against the positive elements and therefore, it is considered that the proposal achieves the definition of sustainable development as set out in the NPPF.

Recommendation

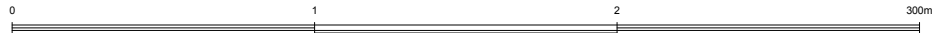
19. Officers recommend that the Committee again resolves to grant planning permission subject to the conditions and section 106 agreement as before.
20. The following items are appended to this report:
 - a. Appendix 1 – report presented to committee in September 2016
 - b. Appendix 2 – Parish comments in full appended to committee report
 - c. Appendix 3 – Section 106 matrix appended to committee report

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/1963/15/OL

Report Author:	Karen Pell-Coggins	Principal Planning Officer
	Telephone Number:	01954 713230



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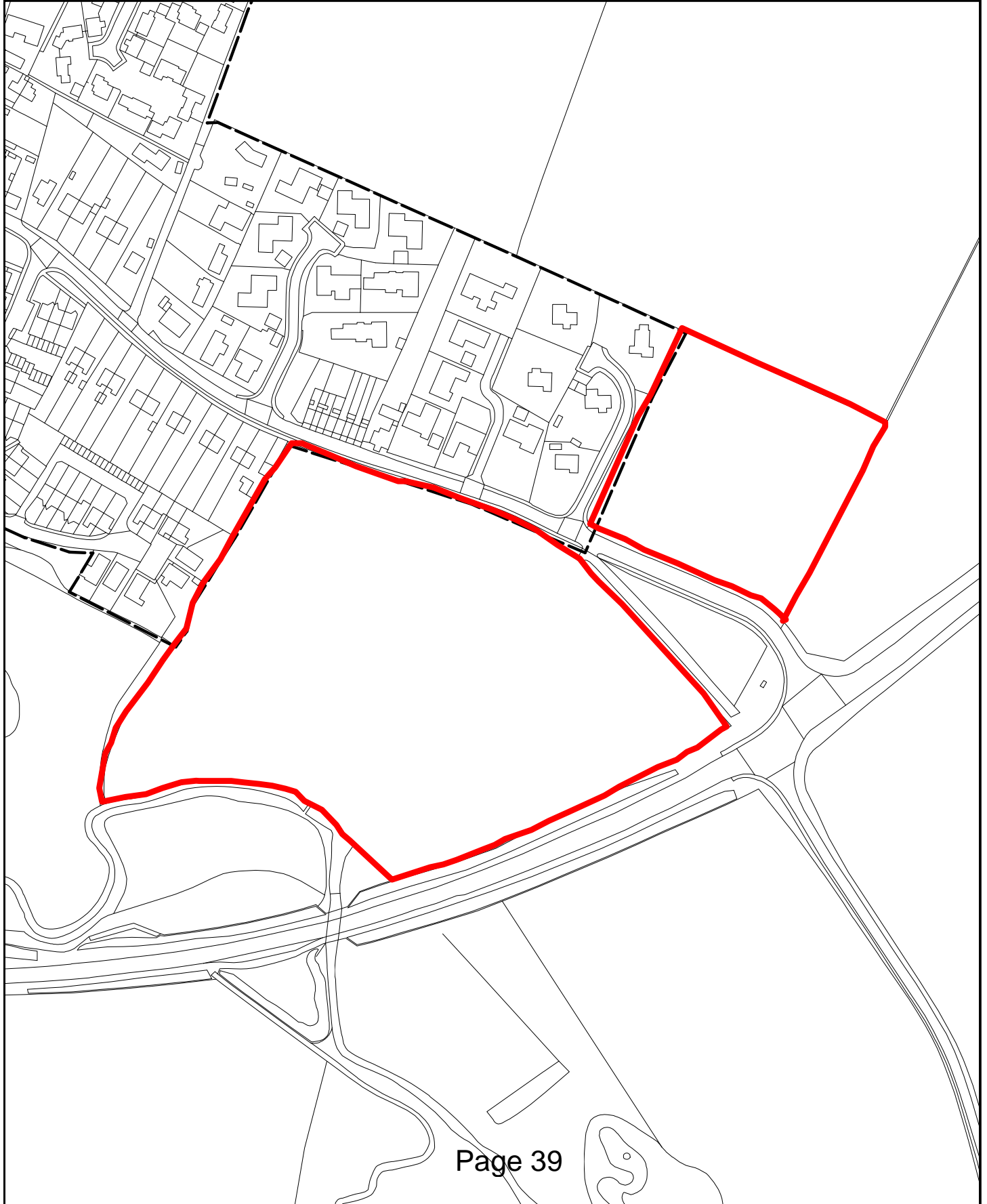
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Date of plot: 24/08/2016



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Agenda Item 8

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 2 August 2017
AUTHOR/S: Joint Director for Planning and Economic Development

Application Number: S/1433/16/OL

Parish(es): Great Abington

Proposal: Outline Application for Residential Development of up to 8 Dwellings including Access

Site address: Land Adjacent Strawberry Farm, Pampisford Road, Great Abington

Applicant(s): Roll Over Developments Ltd.

Recommendation: Delegated Approval

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

All of these matters were considered in the report presented to Planning Committee in March 2017, when Members resolved to grant planning permission. This report focusses on the implications of the Supreme Court judgement relating to the extent of Local Plan policies which are considered to affect the supply of housing.

Committee Site Visit: 10 January 2017

Departure Application: Yes

Presenting Officer: Karen Pell-Coggins, Principal Planning Officer

Application brought to Committee because: To consider the implications of the *Hopkins Homes* Supreme Court judgement relating to the extent of Local Plan policies which are considered to affect the supply of housing.

Date by which decision due: 18 August 2017 (Extension of Time Agreed)

Introduction

1. This application was considered at the 1 February 2017 meeting of the Planning Committee. The Committee resolved to approve the application subject to the prior completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 securing:
 - (a) 40% Affordable housing on-site or, should there be no evidence of demand at the time of the Reserved Matters application, a commuted sum towards the provision of affordable housing off-site but still within South Cambridgeshire
 - (b) £73.50p per dwelling for Waste receptacles
 - (c) A monitoring fee of £500
 - (d) A footpath along Pampisford Road
2. The application remains undetermined pending the completion of the section 106 agreement. A copy of that report is appended to this report.
3. On 10 May 2017, the Supreme Court gave judgment in *Suffolk Coastal DC v Hopkins Homes Limited* and in the conjoined matter of *Richborough Estates Partnership LLP v Cheshire East BC* [2017] UKSC 37.
4. The Supreme Court Judgement narrows the range of development plan policies which can be considered as ‘relevant policies for the supply of housing’. Those policies are now not to be considered out of date, even when a five-year housing land supply cannot be demonstrated.
5. In respect of South Cambridgeshire this means that the Local Development Framework Policies that were listed as being out of date at the time when this application was considered are no longer held to be out of date.
6. On 30 June 2017, the Court of Appeal issued a further judgement in *Barwood Strategic Land v East Staffordshire Borough Council*. The Court held that the “presumption of sustainable development” within the National Planning Policy Framework (NPPF) falls to be determined in accordance with paragraph 14 and there was not any wider concept of a presumption of sustainable development beyond that set out in and through the operation of, paragraph 14. Paragraph 14 of the NPPF has been applied in this supplementary report with the approach of the Supreme Court in *Suffolk Coastal* and it is not considered that the *Barwood Land* decision requires any further changes to the advice set out above.
7. The overriding issue however is not whether the policies are out of date but whether, in light of the continuing lack of a five year housing land supply, it can be shown that the “adverse impacts ... would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole”. That is the test required by paragraph 14 of the NPPF, regardless of whether policies are ‘out of date’ or not. This test should be given considerable weight in the decision making process even though the definition of policies affecting the supply of housing has been narrowed by the Supreme Court judgement. Given the need to boost the supply of housing, the contribution of the proposal to the supply of housing (including affordable housing) is considered to outweigh the conflict with the policies of the LDF.

8. This report considers the officer advice given to Members at the January 2017 meeting in relation to the policies relating to the supply of housing and the extent to which this has changed as a result of the Supreme Court decision.

Planning Assessment

9. 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.
10. The effect of the Supreme Court's judgement is that policies DP/1(a), DP/7 and ST/6 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 DP/1(a), DP/7 and ST/6 and their objectives, both individually and collectively, of securing sustainable development accord with and furthers the social and environmental dimensions of sustainable development, and therefore accord with the Framework.
11. Any conflict with adopted policies DP/1(a), DP/7 and ST/6 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. Nonetheless, the NPPF places very considerable weight on the need to boost 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 DP/1(a), DP/7 and ST/6 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.
12. A balancing exercise therefore needs to be carried out. It is only when the conflict with other development plan policies – including where engaged policies DP/1(a), DP/7 and ST/6 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.

13. Although this proposal is located outside the development framework of a group village, accessibility to public transport from the site is considered to be a significant benefit of the location. In addition, the scheme would further improve the community facilities within the village, enhancing social sustainability of the scheme and the overall sustainability of Great Abington. Access to services and facilities within the village is also considered to be adequate. 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.
14. Policies HG/1 (Housing Density), HG/2 (Housing Mix), NE/6 (Biodiversity) and NE/17 (Protection of High Quality Land) were all policies that were previously considered to be relevant policies for the supply of housing. That is no longer the case. However, no conflict was identified with any of these policies and thus none of them require a reassessment in terms of any harm that might arise.
15. It is considered that the scheme includes positive elements which demonstrate that as a whole the scheme achieves the definition of sustainable development. These include:
 - The contribution of up to 8 dwellings, including up to 2 affordable dwellings, towards the housing land supply in the district based on the objectively assessed 19,500 dwellings target set out in the SHMA and the method of calculation and buffer identified by the Inspector.
 - Suitable and sustainable location for this scale of residential development given the position of the site in relation to access to public transport, services and facilities and local employment.
 - Employment during construction to benefit the local economy.
 - Greater use of local services and facilities to contribute to the local economy.

Conclusion

16. Officers consider that notwithstanding the conflict with policies DP/1(a), DP/7 and ST/6, this conflict can only be given “limited” weight. The previously identified impact on countryside character still results in limited harm.
17. The provision of 8 dwellings, including up to 2 affordable dwellings can be given significant weight, notwithstanding the relatively low number of houses coming forward. Employment during construction to benefit the local economy and the potential for an increase in the use of local services can also be given some limited weight.
18. None of the disbenefits arising from the proposals are considered to result in significant and demonstrable harm when balanced against the positive elements and therefore, it is considered that the proposal achieves the definition of sustainable development as set out in the NPPF.

Recommendation

19. Officers recommend that the Committee again resolves to grant planning permission subject to the conditions and section 106 agreement as before.
20. The following items are appended to this report:

- a. Appendix 1 – report presented to committee in February 2016

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/1433/16/OL

Report Author:

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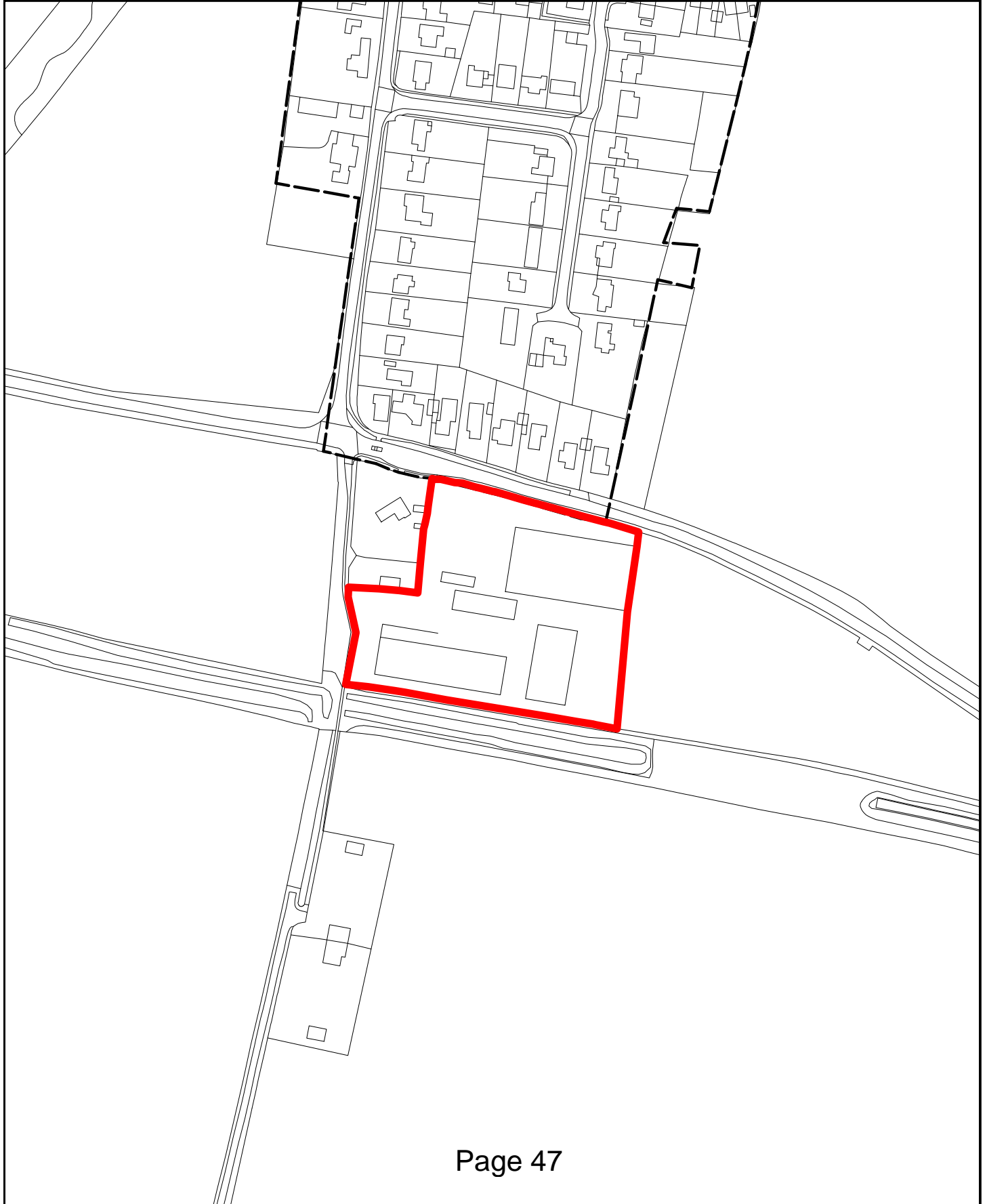
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Agenda Item 9

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2 August 2017

AUTHOR/S: Joint Director for Planning and Economic Development

Application Number:	S/2921/15/OL
Parish(es):	Willingham
Proposal:	Outline Proposal for Erection of 26 Dwellings including 10 Affordable Units & Ancillary Access Arrangements (All matters reserved apart from access)
Site address:	Land South of 1b Over Road, Willingham, Cambridge, Cambridgeshire, CB24 5EU
Applicant(s):	Mr Ernest Wynn
Recommendation:	Approval
Key material considerations:	<p>Housing Land Supply, Planning Policy and Principle Design Considerations, Density, Housing Mix Affordable Housing, Landscape and Visual Amenity Impacts on Trees, Residential Amenity, Access and Highway Safety, Archaeology, Ecology, Flood Risk and Drainage, Contamination, Developer Contributions</p> <p>All of these matters were considered in the report presented to Planning Committee in March 2017, when Members resolved to grant planning permission. This report focusses on the implications of the Supreme Court judgement relating to the extent of Local Plan policies which are considered to affect the supply of housing.</p>
Committee Site Visit:	6 September 2016
Departure Application:	Yes
Presenting Officer:	Thorfinn Caithness, Principal Planning Officer
Application brought to Committee because:	To consider the implications of the <i>Hopkins Homes</i> Supreme Court judgement relating to the extent of Local Plan policies which are considered to affect the supply of housing.
Date by which decision due:	31 July 2017 (extension of time agreed)

Introduction

1. This application was considered at the 7 September 2016 meeting of the Planning Committee. The Committee resolved to approve the application

subject to completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 relating to affordable housing, education, libraries and lifelong learning, open space and monitoring, and subject to the conditions and informatives set out in the original planning committee report. The application remains undetermined pending the completion of the section 106 agreement. A copy of the original committee report is appended to this report.

2. On 10 May 2017, the Supreme Court gave judgment in *Suffolk Coastal DC v Hopkins Homes Limited* and in the conjoined matter of *Richborough Estates Partnership LLP v Cheshire East BC* [2017] UKSC 37.
3. The Supreme Court Judgement narrows the range of development plan policies which can be considered as 'relevant policies for the supply of housing'. Those policies are now not to be considered out of date, even when a five-year housing land supply cannot be demonstrated.
4. In respect of South Cambridgeshire this means that the Local Development Framework Policies that were listed as being out of date at the time when this application was considered are no longer held to be out of date.
5. On 30 June 2017, the Court of Appeal issues a further judgement in *Barwood Strategic Land v East Staffordshire Borough Council*. The Court held that the "presumption of sustainable development" within the National Planning Policy Framework (NPPF) falls to be determined in accordance with paragraph 14 and there was not any wider concept of a presumption of sustainable development beyond that set out in and through the operation of, paragraph 14. Paragraph 14 of the NPPF has been applied in this supplementary report with the approach of the Supreme Court in *Suffolk Coastal* and it is not considered that the *Barwood Land* decision requires any further changes to the advice set out above.
6. The overriding issue however is not whether the policies are out of date but whether, in light of the continuing lack of a five year housing land supply, it can be shown that the "adverse impacts ... would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole". That is the test required by paragraph 14 of the NPPF, regardless of whether policies are 'out of date' or not. This test should be given considerable weight in the decision making process even though the definition of policies affecting the supply of housing has been narrowed by the Supreme Court judgement. Given the need to boost the supply of housing, the contribution of the proposal to the supply of housing (including affordable housing) is considered to outweigh the conflict with the policies of the LDF.
7. This report considers the officer advice given to Members at the September 7 2016 meeting in relation to the policies relating to the supply of housing and the extent to which this has changed as a result of the Supreme Court decision.

Planning Assessment

8. 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.

9. The effect of the Supreme Court's judgement is that policies DP/1(a), DP/7 and ST/5 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 DP/1(a), DP/7 and ST/5 and their objectives, both individually and collectively, of securing sustainable development, accord with and furthers the social and environmental dimensions of sustainable development, and therefore accord with the Framework.
10. Any conflict with adopted policies DP/1(a), DP/7 and ST/5 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. Nonetheless, the NPPF places very considerable weight on the need to boost 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 DP/1(a), DP/7 and ST/5 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.
11. A balancing exercise therefore needs to be carried out. It is only when the conflict with other development plan policies – including where engaged policies DP/1(a), DP/7 and ST/5 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.
12. Although this proposal is located outside the development framework of a Policy ST/5 Minor Rural Centre, the scale and amount of development proposed is reflective of that which Policy ST/5 would normally allow (Max 30 dwellings). Furthermore, accessibility to public transport from the site is considered to be a significant benefit of the location. In addition, the scheme would further improve the community facilities within the village, enhancing social sustainability of the scheme and the overall sustainability of Willingham. Access to services and facilities within the village is also considered to be adequate. 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.

13. Policies HG/1 (Housing Density), HG/2 (Housing Mix), NE/6 (Biodiversity) and CH/2 (Archaeological Sites) were all policies that were previously considered to be relevant policies for the supply of housing. That is no longer the case. However, no conflict was identified with any of these policies and thus none of them require a reassessment in terms of any harm that might arise.
14. It is considered that the scheme includes positive elements which demonstrate that as a whole the scheme achieves the definition of sustainable development. These include:
 - The positive contribution of up to 26 additional 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 provision of 10 affordable dwellings towards the district wide need of 1,700 applicants
 - Developer contributions towards public open space and community facilities in the village, including equipped children's play space and an extension to the local Primary school.
 - Suitable and sustainable location for this scale of residential development given the position of the site in relation to access to public transport, services and facilities and local employment.
 - Employment during construction to benefit the local economy.
 - Greater use of local services and facilities to contribute to the local economy and improve their sustainability.
 - The Flood Risk Sequential and Exceptions Tests have been passed and the site can be made safe from the risks and effects of flooding without causing an increased risk of flooding to other land and property.

Conclusion

15. Officers consider that notwithstanding the conflict with policies DP/1(a), DP/7 and ST/5, this conflict can only be given "limited" weight.
16. The provision of 26 dwellings, including 10 affordable dwellings can be given significant weight. The contributions towards the provision infrastructure in relation to public open space, community facilities and education all carry weight in favour of the proposals. Employment during construction to benefit the local economy can also be given some limited weight.
17. None of the disbenefits arising from the proposals are considered to result in significant and demonstrable harm when balanced against the positive elements and therefore, it is considered that the proposal achieves the definition of sustainable development as set out in the NPPF.

Recommendation

18. Officers recommend that the Committee again resolves to grant planning permission subject to the conditions and section 106 agreement as before.
19. The following items are appended to this report:

- i) Appendix 1 – report presented to committee in May 2017
- ii) Appendix 2 – Section 106 matrix appended to May 2017 committee report

Background Papers:

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

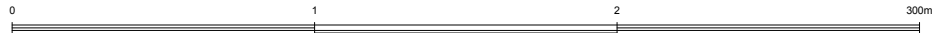
- National Planning Policy Framework (NPPF)
- South Cambridgeshire Local Development Framework Core Strategy DPD 2007
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- South Cambridgeshire Local Plan Submission 2014

Report Author:

Thorfinn Caithness
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Principal Planning Officer
01954 713126

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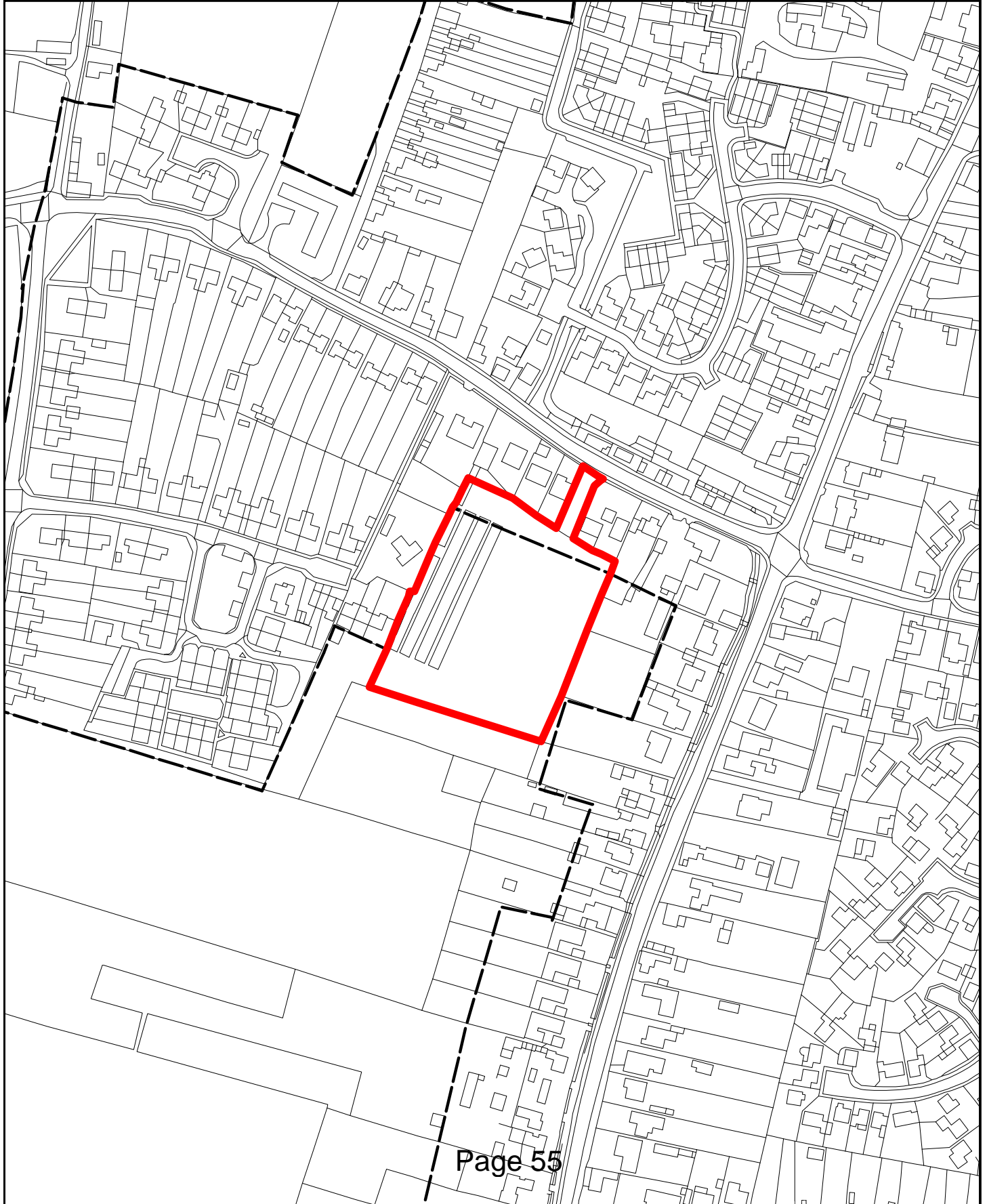
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Agenda Item 10

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2 August 2017

AUTHOR/S: Joint Director for Planning and Economic Development

Application Number:	S/3077/16/OL
Parish(es):	Guilden Morden
Proposal:	Outline application for up to 30 dwellings and formation of new access (all other matters including landscaping, layout, scale and appearance are reserved).
Site address:	Site south of Thompson's Meadow, Trap Road, Guilden Morden, Cambridgeshire SG8 0JE
Applicant(s):	Mr John Boston, Guilden Morden Executive Homes
Recommendation:	Delegated Approval subject to a section 106 agreement
Key material considerations:	<p>The main issues are whether the proposed development would provide a suitable site for housing, having regard to housing land supply, the principles of sustainable development, scale of development and impact on townscape and landscape character, drainage issues, services and facilities, access and transport and ecology.</p> <p>All of these matters were considered in the report presented to Planning Committee on 1 March 2017, when Members resolved to grant planning permission. This report focusses on the implications of the Supreme Court judgement relating to the extent of Local Plan policies which are considered to affect the supply of housing.</p>
Committee Site Visit:	Undertaken on 06 September 2016
Departure Application:	Yes
Presenting Officer:	David Thompson (Principal Planning Officer)
Application brought to Committee because:	To consider the implications of the <i>Hopkins Homes</i> Supreme Court judgement relating to the extent of Local Plan policies which are considered to affect the supply of housing.
Date by which decision due:	31 August 2017 (Extension of time agreed)

Introduction

1. This application was considered at the 1 March 2017 meeting of the Planning Committee. The Committee resolved to approve the application subject to the completion of a Section 106 agreement and conditions (as detailed in the previous committee report and the attached appendix.). The application remains undetermined pending the completion of the section 106 agreement. A copy of that report is appended to this report.
2. On 10 May 2017, the Supreme Court gave judgment in *Suffolk Coastal DC v Hopkins Homes Limited* and in the conjoined matter of *Richborough Estates Partnership LLP v Cheshire East BC* [2017] UKSC 37.
3. The Supreme Court Judgement narrows the range of development plan policies which can be considered as 'relevant policies for the supply of housing'. Those policies are now not to be considered out of date, even when a five-year housing land supply cannot be demonstrated.
4. In respect of South Cambridgeshire this means that the Local Development Framework Policies that were listed as being out of date at the time when this application was considered are no longer held to be out of date.
5. On 30 June 2017, the Court of Appeal issues a further judgement in *Barwood Strategic Land v East Staffordshire Borough Council*. The Court held that the "presumption of sustainable development" within the National Planning Policy Framework (NPPF) falls to be determined in accordance with paragraph 14 and there was not any wider concept of a presumption of sustainable development beyond that set out in and through the operation of, paragraph 14. Paragraph 14 of the NPPF has been applied in this supplementary report with the approach of the Supreme Court in *Suffolk Coastal* and it is not considered that the *Barwood Land* decision requires any further changes to the advice set out above.
6. The overriding issue however is not whether the policies are out of date but whether, in light of the continuing lack of a five year housing land supply, it can be shown that the "adverse impacts ... would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole". That is the test required by paragraph 14 of the NPPF, regardless of whether policies are 'out of date' or not. This test should be given considerable weight in the decision making process even though the definition of policies affecting the supply of housing has been narrowed by the Supreme Court judgement. Given the need to boost the supply of housing, the contribution of the proposal to the supply of housing (including affordable housing) is considered to outweigh the conflict with the policies of the LDF.
7. This report considers the officer advice given to Members at the May 2017 meeting in relation to the policies relating to the supply of housing and the extent to which this has changed as a result of the Supreme Court decision.
8. An additional consideration is the implications of an appeal decision relating to the scheme for 30 dwellings on the site. This decision was received on 11 May 2017.

Planning Assessment

9. 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.
10. The effect of the Supreme Court's judgement is that policies DP/1(a), DP/7 and ST/6 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 DP/1(a), DP/7 and ST/6 and their objectives, both individually and collectively, to secure sustainable development, accord with and further the social and environmental dimensions of sustainable development, and therefore accord with the Framework.
11. Any conflict with adopted policies DP/1(a), DP/7 and ST/6 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. Nonetheless, the NPPF places very considerable weight on the need to boost 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 DP/1(a), DP/7 and ST/6 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.
12. A balancing exercise therefore needs to be carried out. It is only when the conflict with other development plan policies – including where engaged policies DP/1(a), DP/7 and ST/6 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.
13. A previous application for the scheme for 30 dwellings on the site (ref. S/0191/16/OL) was refused and the subsequent appeal (ref. APP/W0530/W/16/3164310) was dismissed. The decision was issued on 11 May, after the decision made at the March meeting to resolve planning permission for this scheme for 16 dwellings. The appeal decision was also issued after the Supreme Court judgement, but referred to policies DP/1(a), DP/7 and ST/6 as

being out of date – a position which was reversed following the Supreme Court judgement.

14. Nevertheless, the overall conclusion did still place some, albeit limited, weight on those policies in conducting the planning balance. The Inspector concluded that 'I place limited weight on the proposals conflict with policy ST/6 of the Core Strategy and policy DP/7 of the DPD and (given the concerns about the lack of services and facilities in the village and the number of trips generated by the development).....substantial weight to the conflict with the overall thrust of policy DP/1 of the DPD.'
15. Key issues that the Inspector considered weighed against the appeal included the limited range of services and facilities and the irregularity of public transport serving the village. The Inspector concluded that 'due to the lack of a shop and post office, the level of services are such that even the most basic of shopping trips would require the use of private transport.' The same situation applies in terms of accessing other services and employment.
16. These limitations weigh against development of the site. However, there are two key differences between the application which has a resolution to approve, subject to the completion of a Section 106 Agreement and the dismissed appeal scheme. They are: the scale of the development and the level of social benefits to be provided by the scheme for 16 dwellings.
17. The appellant made the Inspector aware of the committee resolution on the 16 dwellings and the Inspector noted in the appeal decision that, by providing 8 affordable units, the revised application would achieve 2/3 of the number of affordable units that the scheme for 30 dwellings proposed, with just over half of the number of trips being generated.
18. Whilst the 30 dwelling scheme would provide a greater number of units towards the deficit relation to the five year supply of housing land, the environmental harm resulting from the number of trips generated, due to the lack of services and facilities within close proximity of the site, was considered to significantly and demonstrably outweigh the benefits of the development.
19. The revised scheme for 16 dwellings would significantly reduce the number of trips generated, resulting in less environmental harm in that regard than the appeal scheme and would offer proportionately higher social benefits in relation to the provision of affordable housing. The revised scheme would also result in less landscape impact than the scheme for 30 units (which the Inspector considered acceptable in any case), due to being substantially smaller in scale.
20. There is a bus stop on Trap Road, approximately 200m from the site. A service connects Guilden Morden to Royston, with 1 bus to Royston and 2 back at commuting times during the week, with an infrequent return service during the rest of the day. A similar service operates on a Saturday, with no service on a Sunday. The service between the village and Cambridge is extremely limited and would not allow commuting from the proposed development without access to private motor transport.
21. Thompsons Meadow has a public footpath (on the opposite side of the road), connecting to Trap Road. The existing footpath network allows access to the bus stops referred to above from Thompsons Meadow. The proposed

development includes the installation of a footway along the northern boundary of the site to improve connectivity and this would improve the sustainability of the scheme. Details of the extent of the footpath and details of the construction of the link within the highway can be secured by condition at this outline stage.

22. It is acknowledged that occupants of the proposed development would need to make journeys to larger centres, such as Royston, to meet day to day needs. However, it is possible to do that journey by public transport from the development and therefore there is an alternative to the use of the private car for these journeys. This would allow access to employment in Royston and medical and education provision in Bassingbourn.
23. In assessing the issue of addressing a housing shortage and accounting for the rural character of the majority of the District, the Inspector deciding an appeal at Over (also a Group Village) 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....'
24. Over as a village has more facilities (e.g. a village shop, GP surgery and a mobile post office) than Guilden Morden. However, it 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 no more frequent than the service from Guilden Morden to Royston and the journey time is longer. It is the case that the Guided Busway provides a more frequent public transport alternative for residents in Over and such an alternative does not exist in Guilden Morden. This weighs against the environmental sustainability of this scheme therefore.
25. However, given the similarities in the services accessible from the respective sites on foot, it is considered that the level of private trips generated by this development, would be substantially less than the Over scheme for 55 dwellings. As a result, it is considered that the environmental harm arising from reliance on the private car to access more than basic services would not be substantial enough to outweigh the significant benefits of the proposal, including the over provision of affordable housing in relation to the minimum adopted policy requirement.
26. The reduction in the size of this proposal in relation to the previously refused application for 30 dwellings and the conclusions of Inspectors relating to the limited weight to be given to the settlement hierarchy within the context of a lack of a five year housing land supply are material considerations which have led officers to conclude that a recommendation of refusal in this case on the basis of the number of units alone could not be substantiated at appeal.
27. Although located outside the development framework of a group village, the proposal is considered to deliver significant sustainability benefits, delivering much needed affordable housing (above the policy complaint level) and improving the quality of recreation facilities in the village. Whilst the level of

services and facilities within the village is relatively limited, the level of trips generated by this scheme are considered not to result in environmental harm that would outweigh the benefits of the scheme, commensurate with the approach taken by Inspectors to larger schemes in Group Villages, such as Balsham and Orwell, where access to public transport is similarly limited.

28. The environmental harm arising from this scheme is considered not to meet the test of 'significantly and demonstrably' outweighing the benefits of the proposals, as required by paragraph 14 to justify refusal of the application. 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.
29. Policies HG/1 (Housing Density), HG/2 (Housing Mix), NE/6 (Biodiversity), NE/17 (Protecting High Quality Agricultural Land), CH/2 (Archaeological Sites) and CH/5 (Conservation Areas) were all policies that were previously considered to be relevant policies for the supply of housing. That is no longer the case. However, no conflict was identified with any of these policies and thus none of them require a reassessment in terms of any harm that might arise.
30. It is considered that the scheme includes positive elements which demonstrate that as a whole the scheme achieves the definition of sustainable development. These include:
 - the positive contribution of up to 16 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 provision of 50% affordable dwellings on site, making a significant contribution to the identified need in Guilden Morden – a level which exceeds the policy compliant minimum requirement.
 - significant public open space, including a Local Area of Play on the site and a commuted sum towards the provision of additional recreation facilities in Guilden Morden, a village which currently has a significant under provision in this regard.
 - The provision of contributions to upgrade community meeting space in the village.
 - The provision of highway upgrades by providing a link from the development to the adjacent footway network and close by bus service
 - potential to result in an increase in the use of local services and facilities

Conclusion

31. Officers consider that notwithstanding the conflict with policies DP/1(a), DP/7 and ST/6, this conflict can only be given "limited" weight. The general lack of services and facilities within the village and the reliance on the private car to access more than basic services also weighs against the proposal.
32. The provision of 16 dwellings, including 8 affordable dwellings can be given significant weight. The contributions towards the provision infrastructure in relation to public open space, community facilities and transport provision all carry weight in favour of the proposals. The increase use of local services and

employment during construction to benefit the local economy can also be given some limited weight.

33. None of the disbenefits arising from the proposals are considered to result in significant and demonstrable harm when balanced against the positive elements. The smaller scale of this proposal ensures that the environmental disbenefits are less than the scheme for 30 units dismissed at appeal and the provision of 50% affordable units would result in a more social sustainable proposal. Therefore, it is considered that the proposal achieves the definition of sustainable development as set out in the NPPF.

Recommendation

34. Officers recommend that the Committee again resolves to grant planning permission subject to the conditions and section 106 agreement as before.
35. The following items are appended to this report:

- a. Appendix 1 – report presented to committee in March 2017
- b. Appendix 2 – Section 106 matrix appended to March committee report

Background Papers

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Plan 2004
- Planning File Ref: S/3077/16/OL

Report Author:

David Thompson

Principal Planning Officer

Telephone Number:

01954 713250

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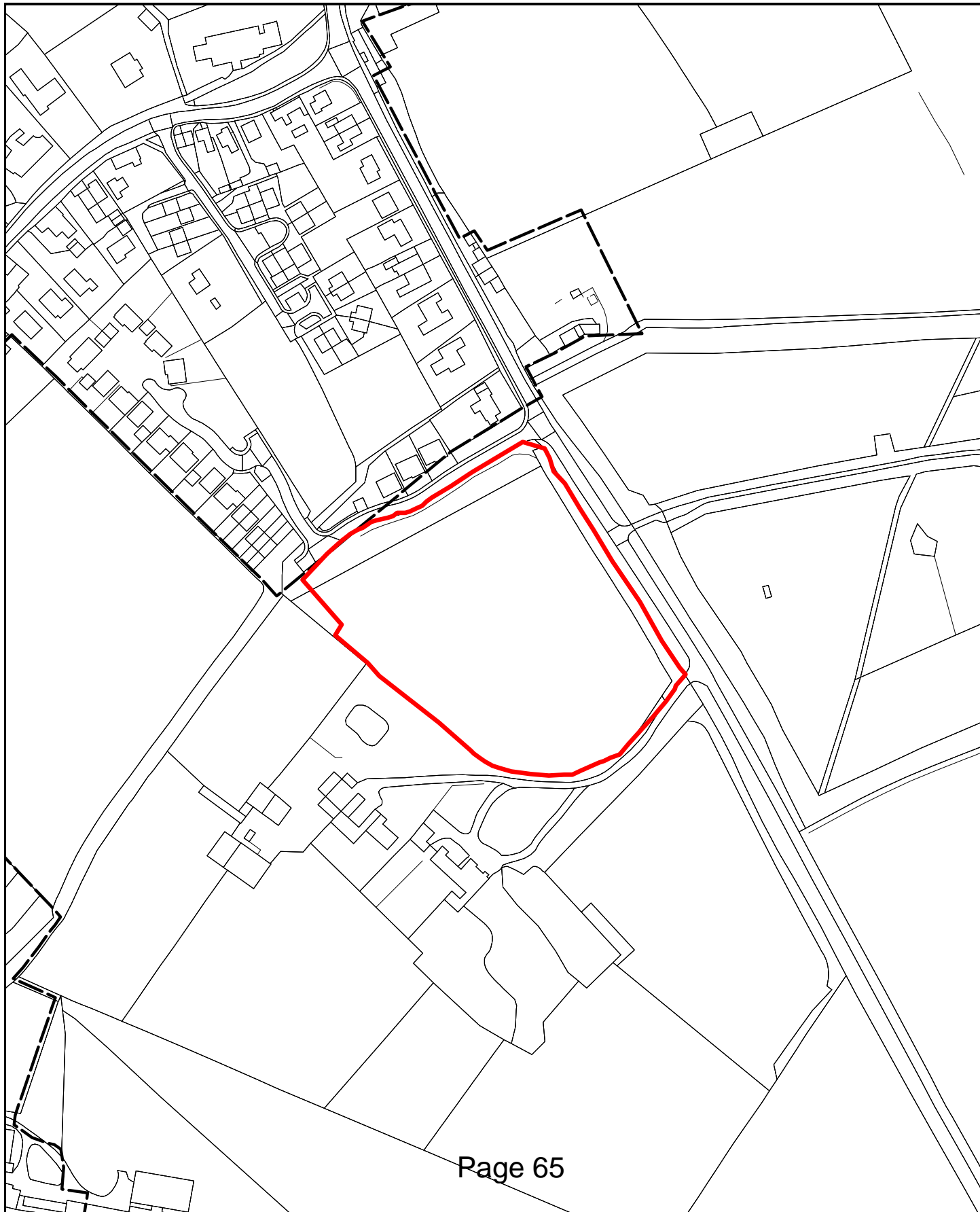
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Agenda Item 11

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2 August 2017

AUTHOR/S: Joint Director for Planning and Economic Development

Application Number: S/0746/15/OL

Parish(es): Whittlesford

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

Site address: Lion Works, Station Road East, Whittlesford.

Applicant(s): Mr D Milne, Rivertree Developments Ltd.

Recommendation: Delegated Approval

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

All of these matters were considered in the report presented to Planning Committee in March 2017, when Members resolved to grant planning permission. This report focusses on the implications of the Supreme Court judgement relating to the extent of Local Plan policies which are considered to affect the supply of housing.

Committee Site Visit: 31 May, 2016

Departure Application: Yes

Presenting Officer: Graham Nourse, Planning Team Leader

Application brought to Committee because: To consider the implications of the *Hopkins Homes* Supreme Court judgement relating to the extent of Local Plan policies which are considered to affect the supply of housing.

Date by which decision due: 30 June 2017 (extension of time)

Introduction

1. This application was considered at 6 July 2016 meeting of the Planning Committee. The Committee resolved to approve the application subject to the

conditions set out in the report and the completion of a section 106 legal agreement reflecting the contributions set out in the appendices and a provision for the review of the potential viability of affordable housing as required to make the development acceptable in planning terms. The application remains undetermined pending the completion of the section 106 agreement. A copy of that and an update report are appended to this report.

2. On 10 May 2017, the Supreme Court gave judgment in *Suffolk Coastal DC v Hopkins Homes Limited* and in the conjoined matter of *Richborough Estates Partnership LLP v Cheshire East BC* [2017] UKSC 37.
3. The Supreme Court Judgement narrows the range of development plan policies which can be considered as 'relevant policies for the supply of housing'. Those policies are now not to be considered out of date, even when a five-year housing land supply cannot be demonstrated.
4. In respect of South Cambridgeshire this means that the Local Development Framework Policies that were listed as being out of date at the time when this application was considered are no longer held to be out of date.
5. On 30 June 2017, the Court of Appeal issued a further judgement in *Barwood Strategic Land v East Staffordshire Borough Council*. The Court held that the "presumption of sustainable development" within the National Planning Policy Framework (NPPF) falls to be determined in accordance with paragraph 14 and there was not any wider concept of a presumption of sustainable development beyond that set out in and through the operation of, paragraph 14. Paragraph 14 of the NPPF has been applied in this supplementary report with the approach of the Supreme Court in *Suffolk Coastal* and it is not considered that the *Barwood Land* decision requires any further changes to the advice set out above.
6. The overriding issue however is not whether the policies are out of date but whether, in light of the continuing lack of a five year housing land supply, it can be shown that the "adverse impacts ... would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole". That is the test required by paragraph 14 of the NPPF, regardless of whether policies are 'out of date' or not. This test should be given considerable weight in the decision making process even though the definition of policies affecting the supply of housing has been narrowed by the Supreme Court judgement. Given the need to boost the supply of housing, the contribution of the proposal to the supply of housing (including affordable housing) is considered to outweigh the conflict with the policies of the LDF.
7. This report considers the officer advice given to Members at the July 2016 meeting in relation to the policies relating to the supply of housing and the extent to which this has changed as a result of the Supreme Court decision.

Planning Assessment

8. 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.

9. The effect of the Supreme Court's judgement is that policies DP/1(a) and ST/6 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 DP/1(a) and ST/6 and their objectives, both individually and collectively, of securing sustainable development], accord with and furthers the social and environmental dimensions of sustainable development, and therefore accord with the Framework.
10. Any conflict with adopted policies DP/1(a) and ST/6 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. Nonetheless, the NPPF places very considerable weight on the need to boost 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 DP/1(a) and ST/6 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.
11. A balancing exercise therefore needs to be carried out. It is only when the conflict with other development plan policies – including where engaged policies DP/1(a) and ST/6 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.
12. Although this proposal exceeds the scale of development normally considered acceptable within a group village, it would lead the provision of 60 dwellings and the sustainable recycling of a brownfield site with good accessibility to public transport. This is a significant benefit of the location In addition, the scheme would remove the existing scrapyard and improve the amenity of the local area and further improve the community facilities within the village, enhancing social and environmental sustainability of the scheme and the overall sustainability of Whittlesford. Access to services and facilities within the village is also considered to be adequate. The weight that can therefore be attached to the conflict with policies DP/1(a) which is intended to ensure that development is directed to the most sustainable locations in the district is limited.

13. Policies HG/1 (Housing Density), HG/2 (Housing Mix) and GB/3 (Mitigating the Impact of Development on the Green Belt) were all policies that were previously considered to be relevant policies for the supply of housing. That is no longer the case. However, no conflict was identified with any of these policies and thus none of them require a reassessment in terms of any harm that might arise.
14. It is considered that the scheme includes positive elements which demonstrate that as a whole the scheme achieves the definition of sustainable development. These include:
- the positive contribution of up to 60 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.
 - sustainable recycling of a brownfield site and removal of an existing scrapyards leading to improvements to the amenity of the local area.
 - public open space on the site and commuted sums towards open space and community facilities in the village.
 - The provision of a contribution towards the maintenance of the community vehicle secured as part of the Grace Crescent scheme, to be operated by the Parish Council, providing an alternative to single occupancy car journey, alongside the regular bus service operating within close proximity of the site.
 - upgrading of three bus stops (shelter, flag, road markings and timetable information) and contribution towards maintenance of bus shelters.
 - potential to result in an increase in the use of local services and facilities.

Conclusion

15. Officers consider that notwithstanding the conflict with policies DP/1(a) and ST/6, this conflict can only be given "limited" weight.
16. The provision of up to 60 dwellings can be given significant weight. The sustainable recycling of a brownfield site and removal of an existing unneighbourly scrapyards can also be given significant weight. The contributions towards the provision infrastructure in relation to public open space, community facilities and local transport all carry weight in favour of the proposals. Employment during construction to benefit the local economy and the potential for an increase in the use of local services can also be given some limited weight.
17. None of the disbenefits arising from the proposals are considered to result in significant and demonstrable harm when balanced against the positive elements and therefore, it is considered that the proposal achieves the definition of sustainable development as set out in the NPPF.
18. Officers recommend that the Committee again resolves to grant planning permission subject to the conditions and section 106 agreement as before.
19. The following items are appended to this report:
- a. Appendix 1 – report presented to committee on 6 July 2016

b. Appendix 2 – update report presented to committee on 6 July 2016

Background Papers:

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

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

Report Author:

Julie Ayre

Team Leader

Telephone Number:

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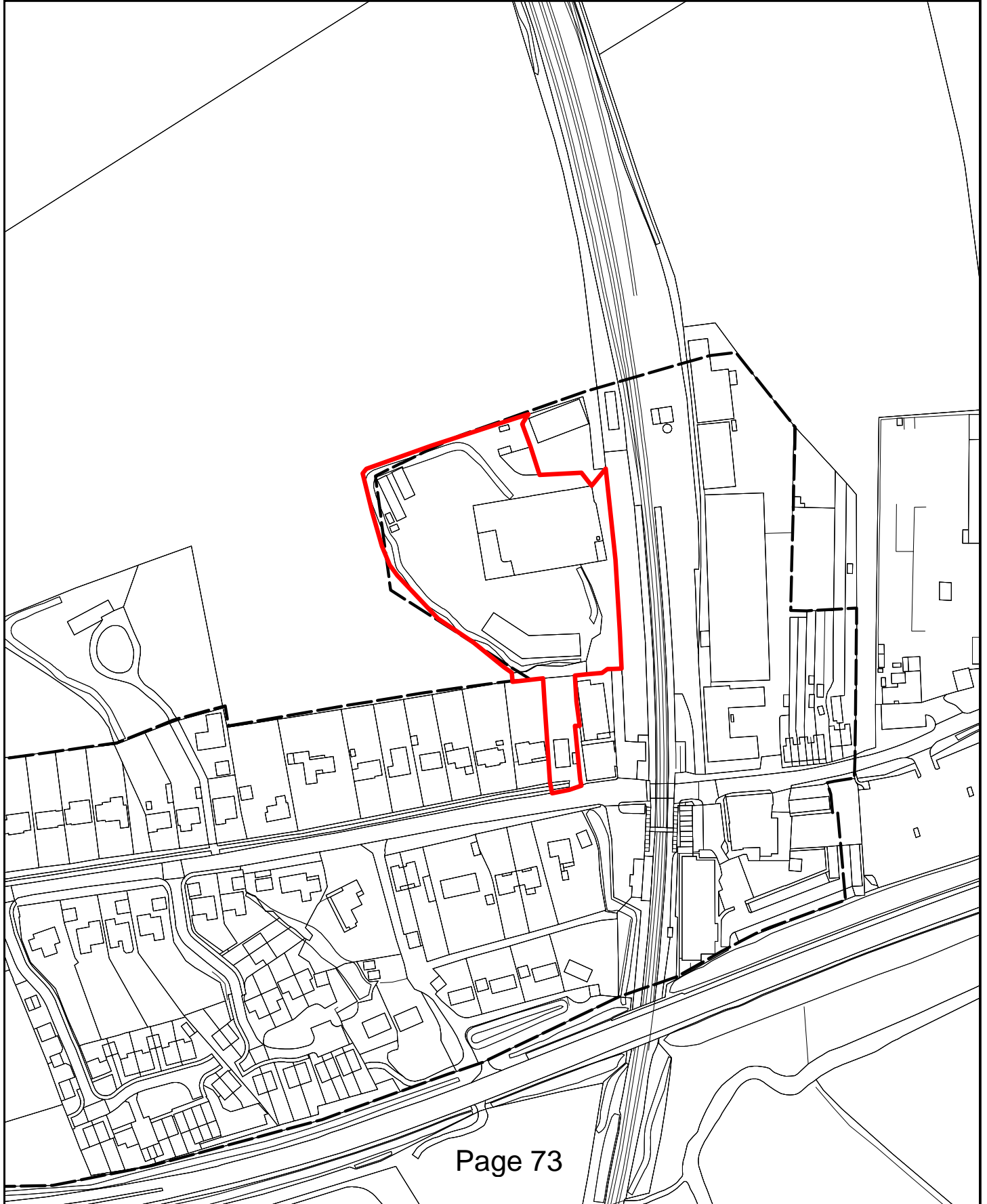
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Agenda Item 12

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 2 August 2017
AUTHOR/S: Joint Director for Planning and Economic Development

Application Number: S/2647/15/OL

Parish(es): Papworth Everard

Proposal: Outline planning permission (with all matters reserved except access and strategic landscaping) for up to 215 dwellings, including affordable housing, and land reserved for nursery use (Use Class D1), open space including strategic landscaping, play areas, sustainable drainage features and associated infrastructure including foul sewerage pumping stations.

Site address: Land to East of Old Pinewood Way and Ridgeway, Papworth Everard

Applicant(s): Bloor Homes Eastern

Recommendation: Delegated approval subject to a S106 agreement

Key material considerations: Principle, sustainability, design, density and housing mix, biodiversity, landscape impact, flooding and drainage, transport and traffic, need for section 106 contributions

All of these matters were considered in the report presented to Planning Committee on 2 November 2016, when members resolved to grant planning permission. This report focusses on the implications of the Supreme Court judgement relating to the extent of Local Plan policies that are considered to affect the supply of housing.

Committee Site Visit: 1 November 2016

Departure Application: Yes

Presenting Officer: James Stone, Principal Planning Officer

Application brought to Committee because: To consider the implications of the *Hopkins Homes* Supreme Court judgement relating to the extent of Local Plan policies which are considered to affect the supply of housing.

Date by which decision due: 9 August 2017

Introduction

1. This application was considered at the 2 November 2016 meeting of the Planning Committee. The Committee resolved to approve the application and gave officers delegated powers to approve the application subject to:
 - (a) The prior completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 securing the obligations referred to in the Heads of Terms attached as an Appendix to the report from the Head of Development Management; and
 - (b) The Conditions and Informatives set out in the report.
2. The application remains undetermined pending the completion of the section 106 agreement. A copy of the original committee report (and an amended list of draft conditions and informatives and Head of Terms) are appended to this report.
3. On 10 May 2017, the Supreme Court gave judgment in *Suffolk Coastal DC v Hopkins Homes Limited* and in the conjoined matter of *Richborough Estates Partnership LLP v Cheshire East BC* [2017] UKSC 37.
4. The Supreme Court Judgement narrows the range of development plan policies which can be considered as 'relevant policies for the supply of housing'. Those policies are now not to be considered out of date, even when a five-year housing land supply cannot be demonstrated.
5. In respect of South Cambridgeshire this means that the Local Development Framework Policies that were listed as being out of date at the time when this application was considered are no longer held to be out of date.
6. On 30 June 2017, the Court of Appeal issued a further judgement in *Barwood Strategic Land v East Staffordshire Borough Council*. The Court held that the "presumption of sustainable development" within the National Planning Policy Framework (NPPF) falls to be determined in accordance with paragraph 14 and there was not any wider concept of a presumption of sustainable development beyond that set out in and through the operation of, paragraph 14. Paragraph 14 of the NPPF has been applied in this supplementary report with the approach of the Supreme Court in *Suffolk Coastal* and it is not considered that the *Barwood Land* decision requires any further changes to the advice set out above.
7. The overriding issue however is not whether the policies are out of date but whether, in light of the continuing lack of a five year housing land supply, it can be shown that the "adverse impacts ... would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole". That is the test required by paragraph 14 of the NPPF, regardless of whether policies are 'out of date' or not. This test should be given considerable weight in the decision making process even though the definition of policies affecting the supply of housing has been narrowed by the Supreme Court judgement. Given the need to boost the supply of housing, paragraph 14 is considered to outweigh the conflict with the policies of the LDF.
8. This report considers the officer advice given to Members at the 2 November 2016 meeting in relation to the policies relating to the supply of housing and the extent to which this has changed as a result of the Supreme Court decision.

Planning Assessment

9. The Council accepts that it cannot currently demonstrate a five year housing land supply in the district as required by the NPPF in 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.

10. The effect of the Supreme Court's judgement is that policies DP/1(a), DP/7 and ST/5 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 which are set out in the NPPF at para 7.
11. Any conflict with adopted policies DP/1(a), DP/7 and ST/5 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. Nonetheless, the NPPF places very considerable weight on the need to boost 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 DP/1(a), DP/7 and ST/5 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.
12. A balancing exercise therefore needs to be carried out. It is only when the conflict with other development plan policies – including where engaged policies DP/1(a), DP/7 and ST/5 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.
13. Although this proposal is located outside the development framework of a Minor Rural Centre, accessibility to public transport from the site is considered to be a significant benefit of the location. In addition, the scheme would further improve the community facilities within the village, enhancing social sustainability of the scheme and the overall sustainability of Papworth. Access to services and facilities within the village is also considered to be adequate. 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.
14. Policies HG/1 (Housing Density), HG/2 (Housing Mix), NE/6 (Biodiversity), NE/17 (Protecting High Quality Agricultural Land) and CH/2 (Archaeological Sites) were all policies that were previously considered to be relevant policies for the supply of housing. That is no longer the case. However, the only (insignificant) conflict that was identified with any of these policies was in respect of the loss of grade 3b agricultural land and none of these policies require a reassessment in terms of any harm that might arise.
15. It is considered that the scheme includes positive elements which demonstrate that as a whole the scheme achieves the definition of sustainable development. These include:
 - the positive contribution of up to 215 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 provision of 86 affordable dwellings on site, making a significant contribution to the identified need in Papworth and the wider District. As of May 2016 there were 55 people within the village of Papworth on the Housing Register, a figure that had increased by 3 since 2015;
 - 5% of the dwellings provided will be bungalows to help meet a social need in the area. Of the 11 bungalows 5 will be **Page 77** dwellings and 6 will be affordable housing;

- significant public open space, including a Local Equipped Area of Play and a combined Local and Neighbourhood Equipped Area of Play;
- Provision of 0.9ha of land to extend Papworth Wood to deliver additional publically accessible open space and help manage visitor pressure on the SSSI;
- Funding for 2 additional bus services;
- Provision of a 6 month free bus pass per dwelling to boost the use of sustainable modes of transport;
- Provision of land on site capable for use for early years education;
- Funding for an extension to Pendragon Primary School;
- Upgrades to public footpaths including the provision of lighting at Footpath number 4 which connects the south western corner of the site with the centre of Papworth;
- Funding towards extension or remodelling of Papworth Surgery;
- Funding towards the construction of cycle link between Papworth and Cambourne

Conclusion

16. Officers consider that notwithstanding the conflict with policies DP/1(a), DP/7 and ST/5, this conflict can only be given “limited” weight. There is some limited landscape harm which weighs against the proposals. The loss of grade 3b agricultural land also carries limited weight against the proposal.
17. The provision of 215 dwellings, including 86 affordable dwellings can be given significant weight. The contributions towards the provision of infrastructure in relation to public open space, the extension of Papworth Wood, education/health facilities, public transport and public footpaths all carry moderate to significant weight in favour of the proposals. The increase use of local services and employment during construction to benefit the local economy can also be given some limited weight.
18. None of the disbenefits arising from the proposals are considered to result in significant and demonstrable harm when balanced against the positive elements and therefore, it is considered that the proposal achieves the definition of sustainable development as set out in the NPPF.
19. Officers recommend that the Committee again resolves to grant planning permission subject to the conditions and section 106 agreement as before.

Recommendation

20. Officers recommend that the Committee grants planning permission, with delegated powers subject to the following:
 - (a) Section 106 Agreement to cover the items including trigger point as set out in appendix 2.
 - (b) Draft set of conditions and informatives provided in appendix 3.
21. The following items are appended to this report:
 - a. Appendix 1 – report presented to committee in September 2016
 - b. Appendix 2 – Section 106 matrix
 - c. Appendix 3 – Draft set of conditions and informatives

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local 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 Ref: S/2647/15/0L

Report Author:

James Stone

Telephone Number:

Principal Planning Officer

(01954) 712904

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Papworth Everard – The Ridgeway (S/2647/15/OL)

Heads of terms for the completion of a Section 106 agreement

Papworth Everard – The Ridgeway (S/2647/15/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
Other requirements	6 bungalows (2 affordable rent and 4 intermediate)

Section 106 payments summary:

Item	Beneficiary	Estimated sum
Early years	CCC	£483,478 (if payable)
Primary School	CCC	£1,300,000
Secondary School	CCC	£315,559
Libraries and lifelong learning	CCC	£22,000
Bus stop	CCC	£27,000
Papworth to Caxton cycleway	CCC	£54,044
Sports	SCDC	£200,000
Indoor community space	SCDC	£100,000
Household waste bins	SCDC	£15,000
Monitoring	SCDC	£3,000
Primary healthcare	SCDC	£65,000
Footpath no 4 lighting	CCC	£30,000
Footpath no 4 lighting maintenance	CCC	£2,198.85
TOTAL		£2,617,279.85
TOTAL PER DWELLING		£12,173.39

Section 106 infrastructure summary:

Item	Beneficiary	Summary
Bus provision	CCC	Contract with Go Whippet to secure 2 additional services for 5 years (est cost to developer £250,000)
Bus passes	CCC	6 month free bus pass per dwelling
Early years	CCC	Land provision
Children's play	CCC	Local Equipped Area of Play and combined LEAP / Neighbourhood Equipped Area of Play
Papworth Wood extension	SCDC	An area of land of circa 0.9 ha to extend Papworth Wood
Information boards	SCDC	Located within the development highlighting walking areas, Papworth Wood restrictions etc

Planning Condition infrastructure summary

Item	Beneficiary	Summary
Footpath number 3	CCC	Resurfacing
Footpath number 4	CCC	Resurfacing

Papworth Everard – The Ridgeway (S/2647/15/OL)

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 65 early years aged children (based on County Council general multipliers), of which S106 contributions would ordinarily be sought for 33 children.</p> <p>Under normal circumstances Cambridgeshire County Council would require the payment of an offsite early years contribution such that they would then have the duty of securing early years accommodation within the village.</p> <p>However, on the basis that early year's provision is already limited with no obvious options to explore the applicant has proposed delivering an area of free serviced land sufficient to accommodate a pre-school building of 600 m2 and ancillary functions (inc parking and outside play space).</p> <p>The submitted DAS states a site area of 0.12ha has been set aside for a pre-school facility, which meets these requirements.</p> <p>On the basis that a pre-school facility provides accommodation for 26 places per session the full cost of this facility is required to be satisfied by the development.</p> <p>CCC does not at this current time intend building and operating this facility and instead are reliant on an early year's provider acquiring the site and fulfilling this function.</p> <p>The developer will be required to undertake a marketing exercise to give this proposal the best possible chance of success.</p> <p>If there is no take up of this opportunity then a default position of a financial contribution of £483,478 is payable</p> <p>Such a proposal will not prevent CCC from requesting the payment of the early year's contribution if an alternative option is preferred.</p> <p>The S106 will need to include provision to take into account increases in indexation from the date of committee approval to when the relevant payment is triggered.</p>
Quantum	£483,478 (if payable)
Fixed / Tariff	Fixed (if payable)
Trigger	The marketing strategy for the on-site early year's facility is to begin on the commencement of the development and run until the occupation of the 75th dwelling. CCC can at any stage give notice that they require the payment of the early year's contribution (rather than pursue onsite provision). At the occupation of the 75 th dwelling the Owner is entitled to pay the contribution to discharge this obligation.
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	NONE

Papworth Everard – The Ridgeway (S/2647/15/OL)

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 76 primary education aged children (based on County Council general multipliers). This development lies within the catchment area of Pendragon Community Primary School.</p> <p>As part of the pre-application process the Developer commissioned an options report to assess the ability to expand Pendragon Primary School. Option 3 (in the MS report) is the preferred option and is costed at £3,321,781. This is based on 3rd Quarter 2015. For 3Q16 this equates to £3,484,736.</p> <p>Given the current use of the site, and the current space occupied by the Children's Centre and Pre School that would need to remain, this option would provide the physical space needed for 1/2 FE (4 classroom, therefore 120 places). Contributions are therefore required on the basis of £29,040 per place (£3,484,736 / 120 places).</p> <p>Therefore a contribution is sought for primary education (it is suggested that given that the number of children is unknown at this stage, as a development mix has not been included, that a matrix is included in the S106 to calculate the level of contributions at the reserved matters stage).</p> <p>Market/shared ownership:</p> <ul style="list-style-type: none"> - 1-bed: £0 - 2-bed: £1,452 - 3-bed: £5,808 - 4+-bed: £11,616 <p>Affordable rent/social rent:</p> <ul style="list-style-type: none"> - 1-bed: £0 - 2-bed: £4,356 - 3-bed: £23,232 - 4+-bed: £34,848 <p>The S106 will need to include provision to take into account increases in indexation from the date of committee approval to when the relevant payment is triggered.</p>
Quantum	Circa £1,300,000
Fixed / Tariff	Tariff
Trigger	<p>50% of the contribution upon commencement of development of the first phase with 50% payable prior to occupation of 50% of dwellings in that first phase.</p> <p>100% of the contribution payable in respect of each subsequent phase is to be paid upon commencement of development of that phase.</p>
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	NONE
Ref	CCC3
Type	Secondary school
Policy	DP/4
Required	YES

Papworth Everard – The Ridgeway (S/2647/15/OL)

Detail	<p>The secondary education contribution for this development is £315,559.</p> <p>This is based on the cost of the 1FE expansion project for Swavesey Village (£3.9m - based on costs at 1Q15) minus external funding which has been secured (£1,250,000 was secured by the College from an Education Funding Agency funding bid and the County Council received a further £1,900,000 Targeted Basic Need Funding for the scheme from the Department for Education), minus S106 contributions already secure from developments in the area (£106,002 from the 30 dwelling development at Land to the rear of no. 18 Boxworth End, Swavesey – S/0875/15/OL).</p> <p>The funding shortfall is therefore £643,998.</p> <p>In addition to the 215 dwellings at Land off the Ridgeway, Papworth Everard (S/2647/15/OL) there is a number of other developments in the area for which planning applications have recently been submitted. These are as follows:</p> <ul style="list-style-type: none"> • Land south of Fen Drayton Road, Swavesey (S/1027/16/OL) – 99 dwellings • Land to the rear of 130, Middlewatch, Swavesey (S/1605/16/OL) – 70 dwellings • Land to the west of Mill Road, Over (S/2870/15/OL) – 55 dwellings <p>Together with Land off the Ridgeway, Papworth Everard these developments total 439 new dwellings in the area. In order to be fair and reasonable the remaining funding shortfall (of £643,998) has been split proportionally between these developments, based on the number of proposed dwellings. The secondary education contributions for each development would therefore be as follows:</p> <table border="1" data-bbox="501 1236 1351 1805"> <thead> <tr> <th>Development</th> <th>Number of Dwellings</th> <th>Proportion of Total Dwellings</th> <th>Contribution</th> </tr> </thead> <tbody> <tr> <td>Land south of Fen Drayton Road, Swavesey (S/1027/16/OL)</td> <td>99</td> <td>23%</td> <td>£148,119</td> </tr> <tr> <td>Land to the rear of 130, Middlewatch, Swavesey (S/1605/16/OL)</td> <td>70</td> <td>16%</td> <td>£103,040</td> </tr> <tr> <td>Land off the Ridgeway, Papworth Everard (S/2647/15/OL)</td> <td>215</td> <td>49%</td> <td>£315,559</td> </tr> <tr> <td>Land to the west of Mill Road, Over (S/2870/15/OL)</td> <td>55</td> <td>12%</td> <td>£77,280</td> </tr> <tr> <td>TOTAL</td> <td>439</td> <td>100%</td> <td>£643,998</td> </tr> </tbody> </table>	Development	Number of Dwellings	Proportion of Total Dwellings	Contribution	Land south of Fen Drayton Road, Swavesey (S/1027/16/OL)	99	23%	£148,119	Land to the rear of 130, Middlewatch, Swavesey (S/1605/16/OL)	70	16%	£103,040	Land off the Ridgeway, Papworth Everard (S/2647/15/OL)	215	49%	£315,559	Land to the west of Mill Road, Over (S/2870/15/OL)	55	12%	£77,280	TOTAL	439	100%	£643,998
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TOTAL	439	100%	£643,998																						
Quantum	£315,559																								
Fixed / Tariff	Fixed																								
Trigger	50% of the contribution upon commencement of development of the first phase with 50% payable prior to occupation of 50% of dwellings in that first phase.																								

Papworth Everard – The Ridgeway (S/2647/15/OL)

	100% of the contribution payable in respect of each subsequent phase is to be paid upon commencement of development of that phase.
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	Currently only 18 Boxworth End has contributed towards this project but there will eventually be 5 that will complete the funding shortfall

Ref	CCC4
Type	Libraries and lifelong learning
Policy	DP/4
Required	YES
Detail	<p>The village is served by a community library based in the shared building, Pendrill Court. This new development would result in an increase in population of 538 residents (215 x 2.5). This would place demand on the Libraries and Lifelong Learning facilities in the village which requires a contribution of £42.12 per head of increase of population to mitigate.</p> <p>As this is an outline application with numbers and mix subject to reserved matters applications a formula has been provided to calculate the final contribution</p> <p>Market/shared ownership:</p> <ul style="list-style-type: none"> - 1-bed & 2-bed: £63.18 - 3-bed: £107.41 - 4+-bed: £139 <p>Affordable rent/social rent:</p> <ul style="list-style-type: none"> - 1-bed & 2-bed: £71.60 - 3-bed: £151.63 - 4+-bed: £227.45 <p>The S106 will need to include provision to take into account increases in indexation from the date of committee approval to when the relevant payment is triggered.</p>
Quantum	Circa £22,000
Fixed / Tariff	Tariff
Trigger	To be paid prior to the occupations of 50% of the dwellings in each phase
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	One being Land of Church Lane/Ermine Street (S/0623/13/FL)

Ref	CCC5
Type	Strategic waste
Policy	RECAP WMDG
Required	NO
Detail	This development falls within the Bluntisham HRC catchment area for which S106 contributions are not currently sought.
Quantum	
Fixed / Tariff	
Trigger	
Officer agreed	NO
Applicant agreed	NO
Number Pooled obligations	

Papworth Everard – The Ridgeway (S/2647/15/OL)

Ref	CCC6
Type	CCC monitoring
Policy	None
Required	NO
Detail	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 and (ii) the District Council will undertake this function and share information with CCC. 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.
Quantum	
Fixed / Tariff	
Trigger	
Officer agreed	NO
Applicant agreed	NO
Number Pooled obligations	

Ref	CCC7
Type	Transport
Policy	TR/3
Required	YES
Detail	The developer will be required to: a) Enter into an agreement with a bus operator (Go Whippet) in order to provide an additional bus services on the 3/X3 route for no less than 5 years, with an additional bus during the morning and evening peak times. b) Provide a contribution to install a real time passenger information board at Wood Lane/Ermine Street junction. c) Provide a contribution towards the provision of a dedicated cycle path between Papworth and the Caxton Gibbet roundabout.
Quantum	a) No direct contribution b) £27,000 to the County Council c) £54,044 to the County Council
Fixed / Tariff	Fixed
Trigger	a) The bus service must be operational from the occupation of first dwelling b) To be paid prior to occupation of first dwelling c) 100% on first occupation of the 50th dwelling
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	NONE

Papworth Everard – The Ridgeway (S/2647/15/OL)

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL	
Ref	SCDC1
Type	Sport
Policy	SF/10
Required	YES
Detail	<p>The open space in new developments SPD sets a threshold above which open space will be sought onsite. The threshold for formal sports is 200 dwellings. In this case officers consider it would be more appropriate to secure an offsite contribution to improve existing facilities rather than insist on onsite provision.</p> <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> <p>The recreation study 2013 highlighted that the tennis, cricket and football clubs are well developed and improvements such as drainage have been made to the grounds and ancillary facilities over the years. In 2010 the play area was enhanced with funding from the play builder lottery project. The Varrier Jones Foundation owns much of the open space within the village the Parish Council is unable to buy and develop more open space.</p> <p>The Parish Council considers that in order to accommodate the needs of more residents that the village needs a 'new pavilion' building on the playing fields (football and cricket), which combines changing rooms, clubroom and catering facilities, etc. It has been estimated that to bring the cricket pitch back to its former high quality (including new drainage) and to provide the new pavilion would be around £350,000.</p> <p>The S106 will need to include provision to take into account increases in indexation from the date of committee approval to when the relevant payment is triggered.</p>
Quantum	Circa £200,000
Fixed / Tariff	Tariff
Trigger	To be paid prior to the occupations of 50% of the dwellings in each phase
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	NONE
Ref	SCDC2
Type	Children's play space
Policy	SF/10
Required	YES
Detail	<p>Adopted policy would require the provision of an onsite local equipped area for play (target age group 2-8 year olds) and a neighbourhood equipped area for play (target age group 8-14 year olds) in accordance with the open space in new developments SPD.</p> <p>A LEAP will have as minimum a total of 9 pieces of play equipment, which will comprise at least 6 pieces of play equipment for 4-8 year olds</p>

Papworth Everard – The Ridgeway (S/2647/15/OL)

	<p>and at least 3 pieces of equipment for toddlers. The area for toddlers should be separated in some way from the rest of the facility. The minimum activity zone is 500m² to include in addition to this space requirement a small games / kick about area adjacent to the main equipped play area. The buffer zone for a LEAP is 20 metres</p> <p>A NEAP will generally be used by unaccompanied 8 + year olds and also supervised younger children. They should have a minimum activity zone of 1,200m², will be freely accessible to all and provide cycle parking. They may also require car parking, where approved by the LPA.</p> <p>NEAPs will comprise of one or two of the following elements as identified through local consultation:</p> <ul style="list-style-type: none"> • Traditional fixed equipment with safety surfacing aimed at the older age group such as aerial run ways and more challenging and adventurous equipment • Ball Court or “informal” MUGA • Wheeled sport facility or skate park <p>It is also expected that each NEAP will include a youth shelter.</p> <p>The buffer zone for a NEAP is a minimum of 30 metres (but may be 80m depending on the type of NEAP being installed)</p>
Quantum	
Fixed / Tariff	
Trigger	To be laid out in accordance with a phasing plan to be agreed prior to commencement of development
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	NONE

Ref	SCDC3										
Type	Informal open 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 Papworth experiences a surplus of 1.15 ha in terms of informal open space.</p> <p>The applicant will be required to provide a minimum level of onsite informal open space in accordance with the table below</p> <table border="1" data-bbox="624 1585 1230 1756"> <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> <p>This development will provide a significant open space area within the development and additional land for the extension to Papworth Wood</p>		Informal open space	1 bed	5.4 m ²	2 bed	7m ²	3 bed	9.7m ²	4+ bed	13.3m ²
	Informal open space										
1 bed	5.4 m ²										
2 bed	7m ²										
3 bed	9.7m ²										
4+ bed	13.3m ²										
Quantum											
Fixed / Tariff											
Trigger	To be laid out in accordance with a phasing plan to be agreed prior to commencement of development										
Officer agreed	YES										
Applicant agreed	YES										

Papworth Everard – The Ridgeway (S/2647/15/OL)

Number Pooled obligations	NONE
Ref	SCDC4
Type	Offsite indoor community space
Policy	DP/4
Required	YES
Detail	<p>The community facilities audit of 2009 reported that Papworth was served by Papworth Village Hall which is a very old building built in the 1920s. The condition of the building at that time was said to be "extremely poor and in some parts very unsafe or just a 'no go' area. There are significant issues with asbestos in the ceiling, damp throughout and significant structural problems, including holes in the wall. The outer doors are a problem and there are also tiles missing in the roof, causing leaks. A problem facility".</p> <p>Against the community space standard (of 111sqm per 1000 people as approved by the Portfolio Holder in November 2009) Papworth had a deficit of 100 square metres.</p> <p>Since the publication of the audit Papworth Everard Parish Council has secured the hall on a 99 year lease and has embarked on a major renovation project, using s106 funds in respect of the Summersfield housing development for the provision of community facilities in the village.</p> <p>Although the refurbished village hall has been reopened for around a year it is already heavily booked on weekday evenings.</p> <p>One facility that the Parish Council could not provide within the hall, due partly to limitations on expansion because the hall is within Papworth Everard Conservation area, was a self-contained youth wing, similar to what had been seen during visits to community halls in other similar villages. Currently, Girl Guides and Brownies meet in the village hall, but it is not ideal for them as storage is limited and cannot personalise their space. There are already many boy scouts in the village, but they meet as part of the Cambourne scout packs; however, it is likely that they will expand and there will be a need for the Papworth scouts to meet in their own village. Further expansion of the village will increase pressure on the village hall and there is no available time on weekday evenings to house additional clubs.</p> <p>The total cost of providing this facility is estimated to be in the region of £600k and the development would be required to contribute towards a proportion of the costs based on the formula set out below.</p> <p>The contribution required as per the indoor community space policy would be:</p> <p>1 bed - £284.08 2 bed - £371.00 3 bed - £513.04 4+ bed - £703.84</p> <p>The S106 will need to include provision to take into account increases in indexation from the date of committee approval to when the relevant payment is triggered.</p>
Quantum	Circa £100,000
Fixed / Tariff	Tariff
Trigger	To be paid prior to the occupations of 50% of the dwellings in each

Papworth Everard – The Ridgeway (S/2647/15/OL)

	phase
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
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	
Required	
Detail	£3,000
Quantum	See above
Fixed / Tariff	Tariff
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 is offered to Over 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.</p>

Papworth Everard – The Ridgeway (S/2647/15/OL)

	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.
Quantum	
Fixed / Tariff	
Trigger	Maintenance arrangements to be approved prior to commencement of development
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

Papworth Everard – The Ridgeway (S/2647/15/OL)

OTHER OBLIGATIONS	
Ref	OTHER 1
Type	Health
Policy	DP/4
Required	YES
Detail	<p>NHS England have sought contributions from this development towards the cost of an extension or remodelling of Papworth Surgery.</p> <p>On the basis that there is uncertainty as to the final housing numbers and mix the following tariff is proposed being used:</p> <p>1 bed: £183.77 2 bed: £240.00 3 bed: £331.88 4 bed: £455.30</p>
Quantum	Circa £65,000
Fixed / Tariff	Tariff
Trigger	To be paid prior to the occupations of 50% of the dwellings in each phase
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	NONE
Ref	OTHER2
Type	Extension to Papworth Wood
Policy	DP/4
Required	YES
Detail	An area of land of circa 0.9 ha to extend Papworth Wood in accordance with Plan (CSA/2571/123). The section 106 agreement will secure long term maintenance arrangements of this land.
Quantum	
Fixed / Tariff	
Trigger	Planting scheme to be submitted prior to commencement and to be planted prior to first occupation (at first planting season)
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	NONE
Ref	OTHER3
Type	Footpath number 4 works
Policy	TR/3
Required	YES
Detail	<p>The resurfacing of footpath no4 is covered by a planning condition</p> <p>In addition the installation of lighting columns and future maintenance of the lighting columns is to be included in the section 106 agreement.</p> <p>Both contributions are payable to Cambridgeshire County Council but the County Council may seek to secure separate arrangements with the Parish Council to assume responsibility of these.</p>
Quantum	£30,000 (max) for installation of footpath lighting £2,198.85 for footpath lighting maintenance
Fixed / Tariff	Fixed
Trigger	To be agreed
Officer agreed	YES

Papworth Everard – The Ridgeway (S/2647/15/OL)

Applicant agreed	YES
Number Pooled obligations	NONE

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Draft Conditions

(1) Approval of the details of the layout of the site, the scale and appearance of buildings and detailed landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

REASON. The application is in outline only.

(2) All application(s) for the approval of the reserved matters for any application containing C3 dwellinghouses shall be made to the Local Planning Authority before the expiration of two years from the date of this outline permission. All application(s) for the approval of the reserved matters for any application containing D1 Nursery Use shall be made to the Local Planning Authority before the expiration of five years from the date of this outline permission unless otherwise agreed in writing.

REASON. The application is in outline only.

(3) The residential part of the development hereby permitted shall begin not later than the expiration of two years from the date of approval of the last of the reserved matters for C3 dwellinghouses to be approved or the expiration of four years from the date of this outline permission, whichever is the later. The residential part of the development shall be completed in no more than two phases. The D1 Nursery part of the development hereby permitted shall begin not later than the expiration of two years from the date of approval of the last of the reserved matters for D1 Nursery Use.

REASON. The application is in outline only.

(4) The development hereby permitted shall be carried out in accordance with the following approved plans and shall be completed in a maximum of two phases unless agreed in writing by the Local Planning Authority:

- CSA 2571/104 C – Site Location Plan
- 616646/SK15 Rev C – Revised Access Drawing
- 616646/SK10 Rev E – Junction Design and Tracking
- CSA/2571/125 – Tree Planting to Ridgeway Access
- 4614-D-1 Rev B – TS + AIA Sheet 1 of 2
- 4614-D-2 Rev B – TS + AIA Sheet 2 of 2
- CSA/2571/123 Rev B – Off Site Woodland Planting Proposals
- CSA/2571/119 Rev F – Landscape Strategy
- 15405ea-01 and 15405ea-02 – Topographical Survey
- 616357/L/001 Rev P2 (Footpath Upgrade & Street Lighting GA – Footpath No.4)
 - EA118-Sk1 C (Offsite Footpath Details)
 - 616646/SK20 (Footpath Upgrade – Footpath No.3)
 - EA118-BPP-001 C (Blue Phase Plan)

Illustrative drawings (for illustrative purposes only)

- CSA/2571/122 – Play Area Strategy Plan

- CSA/2571/124 A – Illustrative Landscape Treatment to Ridgeway Junction
- CSA/2571/117 Rev C – Illustrative Masterplan

Documents to be approved

- Agricultural Land Classification Survey - 16 2 15
- Air Quality Assessment - August 2015
- Archaeological Evaluation Report - October 2015
- Archaeological Assessment - April 2015
- Phase 1 Contamination Assessment Report - September 2015
- Soakaway Infiltration Tests - 18th March 2015
- Design and Access Statement - October 2015
- Addendum to Design and Access Statement - June 2016
- Extended Phase 1 Habitat Survey Report - September 2015 (v5)
- Energy Statement Rev 4 - 30th September 2015 and explanation on energy use in covering letter from Paul Belton dated 26/01/2016
- External Lighting Report Rev 03 - 19th August 2015
- Technical Noise Report Rev 2 - September 2015
- Planning Statement (Incorporating Health Impact Assessment)
- Statement of Community Involvement August 2015
- Sustainability Statement 03 - 29th September 2015
- Pre Design Site Waste Management Plan Rev 2 – September 2015
- Transport Assessment Rev C – October 2015
- Travel Plan Rev A – September 2015
- Utilities Report Rev 05 – 30 September 2015
- Arboricultural Impact Statement Highway Access - 13th June 2016
- MLM Transport Assessment Rev C (SJC/616646/JIR) - October 2015
- MLM Technical Note Rev B - January 2016
- MLM Technical Note 3 Rev D - April 2016
- MLM Technical Note 3 Rev E - May 2016
- MLM Letter Dated 11th July 2016 – Transport Modelling

- Landscape and Visual Appraisal CSa/2571/01B - August 2015
- Flood Risk Assessment and Drainage Strategy Rev 5 - 27th April 2016
- Designers response to Cambridgeshire County Council - 27th April 2016
- Tree Survey and Constraints Plan – 3/3/2015

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

(5) No development shall commence, unless agreed in writing by the Local Planning Authority, until such time as a Site Wide Phasing Plan for the application site has been submitted to and approved in writing by the Local Planning Authority and which Site Wide Phasing Plan shall inter alia contain sufficient information to show how each relevant phase of development shall accord with the section 106 triggers, where applicable. The development shall be carried out in accordance with the approved phasing contained within the Site Wide Phasing Plan unless otherwise agreed in writing by the Local Planning Authority.

REASON: To clarify how the site is to be phased to assist with the determination of subsequent reserved matters applications and in order to ensure that infrastructure provision and environmental mitigation are provided in time to cater for the needs and impacts arising out of the development in accordance with DP/1 Sustainable Development of the adopted Local Development Framework 2007.

General conditions

(6) Unless otherwise agreed in writing by the local planning authority, a scheme for the provision of fire hydrants shall be submitted to the local planning authority for approval with all reserved matters applications seeking approval for layout. Each phase of the development shall be carried out in accordance with the approved details for that specific phase and the approved scheme for the provision of fire hydrants for each phase shall be fully operational prior to the first occupation of any dwellings within that phase.

REASON: To ensure the provision of adequate water supply infrastructure to protect the safe living and working environment for all users and visitors

(7) Prior to the commencement of development within each phase of the development, a scheme detailing the provision of open access ducting for fibre optic cables to serve a range of telecommunication services for that phase of the development, shall be submitted to and approved in writing by the Local Planning Authority, including site infrastructure plans. The scheme shall ensure that a site-wide network is in place and provided as part of the development and that the developers are required to complete the infrastructure to facilitate the provision of fibre optic cable to each dwelling upon the occupation of each dwelling. The development of the site hereby permitted shall be carried out in accordance with the approved strategy unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that all future residents have access to modern telecommunications and information technology to facilitate home working in accordance with Policy DP/1 of the adopted Local Development Framework 2007. The condition is required prior to the commencement of development to ensure that the fibre optic cable can be laid underground before dwellings and other infrastructure are erected/installed.

(8) Notwithstanding the provisions the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), the land set aside for nursery use shall be used only for that use and for no other purpose (including any other purposes in Class [D1] of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification) unless agreed in writing by the Local Planning Authority.

REASON:

- (a) To protect the amenities of adjoining residents in accordance with Policy DP/3 of the adopted Local Development Framework 2007.
- (b) To ensure the adequate provision of land for nursery education.

(9) The development shall not begin until a site wide affordable housing strategy for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved site wide affordable housing strategy.

Each Reserved Matters application for residential development shall include a detailed affordable housing strategy in accordance with the site wide strategy and shall include the following details:

- i. The numbers, type and location on the site of the affordable housing provision to be made;
- ii. The timing of the construction of the affordable housing;
- iii. The arrangements to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing; and
- iv. The occupancy criteria to be used for determining the identity of prospective and successive occupiers of the affordable housing, and the means by which such occupancy shall be enforced.

REASON. To ensure the provision of an agreed mix of affordable housing in accordance with Policy HG/3 of the adopted Local Development Framework 2007. The condition is required pre-commencement to ensure that the affordable housing is adequately incorporated into the development.

(10) All reserved matters applications for layout for each phase of the development shall include details of proposed children's play areas including the number and type of pieces of play equipment.. The approved play areas shall be laid out and equipped as approved before the first occupation of any part of the development

within that phase of the development, or in accordance with a programme to be submitted to and approved in writing by the Local Planning Authority.

REASON. To provide outdoor play space in accordance with Policies DP/3 and SF/10 of the adopted Local Development Framework 2007. The condition is required pre-commencement to ensure that the play areas are adequately incorporated into the development.

(11) Design statements shall be submitted specifying that 5% of homes in each phase of development shall be built to the accessible and adaptable dwellings M4(2) standard for:

5% of all affordable dwellings, with details submitted for approval to the Local Planning Authority with each reserved matters application for layout in relation to any development parcel containing affordable residential dwellings.

5% of all market homes, with details submitted for approval to the Local Planning Authority with each reserved matters application for layout in relation to any development parcel containing market residential dwellings.

Each qualifying affordable or qualifying market dwelling type (5% of affordable dwellings and 5% of market dwellings overall) within that development parcel shall not be occupied until a statement confirming compliance with the approved M4(2) standard has been submitted in writing to, and approved in writing by, the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure adaptable mobility standards in accordance with the South Cambridgeshire Local Development Framework.

(12) The submission of any reserved matters applications relating to residential development, pursuant to this outline permission, shall include a schedule of the mix of market dwellings proposed within that parcel demonstrating how the proposed mix relates to the overall mix of market dwellings within the development site as a whole, taking into account local knowledge of market demand and the requirement to provide 5 market bungalows across the site. Each development parcel for residential development shall be constructed in accordance with the approved market mix and provision of bungalows for that parcel.

REASON: To ensure that the overall mix of dwellings across the site contains a mix of residential units providing accommodation in a range of types, sizes and affordability, to meet local needs in accordance with Policy HG/2 of the adopted Development Control Policies DPD (July 2007).

(13) No dwelling or building shall be above two storeys or 9m in height unless otherwise agreed in writing by the Local Planning Authority.

REASON. To ensure that the proposal is not detrimental to the rural character of the area in accordance with Policy DP/2 of the adopted South Cambridgeshire Development Control Policies DPD (July 2007).

Drainage conditions

(14) No development shall commence until a site wide foul water drainage strategy has been submitted to and approved in writing by the Local Planning Authority.

All reserved matters applications for each phase of development shall be accompanied by a drainage strategy to illustrate how the phase specific drainage strategy will be in accordance with the approved site wide strategy. No dwellings shall be occupied on each phase of development until the works have been carried out in accordance with the phase specific foul water drainage strategy so approved unless otherwise approved in writing by the Local Planning Authority.

REASON

To prevent environmental and amenity problems arising from flooding. The foul water strategy is required prior to the commencement of development to ensure that development incorporates the necessary infrastructure to prevent the increased risk of flooding and/or pollution of the water environment and to ensure no surface or ground water infiltration

(15) Development shall not begin until a site wide surface water drainage strategy based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority and Lead Local Flood Authority. The scheme shall be based on the parameters set out in the outline drainage strategy detailed within the submitted Flood Risk Assessment (dated 27 April 2016, ref: SJC/616357/JRC) prepared by MLM Consulting Engineers Ltd unless otherwise agreed in writing. In particular:

1. Any surface water arising from impermeable areas north of the ridgeline crossing the site (referred to in the submitted FRA as 'north network' will be restricted to the 1 in 1 greenfield runoff rate (i.e. 2.2 l/s/ha)
2. Any surface water arising from impermeable area will be restricted to
 - a) For the 1 year event no greater than 7.5 l/s (the 1 in 1 greenfield runoff rate for the northern areas of the site)
 - b) For the 100 year climate change event 9.9 l/s (the 1 in 1 year greenfield runoff rate for the entire site)

The strategy shall include details of all flow control systems and the design and location of all SuDS features and detailed calculations to demonstrate the SuDS system has appropriate capacity to ensure there is no increase in flood risk either on or off site. The development shall be carried out in accordance with the approved details.

REASON

To ensure that the principles of sustainable drainage are incorporated into this proposal and to prevent the increased risk of flooding.

(16) Any reserved matters application shall include a detailed surface water drainage scheme relevant to the reserved matters site for which approval is sought. This shall demonstrate how the management of surface water within the reserved matters

application site for which approval is sought accords with the approved details of the site wide surface water drainage strategy.

REASON

To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off site resulting from the proposed development.

(17) Prior to the occupation of any buildings, details of the implementation; maintenance and management of the site wide surface water drainage scheme (including all SuDS elements) shall be submitted to and approved by the local planning authority and Lead Local Flood Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

1. a timetable for its implementation, and
2. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

REASON

To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development.

To reduce the flood risk to the development as a result of inadequate maintenance.

To identify the responsible organisation/body/company/undertaker for the sustainable drainage system.

Historic Environment conditions

(18) No development shall take place within the area of archaeological interest until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted by the applicant and approved in writing by the local planning authority. This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:

(i) Approval of a Written Scheme of Investigation to include the excavation and recording of archaeological remains and an appropriate outreach element;

(ii) Fieldwork in accordance with the agreed Written Scheme of Investigation;

(iii) Completion of a Post-Excavation Assessment report (PXA) and approval of an approved Updated Project Design: to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority;

(iv) Completion of the programme of analysis and submission of a publication report: to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority;

- v) Production of an archive report and the preparation of site archive for deposition at the Cambridgeshire Archaeological Archive facility, or another appropriate store approved by the Planning Authority;
- vi) Preparation of suitable materials for secure local display in an appropriate public space.

REASON

To ensure the implementation of investigation, recording, reporting and publication of heritage assets in accordance with policy CH/2 of the adopted Local Development Framework 2007. The WSI is required prior to the commencement of development to ensure that development does not destroy heritage assets before they are recorded.

(19) Prior to the commencement of development in each phase of development hereby permitted full details of an electric vehicle charging infrastructure strategy and implementation plan for that phase of the development, to include details of the number, location, installation and management of the electric vehicle charging points having regard to parking associated with various planning class uses with the provision of electric vehicle cabling infrastructure, shall be submitted to and approved in writing by the LPA. The strategy shall ensure that at least 5% of the total number of dwellings in each phase of development submitted with a reserved matters application will be provided with a standard, double, three pin socket connected to its own fuse in the consumer unit. Each reserved matters application will identify 5% of the dwellings that will receive this facility. These sockets shall be located at properties with access to external garages or on plot parking unless otherwise agreed in writing by the LPA. The electric vehicle charging points shall be implemented prior to occupation of any dwellings within each phase of development and maintained in accordance with the approved strategy / plan and details.

REASON. In the interest of reducing carbon dioxide emissions, in accordance with the South Cambridgeshire (LDF) Development Control Policies DPD (2007), policy NE/1, NE/2 and NE/3. Details of electrical vehicle charging are required prior to the commencement of development to ensure that the required infrastructure is compatible with the development.

Sustainability conditions

(20) Prior to or concurrently with the submission of each reserved matters application for residential units pursuant to this outline permission and notwithstanding the information contained within the Sustainability Statement (29 September 2015) submitted as part of this application a water conservation scheme shall be submitted to and agreed in writing by the Local Planning Authority for that phase of development.. The scheme shall detail water efficiency measures sufficient to ensure that potential consumption of potable water by persons occupying a new dwelling does not exceed 110 litres per person per day. Each dwelling for the relevant phase of development shall thereafter be constructed in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.

REASON: There is a high demand for limited water resources in the East of England; therefore it is necessary to manage water use by incorporating practicable water conservation measures in accordance with Policy NE/12 of the South Cambridgeshire Development Control Policies Document, Local Development Framework, 2007.

(21) Prior to or concurrently with the submission of each reserved matters application for residential units, pursuant to this outline permission, a statement shall be submitted and agreed in writing by the Local Planning Authority for that phase of development which shall either:

- (i) Demonstrate compliance with the Low Carbon Strategy (as set out in the Sustainability Statement dated 29 September 2015, the Energy Statement dated 30 September 2015 and the letter detailing amended details from Carter Jonas dated 26 January 2016) or
- (ii) Detail a Low Carbon Strategy that achieves as a minimum the same carbon savings and reductions as those outlined in the documents referred to in point (i) of this condition.

Each phase of development shall be carried out in accordance with the approved statement details.

REASON: To ensure an energy efficient and sustainable development in accordance with Policy NE/1 of the South Cambridgeshire Development Control Policies Document, Local Development Framework, 2007.

(22) Unless otherwise agreed in writing by the Local Planning Authority, all reserved matters applications for layout pursuant to this outline permission, shall provide an Energy Delivery Strategy which shall demonstrate how at least 10% of the expected energy requirements for that phase of the development will be delivered from renewable sources or low carbon technologies.

All reserved matters applications shall be implemented in accordance with the approved strategy.

REASON: To ensure an energy efficient and sustainable development in accordance with policies NE/1 and NE/3 of the adopted Development Control Policies DPD (July 2007).

(23) Prior to or concurrently with the submission of each reserved matters application containing residential units, pursuant to this outline permission, a statement shall be submitted and agreed in writing by the Local Planning Authority for that phase of development which shall either:

- (i) Demonstrate compliance with strategies to reduce energy use (as set out in the Energy Statement, September 2015 and Sustainability Statement, September 2015) or
- (ii) Detail a strategy to reduce energy use that achieves as a minimum the same energy reductions as those outlined in the documents referred to in point (i) of this condition..

The statement shall also include details about the use of locally sourced and recycled materials wherever possible.

All development shall be carried out in accordance with the approved details.

REASON: To ensure an energy efficient and sustainable development in accordance with Policies NE/1 and NE/3 of the adopted Local Development Framework 2007.

Environmental Health Conditions

(24) No development shall commence, unless otherwise agreed in writing, until:

- a) The application site has been subject to a detailed desk study and site walkover, to be submitted to and approved in writing by the Local Planning Authority.
- b) The application site has been subject to a detailed scheme for the investigation and recording of contamination and remediation objectives have been determined through risk assessment and agreed in writing by the Local Planning Authority.
- c) Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation method statement) have been submitted to and approved in writing by the Local Planning Authority.
- d) The works specified in the remediation method statement have been completed, and a Verification report submitted to and approved in writing by the Local Planning Authority, in accordance with the approved scheme.
- e) If, during remediation works, any contamination is identified that has not been considered in the remediation method statement, then remediation proposals for this material should be agreed in writing by the Local Planning Authority.

REASON – To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy DP/1 of the adopted Local Development Framework 2007

(25)

- i. No construction work and or construction related dispatches from or deliveries to the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday, 08.00 to 13.00 hours on Saturdays and no construction works or collection / deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise approved in writing by the local planning authority.
- ii. In the event of the foundations for the proposed development requiring piling, prior to the development taking place for each phase of the development the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents from noise and or vibration for that phase of the development. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5528, 2009 - Code of Practice for Noise and Vibration Control on Construction and Open Sites Parts 1 - Noise and 2 -

Vibration (or as superseded). Development shall be carried out in accordance with the approved details.

iii. No development shall commence for each phase of the development until a programme of measures to minimise the spread of airborne dust (including the consideration of wheel washing and dust suppression provisions) from the site during the construction period of that phase of the development has been submitted to and approved in writing by the Local Planning Authority or has been submitted with the first reserved matters application for the relevant phase of development. Works shall be undertaken in accordance with the approved details / scheme unless the local planning authority approves the variation of any detail in advance and in writing.

iv. No development (including any pre-construction, demolition or enabling works) shall take place within each phase of the development until a comprehensive construction programme for that phase of the development confirming the construction activities to be undertaken in each phase and a timetable for their execution has been submitted to and approved in writing by the Local Planning Authority in writing or has been submitted with the first reserved matters application for the relevant phase of development. The development shall subsequently be implemented in accordance with the approved programme unless any variation has first been agreed in writing by the Local Planning Authority.

REASON: To protect the amenities of nearby residential properties in accordance with South Cambridgeshire Local Development Framework Development Control Policies 2007, Policy NE/15-Noise Pollution, NE/16- Emissions & DP/6- Construction Methods. The details are required prior to the commencement of development to ensure that the amenity of the locality is protected.

(26) Prior to the commencement of development, pursuant to this outline permission, a site wide Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority.

The site wide CEMP shall include, but not be limited to, the following:

- a) Proposed earthworks including method statement for the stripping of topsoil for reuse, the raising of land levels (if required) and arrangements for the temporary topsoil storage to BS3882:2007.
- b) Archaeological protection and mitigation measures to be implemented during the construction process
- c) A detailed method statement for the removal or long-term management / eradication of any Japanese knotweed on the relevant parts of the site – to include proposed measures to prevent the spread of Japanese knotweed during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981.
- d) Contractor's access arrangements for vehicles, plant and personnel including the location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures
- e) Details of haul routes within the relevant parts of the site
- f) A plan specifying the area and siting of land to be provided for parking, turning, loading and unloading of all vehicles visiting the relevant parts of the site and siting of the contractors compound during the construction period to be agreed on a phased basis

- g) Collection and Delivery times for construction purposes
- h) Dust management and wheel washing or other suitable mitigation measures such as lorry sheeting, including the consideration of construction / engineering related emissions to air, to include dust and particulate monitoring and review and the use of low emissions vehicles and plant / equipment.
- i) Noise and vibration (including piling) impact / prediction assessment, monitoring and recording protocols / statements and consideration of mitigation measures in accordance with the provisions of BS5228 (2009): Code of practice for noise and vibration control on construction and open site – Part 1 and 2 (or as superseded)
- j) Where relevant results of a noise assessment of the potential impact of construction noise , details of suitable mitigation measures as appropriate (in accordance with relevant standards and best practice)
- k) Details of best practice measures to be applied to prevent contamination of the water environment during construction and to include sustainable building methods and processes for construction
- l) Measures for soil handling
- m) Details of concrete crusher if required or alternative procedure
- n) Details of odour control systems including maintenance and manufacture specifications
- o) Maximum noise mitigation levels for construction equipment, plant and vehicles
- p) Site lighting for the relevant part of the site
- q) Screening and hoarding details
- r) Access and protection arrangements around the site for pedestrians, cyclists and other road users
- s) Procedures for interference with public highways
- t) External safety and information signing notices
- u) Liaison, consultation and publicity arrangements, including dedicated points of contact
- v) Complaints procedures, including complaints response
- w) Membership of the considerate contractors' scheme.
- x) The provision of safe walking and cycling routes through the construction site including the management of existing Public Rights of Way, as well as routes serving completed phases of the development
- y) A Travel Plan setting out measures to encourage site operatives and visitors to travel to and from the site using sustainable means of transport.
- z) Piling method statement detailing mitigation measures, where piling is proposed.

Each Reserved Matters Application shall include a detailed CEMP which shall include reference as appropriate to each of the items referred to in relation to the approved site wide CEMP.

REASON: To ensure the environmental impact of the construction of the development is adequately mitigated and in the interests of the amenity of nearby residents/occupiers in accordance with 'Policy DP/6 Construction Methods' of the adopted Development Control Policies DPD (July 2007). The CEMP is required prior to the commencement of development to ensure that development is not harmful to the amenity of the area.

(27)If during the development contamination not previously identified is found to be present at the site, such as putrescible waste, backfill or asbestos containing materials, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The

remediation strategy shall be implemented as approved to the satisfaction of the Local Planning Authority.

REASON. To ensure that risks from land contamination to the future users of the land, site construction workers and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy DP/1 of the adopted Local Development Framework 2007.

(28) Details of the location and type of any power driven plant or equipment, excluding office equipment and vehicles, but including renewable energy provision sources, equipment for heating, ventilation and for the control or extraction of any odour, dust or fumes from building(s) as well as the location of the outlet from the building(s) of such plant or equipment, shall be submitted to and approved, in writing by the local Planning Authority before such plant or equipment is installed; the said plant or equipment shall be installed in accordance with the approved details and with any agreed noise restrictions unless otherwise agreed in writing by the Local Planning Authority.

REASON: To protect the amenity of residents in accordance with 'Policy NE/15 Noise Pollution' of the adopted Development Control Policies DPD (July 2007).

(29) Within any reserved matters applications for development parcels with foul water pumping stations, a scheme for and details of equipment for the purpose of extraction and filtration or abatement of odours, shall be submitted to and approved in writing by the local planning authority. The approved extraction/filtration scheme shall be installed before the use is commenced and shall be retained thereafter. Any approved scheme shall not be altered without prior approval.

Any approved filtration/extraction system installed shall be regularly maintained in accordance with the manufacturer's specification to ensure its continued satisfactory operation to the satisfaction of the Local Planning Authority.

REASON: To protect the amenity of nearby residential premises in accordance with the National Planning Policy Framework (NPPF) and policy DP/3 Development Criteria of the adopted Local Development Framework 2007.

(30) Noise from any foul water pumping installations shall not exceed a rating noise level greater than 5dB below the prevailing background noise level at 1m from any façade of any existing or proposed noise-sensitive receptor, when assessed in accordance with the methodology set out in BS 4142:2014.

REASON. To protect the amenity of nearby residential premises in accordance with the National Planning Policy Framework (NPPF) and policy DP/3 Development Criteria of the adopted Local Development Framework 2007.

(31) Prior to the first occupation of each phase of the development an artificial lighting scheme for that phase of the development, to include details of any external lighting of the site such as street lighting, floodlighting, security / residential lighting

and an assessment of impact on any sensitive residential premises on and off site, shall either be submitted to and approved in writing by the Local Planning Authority or submitted with the reserved matters application for layout for the relevant phase of the site. The scheme shall include layout plans / elevations with luminaire locations annotated, full isolux contour map / diagrams showing the predicted illuminance in the horizontal and vertical plane (in lux) at critical locations within the site, on the boundary of the site and at adjacent properties, hours and frequency of use, a schedule of equipment in the lighting design (luminaire type / profiles, mounting height, aiming angles / orientation, angle of glare, operational controls) and shall assess artificial light impact in accordance with the Institute of Lighting Professionals "Guidance Notes for the Reduction of Obtrusive Light GN01:2011".

The approved lighting scheme for each phase of the development shall be installed before the first occupation of that phase of development and shall be maintained and operated in accordance with the approved details / measures unless the Local Planning Authority gives its written consent to any variation.

REASON: To protect local residents from light pollution / nuisance and protect / safeguard the amenities of nearby residential properties in accordance with Policy NE/14 - Lighting Proposals of the adopted South Cambridgeshire Development Control Policies DPD (2007). The lighting details are required prior to the commencement of development to ensure that such details can be satisfactorily incorporated into the scheme.

(32) Unless otherwise agreed in writing by the local planning authority, any reserved matters application for layout shall be accompanied by a Waste Management & Minimisation Strategy (WMMS).

The Waste Management & Minimisation Strategy (WMMS) shall demonstrate how waste will be managed in accordance with the requirements of the RECAP Waste Management Design Guide Supplementary Planning Document 2012 and the principles of the waste hierarchy, thereby maximising waste prevention, re-use and recycling from domestic households and commercial properties and contributing to sustainable development. The WMMS should include, but not be limited to, the following:

- a. A completed RECAP Waste Management Design Guide Toolkit and supporting reference material
- b. A detailed Waste Audit to include anticipated waste type, source, volume, weight etc. of municipal waste generation during the occupation stage of the development
- c. Proposals for the management of municipal waste generated during the occupation stage of the development, to include
 - the design, provision, management, maintenance and renewal of internal and external waste systems for the segregation, storage and collection of recyclables, non-recyclables and compostable materials e.g. internal storage caddies, external underground waste systems, wheeled bin system etc.
 - access to storage and/or collection points by users and waste collection vehicles

- d. Arrangements for the provision, on-site storage, delivery and installation of waste containers prior to occupation of any dwelling
- e. Arrangements for the commissioning of underground waste systems if appropriate, prior to occupation.
- f. Proposals for the design and provision of temporary community recycling (bring) facilities, including installation, ownership, on-going management and maintenance arrangements
- g. Arrangements for the efficient and effective integration of proposals into waste and recycling collection services provided by the Waste Collection Authority
- h. A timetable for implementing all proposals
- i. Provision for monitoring the implementation of all proposals

No development shall take place within each phase of the development until the Waste Management & Minimisation Strategy (WMMS) for that phase of the development has been approved in writing by the Local Planning Authority. The approved strategy shall thereafter be implemented in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

The approved facilities shall be provided prior to the occupation, use or opening for business of any building that will be used for residential, commercial or employment purposes and shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

REASON: To ensure that waste is managed sustainably during the occupation of the development in accordance with National Planning Policy for Waste and objectives of Policy P1/3 of the Cambridgeshire and Peterborough Structure Plan (2003). The condition is required pre-commencement to ensure that the play areas are adequately incorporated into the development.

(33) No development shall take place within each phase of the development until a scheme for the siting and design of the screened storage of refuse for that phase of the development has been submitted to and approved in writing by the Local Planning Authority or has been submitted with the reserved matters application for layout for the relevant phase of development. The screened refuse storage for each dwelling shall be completed before that dwelling is occupied in accordance with the approved scheme and shall thereafter be retained.

REASON. To provide for the screened storage of refuse in accordance with Policy DP/3 of the adopted Local Development Framework 2007. The scheme is required pre-commencement to ensure that it is adequately incorporated into the development.

(34) There shall be no burning of any construction waste or other construction related materials on site.

REASON: To protect the amenity of local residents in accordance with Policy NE/16 Emissions of the adopted South Cambridgeshire Local Development Framework Development Control Policies 2007.

Landscaping/Trees/Biodiversity Conditions

(35) All applications for reserved matters shall include a plan detailing how the application accords with the quantum of strategic landscaping to be provided across the site as illustrated on plan CSA/2571/119 Rev F.

REASON: To ensure the provision of adequate strategic landscaping.

(36) All reserved matters applications for layout for each Phase of Development shall include full details of both hard and soft landscape works for that phase of the development.. Submitted landscape details shall include plans, drawings and sections at an appropriate scale together with supporting text to describe the following:

- i) Details of existing landscape features on or adjacent to the site (ponds, ditches, footpaths, significant changes in level etc) showing those to be removed or retained, and proposals for the protection of retained landscape features during construction.
- ii) Details of existing vegetation on or adjacent to the site (trees, hedgerows, meadow, wetland planting etc) showing vegetation to be removed or retained, and proposals for the protection of retained vegetation during construction.
- iii) Details for all soft landscape areas, including specifications for all proposed trees, hedges, shrub and herbaceous planting, turfed and seeded areas and wetland or aquatic planting, including the precise location of all trees and planted areas, plant species, stock sizes, numbers, and planting and sowing rates.
- iv) Details of all hard landscape areas, including specifications for all proposed hard surfacing, boundary treatments, landscape structures, all street furniture, play or sports equipment and landscape lighting.
- v) Details of all proposed SUDS features and associated structures set within hard or soft landscape areas, including falls and gradients, and the expected depths of any areas of permanent water.
- vi) Details of the proposed methods and standards for the implementation of all soft landscape works, including specifications for ground preparation, soils, mulches, tree pit dimensions and tree staking or guying methods in soft areas, tree guards, landscape sundries and rabbit and deer protection.
- vii) Details of the proposed methods and standards for the implementation of all hard landscape works, including specifications for ground preparation, subgrade construction, and tree pit dimensions and tree staking or guying methods in hard areas.
- viii) Details of the proposed establishment, maintenance and aftercare for all trees, plants and soft landscape areas.
- ix) Details of the proposed maintenance and aftercare of all hard landscape elements

- x) Details of the proposed maintenance and aftercare of all SUDS areas.

All hard and soft landscape works shall be carried out in accordance with the approved details. All landscape works, including areas of structural landscape, public open space and landscape within SUDS areas, shall be completed prior to the occupation of any part of the development, or in accordance with a phased programme agreed in writing with the Local Planning Authority.

REASON. To ensure that retained existing hard and soft landscape elements are protected during construction and that the implementation and management of proposed hard and soft landscape elements are successfully co-ordinated with the construction process. To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007. Details of landscaping are required prior to the commencement of development to ensure that landscaping can be satisfactorily incorporated into the scheme.

(37) All soft landscape areas shall be monitored annually for a period of five years from completion. If within a period of five years from the completion of the soft landscaping works, any tree, shrub or plant, or area of turf is removed, uprooted, dies, becomes significantly diseased or fails to exhibit reasonable growth, then a replacement tree shrub or plant or area of turf of the same species and specification as the original shall be provided in the same location during the current or next available planting season, unless the Local Planning Authority gives its written consent to any variation.

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

(38) Prior to the occupation of any dwellings a scheme for the provision, maintenance and management of four replacement oak trees (in accordance with approved plan CSA/2571/125) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of a timeline for works and shall also include details of watering during dry weather and in the growing season. The maintenance and management of the four replacement oak trees shall occur for a period of at least five years unless otherwise agreed in writing by the Local Planning Authority.

REASON. To ensure adequate mitigation for the loss of two oak trees along the Ridgeway in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.

(39) Prior to the commencement of development a woodland planting scheme for the provision, management and maintenance of off-site native woodland, in accordance with drawing no. CSA/2571/123 Rev B, shall be submitted to and approved in writing by the Local Planning Authority. The approved woodland planting scheme shall include a timeline for implementation and shall be fully implemented in accordance with the approved details.

REASON. To ensure the adequate protection of the Papworth Wood SSSI in accordance with Policies NE/6 and NE/7 of the adopted Local Development Framework 2007. Details of the woodland planting scheme are required prior to the commencement of development to ensure that there is adequate time for planted trees to mature before first occupations in order to provide the required mitigation to the SSSI.

(40) All reserved matters applications for layout, where residential dwellings are to be provided, shall include a plan illustrating the provision of Swift Boxes on 10% of dwellings and the provision of Sparrow Terraces on a further 10% of dwellings.

The Swift Boxes and Sparrow Terraces shall be fully installed before the occupation of each dwelling identified for ecological enhancement, and shall meet the following criteria unless otherwise agreed in writing by the Local Planning Authority:

For Swift Boxes:

- 1) Be located a minimum of 5m above ground floor level;
- 2) Be located beneath the eaves of the dwelling identified on the above plan and be as close to the eaves of the specified dwellings as possible;
- 3) Be built-in to the specified dwellings (not externally fixed).

For Sparrow Terraces:

- 1) Be located a minimum of 3.5m above the ground.
- 2) Be located in a position so as to avoid the full heat of the mid-day and afternoon sun.
- 3) Be built-in to the specified dwellings (not externally fixed)

REASON: To ensure adequate ecological enhancement at the site in accordance with Policy NE/6 of the adopted Local Development Framework 2007.

(41) All reserved matters applications for layout shall include a tree protection plan and strategy for existing trees to be retained in that phase and/or any other tree that might be affected during the construction of that phase of the development in accordance with British Standard BS5837. The tree protection plan and strategy that shall be based upon the detailed final layout of that phase of the proposed development. All works in each phase of development shall be carried out in accordance with the approved tree protection plan and strategy for that phase.

REASON. To ensure that trees are protected on site with regard to the adopted Trees and development sites SPD (2009). The condition is required before the commencement of works to ensure that no existing trees are harmed by works on site.

(42) The protection of any tree to be retained in accordance with the approved plans and particulars shall be achieved as follows:

- (a) no equipment, machinery or materials shall be brought onto the site for the purposes of the development until such time as tree protection fencing and other tree protection measures that may be prescribed in the approved tree protection plan and strategy (condition 1) has been erected;
- (b) if the tree protection measures are broken or removed during the course of carrying out the development it shall be promptly repaired or replaced to the satisfaction of the local planning authority;

(c) the tree protection measures shall be maintained in position to the satisfaction of the local planning authority until all equipment, machinery and materials have been moved from the site; and

(d) within any area physically excluded by the tree protection measures in this condition, nothing shall be stored, placed or disposed of on above or below the ground, the ground level shall not be altered, no excavations shall be made, nor shall any fires be lit, without the prior written consent of the local planning authority.

REASON. To ensure that trees are protected on site in accordance with the adopted Trees and development sites SPD (2009).

(43) No works or development shall be carried out until the local planning authority has approved in writing a site wide soft landscaping and tree planting scheme for the strategic landscaping elements of the development. The scheme shall include a management plan and specification for the care and maintenance of the approved soft landscaping scheme which shall include watering, nutrition, mulching, weed control, formative pruning, maintenance of supporting hardware and fittings.

Each Reserved Matters application shall include a Phase specific soft landscaping and tree planting scheme, and five year management plan, that shall be in accordance with the approved site wide scheme and management plan.

The approved landscaping and tree planting scheme for each Phase of Developments shall be completed within the first planting season (October to March) following first occupation of a dwelling on the relevant phase of development.

The approved soft landscaping management plan for each Reserved Matters application shall apply for a period of five years and shall come into effect and be implemented from the date of the planting of the approved soft landscaping scheme.

REASON. To ensure adequate landscaping on site in accordance with the adopted Landscape in new developments SPD (2010). The condition is required prior to the commencement of works to ensure that strategic landscaping is satisfactorily incorporated in to the development.

(44) If, within a period of five years from the completion of each phase of development, any of the trees or shrubs retained in accordance with the approved Reserved Matters tree protection plan and strategy or planted in accordance with the approved Reserved Matters soft landscaping scheme, or any tree or shrub planted as a replacement for any of those trees or shrubs, is cut down, felled, uprooted, removed or destroyed, or dies or becomes, in the opinion of the local planning authority, seriously damaged or defective,

(a) the local planning authority shall be notified as soon as reasonably practicable; and

(b) another tree or shrub of the same species and size shall be planted at the same location, at a time agreed in writing by the local planning authority, unless the local planning authority agrees in writing to dispense with or vary the requirement.

REASON. To ensure adequate landscaping on site in accordance with the adopted Landscape in new developments SPD (2010).

Highways Conditions

(45) Prior to the first occupation of the development an Interim Residential Travel Plan shall be submitted to and agreed in writing by the Local Planning Authority. The Residential Travel Plan shall contain details of the following:

- a package of measures for reducing the number of vehicle trips to the site;
- reference to the Nursery Development Travel Plan,
- details of phasing for implementation and details of an ongoing programme of monitoring, review and targets for reductions in car use including details of its management and coordination details (monitoring and review shall include the submission of annual travel plan update report for the approval of the Local Planning Authority which contains the results of annually repeated travel surveys and demonstrates progress towards meeting targets).

REASON: to reduce the number of motorised vehicle trips to the site.

(46) No building on the nursery development shall be occupied until a site specific Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall contain details of:

- a package of measures for reducing the number of vehicle trips to the site;
- reference to the Residential Travel Plan;
- details of phasing for implementation and details of an ongoing programme of monitoring, review and targets for reductions in car use including details of its management and coordination details (monitoring and review shall include the submission of annual travel plan update report for the approval of the Local Planning Authority which contains the results of annually repeated travel surveys and demonstrates progress towards meeting targets);

REASON: to reduce the number of motorised vehicle trips to the nursery site. No demolition or construction works shall commence on site for each phase of development until a traffic management plan has been agreed with the Local Planning Authority in consultation with the Highway Authority. The principle areas of concern that should be addressed are:

(47)

Unless agreed in writing by the Local Planning Authority the following shall apply:

- (i) Movements and control of muck away lorries - all loading and unloading shall be undertaken off the adopted highway;
- (ii) Contractor parking for both phases of development shall be within the curtilage of the application site and not on the street;
- (iii) Movements and control of all deliveries (all loading and unloading) shall be undertaken off the adopted public highway.

REASON: in the interests of highway safety.

(48) The levels of the proposed accesses to the site shall be constructed so that no private water from the site drains across or onto the adopted public highway.

REASON: for the safe and effective operation of the highway

(49) All reserved matters applications for layout with respect to each phase of development shall include a Parking Management Strategy for both motorised vehicles (based on an average of 2 spaces per dwelling) and cycles.

All phases of development shall be constructed in accordance with the approved Parking Management Strategy, unless otherwise agreed in writing with the Local Planning Authority.

REASON: To ensure that there is adequate provision of parking across to take into account the needs of residents, visitors, without resulting in on street parking congestion and inappropriate parking.

(50) Before the first occupation of any dwellings on site the applicant shall submit a scheme detailing where dropped kerbs will be provided on highways land in the vicinity of the area for approval in writing by the Local Planning Authority or for with the first reserved matters application for layout. The approved scheme shall include but not be limited to phasing details for the completion of the works and details of the provision of a Safer Route to School. All works shall be carried out in accordance with the approved details.

REASON: for the safe and effective operation of the highway.

(51) Prior to the first occupation of any dwelling within the land defined as 'Phase 2', as illustrated on plan EA118-BPP-001 C (Blue Phase Plan), Public Footpath No. 4 shall be fully upgraded in accordance with the details provided in approved plan EA118-Sk1 C (Offsite Footpath Details) unless otherwise agreed in writing by the LPA. The upgrade works outlined in EA118-Sk1 C (Offsite Footpath Details) shall be completed before first occupation of any dwelling within the land defined as 'Phase 2', as illustrated on plan EA118-BPP-001 C (Blue Phase Plan), unless otherwise agreed in writing by the LPA. .

REASON. To ensure improved links are provided from the site to the centre of Papworth to encourage future residents to walk to nearby services.

(52) Prior to the first occupation of any dwelling, a scheme to upgrade the section of Public Footpath No. 3, as illustrated on drawing no. 616646/SK20, shall be submitted to and approved in writing by the Local Planning Authority (LPA), or shall be submitted with the first reserved matters application for layout, unless otherwise agreed in writing by the LPA. The scheme of upgraded works shall be in accordance with the works outlined in EA118-Sk1 C (Offsite Footpath Details) and shall relate to the resurfacing of the footpath (and widening to 2m where the footpath is located within the application site) and shall accord with the construction specification detailed in Appendix 11 Type A of the Housing Estate Road Construction Specification (June 2013) by Cambridgeshire County Council. The submitted scheme shall also include a phasing programme for the delivery of the improvement works. The pathway shall thereafter be upgraded in accordance with the approved programme of delivery unless otherwise agreed in writing.

REASON. To ensure existing footpaths across the application site are adequately upgraded to address the increased footfall from the development.

(53) Prior to the construction of any access to the application site details shall be submitted to the Local Planning Authority for approval in writing to illustrate the enabling of a fire tender to run over the proposed carriageway. All works shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

REASON: To ensure adequate provision for fire tenders.

(54) All garages shall have minimum internal measurements of 3.3m by 6.1m unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that garages are of an adequate size to accommodate a motor vehicle.

Agenda report paragraph number 193 - Informatives

List of draft informatives provided below:

(a) All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used. Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.

(b) Surface water from roads and impermeable vehicle parking areas shall be discharged via trapped gullies.
Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from lorry parks and/or parking areas for fifty car park spaces or more and hardstandings should be passed through an oil interceptor designed compatible with the site being drained. Roof water shall not pass through the interceptor.
Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.

(c) The gradient of a swale should not exceed 1:3, as detailed in the CIRIA SuDS Manual (C753). It will be difficult to maintain the swales, if the slopes are too steep. Furthermore a gentle slope is required in order to provide water quality treatment before surface water enters the attenuation basins.
The applicant has proposed the use of a sediment forebay within the attenuation basins, which is supported. It may be beneficial to provide a sediment forebay to capture sediments from all inlet pipes. The applicant has detailed that the use of permeable paving may be feasible on site and are encouraged to provide further source control and water treatment through the use of such SuDS features.

(d) The number and location of Fire Hydrants will be determined following Risk Assessment and with reference to guidance contained within the 'National Guidance Document on the Provision of Water for Fire Fighting' 3rd Edition, published January 2007.

(e) During construction there shall be no bonfires or burning of waste on site except with the prior permission of the Environmental Health Officer in accordance with best practice and existing waste management legislation.

(f) Careful consideration should be given to any noise mitigation methods such as noise insulation or consideration of orientating habitable/sensitive rooms to minimise the affects of road traffic noise generated by traffic using the primary routes in to meet the standards in BS8233:2014.

(g) With regard to the foul water pumping stations it is suggested that documentary evidence including receipts, invoices and copies of any service contracts in connection with the maintenance of the equipment, is kept, and is available for inspection by officers of the Local Planning Authority, to facilitate monitoring of compliance with this condition.

(h) If a noise / vibration assessment and or noise insulation scheme is required due regard should be given to current government / industry standards, best practice and guidance and South Cambridgeshire District Council's Supplementary Planning Document - "District Design Guide: High Quality and Sustainable Development in South Cambridgeshire", Adopted March 2010: Chapter 10 - Environmental Health & in particular Appendix 6: Noise" downloadable from:

<http://www.scambs.gov.uk/sites/www.scambs.gov.uk/files/documents/Adopted%20Design%20Guide%20SPD%20FINAL%20%28Appendices%29.pdf>

(i) Any air quality assessment should be in accordance with industry best practice and due regard should be given to South Cambridgeshire District Council's Supplementary Planning Document - "District Design Guide: High Quality and Sustainable Development in South Cambridgeshire", Adopted March 2010: Chapter 10- Environmental Health & Appendix 4: Air Quality: downloadable from:

<http://www.scambs.gov.uk/sites/www.scambs.gov.uk/files/documents/Adopted%20Design%20Guide%20SPD%20FINAL%20%28Appendices%29.pdf>

(j) Contaminated land should be considered and assessed in accordance with government / industry best practice and technical guidance and South Cambridgeshire District Council's Supplementary Planning Document - "District Design Guide: High Quality and Sustainable Development in South Cambridgeshire", Adopted March 2010: Chapter 10- Environmental Health & Appendix 5: Development of Potentially Contaminated Sites, downloadable from:

<http://www.scambs.gov.uk/content/district-design-guide-spd>

(k) Pursuant to Condition XX 'Construction Environmental Management Plan' earthworks, volumes and all off site movements, including conformation that material is fit for purpose should include contractor's access/storage/holding areas and temporary recycling facilities and the potential for a concrete crusher.

Dust: Due regard should be given to the following:

- Mayor of London: The control of dust and emissions from construction and demolition Best Practice Guidance, dated November 2006.
- The Institute of Air Quality Management (IAQM) documents:
- Air Quality Monitoring in the Vicinity of Demolition and Construction Sites - 2012

- Guidance on the Assessment of the Impacts of Construction on Air Quality and the Determination of their Significance, January 2012

Noise and vibration (including piling) impact/prediction assessment, monitoring, recording protocols and consideration of mitigation measures should be in accordance with BS 5228:2009 – Code of Practice for Noise and Vibration Control on Construction and Open Sites: Parts 1 (Noise) and 2 (Vibration) (or as superseded) including the use of best practical means to minimise noise and vibration disturbance from construction works and BS 6472-1 2008 Guide to evaluation of human exposure to vibration in buildings. Vibration sources other than blasting.

It is paramount that there is a commitment to consider not only existing residential but any phased residential that forms part of the development itself and need to protect the amenity of such early noise sensitive phases that will be subject to on-going construction noise. In addition to the vibration limit levels referenced in BS 6472-1 2008 it should be noted that guidance on the nuisance effects of vibration is provided in BS 5228-2 Annex B, with reference to estimating peak particle velocity (ppv) values particularly relevant to due to construction works on.

Whilst it may not be necessary to undertake continuous noise and vibration monitoring agreement should be reached on when it will be undertaken. For example spot noise checks could be undertaken on a regular basis at site boundary locations closest to residential.

Longer Term Continuous Monitoring of noise and vibration should be undertaken when

- Agreed target levels are likely to be exceeded by prediction
- Upon receipt of substantiated complaints
- At the request of the Local Planning Authority / Environmental Health following any justified complaints

Soil Handling: Separate storage areas should be adopted on site for different types of material (recycling, imported, hazardous etc.).

In relation to any contaminated land condition requirements a Soil Management Plan (SMP) for the site is required. SMP are required for each phase of the development and should be submitted with each reserved matters application. The SMP should include the following details:

- Strict chain of evidence should be kept for any material recycled on site. It should demonstrate where the material originated from and where it was subsequently placed. Depending on the source of the material further chemical testing may be required. Contaminated material will not be recycled around the proposed landscaped/private garden areas.
- Any material imported on site should be tested for a full suite of contaminants including metals and petroleum hydrocarbons. The results of the chemical testing should be forwarded to the Local Authority for review prior to soil importation.
- Any material imported for landscaping should be tested and certified in accordance with the relevant BS eg BS3882 2007 or subsequent replacements. Material imported for other purposes could be tested at a lower frequency (justification and prior approval for the adopted rate by the Local Authority is

required). If the material originates from a 'clean source' the developer should contact the Environmental Quality and Growth team for further advice.

Site Lighting: should be in accordance with the requirements of the Institute of Lighting Professionals "Guidance Notes for the Reduction of Obtrusive Light GN01:2011" and recommendations listed in the Clean Neighbourhoods and Environment Act, 2005.

(l) General Environmental Health informative advice: -

i. The Food & Health & Safety Team at South Cambridgeshire District Council should be contacted for advice concerning any proposed school kitchen premises design/layout, Food Law requirements and Food Premises Registration (Tel No: 01954 713111).

ii. Anglia Water (Tel No: 0800 145145) should be contacted regarding the installation of a grease trap for the foul water. If drains are to be altered the foul water from the kitchen should be passed through fat/oil/grease interceptor facilities (prior to entering any shared private drain and/or the public sewer), designed and constructed to the satisfaction of the Local Planning Authority (LPA).

iii. The applicant should have consideration of the South Cambridgeshire District Council Supplementary Planning Document - "District Design Guide: High Quality and Sustainable Development in South Cambridgeshire", Adopted March 2010: Chapter 10- Environmental Health & associated appendices: link- <http://www.scambs.gov.uk/Environment/Planning/DistrictPlanning/LocalDevelopmentFramework/SPDs/DistrictDesignGuideSPD.htm>

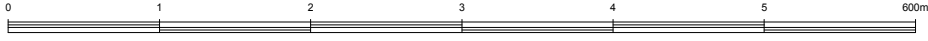
iv. All relevant precautions should be taken to minimise the potential for disturbance to neighbouring residents in terms of noise and dust during the construction phases of development. This should include the use of water suppression for any stone or brick cutting and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information the applicant should contact the Environmental Health Service.

(m) For any conditions related to and which may require a noise / vibration assessment and or a noise insulation scheme, due regard should be given to Planning Policy Guidance 24 (PPG 24): Planning and Noise and South Cambridgeshire District Council's Supplementary Planning Document - "District Design Guide: High Quality and Sustainable Development in South Cambridgeshire", Adopted March 2010: Chapter 10 - Environmental Health & in particular Appendix 6: Noise"

<http://www.scambs.gov.uk/Environment/Planning/DistrictPlanning/LocalDevelopmentFramework/SPDs/DistrictDesignGuideSPD.htm>

(n) External lighting impact shall be assessed in accordance with The Institute of Lighting Professionals" "Guidance Notes for the Reduction of Obtrusive Light GN01:2011".

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



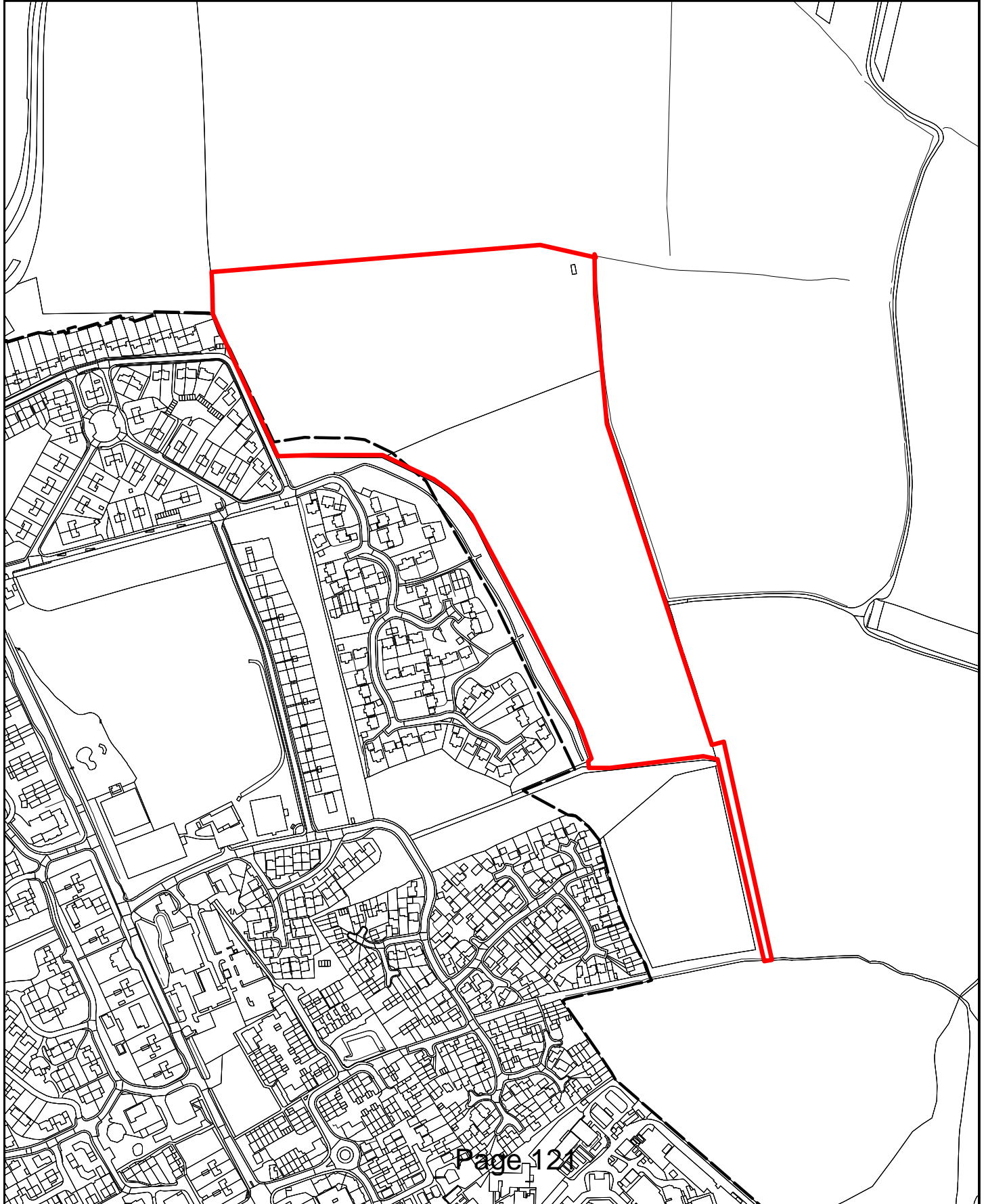
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Agenda Item 13

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

02 August 2017

AUTHOR/S: Joint Director for Planning and Economic Development

Application Number: S/0415/17/OL

Parish(es): Castle Camps

Proposal: Outline application for the erection of up to 10 dwellings with all matters reserved except for access

Site address: Land off Bartlow Road, Castle Camps, CB21 4SX

Applicant(s): Arbora Homes

Recommendation: Delegated Approval subject to the completion of a section 106 agreement.

Key material considerations: Housing supply, Principle of development Density, Housing mix, Affordable Housing, Impact on services and facilities, Impact on landscape, local character and heritage impact, Ecology, trees and hedging, Noise and lighting, Residential amenity Highway Safety and Parking, Archaeology Surface Water Drainage and Foul Water Drainage Contamination, Renewable Energy, Waste, Developer contributions

All of these matters were considered in the report presented to Planning Committee in May 2017, when Members resolved to grant planning permission. This report focusses on the implications of the Supreme Court judgement relating to the extent of Local Plan policies which are considered to affect the supply of housing.

Committee Site Visit: Undertaken on 09 May 2017

Departure Application: Yes

Presenting Officer: Lydia Pravin, Senior Planning Officer

Application brought to Committee because: To consider the implications of the *Hopkins Homes* Supreme Court judgement relating to the extent of Local Plan policies which are considered to affect the supply of housing, an amendment to the S106 agreement and further consideration of the impact on the setting of the heritage assets

Date by which decision due: 31 July 2017 (Extension of time agreed)

Introduction

1. This application was considered at the 10 May 2017 meeting of the Planning Committee. The Committee resolved to approve the application subject to:
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. waste receptacles – contribution of £888.00
 - c. informal open space provision on site including management and maintenance
 - d. drainage maintenance

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."

The application remains undetermined pending the completion of the section 106 agreement. A copy of that (and any update) report are appended to this report.

2. On 10 May 2017, the Supreme Court gave judgment in *Suffolk Coastal DC v Hopkins Homes Limited* and in the conjoined matter of *Richborough Estates Partnership LLP v Cheshire East BC* [2017] UKSC 37.
3. The Supreme Court Judgement narrows the range of development plan policies which can be considered as 'relevant policies for the supply of housing'. Those policies are now not to be considered out of date, even when a five-year housing land supply cannot be demonstrated.
4. In respect of South Cambridgeshire this means that the Local Development Framework Policies that were listed as being out of date at the time when this application was considered are no longer held to be out of date.
5. On 30 June 2017, the Court of Appeal issues a further judgement in *Barwood Strategic Land v East Staffordshire Borough Council*. The Court held that the "presumption of sustainable development" within the National Planning Policy Framework (NPPF) falls to be determined in accordance with paragraph 14 and there was not any wider concept of a presumption of sustainable development beyond that set out in and through the operation of, paragraph 14. Paragraph 14 of the NPPF has been applied in this supplementary report with the approach of the Supreme Court in *Suffolk Coastal* and it is not considered that the *Barwood Land* decision requires any further changes to the advice set out above.
6. The overriding issue however is not whether the policies are out of date but whether, in light of the continuing lack of a five year housing land supply, it can be shown that the "adverse impacts ... would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole". That is the test required by paragraph 14

of the NPPF, regardless of whether policies are 'out of date' or not. This test should be given considerable weight in the decision making process even though the definition of policies affecting the supply of housing has been narrowed by the Supreme Court judgement. Given the need to boost the supply of housing, the contribution of the proposal to the supply of housing (including affordable housing) is considered to outweigh the conflict with the policies of the LDF.

7. This report considers the officer advice given to Members at the 10 May 2017 meeting in relation to the policies relating to the supply of housing and the extent to which this has changed as a result of the Supreme Court decision.

Planning Assessment

8. 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.
9. The effect of the Supreme Court's judgement is that policies DP/1(a), DP/7 and ST/6 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 NE/4 (Landscape Character Areas), NE/6 (Biodiversity), CH/2 (Archaeological Sites), CH/4 (Development Within the Curtilage or Setting of a Listed Building), CH/5 (Conservation Areas) and NE/17 (Protecting High Quality Agricultural Land) and their objectives, both individually and collectively, accord with and furthers the social and environmental dimensions of sustainable development, and therefore accord with the Framework.
10. Any conflict with adopted policies DP/1(a), DP/7 and ST/6 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. Nonetheless, the NPPF places very considerable weight on the need to boost 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 DP/1(a), DP/7 and ST/6 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.

11. A balancing exercise therefore needs to be carried out. It is only when the conflict with other development plan policies – including where engaged policies DP/1(a), DP/7 and ST/6 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.
12. The proposal is located outside the development framework of a group village. It is acknowledged that Castle Camps has a limited number of services and facilities and that travel to larger centres, such as Haverhill, is required to meet basic day to day needs and sources of employment. However, there is a bus service which would allow commuting to Haverhill which serves bus stops within a short walk of the development. This would provide an alternative means of transport to access a broader range of services and facilities without relying on the private car. 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 reduced.
13. Policies HG/1 (Housing Density), HG/2 (Housing Mix), NE/6 (Biodiversity), NE/17 (Protecting High Quality Agricultural Land) and CH/2 (Archaeological Sites) were all policies that were previously considered to be relevant policies for the supply of housing. That is no longer the case. However, no conflict was identified with any of these policies and thus none of them require a reassessment in terms of any harm that might arise.
14. It is considered that the scheme includes positive elements which demonstrate that as a whole the scheme achieves the definition of sustainable development. These include:
 - the positive contribution of up to 10 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 provision of 4 affordable dwellings on site, making a significant contribution to the identified need in Castle Camps (requirement for 11 affordable dwellings as identified on the Housing Register) and the wider District
 - social and economic benefits as a result of the dwellings through the creation of jobs in the construction industry and an increase of local services and facilities, both of which will be of benefit to the local economy.
15. At Planning Committee on 10 May 2017 an additional requirement was added to the Section 106 agreement for responsibility of the developer to ensure that a management company is in place to deliver management and maintenance of those parts of the common areas, covering the lighting, refuse collection area, footpaths and roads.
16. Regulation 122 of the CIL Regulations states that a planning obligation as set out in a Section 106 agreement may only constitute a reason for granting planning permission for the development if 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.
17. The Section 106 Officer has advised it would be unreasonable for the S.106 Agreement to require the management and maintenance of those parts of the common areas, covering lighting, refuse collection area, footpaths and roads as this would not be in line with Regulation 122 of the CIL regulations. The lighting and refuse areas will be detailed as part of a reserved matters application and will be addressed accordingly.
 18. A verbal update will be given at planning committee on the planning obligations regarding the tenure split of the affordable housing.
 19. At paragraph 167-168 of the Planning Committee Report, determined on 10 May 2017, reference was made to s.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to the decision of the Court of Appeal in *Barnwell Manor*. The effect of that decision is that the Council, as decision maker, should attach great importance and weight to any harm to a listed building or its setting which arises as a result of a development proposal. The Council should therefore attached great importance and in respect of the harm, albeit less than substantial, which it is considered that the development proposed would cause to the setting of Wisteria Cottage.
 20. At paragraph 176 of the Planning Committee Report, reference is made to paragraph 134 of the National Planning Policy Framework 2012 (NPPF), which states 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. It is noted in the Planning Committee report that some harm, albeit less than substantial, will be caused to the significance of both Wisteria Cottage and to the Castle Camps Conservation Area.
 21. Having taken legal advice, it is considered that the reference in paragraph 134 of the NPPF to “optimum viable use” is more closely directed to cases where development is proposed to a listed building or other heritage asset itself. That is not proposed as part of the present proposal. As such the issue of “optimum viable use” does not arise to any material extent in the context of these proposals and the balancing exercise which the Council is required to carry out. Paragraph 176 of the Planning Committee Report should be considered as modified in this respect.
 22. Nonetheless, the development proposed will provide a contribution to the lack of 5 year housing land supply and chronic shortage of affordable housing, as well as providing significant economic benefits. These benefits are considered to outweigh the limited, less than substantial harm to the significance of the affected heritage assets, and justifies the grant of planning permission, notwithstanding the weight to be attached to harm to the setting of the listed building, as required by the *Barnwell Manor* decision.
 23. Environmental Health have reviewed the application in light of the new ProPG guidance and there is no impact on the comments they made as a result. Therefore their comments made on the application presented at 10 May Planning Committee remain.

Conclusion

24. Officers consider that notwithstanding the conflict with policies DP/1(a), DP/7 and ST/6, this conflict can only be given “limited” weight. The previously identified impact on the need to travel out of the village to access facilities to meet day to day needs and employment opportunities, setting of the Grade II listed building and Conservation Area still results in limited harm.
25. The provision of up to 10 dwellings, including 4 affordable dwellings can be given significant weight. Employment during construction to benefit the local economy and the potential for an increase in the use of local services can also be given some limited weight.
26. None of the disbenefits arising from the proposals are considered to result in significant and demonstrable harm when balanced against the positive elements and therefore, it is considered that the proposal achieves the definition of sustainable development as set out in the NPPF.

Recommendation

27. Officers recommend that the Committee again resolves to grant planning permission subject to the conditions agreed at Planning Committee on 10 May 2017 with an amendment to the Section 106 agreement removing the additional requirement "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".
28. The following items are appended to this report:

- a. Appendix 1 – report presented to committee on 10 May 2017

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 2013
- Planning File Reference: S/0415/17/OL

Report Author:

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Senior Planning Officer
01954 713020



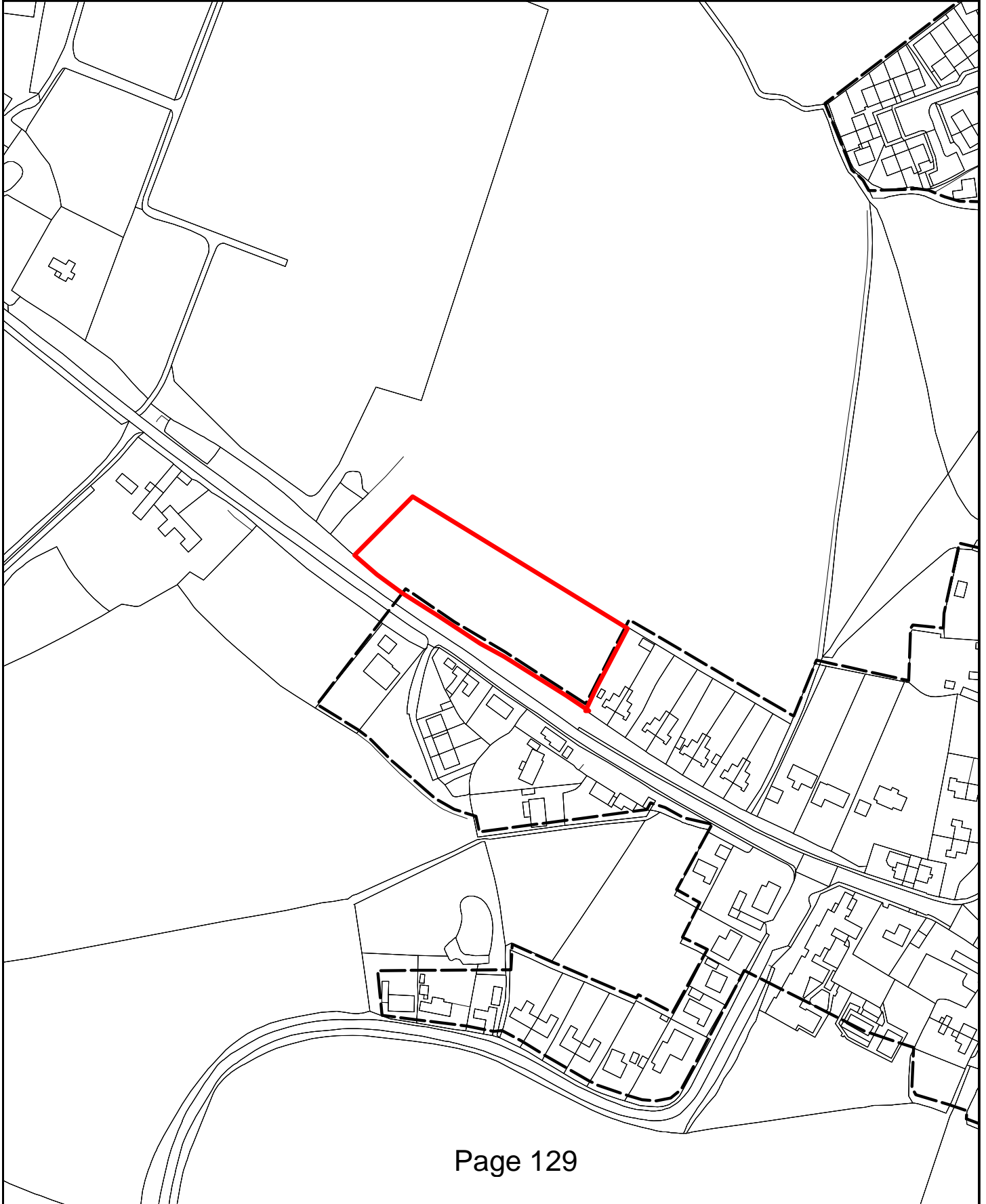
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Agenda Item 14

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2 August 2017

AUTHOR/S: Joint Director for Planning and Economic Development

Application Number:	S/2903/14/OL
Parishes:	Caxton, Cambourne and Elsworth
Proposal:	Development of up to 2,350 residential units including affordable housing; retail, use classes A1-A5 offices; business, use class B1; community and leisure facilities; two primary schools and one secondary school; three vehicular access points including the extension and modification of Sheepfold Lane, a four-arm roundabout provided on A1198/Caxton Bypass and an access point off the A1198, south of the Caxton Gibbet; associated infrastructure and open space (outline with all matters reserved apart from access)
Site address:	Land to the west of Cambourne
Applicant:	MCA Developments Ltd.
Recommendation:	Delegated approval (subject to completion of Section 106 Agreement)
Key material considerations:	<p>Principle of development; Sustainable development; Prematurity; Five year supply of housing land; Impact upon the character of Cambourne and the surrounding villages/landscape; Ecology; Highway safety and impact upon highway infrastructure; Surface water and foul water drainage; Percentage of affordable housing; Provision of formal and informal open space; Provision of services and facilities; and Section 106 Contributions.</p> <p>All of these matters were considered in the report presented to Planning Committee in March 2017, when Members resolved to grant planning permission. This report focusses on the implications of the Supreme Court judgement relating to the extent of Local Plan policies which are considered to affect the supply of housing.</p>
Committee Site Visit:	31 August 2017
Departure Application:	Yes
Presenting Officer:	Edward Durrant, Principal Planning Officer
Application brought to	To consider the implications of the <i>Hopkins Homes</i>

Committee because: Supreme Court judgement relating to the extent of Local Plan policies which are considered to affect the supply of housing.

Date by which decision due: 30 January 2017 (extension of time agreed)

Introduction

1. This application was considered at the 11 January 2017 meeting of the Planning Committee. The Committee resolved to approve the application subject to:
 - (a) The prior completion, in consultation with the Chairman and Vice-Chairman of the Planning Committee, of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 securing the obligations set out in the Heads of Terms document attached as Appendix 2 to the report from the Heads of New Communities; and
 - (b) The Conditions and Informatives set out in the report from the Head of New Communities, final wording to be determined in consultation with the Chairman and Vice-Chairman of the Planning Committee before issuing the Decision Notice.
2. The application remains undetermined pending the completion of the section 106 agreement. A copy of the original committee report and the accompanying appendices are appended to this report.
3. On 10 May 2017, the Supreme Court gave judgment in *Suffolk Coastal DC v Hopkins Homes Limited* and in the conjoined matter of *Richborough Estates Partnership LLP v Cheshire East BC* [2017] UKSC 37.
4. The Supreme Court Judgement narrows the range of development plan policies which can be considered as ‘relevant policies for the supply of housing’. Those policies are now not to be considered out of date, even when a five-year housing land supply cannot be demonstrated.
5. In respect of South Cambridgeshire this means that the Local Development Framework Policies that were listed as being out of date at the time when this application was considered are no longer held to be out of date.
6. On 30 June 2017, the Court of Appeal issues a further judgement in *Barwood Strategic Land v East Staffordshire Borough Council*. The Court held that the “presumption of sustainable development” within the National Planning Policy Framework (NPPF) falls to be determined in accordance with paragraph 14 and there was not any wider concept of a presumption of sustainable development beyond that set out in and through the operation of, paragraph 14. Paragraph 14 of the NPPF has been applied in this supplementary report with the approach of the Supreme Court in *Suffolk Coastal* and it is not considered that the *Barwood Land* decision requires any further changes to the advice set out above.
7. The overriding issue however is not whether the policies are out of date but whether, in light of the continuing lack of a five year housing land supply, it can be shown that the “adverse impacts ... would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework

taken as a whole". That is the test required by paragraph 14 of the NPPF, regardless of whether policies are 'out of date' or not. This test should be given considerable weight in the decision making process even though the definition of policies affecting the supply of housing has been narrowed by the Supreme Court judgement. Given the need to boost the supply of housing, the contribution of the proposal to the supply of housing (including affordable housing) is considered to outweigh the conflict with the policies of the LDF.

8. This report considers the officer advice given to Members at the January 2017 meeting in relation to the policies relating to the supply of housing and the extent to which this has changed as a result of the Supreme Court decision.

Planning Assessment

9. 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.
10. The effect of the Supreme Court's judgement is that policies DP/1(a), DP/7 and ST/4 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 DP/1(a), DP/7 and ST/4 and their objectives, both individually and collectively, of securing sustainable development within the village frameworks of rural centres, accord with and furthers the social and environmental dimensions of sustainable development, and therefore accord with the Framework.
11. Any conflict with adopted policies DP/1(a), DP/7 and ST/4 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. Nonetheless, the NPPF places very considerable weight on the need to boost 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 DP/1(a), DP/7 and ST/4 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.
12. A balancing exercise therefore needs to be carried out. It is only when the conflict with other development plan policies – including where engaged

- policies DP/1(a), DP/7 and ST/4 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”.
13. Although this proposal is located outside the development framework of a rural centre, accessibility to public transport from the site is considered to be a significant benefit of the location. In addition, the scheme would further improve the community facilities within the settlement, enhancing social sustainability of the scheme and the overall sustainability of Cambourne. 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. This particular application also has to be considered in the context of the draft allocation for part of the site under policy SS/8 of the emerging local plan.
 14. Policies ST/2 (Housing Provision), HG/1 (Housing Density), HG/2 (Housing Mix), NE/6 (Biodiversity), NE/17 (Protecting High Quality Agricultural Land) and CH/2 (Archaeological Sites) were all policies that were previously considered to be relevant policies for the supply of housing. That is no longer the case. However, no conflict was identified with any of these policies and thus none of them require a reassessment in terms of any harm that might arise.
 15. It is considered that the scheme includes positive elements which demonstrate that as a whole the scheme achieves the definition of sustainable development. These include:
 - The provision of 705 affordable homes with a 50/50 tenure split;
 - The proposed obligations would mitigate demands on existing services, facilities and infrastructure arising from the additional population resulting from the development;
 - Additional and extended community and sports facilities and services and employment opportunities would be delivered in accessible locations on site or within Cambourne, reducing the need for new and existing residents to travel, which would reduce the environmental impacts of emissions from traffic and reduce the impact upon surrounding villages;
 - Economic benefits would occur through the increased vitality of the area and the development would help support economic activity and job creation during the construction and occupation phases supporting the growth of the Cambridge sub-region;
 - The green infrastructure delivered alongside the new homes would provide greater opportunities for recreation and increase the ecological value of the site;
 - The development of the whole site would result in a more holistic form of development delivering a more comprehensive package of educational and transport infrastructure than if only the draft allocation site were developed;
 - There is not a significant impact in relation to biodiversity, landscape and flood risk subject to the necessary safeguarding, landscaping and other mitigation; and
 - Subject to conditions relating to a travel plan and implementation of strategic infrastructure improvements, which would facilitate enhanced access for public transport, cyclists and pedestrians, there would not be a significant impact in terms of traffic or highway safety upon the strategic and local road networks.

Conclusion

16. Officers consider that notwithstanding the conflict with policies DP/1(a), DP/7 and ST/4 this conflict can only be given “limited” weight. The harm arising from the visual impact upon the setting of Cambourne, over and above any impact resulting from the draft allocation site being developed also carries some weight against the proposal.
17. The provision of up to 2350 dwellings, including 705 affordable dwellings, can be given significant weight. The wide-ranging contributions towards the provision infrastructure in relation to community and sports facilities, green infrastructure, recreation, education, and transport all carry weight in favour of the proposals. Employment during construction to benefit the local economy, the significant potential for an increase in the use of local services and improving the vitality of the area and wider Cambridge sub-region can also be given moderate weight.
18. None of the disbenefits arising from the proposals are considered to result in significant and demonstrable harm when balanced against the positive elements and therefore, it is considered that the proposal achieves the definition of sustainable development as set out in the NPPF.
19. Officers recommend that the Committee again resolves to grant planning permission subject to the conditions and section 106 agreement as before.
20. The following items are appended to this report:
 - a. Appendix 1 – report presented to committee on 6 July 2016
 - b. Appendix 2 – Draft s106 Heads of Terms
 - c. Appendix 3 – Agent’s letter
 - d. Appendix 4 - DEP Report
 - e. Appendix 5 – Viability Assessment
 - f. Appendix 6 – Summary of Representations

Background Papers

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council’s website; and
- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

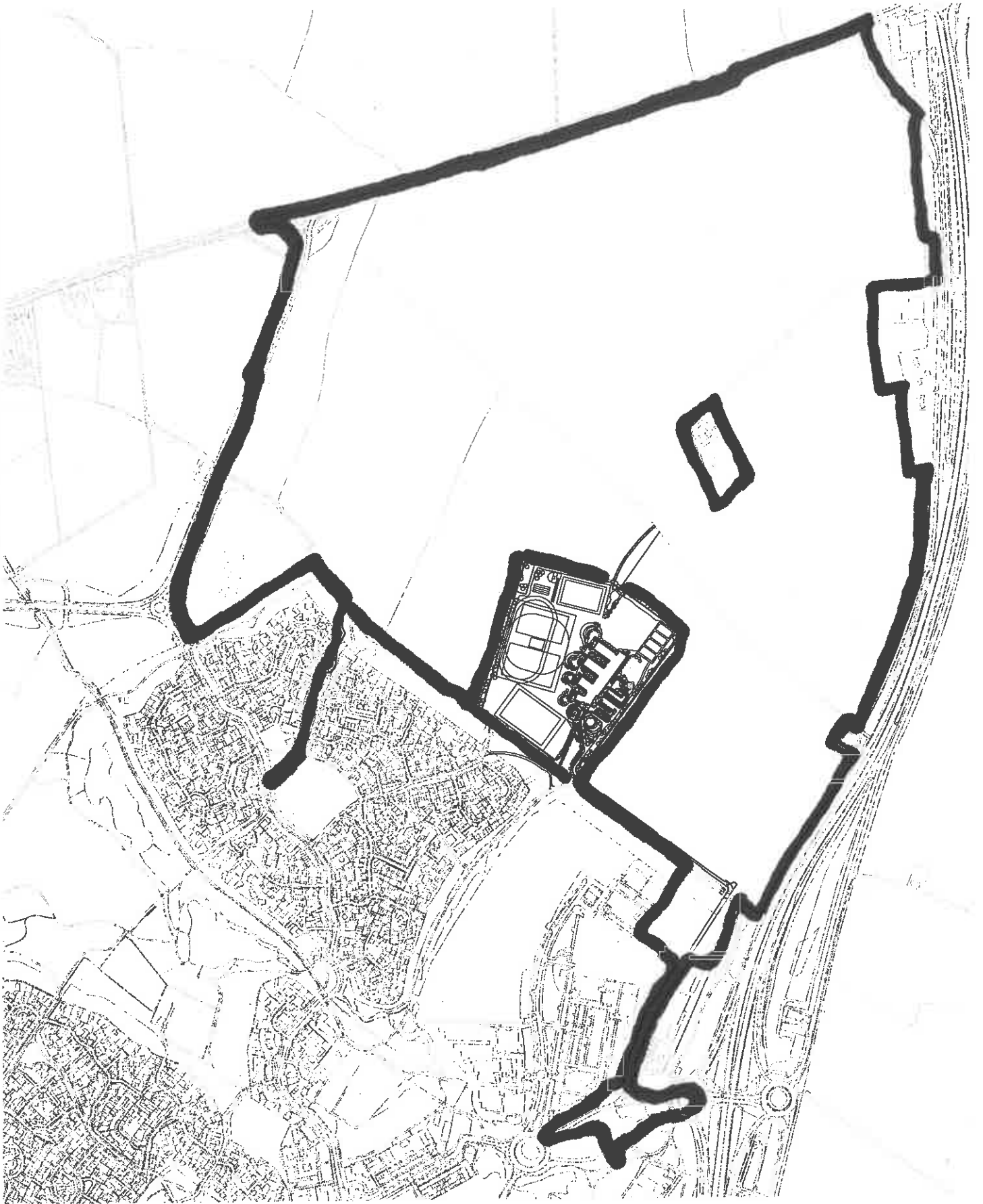
The following list contains links to the documents on the Council’s website and / or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Core Strategy DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents:
 - Open Space in New Developments SPD - Adopted January 2009
 - Public Art SPD - Adopted January 2009

Trees & Development Sites SPD - Adopted January 2009
Biodiversity SPD - Adopted July 2009
Landscape in New Developments SPD - Adopted March 2010
District Design Guide SPD - Adopted March 2010
Affordable Housing SPD - Adopted March 2010
Health Impact Assessment SPD - Consultation Draft October 2010

- South Cambridgeshire Local Plan Submission 2014
- Planning File Reference S/2903/14/OL

Report Author: Edward Durrant (Principal Planning Officer)
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— Site Boundary

CAMBOURNE
 West Cambourne
 Principles and Parameters
 Site Boundary

SCALE 1:2500@A3 DATE 09/07/2014
 DRAWN BY: MW CHECKED BY: JF
 DRAWING NUMBER: B5-S-04f

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Agenda Item 15

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2 August 2017

AUTHOR/S: Joint Director for Planning and Economic Development

Application Number: S/2047/16/FL

Parish(es): Caldecote

Proposal: Demolition of existing buildings, and erection of residential development to provide up 71 no. dwellings including 28 no. affordable dwellings, with associated vehicle and pedestrian accesses and open space, and a car park for school/community use.

Site address: Land r/o 18-28 Highfields Road, 18 , Highfields Road, Highfields Caldecote, CB23 7NX

Applicant(s): CALA Homes (North Home Counties) Ltd

Recommendation: Delegated approval (subject to complete section 106 agreement)

Key material considerations: Five year supply of housing land, Principle of development, Sustainability of the location, Density of development and affordable housing
Character of the village and impact to street scene
Highway safety, Residential amenity of neighbouring properties, Surface water and foul water drainage
Ecology, Provision of formal and informal open space
Section 106 Contributions, Cumulative Impact

All of these matters were considered in the report presented to Planning Committee in March 2017, when Members resolved to grant planning permission. This report focusses on the implications of the Supreme Court judgement relating to the extent of Local Plan policies which are considered to affect the supply of housing.

Committee Site Visit: 9 May 2017

Departure Application: Yes (advertised 23 August 2016)

Presenting Officer: Rebecca Ward, Senior Planning Officer

Application brought to Committee because: To consider the implications of the *Hopkins Homes* Supreme Court judgement relating to the extent of Local Plan policies which are considered to affect the supply of housing.

Date by which decision due: 1 February 2017 (Extension of time agreed)

Introduction

1. This application was considered at the 10 May 2017 meeting of the Planning Committee. The Committee resolved to approve the application subject to the prior completion of a Legal Agreement, the conditions and informatives set out in appendix 3, additional conditions to control hours of use of the school car park and retention of screening and an update to plan numbers to include minor amendments to roads and footpaths. The application remains undetermined pending the completion of the section 106 agreement. A copy of that report are appended to this report.
2. On 10 May 2017, the Supreme Court gave judgment in *Suffolk Coastal DC v Hopkins Homes Limited* and in the conjoined matter of *Richborough Estates Partnership LLP v Cheshire East BC* [2017] UKSC 37.
3. The Supreme Court Judgement narrows the range of development plan policies which can be considered as 'relevant policies for the supply of housing'. Those policies are now not to be considered out of date, even when a five-year housing land supply cannot be demonstrated.
4. In respect of South Cambridgeshire this means that the Local Development Framework Policies that were listed as being out of date at the time when this application was considered are no longer held to be out of date.
5. On 30 June 2017, the Court of Appeal issues a further judgement in *Barwood Strategic Land v East Staffordshire Borough Council*. The Court held that the "presumption of sustainable development" within the National Planning Policy Framework (NPPF) falls to be determined in accordance with paragraph 14 and there was not any wider concept of a presumption of sustainable development beyond that set out in and through the operation of, paragraph 14. Paragraph 14 of the NPPF has been applied in this supplementary report with the approach of the Supreme Court in *Suffolk Coastal* and it is not considered that the *Barwood Land* decision requires any further changes to the advice set out above.
6. The overriding issue however is not whether the policies are out of date but whether, in light of the continuing lack of a five year housing land supply, it can be shown that the "adverse impacts ... would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole". That is the test required by paragraph 14 of the NPPF, regardless of whether policies are 'out of date' or not. This test should be given considerable weight in the decision making process even though the definition of policies affecting the supply of housing has been narrowed by the Supreme Court judgement. Given the need to boost the supply of housing, the contribution of the proposal to the supply of housing (including affordable housing) is considered to outweigh the conflict with the policies of the LDF.
7. This report considers the officer advice given to Members at the May 2017 meeting in relation to the policies relating to the supply of housing and the extent to which this has changed as a result of the Supreme Court decision.
8. An additional consideration is the implications of the recent appeal decision relating to the scheme for up to 140 dwellings to land east of Highfields Road,

Caldecote (appeal ref: APP/W0530/W/16/3149854). This decision was received on 5 July 2017.

Planning Assessment

9. 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.
10. The effect of the Supreme Court's judgement is that policies DP/1(a) and ST/6 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 DP/1(a) and ST/6 and their objectives, both individually and collectively, to secure sustainable development accord with and furthers the social and environmental dimensions of sustainable development, and therefore accord with the Framework.
11. Any conflict with adopted policies DP/1(a) and ST/6 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. Nonetheless, the NPPF places very considerable weight on the need to boost 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 DP/1(a) and ST/6 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.
12. A balancing exercise therefore needs to be carried out. It is only when the conflict with other development plan policies – including where engaged policies DP/1(a) and ST/6 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.
13. This proposal is located inside the development framework of a group village, however, the number of units would significantly exceed the amount set within policy ST/6. The scheme would improve the community facilities within the village, enhancing social sustainability of the scheme and the overall

sustainability of Caldecote. However, it is recognised that the relatively limited nature of facilities in the village in terms of shopping and employment would result in reliance to travel to larger settlements. There is a bus service to the north of the village which offers regular services to these settlements. The weight that can therefore be attached to the conflict with policies DP/1(a) which are intended to ensure that development is directed to the most sustainable locations in the district is limited. This is consistent with the position taken by the Inspector determining the appeal for the 140 unit scheme on land east of Highfields Road. The decision letter for that case states that, even though the proposals conflicted with LDF policies ST/6, DP/1(a) and DP/7, 'the weight to be attached to the conflict with these policies is reduced because of the ongoing shortfall (in housing numbers.)

14. Policies DP/7 (Village Frameworks), HG/1 (Housing Density), HG/2 (Housing Mix) and NE/6 (Biodiversity), were all policies that were previously considered to be relevant policies for the supply of housing. That is no longer the case. However, no conflict was identified with any of these policies and thus none of them require a reassessment in terms of any harm that might arise.
15. It is considered that the scheme includes positive elements which demonstrate that as a whole the scheme achieves the definition of sustainable development. These include:
 - the positive contribution of up to 71 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
 - site is within the village framework boundary
 - Re-use of a part brownfield site
 - limited wider landscape harm and impact on village setting
 - the contribution of 40% affordable housing in the context of a significant level of district wide housing need
 - provision of public open space, including equipped areas of play.
 - the package of contributions to be secured through the Section 106 agreement towards the enhancement of offsite community facilities and pedestrian/cycle links
 - potential for access to public transport, services, facilities and employment
 - employment during construction to benefit the local economy
 - potential to result in an increase in the use of local services and facilities

Conclusion

16. Officers consider that notwithstanding the conflict with policies DP/1(a) and ST/6, this conflict can only be given "limited" weight. There would be limited landscape and visual harm as a result of the development given that its surrounded by existing residential dwellings, all of which are inside the village framework.
17. The provision of up to 71 dwellings, including 28 affordable dwellings can be given significant weight. The reuse of a part brownfield site, contributions towards the provision infrastructure in relation to public open space, community facilities and transport provision all carry weight in favour of the proposals. The increase use of local services and employment during

construction to benefit the local economy can also be given some limited weight.

18. None of the disbenefits arising from the proposals are considered to result in significant and demonstrable harm when balanced against the positive elements and therefore, it is considered that the proposal achieves the definition of sustainable development as set out in the NPPF.

Recommendation

19. Officers recommend that the Committee again resolves to grant planning permission subject to the conditions and section 106 agreement as before.
20. The following items are appended to this report:
 - a. Appendix 1 – report presented to committee in May 2017
 - b. Appendix 2 – Section 106 matrix appended to May committee report
 - c. Appendix 3 - List of draft conditions and informatives

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/1027/16/OL

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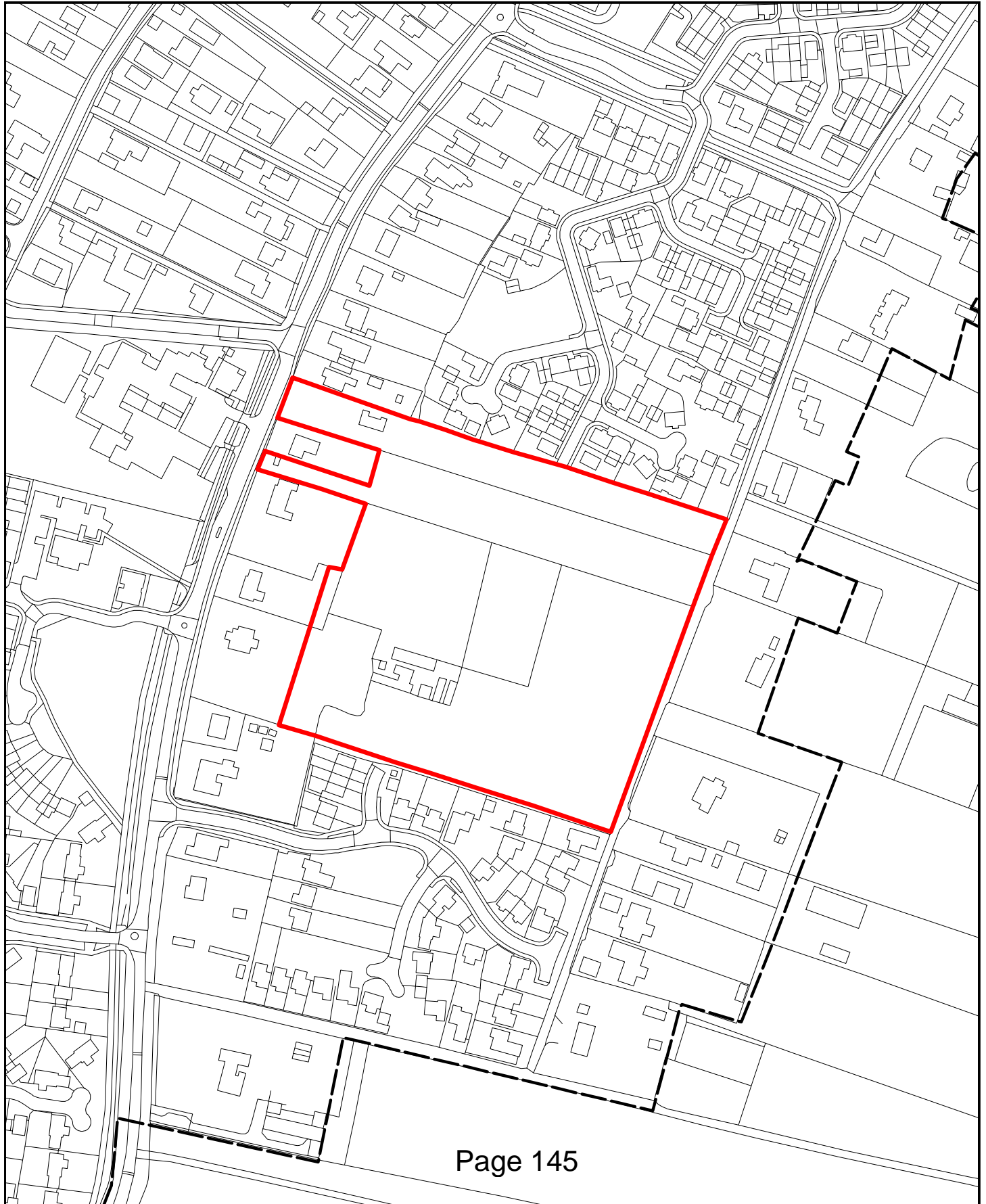
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Agenda Item 16

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2 August 2017

AUTHOR/S: Joint Director for Planning and Economic Development

Application Number:	S/1144/17/OL
Parish(es):	Highfields Caldecote
Proposal:	Outline planning permission for the erection of up to 58 dwellings, with associated infrastructure, landscaping and public open space. All matters reserved except for access.
Site address:	Land off Grafton Drive Caldecote
Applicant(s):	Welbeck Strategic Land LLP and Mr B. J. Fletcher and Mrs J. S. Fletcher
Recommendation:	Delegated approval (to complete section 106 agreement)
Key material considerations:	Five year supply of housing land Principle of development Density of development and affordable housing Character of the village edge and surrounding landscape Highway safety Residential amenity of neighbouring properties Surface water and foul water drainage Trees Ecology Provision of formal and informal open space Section 106 Contributions
Committee Site Visit:	01 August 2017
Departure Application:	Yes
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 is contrary to the recommendation of Caldecote Parish Council.
Date by which decision due:	04 August 2017 (Extension of time agreed)

Executive Summary

1. The proposal represents a significant scale of development on the edge of a group village. However, Highfields Caldecote is in close proximity to one of the most regular

public transport services to Cambridge and is geographically located close to the city, ensuring the journey times on this service are far less than from large parts of the District. The applicant is proposing the provision of a community transport facility as part of the mitigation measures, in addition to cycleway/footway improvements along Highfields Road. This would address the fact that the site is beyond what would be considered a reasonable walking distance from the bus stops on St. Neots Road and would provide an alternative means to making this trip by private car. These measures would enhance the environmental benefits of the proposals and would reduce the weight to be given to the fact that Caldecote itself has a limited range of services and facilities – as the ease of accessing services and employment in other settlements would be improved.

2. Whilst the limited range of service and facilities is recognised, the provision of a community transport vehicle would improve the connectivity between the southern end of the village and the more regular public transport links to Cambridge, from where the journey time is less than 20 minutes. Within the context of a predominantly rural District, the proximity of Highfields Caldecote to Cambridge and the enhancements that this scheme would make to connectivity ensure that the harm in relation to the lack of services and facilities within the village itself could be adequately mitigated. This conclusion is consistent with the Inspector's observations at Over, where access to employment would have required trips beyond the village and there was an acknowledgement that a number of these would have been, at least in part, by private car. That scheme did not propose as extensive mitigation as is proposed here to provide an alternative mode of transport.
3. Following the receipt of additional information, none of the statutory consultees have objected to the proposals. The density of the development is considered to be acceptable, with the possibility of breaking up the massing of the developed areas through the creation of smaller pockets of open space throughout the scheme. This is a design issue which will need to be resolved at the reserved matters stage. 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 character of the surrounding landscape.
4. 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 social benefits that would result from the development outweigh the harm resulting from the development of agricultural land and the limited landscape harm arising from the scheme. 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.
5. As officers are recommending approval for this application, if Members resolve to grant planning permission, Officers are also seeking permission not to defend the appeal against non-determination of application ref. S/2764/16/OL (of which this application is a duplicate) except where any material changes are introduced to the proposal or where the appellant departs from the terms of the Section 106 as detailed in this report and listed in the matrix attached as appendix 1 to this report.

Relevant Planning History

6. S/2764/16/OL - Outline planning permission for the erection of up to 58 dwellings, with associated infrastructure, landscaping and public open space. All matters reserved except for access – this application is currently the subject of an appeal against non-determination and the application being assessed in this report is a duplicate of that

appeal scheme. The appeal ref. is APP/W0530/W/17/3172541.

That application was not determined in the agreed timeframe due to the Council receiving legal advice that determination of the application could undermine the Council's defence of the appeal in relation to the proposal for 140 residential dwellings at land east of Highfields Road, Caldecote (ref. S/1216/16/OL). This advice was given as both that appeal site and the land that is the subject of this planning application are located outside of the village framework. The principle of development in both cases therefore rests on whether the quantum of development represents a sustainable level of growth in Caldecote when assessed against the definition of sustainable development as set out in the NPPF, with the context of the Council's inability to demonstrate a five year supply of housing land.

Now that the appeal relating to the scheme for 140 dwellings has been decided, officers are content that this application can be determined, having full regard to that decision and the cumulative impact of large scale developments affecting the capacity of infrastructure, services and facilities in Highfields Caldecote.

S/2768/16/E1 – Environmental Impact Assessment (EIA) screening opinion in relation to proposed residential development of the site – no EIA required.

Other planning applications that are relevant to the determination of this application:

S/2510/15/OL - land east of Highfields Road, Caldecote - Outline planning permission for up to 140 residential dwellings, (including up to 40% affordable housing), removal of existing temporary agricultural structures and debris, introduction of structural planting and landscaping, informal public open space and children's play area, community orchard and allotments, surface water flood mitigation and attenuation, vehicular access points from Highfields Road and associated ancillary works. All matters to be reserved with the exception of the main site access – appeal allowed (the appeal was made on the grounds of non-determination of the application.)

S/2047/16/FL - Demolition of existing buildings, and erection of residential development to provide up to 71 dwellings (including 28 affordable dwellings), with associated vehicle and pedestrian accesses and open space, and a car park for school/community use – Members resolved to grant planning permission, subject to the completion of a Section 106 Agreement, at the May 2017 meeting of the Planning Committee.

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/6 Group Villages
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
 HG/1 Housing Density
 HG/2 Housing Mix
 HG/3 Affordable Housing
 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
 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. **Highfields Caldecote Parish Council** – (comments received in relation to this application are the same as those received in relation to S/2764/26/OL):

Objects to the proposed development for the following reasons (summarised):

- The proposal would represent a departure from the adopted LDF - policy ST/6 states that development in Group Villages should be limited to developments of up to 8 units or a maximum of 15 where that would make the best use of a brownfield site. Clearly this proposal far exceeds those limits.
- Paragraph 14 states of the NPPF states that there is a presumption in favour of sustainable development and that where a Council cannot demonstrate a five year supply of housing land, planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The Parish Council consider that the impact of the additional growth of the village resulting from this development would be unsustainable due to the limited nature of the services and facilities serving the village and the capacity of those services.
- The following elements of infrastructure provision are considered to be particularly deficient in capacity terms:

Drainage – there have been 3 ‘1 in 100 year’ level flood events in Caldecote in the last 21 years. During the 2014 floods, the capacity of the foul and surface water drainage network was exceeded and a number of properties flooded. The northern and southern ends of the village regularly flood during periods of heavy rainfall. The scheme proposes to drain surface water from the site into the existing water course. This will make the existing capacity situation worse and add to the problem of surface water entering the foul drainage network, enhancing the risk of raw sewage overflowing from the system. The scheme will add to the capacity problems at the foul water pumping station.

Education – the County Council have stated that the pupil roll for Caldecote Primary School in September 2015 was 197, with a capacity of 210 and a Published Admission Number of 30 – resulting in capacity for 13 additional pupils. On the basis of data from the 2011 Census, the Parish Council consider that this proposal is likely to yield 25 children – exceeding the capacity of the school. The school building is located on a physically constrained site and therefore capacity cannot be increased to mitigate the impact of the development.

Healthcare – There is no medical provision in Caldecote. Bourn surgery has 5,962 patients. Comberton surgery has 10,747 patients. The proposed

development will put increased pressure on these facilities.

Sustainable Public Transport – Caldecote is served by a once-per-day bus service from the two stops on Highfields Road and this service does not operate at peak commuting times. There is a more frequent service which runs along St. Neots Road but that is 3-4km from the application site and therefore beyond a reasonable walking distance for occupants of the proposed development. The 2011 Census indicates that 75% of residents in the village commute to work by car.

Utilities – the water supplies at Bourn reservoir and the water towers that serve Cambourne may not have sufficient capacity to serve the development. Gas pressure may also be insufficient.

Access – there is only one proposed means of access into the development by vehicles and pedestrians – via Grafton Drive, which is a private road. As a result, no roads within the development would be adopted and therefore maintenance will be reliant on a management company funded by contributions paid by occupants of the development. It is unclear how safe access by emergency vehicles would be secured with only one access point being proposed.

- The Parish Council is willing to consider an amended scheme that looks to address the above concerns. The inclusion of a retail unit within the development would also improve the sustainability credentials of the proposals.

Bourn Parish Council – no comments to make on the application.

13. **Cambridgeshire Police (Designing Out Crime Officer)** – no objection. Crime statistics in the locality do not give rise to concerns in relation to the principle of development. Designing out crime will be a key consideration at the reserved matters stage.
14. **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.

An assessment of the potential noise generated by traffic accessing and egressing the development and the impact that this may have on the residential amenity of the occupants of the properties adjacent to the proposed main vehicular access off Grafton Drive has been submitted. Mitigation measures are suggested in the report i.e. the use of insulation to reduce the impact of noise, but more detail is required in relation to the means of ventilation in properties where the windows are likely to be shut at night time. These details can be secured by condition at this outline stage as the impact will only become clearer at the reserved matters stage when the layout is to be fixed.

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.

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.

15. **District Council Contaminated Land Officer** – No objection. The phase I report submitted with the application highlights the previous use of the land as a pig farm and for waste storage. Given the sensitive nature of the proposed end use, a phase II survey will be required to ensure that the impact of any potential contaminants of the site is fully mitigated. This can be secured by condition at this outline stage.
16. **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.
17. **District Council Urban Design Officer** – no objection to the principle of development on the site. Development of the land would extend the village edge westwards of the existing envelope but the site is visually well contained with a wooded area to the west, existing housing to the east, the recreation ground to the south and fields divided by hedgerows to the north. Although Caldecote originated from a strong linear form, this character has been significantly diluted by more recent development to the rear of the main ribbon of buildings along Main Street and Highfields Road. The creation of public access to the woodland to the west of the site is welcomed. Opportunities to connect to the recreation ground to the south should be considered at the reserved matters stage. Additional landscaping on the site boundaries could be secured to further reduce the wider landscape impact of the proposed development. The density of the developable area is relatively high at 32 dwellings per hectare however this would be offset by the inclusion of 1.4 hectares of open space, which could be positioned so as to break up the mass and concentration of buildings across the site. This is a design issue to be dealt with at the reserved matters stage, as is the fixing of the location of any 2.5 storey development, which should be positioned in the central core as opposed to at the more sensitive edges of the scheme.
18. **District Council Landscape Design Officer** – No objections to the proposals The site lies in the Bedfordshire and Cambridgeshire Landscape Claylands National Character Area and within the Western Claylands character area at the local level. The applicant has provided a photographic assessment of views of the site and concludes that the existing woodland and boundary hedgerows on the edge of the site provide a sense of containment which would reduce the wider landscape impact of the development. This assessment is supported. Details of landscaping to be planted as part of the development and the treatment/management of public open space and sustainable drainage can be secured by condition or within the Section 106 Agreement.
19. **Cambridgeshire County Council Local Highway Authority** – no objection to the proposals from a highway safety perspective. Further details of the potential impact on the capacity of nearby junctions and the wider highway network has been completed by the applicant. The Local Highway Authority has no objections to the proposals on the basis of this additional information, subject to securing footway improvements and the community transport scheme.

20. **Cambridgeshire County Council Historic Environment Team (Archaeology)** – No objection raised. No further investigations are considered necessary and no mitigation measures required.
21. **Cambridgeshire County Council Flood & Water Team** – no objection to the proposals. Sustainable drainage measures should be incorporated within the development and this principle should form the basis of a detailed surface water drainage strategy, which can be secured by condition at this outline stage.
22. **NHS England** - state that Bourn surgery and the satellite surgery at Little Eversden (associated with Comberton surgery) do 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 £21,919 to provide an additional 9.53 square metres of floorspace to accommodate the additional approximately 139 anticipated population increase (nb. Different projection to the County Council figure in this regard).
23. **Environment Agency** – no objections to the proposals on the basis that a condition is attached to the planning permission requiring final details of the surface water drainage strategy to be agreed and that a condition requiring investigation into and the remediation of any sources of contamination on the site be attached to any permission granted.
24. **Anglian Water** - No objections received, and advised –
 Wastewater treatment – The foul drainage from this development is in the catchment of Bourn Water Recycling Centre, which currently has capacity to treat the flows from the proposed development
 Foul Sewage Network – The foul drainage network has capacity to take the additional flows that will arise from this development.
 Surface Water Disposal – The preferred means of draining surface water from the site would be via Sustainable Drainage System, with connection to the mains sewer being a last resort. The Lead Local Flood Risk Authority (LLFRA) should be consulted on this aspect of the proposals.
25. **Affordable Housing Officer** – The site is located outside of the development framework of Highfields Caldecote 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. However, should this application not be determined as an exception site, then the Council will seek to secure at least 40% affordable housing. The developer is proposing 58 dwellings, 23 of these would have to be affordable.

There are currently 13 people on the Housing Register who live in or have a local connection to Highfields Caldecote.

The mix and tenure split for the 23 affordable dwellings should be as follows:

Affordable rent – 16 units:

6 x 1 bed
 8 x 2 bed
 2 x 3 bed

Shared ownership – 7 units:

4 x 2 bed
3 x 3 bed

8 properties should be allocated to those with a local connection to Highfields Caldecote and the remaining 15 should be allocated on a 50/50 split basis between applicants with a local connection to Highfields Caldecote and those with a District wide connection.

Properties should be built to DCLG technical housing standards.

26. **Section 106 Officer** – details of the specific policy compliant contributions are discussed in detail in the main body of the report. A detailed matrix is attached to this report as appendix 1.
27. **Cambridgeshire County Council Growth Team** – This proposal would result in an anticipated 18 children in the early years age bracket, 9 of which would qualify for free provision. Two options have been identified as potential mitigation, with the final option to be pursued dependent upon a decision by the County Council relating to the future of the Children’s Centre in the village.

If the Children’s Centre is to be retained, this could be converted to provide capacity for an additional 52 children. That project would cost £60,000 in total, with the proportionate contribution from this development being £10,386. If the Children’s Centre is closed, a new classroom would be provided through an extension to the school building. The total cost of that project would be £500,000 and the proportionate contribution from this development would be £173,079.

In relation to primary school provision, this development would give rise to 21 additional pupils within this age bracket. There is currently insufficient capacity at the primary school to accommodate the additional children. The County Council have identified a project which would mitigate the impact of this development, the scheme for 140 dwellings on land east of Highfields Road and the 71 dwellings on land rear of 18-28 Highfields Road (committee resolved to grant that application, subject to the completion of a Section 106 Agreement at the May 2017 meeting). The project is an extension to the primary school comprising 4 classrooms to provide an additional 120 places. The total cost of the extension would be £2,590,000 and the proportionate contribution from this development would be approximately £453,243 (final figure dependent upon housing mix which is to be determined at the reserved matters stage).

No contributions are considered necessary in relation to secondary school provision as the County Council’s forecast data indicate that Comberton Village College has available capacity to accommodate the additional population arising from this development (anticipated 15 children in that age bracket.)

In relation to lifelong learning, a figure of £4.08 per the additional residents (approx. 145 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, to increase the stock of books at the existing mobile library. The total contribution from this scheme is approximately £591.60 (depending upon final housing mix to be determined at the reserved matters stage.)

28. **District Council Sustainable Drainage Engineer** – no objection to the proposals subject to the imposition of a condition requiring the details of surface water drainage

to be agreed.

29. **District Council Ecology Officer** – No objections to the proposals, following the receipt of additional information from the applicant in terms of the precautionary measures to be put in place to mitigate the potential impact of the development on Great Crested Newts.

No objection to the application in principle and the thorough ecological survey information is welcomed. There are substantial opportunities to enhance habitats at the site including native planting, woodland management and the creation of attenuation ponds/drainage basins which also have ecological value. The indicative site layout is acceptable, although hedgerows should be retained and protected outside of garden boundaries.

A condition should be attached requiring compliance with the mitigation measures listed in the ecology survey submitted with the application and the mitigation measures detailed in the additional information relating to Great Crested Newts. A mitigation strategy relating to the potential impact on badgers and biodiversity enhancements to be secured as part of the development should also be secured by condition.

30. **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. There is a need to ensure that the proposals would not adversely impact the woodland immediately to the west of the site (which is the subject of a group Tree Preservation Order.) Details of tree protection measures and additional landscaping should be secured by condition at this outline stage.
31. **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.
32. **County Council Definitive Map Officer** – no objections to the proposals. It is unlikely that the County Council would adopt any of the pedestrian routes to the adjacent recreation ground and also the woodland to the west of the site.

Representations

33. 17 letters (including representations received via the website) of objection have been submitted in relation to this application alongside the 33 representations received in objection to the application which is now the subject of an appeal. The responses in objection to both schemes raise the following issues (summarised):
- The proposal would significantly increase the volume of traffic on Grafton Drive and this will detrimentally affect the capacity of the junction with Highfields Road, causing a highway safety hazard along a route used by parents and children to walk to the primary school.
 - The proposal will result in increased traffic congestion and is likely to cause more parking on Grafton Drive as traffic builds up outside the primary school in the mornings and afternoons.
 - Large vehicles accessing the site during the construction phase of the development would result in a highway safety hazard given the narrow width of Grafton Drive.
 - There are significant concerns about the ability of the drainage network within the

village to be able to accommodate both the foul and surface water flows resulting from the proposed development.

- The proposal will result in the development of a site that has high biodiversity value – including habitats that support Brown Hares and foraging bats. The erection of buildings on the site and the associated impacts would have an adverse impact on this biodiversity value.
- The proposals will have an adverse impact on the residential amenity of neighbouring properties through unreasonable overlooking.
- The site is located outside of the village framework and therefore the proposals are contrary to the provisions of the Core Strategy.
- The proposal will result in ribbon development between Cambourne, Bourn Airfield and Highfields Caldecote, resulting in a cumulatively harmful impact on the character of the landscape.
- The public transport service in the village is insufficient to provide a realistic alternative to making journeys by private car ensuring that the scheme would be environmentally unsustainable.
- Previous residential developments in the village have been refused due to the adverse impact upon the capacity of the drainage network. This proposal would result in additional flows that could not be accommodated and therefore should also be refused.
- The applicant's proposed 18 month construction management plan would restrict the ability of existing residents on Grafton Drive to park in front of and access their property. This is an unacceptable proposal.
- The adverse impact of the development on the amenity of neighbouring properties could not be adequately mitigated and the applicant's own assessment concludes that there would be a 'significant adverse' visual and privacy impact on the amenity of the adjacent properties as a result of the development.
- The application site includes Grafton Drive which is a private road, which the applicant does not own and does not have the right to occupy or develop.
- The number of trips generated by the proposed development is considered to have been underestimated by the developer, given the heavy reliance on the private car by residents to access essential services and facilities.
- The proposal itself would result in a 10% increase in the population of Highfields Caldecote. Taken alongside the schemes proposed by Gladman and Cala in the village, this increase in population would be 25%. This proposed level of growth is considered to be unsustainable.
- The proposal would represent the development of a greenfield site, as opposed to brownfield land and therefore does not constitute sustainable development.
- The lack of sustainability of Caldecote as a village, due to the limited nature of the services and facilities within the settlement, were the reason behind the refusal of the 140 dwellings proposed on land east of Highfields Road. The same principle applies here and therefore this application should also be refused.
- The applicant claims that the pre-school capacity shortfall can be accommodated by a financial contribution towards an extension of the facility at the primary school. However, the site is physically constrained and therefore, even if funding was raised, a suitable extension to offset the impact of the development could not actually be provided.
- There is some doubt in relation to the applicant's claim that there is capacity within the primary school to accommodate the additional pupils generated by the proposed development. The developer's case appears to rely on forecasts showing a decline in the number of children within the catchment area of the school in future years and the evidence base for this is not clear.
- The noise and pollution caused by the construction phase of the development would result in a detrimental impact on the residential amenity of the existing properties on Grafton Drive.

- Given the existing problems of surface water infiltrating into the foul sewage network in the village, it is considered inappropriate to drain surface water from the development by the network of ditches adjacent to the site.
- The existing road surfacing on Grafton Drive is considered of insufficient quality to withstand the impact of the additional traffic, including heavy traffic during the construction phase that will be generated by this development.
- The site was assessed as part of the SHLAA process which provided the evidence base behind the emerging Local Plan and was rejected on the basis of having a detrimental landscape and townscape impact. This assessment still applies and the application should therefore be refused.
- There are capacity problems at the GP surgeries in the locality as well as dental services – these will not be able to accommodate the additional population of the proposed development.

Campaign to Protect Rural England (CPRE) – Object to the application. The Council's five year housing land supply deficit has been addressed by the submission of the draft Local Plan. The emerging Local Plan makes provision for an increase in the number of houses to be developed in the District. The scheme would significantly exceed the 15 dwelling limit on new residential development in group villages and should therefore be refused. The housing need within the District for the next 2 years could be met in Northstowe and there are plans to develop Bourn Airfield proposed in the emerging Local Plan. The proposal would result in encroachment into the countryside and the loss of agricultural land.

Site and Surroundings

34. The application site is land to the west of Grafton Drive, a residential street located on the western edge of Highfields Caldecote. There is a large agricultural building and areas of hardstanding on the site associated with the former use of the land as a piggery. A dense area of woodland abuts the western boundary of the site (the subject of a group Tree Preservation Order - TPO), access is gained from the eastern boundary which borders the existing properties on Grafton Drive. The southern boundary of the site, adjacent to the recreation ground, is demarcated by hedge and tree planting.

Proposal

35. Outline planning permission for the erection of up to 58 dwellings, with associated infrastructure, landscaping and public open space. All matters reserved except for access.

Planning Assessment

36. 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 Caldecote generally and this site specifically allow a scheme of the scale proposed to meet the definition of sustainable development. An assessment is required in relation to the impact of the proposals on the character of the village edge and 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:

37. 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.
38. 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.
39. 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".
40. 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.
41. 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.
42. 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.

43. 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.
44. 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 ..."
45. 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.
46. 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.
47. This approach reflects the decision of the Supreme Court in the *Hopkins Homes* appeal.
48. 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.
49. The site is located outside the Highfields Caldecote 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 58 dwellings would therefore not under normal circumstances be considered acceptable in principle since it is contrary to this adopted and emerging policy.

50. Development in Group Villages (the current and emerging status of Highfields Caldecote) 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.
51. By proposing 58 dwellings, the scheme would significantly exceed the indicative maximum of 8 on a greenfield 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.’
52. 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 wider benefit of the community transport and pedestrian/cycleway links to improve the sustainability of the village as well as the development in this case must be considered in assessing the weight to be given to the harm resulting from development on land outside of the village framework.
53. 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 3 agricultural land.
54. The site is not allocated for development in the existing or the emerging Local Plan. However, given that the development is considered to meet the definition of sustainable development (once the mitigation measures are taken into account) as set out in the NPPF 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 of NE/17 should be afforded more weight than the conflict with criterion a.
55. The proposals are assessed below against the social and economic criteria of the definition of sustainable development.

Social Sustainability:

56. 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.
57. The development would provide a clear benefit in helping to meet the current housing shortfall in South Cambridgeshire through delivering up to an additional 58 residential dwellings, 40% of which would be affordable (23 units). Ensuring that the housing mix in the market element of the scheme would accord with emerging policy H/8 (discussed in detail later in this report) is a matter to be dealt with at the reserved matters stage.
58. The affordable housing can be secured through a Section 106 Agreement. Officers are of the view the provision of up to 58 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 Highfields Caldecote.
59. The adopted Open Space SPD requires the provision of approximately 1750 metres squared 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 14000 square metres is shown on the indicative masterplan, excluding the woodland at the southern end of the site) and would include sufficient space for the inclusion of informal areas of play as well as an equipped area of play, as required by the SPD. Equipped play space is not indicated on the proposed plans but this requirement can be secured through the Section 106 and there is considered to be sufficient space within the layout to include this provision at the density proposed, with the exact position to be secured at the reserved matters stage. An alternative would be to meet the requirement through offsite provision.
60. Given that Highfields Caldecote has an identified short fall in play 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 open space and woodland area can be secured in the Section 106 Agreement at this outline stage.
61. 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.

Impact on services and facilities:

62. The proposal would significantly exceed the policy complaint number of dwellings in a group village and would not be within the existing framework boundary. Therefore an assessment needs to be made in relation to the impact of the development on facilities in Highfields Caldecote and whether this impact is considered to meet the definition of sustainable development.
63. 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.
64. The existing bus service serving the main part of Highfields Caldecote is irregular, with only one morning service to Cambridge and one back in the evening. The service would not be a realistic alternative to the private car for most journeys from the village to settlements with a greater range of services and facilities throughout the rest of the day during the week or at weekends (when there is no service), a point that has been made by a number of the objections received to the application. The morning and evening buses would allow commuting to and from Cambridge however, arriving at Cambridge at 8 am and back to Highfields Caldecote at 18.30 (the no. 2 service).
65. However, the Citi 4 service operates along St. Neots Road, to the north of the village and provides a regular service to and from Cambridge at commuting times and throughout the day during the week and at weekends. At 1.6 km from the site, it is acknowledged that the closest bus stops are beyond what would be considered a reasonable walking distance from the proposed development. However, in deciding a scheme for a similar number of dwellings (55) in Over, the Inspector gave weight to the presence of a regular form of public transport (the Guided Busway in that case) within a similar distance of the site as St. Neots Road is to this site, on the basis that the majority of a journey to Cambridge could be undertaken by a more sustainable mode than the private car.
66. 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....'
67. Over as a village has more facilities (e.g. a GP surgery, a central village shop and a mobile part time post office) than Highfields Caldecote. However, it 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.
68. In determining the appeal for the 140 dwellings on land east of Highfields Road, Caldecote, the Inspector accepted that the relatively limited nature of facilities in the village in terms of shopping and employment would result in reliance of car travel to larger settlements. However, due to the fact that the location of that development was within reasonable walking distance of St. Neots Road, weight was given to the alternative provided by a regular public transport service on the edge of the village, to which access would be improved through footway upgrade works.
69. This site is outside of reasonable walking distance to that regular service and therefore, without further mitigation measures to enhance more sustainable means of transport, it is considered that less weight could be afforded to the sustainability benefit of the alternative means of transport. To address this point, the applicant is proposing the provision of a community transport facility as part of the package of measures to mitigate the impact of the development. Caldecote Parish Council have been involved in discussions about the proposal and management arrangements can be secured through the Section 106 Agreement. The £30,000 contribution to be secured would also include a contribution towards annual maintenance of such a vehicle for a five year

period. This facility would provide an alternative to single occupancy car journeys for residents of the development as well as the wider village, enhancing the environmental sustainability of the scheme.

70. The community transport facility would add to the opportunities for sustainable travel options for residents to access services and facilities as well as employment in larger settlements. Given that this facility would provide a more regular sustainable means of transport to occupants of the development and the wider village, it is considered that the conclusion reached in the Over appeal in relation to the significant weight to be applied to the provision of additional housing in the District also applies in this case. It should be noted that a community transport contribution was not secured as part of the Over appeal.
71. In addition to a contribution to fund this facility, the applicant is also proposing to provide an upgraded cycleway/footway for a length of 250 metres along the section of Highfields Road between 115 b and the St. Neots Road roundabout. This would tie in with the mitigation to be secured in relation to the proposals for 140 and 71 dwellings respectively, referred to previously in this report and would allow residents to make use of the cycle stands adjacent to the east bound bus stop on St. Neots Road (to be secured by the other two proposals, with this scheme making a community transport contribution instead.) These measures would provide a greater incentive to cycle for occupants of the development, as well as existing resident in the village, making the journey to the more regular bus service by a sustainable mode of transport.
72. Cambridgeshire County Council is the Education Authority. This proposal would result in an anticipated 18 children in the early years age bracket, 9 of which would qualify for free provision. Two options have been identified as potential mitigation, with the final option to be pursued dependent upon a decision by the County Council relating to the future of the Children's Centre in the village.
73. If the Children's Centre is to be retained, this could be converted to provide capacity for an additional 52 children. That project would cost £60,000 in total, with the proportionate contribution from this development being £10,386. If the Children's Centre is closed, a new classroom would be provided through an extension to the school building. The total cost of that project would be £500,000 and the proportionate contribution from this development would be £173,079.
74. In relation to primary school provision, this development would give rise to 21 additional pupils within this age bracket. There is currently insufficient capacity at the primary school to accommodate the additional children. The County Council have identified a project which would mitigate the impact of this development, the scheme for 140 dwellings on land east of Highfields Road and the 71 dwellings on land rear of 18-28 Highfields Road (committee resolved to grant that application, subject to the completion of a Section 106 Agreement). The project is an extension to the primary school comprising 4 classrooms to provide an additional 120 places. The total cost of the extension would be £2,590,000 and the proportionate contribution from this development would be approximately £453,243 (final figure dependent upon housing mix which is to be determined at the reserved matters stage).
75. No contributions are considered necessary in relation to secondary school provision as the County Council's forecast data indicate that Comberton Village College has available capacity to accommodate the additional population arising from this development (anticipated 15 children in that age bracket.)
76. In relation to lifelong learning, a figure of £4.08 per the additional residents (approx. 145

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, to increase the stock of books at the existing mobile library. The total contribution from this scheme is approximately £591.60 (depending upon final housing mix.)

77. In terms of health impact, the applicant has submitted an Impact Assessment in this regard. The nearest doctor's surgeries are located in Comberton, the satellite premises of that practice in Little Eversden and in Bourn. NHS England have commented on the planning application and their response indicates that there is currently insufficient space available for doctors within the Comberton Practice and the satellite surgery in Little Eversden, or at Bourn to accommodate the demands of the additional population that would result from this development. As a result, NHS England are requesting a sum of £21,919 to provide an additional 9.53 square metres of floorspace to accommodate the additional 139 anticipated population increase (nb. Different projection to the County Council figures above).
78. Whilst there is limited physical capacity to extend the surgery at Bourn, or the surgery in Comberton, there would be scope to physically extend the satellite facility in Little Eversden. Given the modest nature of the amount of additional floorspace required however, it is considered that this could be achieved through a relatively minor alteration to the internal layout at Bourn as opposed to requiring an increase in the footprint of the building. If, once a specific project is identified by the NHS, it is identified that an external extension is required to provide additional capacity in the area, this could be achieved through an extension to the satellite facility at Little Eversden (approximately 1.5 miles further away from the site). NHS England have indicated in their response that they consider the requested sum to meet the tests for seeking contributions as set out in the NPPF, quoted above.
79. The fact that the developer has agreed to the principle of paying the contributions 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.
80. In addition to the primary school and mobile library service, Caldecote has a social club, a garage with a Spar selling some convenience items, a sports pavilion and a village Hall. Facilities at the recreation ground include an equipped area of play space, a pavilion, 3 adult football pitches, 3 junior football pitches, a cricket pitch, 2 tennis courts and a Multi-use games area.
81. It is acknowledged that the facilities in Highfields Caldecote are relatively limited and the occupants of the proposed development would be required to travel outside of the village to meet basic day to day needs. However, given that the proposal includes the provision of a community transport facility and enhanced cycleway access to the regular bus service to Cambridge along St. Neots Road, it considered that the harm arising from the lack of facilities within walking distance would be mitigated through the enhancement of alternative modes of transport to the private car.
82. As such, the level of social and environmental harm arising from the development would not significantly and demonstrably outweigh the benefits of the scheme within the context of the shortage of housing, including affordable housing, in the District.

Economic sustainability:

83. It is accepted that there are limited opportunities for employment within Highfields

Caldecote and this does weigh against the sustainability of the village. However, the regular public transport service along St. Neots Road and the improved connectivity to that service that would be provided by the community transport facility to be secured as part of the Section 106 Agreement, would enhance connectivity to sources of employment in Cambridge. The mitigation proposed is therefore considered to reduce to a significant extent the weight which should be attached to the limited employment opportunities in the village, as an element of harm arising from this proposal.

84. The provision of up to 58 new dwellings will give rise to employment during the construction phase of the development, and has the potential to result in an increase in the use of local services and facilities, both of which will be of benefit to the local economy and would enhance the economic sustainability of the scheme.
85. Overall, it is acknowledged that the proposals do not accord with policies DP/7 and ST/6 in that the site is outside of the village framework. However, given that the adverse impacts on the capacity of services and facilities of the development can be mitigated and access to alternative means of transport to the private car are to be secured, it is considered that harm arising from the scheme in social sustainability terms would not significantly and demonstrably outweigh the benefits. It is considered that compliance with paragraph 14 of the NPPF should be afforded greater weight than the conflict with Local Plan policy given the inability of the Council to demonstrate a five year supply of housing land.

Density of development and housing mix

86. 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. 3.5 hectares in area). The density equates to approximately 17 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 that the application site is located on the edge of the settlement and the need to incorporate significant landscape 'buffers' to northern, southern and western edges, it is considered that this proposal meets the exception tests of the current and emerging policy with regard to the density of development.
87. The density of the developed area in the indicative layout would be higher than this figure, approximately 32 dwellings per hectare due to the retention of a significant amount of undeveloped space along the southern and western boundaries of the site. Whilst this layout is not fixed, the illustrative masterplan is considered to demonstrate that 58 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. This assessment is based on the consideration that the public open space could be dispersed across the developable area (as opposed to being located in one place, as shown on the indicative masterplan), which would reduce the overall massing of the development. Matters of design and landscape impact are discussed in detail in the following section of the report.
88. 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 (35 units) has not been specified.
89. 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.

90. 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.

Character of the village edge and surrounding landscape

Landscape Impact

91. The application site was assessed as part of the Strategic Housing Land Availability Assessment (SHLAA) which formed part of the evidence supporting the emerging Local Plan (site 010 which proposed a development of 10 or more dwellings.) The SHLAA report highlights the fact that the South Cambridgeshire Village Capacity Study describes the landscape setting of Caldecote as comprising a mix of enclosed farmland, large open arable fields and an airfield. On the western edge of the village, a substantial tree belt and the Bucket Hill Plantation provide visual enclosure from the open fields and disused airfield beyond, and the well treed roads create a soft edge to the village. The report comments that the village has a semi-rural character and is a low density, linear settlement. The report concludes that 'development of this site would have an adverse impact on the townscape and landscape of this area. All nearby development has been built over recent years and is of a suburban nature. The land falls away to the south so development of this site would be visible from views from this orientation.'
92. The Landscape Design Officer (LDO) has not objected to the proposals. The indicative plans demonstrate that the number of units proposed can be accommodated on the site whilst retaining the boundary hedgerows and all tree planting within the site that is considered to be of landscape importance. The LDO concurs with the conclusion of the applicant's visual impact assessment that the effects of the development would be limited to the site and would not adversely affect the character of the village edge or the wider landscape. The LDO considers that the site is relatively contained in visual terms by the existing woodland and hedgerows. There are however views into the site from Grafton Drive to the east and from the recreation ground to the south. From these viewpoints, the open views of undeveloped land which the Capacity Study refers to as being characteristic of the edge of Caldecote, can be appreciated.
93. The LDO is however of the view that any adverse impact can be mitigated, given the low density of the scheme, through careful consideration of the design and layout of the development at the reserved matter stage. Appropriate mitigation measures include the creation of a landscaped entrance to the site which defines the edge of the development with the existing properties on Grafton Drive and ensuring that there are gaps between the plots which allow views through the site to the woodland on the western edge when viewing the development from the eastern edge. These design features would result in a permeability to the development which would retain a sense of long distance views to the landscaped edge provided by the woodland. There should also be a buffer area on the southern edge of the development to soften views of the dwellings from the recreation ground, with the arrangement of plots also allowing views through the site in a north-south direction. It is considered that each of these issues can be addressed at the reserved matters stage.

94. The management of the open space is considered to be important in ensuring the effectiveness of woodland area on the western edge of the development landscape character point of view. The retention of these trees and those on the southern boundary of the site can be secured by condition, as can supplementary landscaping (particularly of the northern boundary) this outline stage. At the density proposed, substantial separation distances can be retained between buildings within the development and the boundaries of the site with adjacent land which has a more open and less developed character.
95. 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).'
96. The SHLAA report did conclude that development of the site would have an adverse impact on the character of the village edge. However, the report does also make reference to the suburban development to the east and north east of the site which already contrasts with the historic linear form of the settlement, a characteristic which must be acknowledged when assessing the extent of any harm arising from this proposed development. Officers consider that, at the density proposed, an adverse impact on the character of the landscape, both in localised and more distant views, could be mitigated. This mitigation would be achieved through the retention of the wooded area in the western portion of the site, the inclusion of landscape buffers to the northern and southern edges, which could be achieved at the density of development proposed and the grading of the density out from the centre, towards the boundaries of the site.
97. Given the context of a lack of five year housing land supply (a situation which has arisen since the completion of the SHLAA process), the test to be applied to any harm arising from a development has become more stringent as this harm must significantly and demonstrably outweigh the benefits, in accordance with the guidance in the NPPF. Given the lack of objection on landscape grounds to this proposal and the guidance in relation to the weight to be given to the housing shortage where harm is identified by the Inspector in the Melbourn appeal, it is considered that refusal of this scheme on the basis of landscape impact could not be substantiated at appeal.
98. In light of the above assessment, it is considered that any harm to the landscape arising from this proposal would not itself outweigh the benefits of providing additional housing (including 40% affordable) and additional community benefits on the edge of a village, including the provision of a community transport facility to improve access to the regular bus service from St. Neots Road into Cambridge.
99. The Design Officer has commented the development would extend significantly west of the existing village envelope. However, no objection is raised to the proposals due to the contained nature of the site and the fact that the low density would allow for a layout that would result in a permeable development, with views through the site retained. There is no objection to the inclusion of 2.5 storey development but this should be

restricted to the core of the development, with the height and density of buildings reduced at the edges of the scheme. These matters can be addressed at the reserved matter stage.

Trees

100. The District Council Tree Officer has raised no objections to the proposals. The application is supported by a comprehensive arboricultural impact assessment and the recommended tree protection measures are considered to be acceptable. There is a need to ensure that the proposals would not adversely impact the woodland immediately to the west of the site, which is the subject of a group Tree Preservation Order. Given the low density of development, it is considered that these trees and all of the planting on the boundaries of the site which are of amenity value could be retained at the point where the layout is to be fixed at the reserved matter stage. Details of tree protection measures should be secured by condition at this outline stage.

Ecology

101. The Ecology Officer has raised no objections to the application, following the receipt of additional information from the applicant in terms of the precautionary measures to be put in place to mitigate the potential impact of the development on Great Crested Newts. The Ecological Assessment submitted with the planning application assesses the impact of the development on protected species.
102. There are no objections to the application in principle and the thorough ecological survey information is welcomed. There are substantial opportunities to enhance habitats at the site including native planting, woodland management and creation of attenuation ponds/drainage basins which also have ecological value. The indicative site layout is acceptable, although hedgerows should be retained and protected outside of garden boundaries in the fixed layout to be determined at the reserved matters stage.
103. A condition can be attached requiring compliance with the mitigation measures listed in the ecology survey submitted with the application and the mitigation measures detailed in the additional information relating to Great Crested Newts. A mitigation strategy relating to the potential impact on badgers and biodiversity enhancements to be secured as part of the development can also be secured by condition at this outline stage.

Highway safety and parking

104. The Local Highway Authority has no objection to the proposed means of access. A condition can be imposed at this outline stage relating to the detailed design of the means of access. A management plan can also be secured by condition, detailing how access to the site by traffic during the construction phase of the development and requiring such vehicles to park and any materials to be stored within the confines of the site, to minimise disruption to neighbouring properties.
105. Further details of the potential impact on the capacity of nearby junctions and the wider highway network has been completed by the applicant. The Local Highway Authority has no objections to the proposals on the basis of this additional information, subject to securing appropriate mitigation.
106. The applicant is also proposing a number of mitigation measures. These include the provision of an upgraded cycleway/footway for a length of 250 metres along the section of Highfields Road, connecting to the site to the St. Neots Road roundabout. This would

tie in with the mitigation to be secured in relation to the proposals for 140 and 71 dwellings respectively, referred to previously in this report.

107. These measures would provide a greater incentive for occupants of the development to make journeys by bicycle and would be in addition to the community transport contribution to be secured to provide a more sustainable means of accessing services and facilities in neighbouring villages, as well as the regular public transport service on St. Neots Road.
108. Given the 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.

Residential amenity

109. The application seeks outline planning permission 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.
110. There are a number of properties on Grafton Drive which face the eastern boundary of the site, with their rear gardens immediately adjacent to the common boundary. However, at the density proposed, it would be possible to retain 25 metres between the rear elevations of those properties where the arrangement involved elevations with habitable rooms facing each other. In addition, there would be sufficient space to ensure that the rear gardens of the plots closes to the common boundary achieved the 15 metre depth recommended in the adopted Design Guide
111. At approximately 32 dwellings per hectare within the developed area, the average plot size of would be approximately 300 square metres in size (although space for the internal roads would need to be deducted from this). This is considered sufficient 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.
112. Due to the oblique relationship and substantial separation distance between the application site and any of the neighbouring properties to the north east of Grafton Drive, it is considered that there would be no adverse impact on the residential amenity of any of those neighbouring properties. It is considered that the indicative layout demonstrates that 58 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.
113. 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.

Surface water and foul water drainage

Surface water drainage

114. 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.
115. The capacity of the surface water attenuation measures on site would ensure that the proposals meet the requirements of the National Planning Policy Framework by not increasing the surface water run off rate beyond the existing greenfield level once the scheme has been developed. Specific details on site levels, existing surface water run off rates, full details of the capacity of attenuation measures, flow control mechanisms and maintenance will be required at the reserved matters stage and can be secured by condition at the outline stage.
116. 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. The Environment Agency has also raised no objection on the basis that this condition is attached to the decision notice.

Waste and Foul water drainage

117. In relation to Wastewater treatment, Anglian Water has confirmed that the foul drainage from this development is in the catchment of Bourn Water Recycling Centre and that the facility does currently have capacity to treat the additional flows resulting from the development.
118. Anglian Water state in their consultation response that the foul drainage network has capacity to take the additional flows that will arise from this development. Officers have had detailed discussions with Anglian Water regarding the drainage situation in Caldecote, in light of the concerns raised by residents and the Parish Council. Anglian Water officers explained that during periods of wet weather the receiving flow often increases, and a storm chamber is used to relieve the pump's workload. A typical storm downpour is handled without any impact to customers or the environment, however, prolonged wet weather periods have proved harder to manage.
119. Bourn pumping station has recently received fresh pumps and Anglian Water confirmed they are working as expected. The station also has a pumping flow meter which allows their teams to monitor performance. Anglian Water officers confirmed that recent concerns and customer complaints in the area have been due to tanker movements and hired diesel pumps through the village. These actions were required because of blockage caused by non-flushable waste in the systems rather than the pump/assets failure.
120. This is an on going issue and is the responsibility of Anglian Water as the owners or the public system, riparian owners and the local community to fully address. It is not for the planning system to duplicate controls or place the onus onto developers to address a wider matter. On the issue of foul water drainage capacity, the Inspector determining the appeal for 140 dwellings east of Highfields Road stated that 'incidents of flooding and breakdown have occurred at the pumping station, leading to smells and noise, but Anglian Water has indicated that the pumping station has the capacity to pump the additional outflow from the proposed development. On the face of the evidence, there is no reason to consider that foul drainage is a reason to dismiss the appeal.'
121. Whilst the issues relating to drainage are noted, given that there is capacity within the network and the issues are connected to maintenance of the network, there are no grounds to refuse the application in this regard that could be successfully defended at

appeal.

122. Anglian Water raises no objection in relation to the drainage of surface water from the site, subject to the details of these measures being secured by condition.

Section 106 contributions

123. In addition to the County Council requirements 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 58 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 involve a scheme which would not meet the Open Space SPD requirement in full through on site provision.
124. In addition to the community transport contribution and highways mitigation measures quoted previously, policy compliant contributions towards off site play space and indoor community facilities are to be secured. A contribution of approximately £62,000 would be secured towards a project encompassing the extension of Caldecote sports pavilion, along with the re-surfacing of the pavilion car park, installation of additional lighting to serve this car park and the installation of outdoor gym equipment at the recreation ground. A contribution of approximately £50,000 towards the provision of older children play equipment offsite in addition to the onsite provision is to be secured through the Section 106 Agreement.
125. 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.
126. In relation to indoor community meeting space, a contribution of approximately £28,000 is to be secured towards the extension of Caldecote Village Hall. The final sum will be dependent upon the housing mix of the development, which is to be determined at the reserved matters stage. This contribution would enhance the standard of community meeting space within the village, accommodating the additional population of the development. The scheme is considered to be CIL compliant as necessary to mitigate the impact of the development and would comply with policy DP/4 (Infrastructure and New Development) of the LDF. As there have been less than 5 pooled contributions made towards this project from previous developments, the contribution is considered to be compliant with the CIL regulations.
127. A sum of £73.50 per dwelling and £150 per flat would be required in relation to household waste receptacles. A summary of all of the contributions and monitoring fees is attached as appendix 1 to this report.

Other matters

Archaeology and Heritage:

128. Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990 requires decision-makers to pay “special regard to the desirability of preserving listed buildings and their setting or any features of special architectural or historic interest which (they)

possesses.”

129. 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”.
130. 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.
131. 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”.
132. 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.
133. The County Council Archaeologist has considered the report submitted by the applicant and considers the findings are thorough, concluding that the risk caused by development in this regard is low. As such, no further investigation is considered to be necessary and no specific mitigation is required.
134. There are no listed buildings within close proximity of the site, the closest being in excess of 1 km to the west of the site, with any views to or from the application site substantially obscured by the intervening woodland. There is also a substantial separation distance (in excess of 2km) between the application site and Bourn conservation area to the south west. Given the substantial separation distances to be retained, it is considered that there would be no adverse harm to the setting of these designated heritage assets arising from the proposed development.

Environmental Health:

135. 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.
136. 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.
137. An assessment of the potential noise generated by traffic accessing and egressing the development and the impact that this may have on the residential amenity of the

occupants of the properties adjacent to the proposed main vehicular access off Grafton Drive has been submitted. Mitigation measures are suggested in the report i.e. the use of insulation to reduce the impact of noise, but more detail is required in relation to the means of ventilation in properties where the windows are likely to be shut at night time. These details can be secured by condition at this outline stage as the impact will only become clearer at the reserved matters stage when the layout is to be fixed.

138. The phase I report submitted with the application highlights the previous use of the land as a pig farm and for waste storage. Given the sensitive nature of the proposed end use, a phase II survey will be required to ensure that the impact of any potential contaminants of the site is fully mitigated. This requirement can be secured by condition at this outline stage.
139. 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.
140. 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.
141. 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.

Cumulative Impact:

142. Officers have considered this proposal alongside the other large scale applications for residential development in Highfields Caldecote where the principle of development relies on the District Council's deficit in five year housing land supply. Those schemes are, land east of Highfields Road (140 units) and land rear of 18-28 Highfields Road (71 units.) Whilst the latter is a site located within the village framework, the number of units clearly far exceeds those permitted under adopted policy.
143. Each planning application has to be assessed in its own merits. Whilst officers realise that all development has the potential to contribute to a cumulative impact, the CIL regulations require that each applicant must only be responsible for mitigating the impact of that specific scheme.
144. Therefore, officers are of the view that only schemes of a size that would attract contributions to increasing education and health provision can be reasonably included in the assessment of cumulative impact. Officers have considered the cumulative impact of the three schemes on the capacity of services and facilities in Caldecote and have worked with consultees to ensure that they have done the same, including in

relation to education provision.

145. The County Council as Education Authority have identified a project to accommodate the additional population of all three developments in relation to pre-school and primary school capacity. This is evidenced by the scale of the identified projects and the proportionate nature of the contributions to be sought from each of the three schemes. Education officers have also confirmed that there is a capacity to accommodate the cumulative population of all three developments at Comberton Village College.
146. In relation to the capacity of health services, whilst a specific scheme is not identified, the amount of space required to mitigate the population increase arising from this proposal amounts to a relatively small proportion of the space required per GP according to the NHS England guidelines. The size of the additional floorspace required suggests that this could be achieved through internal modification. If it was the case that a physical extension to a practice was required, there is space to achieve this at the Little Eversden branch of the Comberton surgery which is not significantly further away (approximately 1.5 miles) from the site than the Bourn surgery.
147. Given this information, it is considered that there is insufficient evidence to substantiate a refusal of this application as part of a cumulative effect on the capacity of social infrastructure that serves Highfields Caldecote.
148. In relation to drainage, it is considered that the information submitted with this application would achieve the requirement not to result in additional surface water on the site once the development has been constructed. This is evidenced by the removal of the LLFRA's initial objection and the lack of objection from Anglian Water to the proposed scheme.
149. In relation to landscape impact, it is considered that this development would be sufficiently separated from the other schemes to avoid cumulative impact in this regard.
150. Following this assessment, officers are content that the sustainability credentials of this proposal have been demonstrated satisfactorily when assessed alongside the other two large scale developments in the village. It is therefore considered that approval of this application is not prejudiced by the outcome of those applications.

Conclusion

151. 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.
152. The proposed development would provide a significant number of dwellings, 40% of which would be affordable. This is a benefit which should be given significant weight in the determination of the planning application. The provision of a community transport contribution is considered to be a significant benefit of the proposals. This facility would ensure that this development along with other parts of the village that are beyond a reasonable walking distance from St. Neots Road would have a more sustainable means of accessing the regular bus service to the north of the village, as opposed to being reliant on the private car. This would be supplemented by an upgraded cycle/footway along Highfields Road to enhance the ability to cycle that distance. The community transport facility would also provide an alternative to the use of the private car for journeys to settlements with greater services, facilities and sources of employment.

153. It is considered that the proposal would not result in a significant adverse impact on the character of the landscape. The proposal would retain a substantial belt of trees along the western boundary and at the density of development proposed, landscape buffers could be retained between the edge of the development and the northern and southern boundaries, thereby softening the transition from the extension to the developed part of the village and the open countryside beyond.
154. The density of the development is considered to be acceptable, with the possibility of breaking up the massing of the developed areas through the creation of smaller areas of open space throughout the scheme. This is a design issue which will need to be resolved at the reserved matters stage. It is considered that the number of units proposed could be achieved in a manner that would preserve the residential amenity of neighbouring properties, through the sensitive positioning of plots adjacent to the eastern boundary of the site, which forms the common boundaries with the properties at the western end of Grafton Drive.
155. 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. However, in the absence of a five year housing land supply, the key issue is the extent of the services and facilities available in and accessible from Highfields Caldecote and whether these have the capacity to accommodate the additional population growth. The relevant consultees consider that the impact on the capacity of education and health services can be accommodated subject to appropriate mitigation, which the applicant has agreed to provide through the Section 106 Agreement.
156. Whilst the limited range of service and facilities is recognised, the provision of a community transport vehicle would improve the connectivity between the southern end of the village and the more regular public transport links to Cambridge, from where the journey time is less than 20 minutes. Within the context of a predominantly rural District, the proximity of Highfields Caldecote to Cambridge and the enhancements that this scheme would make to connectivity ensure that the harm in relation to the lack of services and facilities within the village itself could be adequately mitigated. This conclusion is consistent with the Inspector's observations at Over, where access to employment would have required trips beyond the village and an acknowledgement that a number of these would have been, at least in part, by private car. That scheme did not propose as extensive mitigation as is proposed here to provide an alternative mode of transport.
157. 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. This is consistent with the position taken by the Inspector determining the appeal for the 140 unit scheme on land east of Highfields Road. The decision letter for that case states that, even though the proposals conflicted with LDF policies ST/6, DP/1(a) and DP/7, 'the weight to be attached to the conflict with these policies is reduced because of the ongoing shortfall (in housing numbers.)'
158. It is considered that the scheme includes positive elements which enhance social sustainability. These include:
- the positive contribution of up to 58 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 provision of 23 affordable dwellings on site, making a significant contribution to the identified need in Caldecote (currently 13 people within the village currently on the Housing Register) and the wider District
- significant public open space, including a Local Equipped Area of Play (either provision on site or a financial contribution to enhancing facilities offsite) , in a village which currently has an under provision in this regard.
- The provision of a community transport facility to improve connectivity of the southern end of the village to the more regular bus service to and from Cambridge along St. Neots Road to the north of the village.
- The provision of contributions towards the expansion and improvement of recreation and indoor community space facilities within Caldecote
- Improvements to the footpath/cycleway connection to St. Neots Road. These improvements would all enhance the environmental sustainability of the scheme.

159. 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

160. Officers recommend that the Committee grants planning permission, subject to Section 106 obligations, conditions and informatives as detailed in the main body of the report.

161. As stated in the executive summary, if Members resolve to grant planning permission, the Committee is requested to confirm that the Council will choose not to defend the appeal against non-determination of application ref. S2764/16/OL (of which this application is a duplicate) except where any material changes are introduced to the proposal or where the appellant departs from the terms of the Section 106 as detailed in this report and listed in the matrix at appendix 1 b.

162. If this application is refused, the Committee will need to confirm the reasons for the Council's case in respect of the ongoing appeal.

Section 106 agreement

163. 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 Appendix 1.

Draft conditions

- 164.
- (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) Dust, noise, vibration mitigation strategy
- (h) 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) Details of scheme for improving footway/cycleway along Highfields Road
- (k) Details of noise mitigation measures to be incorporated on plots to be positioned adjacent to the eastern boundary of the site
- (l) Foul water drainage scheme
- (m) Surface water drainage scheme (management and maintenance to be secured through Section 106)
- (n) Sustainable drainage strategy
- (o) Tree Protection measures
- (p) Retention of existing planting on site boundaries
- (q) Compliance with flood risk assessment
- (r) Detailed plans of the construction of the accesses
- (s) Pedestrian visibility splays
- (t) Ecological enhancement and habitat management plan
- (u) Site waste management plan
- (v) Restriction on the hours of power operated machinery and deliveries during construction
- (w) Phasing of construction
- (x) Badger survey to be undertaken and mitigation measures agreed
- (y) Compliance with ecological survey submitted
- (z) External lighting to be agreed
- (aa) Cycle storage
- (bb) Housing mix within market element to be policy compliant
- (cc) Boundary treatments
- (dd) Waste water management plan
- (ee) Construction environment management plan
- (ff) Details of piled foundations
- (gg) Fire hydrant locations
- (hh) Screened storage for refuse
- (ii) Vehicle Charging Infrastructure Strategy

Informatives

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

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/1144/17/OL

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Heads of terms for the completion of a Section 106 agreement

Caldecote – Grafton Drive (S/1144/17/OL)	
South Cambridgeshire District Council (Affordable Housing)	
Affordable housing percentage	40%
Affordable housing tenure	70% affordable rent and 30% Intermediate
Local connection criteria	The first 8 properties should be allocated to those with a local connection to Caldecote and the remaining should be allocated on a 50/50 split basis between applicants with a District wide connection

Section 106 payments summary:

Item	Beneficiary	Estimated sum
Early years	CCC	Either £10,386 or £173,079
Primary School	CCC	£453,243
Libraries and lifelong learning	CCC	£591,60
Sports	SCDC	£62,000 (est)
Children's play	SCDC	£50,000 or £15,000
Indoor community space	SCDC	£28,000 (est)
Household waste bins	SCDC	£73.50 per house and £150 per flat
Monitoring	SCDC	£1,500
Healthcare	SCDC	£21,919
Community Transport	SCDC	£30,000
TOTAL		Between £650k and £820k
TOTAL PER DWELLING		Between £11k and £14k

Section 106 infrastructure summary:

Item	Beneficiary	Summary
Woodland area	SCDC/CPC	Provision and maintenance of a woodland area of at least 0.89 ha
Children's play provision	SCDC/CPC	Woodland play trail (plus offsite contribution) OR a LEAP

Planning condition infrastructure summary:

Item	Beneficiary	Summary
Improving footpath/cycleway along Highfields Road	CCC	Upgrade of 250 metre section of the footway along Highfields Road leading towards the St. Neots Road roundabout

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 18 early years aged children of which 9 children would be eligible for s106 contributions.</p> <p>In terms of early years' capacity, County education officers have confirmed that there is insufficient capacity in the area to accommodate the places being generated by this development.</p> <p>The County Council has identified two options to mitigate the impact of the development. These are as follows:</p> <ul style="list-style-type: none"> • Convert the existing Children's centre into early years accommodation <p>The total cost of this project would be £60,000 and will provide 2 additional early years classrooms. Contributions will be sought on the basis of £60,000/52 = £1,154 per children.</p> <p>Therefore a total contribution of £10,386 would be sought under this option.</p> <ul style="list-style-type: none"> • Build a new pre-school facility in the school site. The total cost of this project would be £500,000 in order to provide one additional classroom. Contributions will be sought on the basis of £19,231 per children (£500,000/26). <p>Therefore a total contribution of £173,079 would be sought under this option.</p> <p>Both options to be included in the s106 and payment will trigger once the decision by Members about the Children Centre is made in the summer.</p>
Quantum	Either £10,386 or £173,079 (est)
Fixed / Tariff	Tariff
Trigger	<p>If the sum of £9,232 then 100% payment at commencement of development</p> <p>If the sum of £173,079 then</p> <p>50% at the later of (a) a notification made by CCC as to which project is to be undertaken and (b) commencement of development</p> <p>50% payable prior to occupation of 29 dwellings</p>
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	One at the time of planning committee (the Highfields Road Gladman development)

Ref	CCC2
Type	Primary School
Policy	DP/4
Required	YES
Detail	According to County Council guidance the development is expected to

	<p>generate a net increase of 13 primary school places.</p> <p>The catchment school is Caldecote Primary School. County education officers have confirmed that there are 20 primary school places available in the year 2020/21.</p> <p>This capacity is to be taken up by the development of 140 dwellings at Highfields, i.e. the Gladman development</p> <p>The County Council request developer contributions to mitigate the impact of the development. The County Council's proposed solution is to expand the primary school with 4 additional classrooms to take the school from school from 1FE/210 to 1.5FE/330 providing 120 additional primary school places.</p> <p>The total cost of the project is currently is £2,590,000 (4Q16). Contributions are sought on the basis of £21,583 per place. Therefore a total contribution of £453,243 (£21,583 x 21 places) is required.</p> <p>Market and shared ownership</p> <p>1 bed - £ 2 bed - £ 3 bed - £ 4 bed - £</p> <p>Affordable rent</p> <p>1 bed - £ 2 bed - £ 3 bed - £ 4 bed - £</p>
Quantum	Circa £453,243 (dependent upon housing mix determined at reserved matters stage)
Fixed / Tariff	Tariff
Trigger	50% of the contribution upon commencement of development 50% payable prior to occupation of 29 dwellings
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	One at the time of planning committee (the Highfields Road Gladman development)

Ref	CCC3
Type	Secondary school
Policy	DP/4
Required	NO
Detail	Comberton Village College has sufficient capacity to accommodate the pupils arising from this development

Ref	CCC4
Type	Libraries and lifelong learning
Policy	DP/4
Required	YES
Detail	The proposed increase in population from this development (71 x 2.22 (average household size) = approximately 145 new residents) will put pressure on the library and lifelong learning service in the village. Therefore a contribution is required.

	<p>Caldecote is served by a mobile library situated at the No 113 Highfield Road. The County Council's proposed solution to mitigating the impact on the libraries and lifelong learning service arising from this site and others in the area would be to enhance the library stock by purchasing additional information and fiction books for adults, including large print books and story CDs, Children's story books, picture books and board books for babies and toddlers, as well books for teenagers.</p> <p>In order to do this, the County Council would require a developer contribution of £4.02 per head of population increase. This figure is based on the MLA Standard Charge Approach for public libraries (Public Libraries, Archives and New Development: A standard Charge Approach (Museums, Libraries and Archives Council, May 2010).</p> <p>Contribution = 145 x £4.02 = £591.60</p>
Quantum	£591.60
Fixed / Tariff	Fixed
Trigger	100% prior to occupation of 36 dwellings
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	One at the time of planning committee (the Highfields Road Gladman development)

Ref	CCC5
Type	Strategic waste
Policy	RECAP WMDG
Required	NO
Detail	Cambridgeshire County Council has already pooled more than 5 contributions towards the local HRC since 6 April 2010.

Ref	CCC7
Type	Transport
Policy	TR/3
Required	NO
Detail	No section 106 contributions have been sought by Cambridgeshire County Council, although works in kind (to be secured via a planning condition) are required

Ref	CCC8
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 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.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Ref	SCDC1
Type	Sport
Policy	SF/10
Required	YES
Detail	<p>The Recreation and Open Space Study 2013, forming part of the Local Plan submission, showed that Caldecote needed 2.75 ha but has 5.67 ha i.e. a surplus of 2.92 ha of Outdoor Sport Provision.</p> <p>This expanding village has been developed and now includes a recreation ground with a purpose built pavilion. A number of high quality pitches and a brand new pavilion have been provided. The village has 2 macadam tennis courts that are not floodlit and the Parish Council has provided an informal MUGA facility for teenagers. The play facilities are of a very good standard and provide for all age groups.</p> <p>In accordance with policies SF/10 and SF/11 the applicant will be required to make a contribution towards the increase in demand for provision of outdoor sports provision to mitigate the impacts of the proposed development. Failure to make provision for outdoor sports space would mean that the development could not be considered sustainable in accordance with the requirements of the NPPF in particular Section 8.0 Promoting Health Communities.</p> <p>Although the village has the relevant level of physical sports space, the pavilion is not of sufficient size to accommodate the needs of residents and as such Caldecote Parish Council have identified the mitigation as being an extension to the pavilion and which will also provide a bigger community meeting room.</p> <p>The estimated cost associated with extending the pavilion is £250,000. A further £40,000 has been identified as needed by the Parish Council to resurface the car park and driveway.</p> <p>The Parish Council would also intend using sports contributions to fund a new outdoor gym.</p> <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>Based on the submitted housing mix the total level contribution necessary is circa £62,000 based on the final housing mix</p> <p>1 bed - £625.73 2 bed - £817.17 3 bed - £1,130.04 4 bed - £1,550.31</p>
Quantum	£62,000
Fixed / Tariff	Tariff
Trigger	To be paid prior to the occupations of 50% dwellings
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	One at the time of planning committee (the Highfields Road Gladman development)

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 Caldecote needed 1.38 ha Children's Play Space whereas the village had 0.16 ha, i.e. a deficit of 1.22 ha of Children's Play Space.</p> <p>Caldecote Parish Plan (2010 – 2015) highlighted the need for recreational amenities for the older youths (over 12 yrs), specific mention was given to a skate-park and / or activity course.</p> <p>Based on the housing mix the development would be required to provide 489 m2 of formal play space and 489 m2 of informal play space.</p> <p>Under policy the development would be required to provide a LEAP to meet the needs of 2-8 year olds and an offsite contribution to meet the needs of 8-14 year olds.</p> <p>The applicant initially proposed the provision of an onsite woodland play trail which will part satisfy the play policy. An offsite contribution of £50,000 would be required to provide more play equipment and facilities for 2-14 year olds and the Parish Council have identified a number of projects including providing new play equipment at Strympole Way, BMX track, Skate park and Wifi enabled youth shelter.</p> <p>The applicant would also like the option of installing a policy compliant LEAP onsite and make an offsite payment of £12,500 as an alternative to providing the woodland play trail and offsite children's play space contribution. The s106 agreement will therefore need to address either scenario</p>
Quantum	<p>Option 1: £50,000 offsite contribution and onsite woodland play trail</p> <p>Option 2: £15,000 offsite contribution and onsite LEAP</p>
Fixed / Tariff	Fixed
Trigger	<p>To be paid prior to the occupations of 20 dwellings</p> <p>Either play area to be laid out prior to the occupations of 20 dwellings</p>
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	One at the time of planning committee (the Highfields Road Gladman development)

Ref	SCDC3
Type	Informal open 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 Caldecote needed 0.69 ha of informal open space and had 1.18 ha meaning a surplus of 0.49 ha.</p> <p>The illustrative layout identifies approx. 0.52 ha of onsite amenity open space is provided for, along with 0.89 ha of informal open space within the woodland to the West of the site. Access to the woodland area and its future maintenance is required to be secured through the section 106 agreement.</p>
Quantum	NONE

Fixed / Tariff	N/A
Trigger	To be laid out prior to occupation of 50% dwellings
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	N/A

Ref	SCDC4
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>Based on the submitted housing mix an area of circa 18 m2 is required.</p> <p>Caldecote is served by Caldecote Village Hall which is a good quality facility built in 1998 as part of a wider residential development in the village, which has been well maintained and is in good order throughout. Features a separate meeting room, although storage space is limited. The facility shows evidence of good levels of usage.</p> <p>Caldecote Village Institute limited seeks to extend the hall and related service areas to cater for increased attendance / seated from 96 to circa 140. In so doing, this would include a stage and service/ meeting areas to allow larger provision of facilities including entertainment and drama facilities. This will create a fairly major undertaking. The extension will overall provide an extra 169 m2 of indoor meeting space. The project is anticipated to cost in the region of £265,000 and the Institute already has £100,000 to put towards this extension. With the money from this and any subsequent applications in the village the full works could be delivered addressing the deficiency in indoor community space provision. Plans and Budget Cost Proposals have been provided to Council officers.</p> <p>The contribution required as per the indoor community space policy is circa £28,000 based on the final housing mix</p> <p>1 bed – £284.08 2 bed – £371.00 3 bed – £513.04 4 bed – £703.84</p>
Quantum	£28,000

Fixed / Tariff	Tariff
Trigger	To be paid prior to the occupations of 50% dwellings
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	One at the time of planning committee (the Highfields Road Gladman development)

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

Ref	SCDC6
Type	S106 Monitoring
Policy	Portfolio Holder approved policy
Required	YES
Detail	To monitor section 106 triggers in relation to onsite infrastructure
Quantum	£1,000
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	Open Space SPD Jan 2009
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</p>

	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
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OTHER OBLIGATIONS

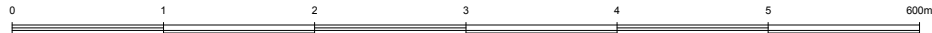
Ref	OTHER 1																																	
Type	Health																																	
Policy	DP/4																																	
Required	YES																																	
Detail	<p>The existing GP practices do not have capacity to accommodate the additional growth resulting from the proposed development. The development could generate approximately 170 residents and subsequently increase demand upon existing constrained services.</p> <p>The primary healthcare service directly impacted by the proposed development and the current capacity position is shown in Table 1 below.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Premises</th> <th>Weighted list size ¹</th> <th>NIA (m2) ²</th> <th>Capacity ³</th> <th>Spare capacity (NIA m2) ⁴</th> </tr> </thead> <tbody> <tr> <td>Comberton Surgery (including its branch Little Eversden)</td> <td>9,226</td> <td>389.70</td> <td>5,683</td> <td>-242.94</td> </tr> <tr> <td>Bourn Surgery</td> <td>5,791</td> <td>294.90</td> <td>4,301</td> <td>-102.20</td> </tr> <tr> <td>Total</td> <td>15,017</td> <td>684.60</td> <td>9,984</td> <td>-345.14</td> </tr> </tbody> </table> <p>Notes:</p> <ol style="list-style-type: none"> 1. The weighted list size of the GP Practice based on the Carr-Hill formula, this figure more accurately reflects the need of a practice in terms of resource and space and may be slightly lower or higher than the actual patient list. 2. Current Net Internal Area occupied by the Practice 3. Patient Capacity based on the Existing NIA of the Practice 4. Based on existing weighted list size <p>The development would have an impact on primary healthcare provision in the area and its implications, if unmitigated, would be unsustainable. The proposed development must therefore, in order to be considered under the 'presumption in favour of sustainable development' advocated in the National Planning Policy Framework, provide appropriate levels of mitigation.</p> <p>Table 2 below provides the Capital Cost Calculation of additional primary healthcare services arising from the development proposal.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Premises</th> <th>Additional pop growth ⁵</th> <th>Additional floorspace required ⁶</th> <th>Spare capacity (NIA) ⁷</th> <th>Capital required to create additional floorspace ⁸</th> </tr> </thead> <tbody> <tr> <td>Additional</td> <td>139</td> <td>9.53</td> <td>242.94</td> <td>£21,919</td> </tr> </tbody> </table>				Premises	Weighted list size ¹	NIA (m2) ²	Capacity ³	Spare capacity (NIA m2) ⁴	Comberton Surgery (including its branch Little Eversden)	9,226	389.70	5,683	-242.94	Bourn Surgery	5,791	294.90	4,301	-102.20	Total	15,017	684.60	9,984	-345.14	Premises	Additional pop growth ⁵	Additional floorspace required ⁶	Spare capacity (NIA) ⁷	Capital required to create additional floorspace ⁸	Additional	139	9.53	242.94	£21,919
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	capacity				
	Total	139	9.53	242.94	£21,919
	<p>5. Calculated using the South Cambridgeshire District average household size of 2.4 taken from the 2011 Census: Rooms, bedrooms and central heating, local authorities in England and Wales (rounded to the nearest whole number). Calculated using an average of 1.5 residents per extra care apartment.</p> <p>6. Based on 120m² per GP (with an optimal list size of 1750 patients) as set out in the NHSE approved business case incorporating DH guidance within "Health Building Note 11-01: facilities for Primary and Community Care Services"</p> <p>7. Existing capacity within premises as shown in Table 1</p> <p>8. Based on standard m² cost multiplier for primary healthcare in the East Anglia Region from the BCIS Q1 2014 price Index, adjusted for professional fees, fit out and contingencies budget (£2,300/m²), rounded to nearest £100.</p> <p>A developer contribution will be required to mitigate the impacts of this proposal. NHS England calculates the level of contribution required, in this instance to be £26,818.</p> <p>Based on the recent Gladman appeal it is expected that NHS England would look to allocate this funding to the expansion of Little Eversden Surgery (which is a branch of Comberton Surgery)</p>				
Quantum	£21,919				
Fixed / Tariff	Fixed				
Trigger	100% prior to occupation of 50% dwellings				
Officer agreed	YES				
Applicant agreed	YES				
Number Pooled obligations	One at the time of planning committee (the Highfields Rod Gladman development) although this will eventually be the last of the 5 contributions allowable for the project (i.e. there are 3 other planning obligations in draft form securing contributions for this project)				

Ref	OTHER2
Type	Community transport scheme
Policy	DP/4, TR/3 and NPPF
Required	YES
Detail	<p>Caldecote Parish Council has expressed concerns about the connectivity of the village generally to amenities and facilities. This development is the third of 3 in the village and where the previous 2 applications (Cala Homes and Gladman) are required to improve existing foot and cycle paths to the A428.</p> <p>The village is served by the Caldecote, Dry Drayton & Hardwick Community Car Scheme which serves the villages of Caldecote, Dry Drayton, Hardwick & Childerley for medical and social journeys.</p> <p>The Council has recently secured £65,000 from 2 developments in Hardwick and Hardwick Parish Council is currently working up a Community Bus Initiative.</p> <p>There are a number of different opportunities here.</p> <p>Firstly a contribution of £30,000 would finance the purchase of a vehicles which thereafter would need to be self sufficient.</p> <p>Alternatively a contribution of £30,000 could be used as a source of</p>

	<p>revenue funding to tap in to existing community transport initiatives in the area.</p> <p>The development is likely to take a number of years to be built out allowing time to consider the most effective solution for the village and get the service ready for when people move in.</p>
Quantum	£30,000
Fixed / Tariff	Tariff
Trigger	TBA
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

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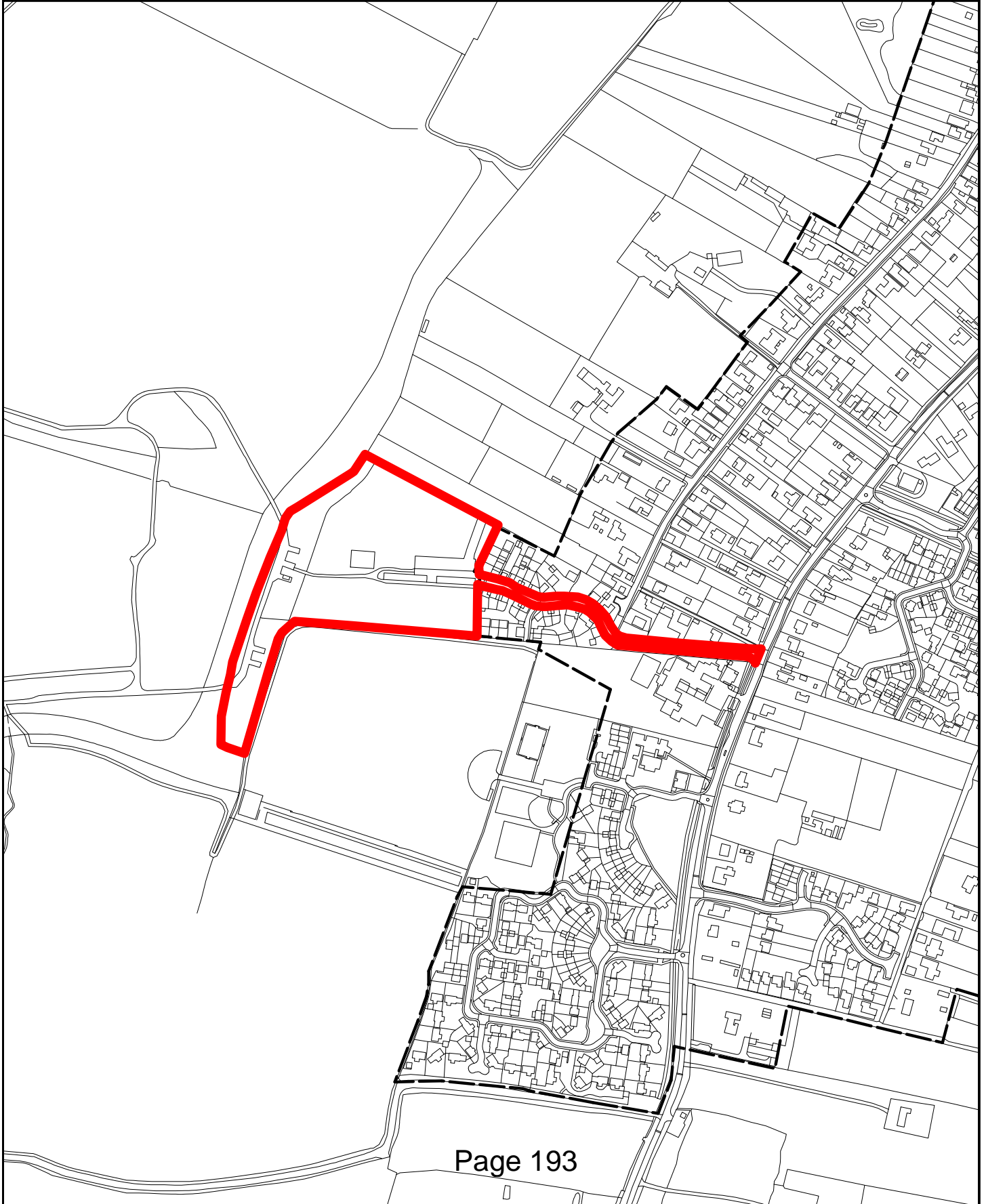
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Date of plot: 14/06/2017



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Cambridgeshire
District Council**

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