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26 September 2017

To: Chairman – Councillor Pippa Corney
Vice-Chairman – Councillor David Bard
All Members of the Planning Committee - Councillors 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, 4 OCTOBER 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**
To receive apologies for absence from committee members.
2. **Declarations of Interest**
 1. **Disclosable pecuniary interests ("DPI")**
A DPI is where a committee member or his/her spouse or partner has any kind of beneficial interest in the land under

consideration at the meeting.

2. Non-disclosable pecuniary interests

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

3. Non-pecuniary interests

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

3. Minutes of Previous Meeting

To authorise the Chairman to sign the Minutes of the meeting held on 6 September 2017 as a correct record.

To Follow

To follow

PLANNING APPLICATIONS AND OTHER DECISION ITEMS

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

4. S/2407/17/DC - Longstanton (Northstowe Phase 2)

1 - 12

Discharge of condition no.9 (Design Code) of planning permission S/2011/14/OL - Design code for phase 2 of Northstowe .

Appendices B, C and D are available online by visiting www.scams.gov.uk > The Council > Councillors, Minutes and agendas, and browse.

5. S/2790/17/FL - Great Eversden (28 High Street)

13 - 18

Side and Rear Two Storey Extension

6. S/2383/17/FL - Over (Site adjacent Longstanton Road)

19 - 56

The erection of 26 dwellings, (including 10 affordable units), together with ancillary access arrangements and landscaping

7. S/3543/16/FL - Great Abington (Land To South of Linton Road)

57 - 96

Full application for 45 dwellings, community orchard and children's play area

MONITORING REPORTS

8. Enforcement Report

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9. Appeals against Planning Decisions and Enforcement Action

To Follow

Report to follow

OUR LONG-TERM VISION

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

OUR VALUES

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

- Working Together
- Integrity
- Dynamism
- Innovation

GUIDANCE NOTES FOR VISITORS TO SOUTH CAMBRIDGESHIRE HALL

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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 4

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 4 October 2017
AUTHOR/S: Joint Director for Planning and Economic Development

Application Number: S/2407/17/DC

Parish(es): Longstanton and Oakington

Proposal: Discharge of Condition 9 (Design Code) pursuant to Planning Permission S/2011/14/OL: Outline planning permission for phase 2 of Northstowe with details of appearance, landscaping, layout, scale and access reserved (save for the matters submitted in respect of the Southern Access Road (West)) comprising:
1) development of the main Phase 2 development area for up to 3,500 dwellings, two primary schools, secondary school, town centre including employment uses, formal and informal recreational space and landscaped areas, eastern sports hub, remainder of the western sports hub (to complete the provision delivered at Phase 1), busway, a primary road to link to the southern access, construction haul route, engineering and infrastructure works; and
2) construction of a highway link (Southern Access Road (West)) between the proposed new town of Northstowe and the B1050, improvements to the B1050, and associated landscaping and drainage.

Site address: Land to the East of B1050 and Longstanton, West of the Cambridgeshire Guided Busway (CGB) and North of Oakington

Applicant(s): Homes and Communities Agency (HCA)

Recommendation: Approve

Key material considerations: Design, Residential Amenity (including Noise, Air Quality, Odour and Visual Impacts), Transport and Traffic, Sustainability, Ecology and Landscape.

Committee Site Visit: Not required

Presenting Officer: James Stone, Principal Planning Officer

Application brought to Committee because: The Code is of strategic significance in guiding the second phase of Northstowe.

Date on which application received: 6 July 2017

Executive Summary

1. The Design Code for Northstowe is a comprehensive technical document that will provide developers, architects and designers a framework for establishing key design led principles for the new town of Northstowe. The submitted document, as amended, sets out both strategic level town wide principles and, in more detail, the requirements for the design of the built and landscaped areas within the phase 2 application site itself. The production of the Design Code has been a collaborative process, prepared by the HCA as the promoters for the second phase of Northstowe, with dialogue and comment from the authorities South Cambridgeshire District and Cambridgeshire County Council's with the Phase 1 master developer (Gallagher), the public, and the Cambridgeshire Quality Panel.
2. The Design Code is set out in four parts:
 - a. Part 1 provides an introduction to the document, its context and vision for Northstowe
 - b. Part 2 sets out the town wide coding that will apply across all phases of development
 - c. Part 3 considers the characteristics of the various character areas
 - d. Part 4 focuses on other detailed design aspects of the Phase 2 site.

Planning History

3. On 9 January 2017 Outline planning permission was granted for phase 2 of Northstowe with details of appearance, landscaping, layout, scale and access reserved (save for the matters submitted in respect of the Southern Access Road (West)) comprising: 1) development of the main Phase 2 development area for up to 3,500 dwellings, two primary schools, secondary school, town centre including employment uses, formal and informal recreational space and landscaped areas, eastern sports hub, remainder of the western sports hub (to complete the provision delivered at Phase 1), busway, a primary road to link to the southern access, construction haul route, engineering and infrastructure works; and 2) construction of a highway link (Southern Access Road (West)) between the proposed new town of Northstowe and the B1050, improvements to the B1050, and associated landscaping and drainage.
4. A non material amendment to the Parameter Plans was approved on 10 August 2017 under ref: S/2435/17/NM. Their amendment involved the following:
 - Reconfigured Education Campus boundary;
 - Relocated and additional swales;
 - Amendments to greenways to allow the provision of village greens;
 - Provision of new and amended green spaces including two neighbourhood village greens;
 - Relocated LEAP and NEAP;
 - New and amended pedestrian and cycle routes to improve permeability across the site;
 - Slightly reduced residential densities to west of the site;
 - Slight realignment of the Southern Access Road West in response to a Stage 1 Road Safety Audit (PSA)

5. National Policy

National Planning Policy Framework – March 2012
Planning Practice Guidance – November 2016

Local Policy

South Cambridgeshire Core Strategy DPD - January 2007
South Cambridgeshire Development Control Policies DPD – July 2007
Northstowe Area Action Plan – July 2007
Northstowe Development Framework Document – August 2012
Northstowe Development Framework Document Addendum - October 2012
Design Codes for Strategic Development Sites within Cambridge Fringe Areas and Northstowe – Approved 28th November 2012
South Cambridgeshire District Council Emerging Local Plan – July 2013

Consultation Responses

6. See Appendix B for summary of consultation responses. See Appendix C for Quality Panel response.

Representations from members of the public

7. Not applicable.

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

8. Not Applicable

Officer Report

Introduction – Policy & Material Considerations:

9. Officers consider Design Codes as essential to ensure quality and consistency of development across large development sites. They have been applied successfully in the district such as at Northstowe Phase 1, Trumpington Meadows and the NW Cambridge site. At Northstowe where the site will be built in phases with different delivery arrangements and over a long time, the framework provided by a Design Code is essential. It must strike the balance between providing accurate and useful design guidance whilst permitting innovation and flexibility between architects and designers and over the long build-out period.
10. Members have approved the use of a design code for Northstowe and the process surrounding the production and timeframe of design codes through approving the Design Codes for Strategic Development Sites within Cambridge Fringe Areas and Northstowe document approved by the Northstowe Joint Development Control committee (NJDCC) on the 28th November 2012.
11. Paragraph 59 of the National Planning Policy Framework 2012 states:
Local planning authorities should consider using design codes where they could help deliver high quality outcomes. However, design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.

12. The Planning Practice Guidance notes that in order to promote speed of implementation, avoid stifling responsible innovation and provide flexibility, design codes should wherever possible avoid overly prescriptive detail and encourage sense of place and variety.
13. In addition to the national policy, the Northstowe Area Action Plan (NAAP, July 2007) requires as part of policy NS/2 (b) that Design Guides/ Design Codes for each phase of development will be prepared as part of applications for the grant of approval of reserved matters. The national and local policies therefore both support and require the inclusion of a Design Code for Northstowe.
14. Policy NS/2 requires a design code to be in place early on to form part of the Reserved Matters approval process. Accordingly, Condition 9 of the outline planning permission (S/2011/14/OL) requires: *'Prior to or concurrent with the submission of the first of the reserved matters applications for the development, but excluding enabling works and earthworks for the Campus Site (as described in the S106), a Phase 2 Design Code shall be submitted to and approved in writing by the Local Planning Authority.'* To satisfy the requirements of the condition therefore, the design code is required to be approved prior to the commencement of works on site apart from enabling works and earthworks associated with the Education Campus Site. Officers consider that this early introduction of the design code is beneficial to the development of Northstowe as a town. The early development of the code ensures that both the principles and the details are bound together from the outset to ensure an overall approach to development based on sound design principles. This has been achieved by embedding the concept of the design code at every level of the planning policy and decision making framework ensuring it becomes an essential part of the future place making.
15. In addition to the Condition imposed under permission S/2011/14/OL, a number of other documents are relevant to the development of the design Code. The Northstowe Development Framework Document (August 2012) sets out guiding principles for Northstowe which have been carried through into the development of the design code and therefore ensuring their consideration at the detailed design stage. The Design and Access Statement (August 2014) submitted as part of the outline planning application in accordance with district council guidance. The Design and Access Statement explains key place making principles for Northstowe which have been evolved and embedded within the Design code. Finally, the approved 'Northstowe Phase 1 – Design Code (April 2014)' by Terence O'Rourke has been taken into account when preparing the Code for Phase 2 to ensure continuity across the two phases given that they will both form part of the same town.
16. Planning policy at a national level advises authorities to 'front load' the discharge of condition process and undertake a significant amount of consultation during the pre-application phase. In light of this, over 18 months of pre-application and consultation work has taken place on the design code document. Officers are therefore satisfied that the document presented to Members is well considered and has developed with significant input from the relevant technical and community groups including the Quality Panel. The details of the consultation process are outlined further in the section below:

Introduction: Consultation and Development of the Code

17. Following resolution to grant of the Outline Planning Permission for Northstowe Phase 2 (July 2015) the HCA appointed a design team, led by Tibbalds Planning and Urban Design, to prepare the Design Code for Northstowe Phase 2 in December 2015. As the HCA's objective is to deliver the first homes on Phase 2 from March 2019 the work on the design code was initiated prior to receiving the planning consent in January 2017. It is expected that Condition 9 of the planning consent will be the first to be discharged in order to progress reserved matter applications for infrastructure and residential development. The triggers set out in planning conditions on the Phase 2 outline approval require the Design Code to be submitted prior to or concurrent with submission of the first reserved matters application. The Town Centre Strategy is only required to be approved prior to occupation of the first dwelling. For this reason the Design Code is being prepared in advance of the Town Centre Strategy. Appendix D lists the consultation events held to help develop the Code.
18. The Urban Design Officer at SCDC was involved in writing the brief for a design code, on which basis Tibbalds were appointed. The work on the design code started in February 2016 with an initial workshop with officers from South Cambridgeshire District Council (SCDC) and Cambridgeshire County Council (CCC).
19. From the outset the HCA had made a commitment to engage and consult stakeholders and the public on the Design Code as it was being prepared. Consultation included meetings with officers from SCDC and CCC, members of both councils, members of the Parish Councils, specific interest groups and residents of Longstanton and Oakington.

The Cambridgeshire Quality Panel and meetings with SCDC officers:

20. The Cambridgeshire Quality Panel (CQP) reviewed the code on two separate occasions. At the initial meeting (May 2016) feedback focused on the relationship between the Design Code and the Town Centre Strategy. The order of these strategic documents is guided by planning conditions with the latter not being required until later in the development process. However, the HCA has taken feedback on board and is progressing the Town Centre Strategy in advance of the required trigger. Additional, feedback from the CQP included comments on the level of prescriptiveness vs flexibility, the code's clarity and the movement structure. These comments were taken on board during the development of the code.
21. Detailed commentary from SCDC was also fed back to the HCA principally relating to the ease of navigation through document, length of the document, need to articulate a strong vision, need for a Town Centre Strategy, clarity of mandatory and discretionary elements, the number of character areas and robustness of the block sizes in particular the mews quarter. Following further discussions the code was amended in April 2017 and presented to the Quality Panel in May 2017. The amended document had addressed a number of points previously raised – there was a stronger emphasis on mandatory elements, the character areas were reduced in number and the document had included tables to improve the readability of the document and a materials palette and building details. Additional text was also provided which clarified that any development must be in line with both higher level Design Code requirements and the more detailed requirement of what will be a Town Centre Strategy. It should be noted that whilst the Design Code is being prepared in advance of the Town Centre Strategy substantial thought has been given to the character, design and phasing of the town centre. This thinking and testing has been incorporated within the code and will be supplemented in the Town Centre Strategy.

22. At the second review (May 2017) the panel had an opportunity to review the code on the example of the town centre section as well as a particular character area. Apart from the request to be consulted on the emerging Town Centre Strategy comments focused around the quality of public realm, the use of shared spaces and innovative street design as well as the overall length of the document. The comments from the CQP have informed the final document.

Consultation with local residents, interest groups and elected members:

23. There have been two rounds of public consultation undertaken by the HCA on the design code during its development. Initial consultation during May/June 2016 focused on issues and principles and a second round of consultation April/May 2017 gave all parties an opportunity to comment on the detail of the design code prior to formal submission. The local community, elected Members and interest groups, such as representatives from the cycling lobby had the opportunity to provide their views on the emerging code as well as the final draft document through a number of meetings, two exhibitions and presentations to the Northstowe Community Forum and online platform. During May / June 2016 a dedicated website was available for a four week period. As part of these engagement events, all SCDC Members were sent specific invitations to attend a pre-view of the emerging design code on the 20 May 2016 and relevant CCC Members and Parish Councillors were also invited to attend.
24. A workshop session was held with the Northstowe Community Working Group on 21 May 2016, which was part of a public consultation drop-in event at Longstanton Village Institute. During the consultation on the emerging code, the website was visited by 312 visitors and 239 comments were received. Of these only a small number (15 comments) were negative. These related mostly to the vision being too urban and dense as well as the design requirements of the open spaces, including the Town Park, Rampton Drift edges and Paddocks Park. Apart from the few negative comments, the feedback received from the exhibition and the website was either favourable or neutral (224 comments).
25. Feedback was used to improve the content of the Phase 2 Design Code and a draft document was produced for consultation in April/May 2017. The consultation on the final draft design code received only very few comments (9 comments); these primarily related to highway matters, ecology, health and the suitability of allotments within Paddocks Parkland. In response to the community concerns, the allotments have been moved to a different location. A briefing was provided at SCDC's Planning Committee on 10 May 2017. On 24th July 2017 the HCA attended the parish planning meeting to present the final document and answer questions and clarifications.
26. Design Code Testing;
On the 17th May 2017 the HCA organised and facilitated a code testing workshop. This included representatives from SCDC, the County Council, three different architectural practices, Tibbalds and the HCA. The code was found to contain a good balance of requirements in relation to important design considerations and flexibility to allow innovation. This session allowed the robustness of some of the blocks and infrastructure arrangements to be tested. The feedback from the session influenced the final design code document in regard to block width, definition of frontages and clarity of requirements. The County Council emphasised at the workshop that certain aspects of the Code may not be adoptable and so additional text has been added to the Code to highlight the few areas where management companies may have to be set up by developers.

Summary of the Submitted Design Code – Introduction

27. The design code aims not to be prescriptive, but rather to focus on providing guidance to enable developers to formulate their own approach within clearly defined boundaries. This is in accordance with National Planning Policy.
28. The design code document is set out in four parts. The document structure reflects its application to Northstowe, with Parts 1 and 2 being town wide and establishing the overall design approach for the primary town wide features, Parts 3 focusing on each specific character area whilst Part 4 provides guidance on detailed aspects of the Code. A Summary of each of the four sections is provided below:

Part 1

29. The first section of the Code sets the vision for Northstowe Phase 2 and provides some context to help explain how the vision was derived. There is also an explanation as to the purpose and status of the Design Code document to help future users understand the weight that should be given to the guidance it provides. This part of the document looks at the town wide vision and explains that the Code aims to provide a town that is both rich in character and locally distinctive whilst also providing excellent legibility and adaptability.

Part 2

30. The approved Parameter Plans for Northstowe Phase 2 set the basic framework and restrictions for the second phase of the town. This part of the Design Code provides a more detailed framework that expands upon the approved Parameter Plans and sets mandatory requirements for securing quality and character. It is important to note that the guidelines set out in this section should be applied flexibly. For example, privacy for occupiers of urban dwellings may be provided by the design of window types rather than by traditional back to back distances. The site wide requirements of Part 2 provide the detail for ensuring the quality and vision outlined in Part 1 and in the supporting documents of the outline planning permission. Part 2 divides the town into seven different character areas, each of which has been designed to provide distinctive characteristics that relate to local conditions.
31. This part of the design code also establishes the hierarchy of movement corridors, which are intended to provide a comprehensive network of legible routes. The main routes are the dedicated busway spine for the town and the primary streets all of which will have associated dedicated cycle routes. Guidance is also provided for lesser streets namely secondary streets, tertiary streets and private drives. Part 2 also provides guidance on landscape and open space with the underpinning approach to the landscape features being to unify and unite, whilst being diverse and ecologically rich. The key landscape features are the green buffer zones to Longstanton, to form a “buffer” between the existing and the new settlements; the creation of a new town park in the centre and a water park alongside the Cambridgeshire Guided Busway that will contain the surface water attenuation lakes for Northstowe; and the greenways which provide links across Phase 2.

Part 3

32. The third part of the Design Code focuses on the seven Character Areas. It is important that Northstowe contains a variety of different areas to help people understand where they are and to aid legibility. The Design Code will ensure that variation is provided by the Character Areas whilst at the same time ensuring a coherent town-wide structure. The creation of the Character Areas has been informed by a variety of factors including existing features on site (e.g. hedgerows and Rampton Drift) and examples of successful developments from the local area. The third part provides a summary table at the end of each of the seven Character Area sections to help define what each area must achieve.

Part 4

33. The final section of the Design Code provides details of the specific facets of creating a place including cycle and car parking standards, the lighting strategy and the biodiversity strategy. Concerns have been expressed by Longstanton Parish Council with regard to the amount of parking provision. It should be noted that condition 53 of the Phase 2 outline permission requires an average of 1.75 car parking spaces per dwelling. The Design Code reasserts the required average across Phase 2 but a table illustrating how this average could be broken down across dwelling sizes has been removed to allow developers to address car parking on a parcel by parcel basis.

Recommendation

34. Members are recommended to approve the Discharge of Condition 9 (Design Code) of S/2011/14/OL

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.

- Planning File Ref: S/2407/17/DC
- Appendix A: Condition 9 of S/2011/14/OL.
- Appendix B: Summary of consultation and neighbour responses.
- Appendix C: Quality Panel response.
- Appendix D: List of consultation events held to help develop the Code.

Report Author: James Stone – Principal Planning Officer, South Cambridgeshire District Council
Telephone: (01954) 712

Condition 9 of S/2011/14/OL

9. Design Code Condition

Prior to or concurrent with the submission of the first of the reserved matters applications for the development, but excluding enabling works and earthworks for the Campus Site (as described in the S106), a Phase 2 Design Code shall be submitted to and approved in writing by the Local Planning Authority.

The Design Code shall include 'Detailed Design Elements', generally in accordance with the approved Town Wide Design Code. The Design Code shall address all pertinent matters associated with the following subject areas:

- a. The overall vision and character of the development and its setting;
- b. The creation of character areas and neighbourhoods addressing the principles of the mix of uses;
- c. The conceptual design and approach to all public realm areas, including enclosure, natural surveillance, public art, materials, street furniture and signage, sustainable drainage, the incorporation of utilities and landscaping for all public spaces;
- d. The principles of the street and public spaces hierarchy to address movement and permeability mobility and visually impaired users and traffic calming measures and making reference to the phasing of land parcels;
- e. The establishment of an approach to development parcel boundaries that ensures consistency of design on either side of primary streets and the dedicated busway, or around other primary public realm areas, is provided. This shall include an approach to making land parcels available for self-build and custom build developments;
- f. The design of the transport network hierarchy, streets, cycle routes, footpaths and public spaces, providing typical street cross-sections, which shall establish approaches to tree planting and tree species, underground utility/service trench routes type and specification, and on street parking, all including typical construction design details in accordance with Cambridgeshire County Council Highways requirements for the adoption of highways;
- g. The principles and structure of the blocks addressing key groupings or individual buildings, building form, massing, heights, scale and legibility, building typologies, density and use. This shall include the design principles addressing primary frontages, fronts and backs, pedestrian and vehicular access points, on plot car and cycle parking, threshold definition and surveillance of public realm areas, building materials and performance standards and design features;
- h. Approach to incorporation of ancillary infrastructure/buildings such as substations, pumping stations, waste and recycling provision for all building types. Approach to the provision of electric vehicle charging points/infrastructure, pipes, flues, vents, meter boxes, external letterboxes, fibres, wires and cables required by statutory undertakers as part of building design;
- i. Details of the approach to vehicular parking across the primary development site including the amount of parking, location and layout of parking, and parking for people with disabilities;
- j. Details of the approach to cycle parking for all uses, including the distribution

(resident/visitor parking and location in the development), type of rack, spacing and any secure or non-secure structures associated with the storage of cycles, and allowing for 1 cycle space per bedroom;

k. A landscape strategy describing the design principles, character, treatment and organization of strategic green spaces including play spaces and the public realm. It will show how the landscape will function and how the various open spaces and landscape elements will be coordinated. The strategy shall also include examples of landscape typologies and a palate of materials showing typical hard and soft landscaping details for the strategic greenspaces and the public realm.

l. The approach to the lighting strategy and how this will be applied to different areas of the development with different lighting needs, so as to maximise energy efficiency, minimise light pollution and avoid street clutter;

m. Measures to demonstrate how the design can maximise resource efficiency and climate change adaptation through external, passive means, such as landscaping, orientation, massing, and external building features;

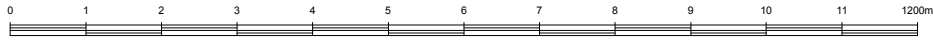
n. Details of measures to minimise opportunities for crime;

o. Measures to preserve and enhance the Longstanton Conservation Area;

p. Details of the Design Code review procedure and of circumstances where a review shall be implemented

The Design Code shall explain its purpose, structure and status and set out the mandatory and discretionary elements where the Design Code will apply, who shall use the Design code, and how to use the Design Code. All subsequent reserved matter applications shall accord with the details of the approved design code, and be accompanied by a statement which demonstrates compliance with the code.

REASON: To ensure high quality design and coordinated development in accordance with Policy NS/1 the Vision for Northstowe, NS/2 Development Principles, NS/12 Landscape Principles, NS/14 Landscaping within Northstowe of the Northstowe Area Action Plan, 2007 and to facilitate continuity through cumulative phases of development in accordance with Policy DP/5 of the South Cambridgeshire Development Control Policies Document, Local Development Framework, 2007.



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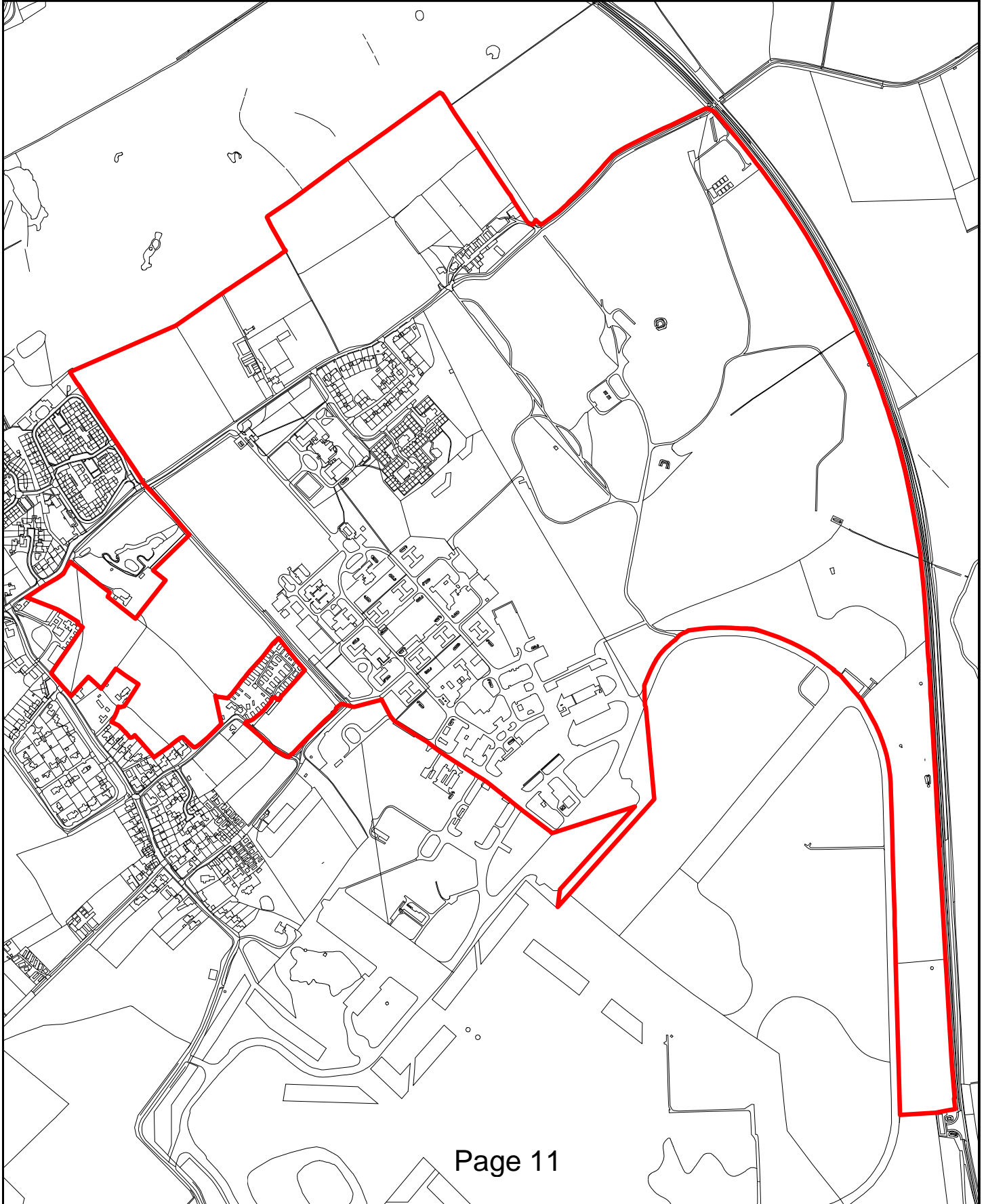
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Agenda Item 5

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 4 October 2017
AUTHOR/S: Joint Director for Planning and Economic Development

Application Number: S/2790/17/FL
Parish(es): Eversdens Parish Council
Proposal: Side and rear two storey extension
Site address: 28 High Street, Great Eversden, Cambridge, Cambridgeshire CB23 1HN
Applicant(s): Mr G. Bell
Recommendation: Approval
Key material considerations: Impact on the Green Belt, residential amenity and visual impact
Committee Site Visit: None
Departure Application: No
Presenting Officer: Rachael Forbes, Planning Officer
Application brought to Committee because: The applicant is an employee of South Cambridgeshire District Council
Date by which decision due: 28th September 2017 (an extension of time to 5th October 2017 has been requested)

Planning History

1. S/0743/98/F – Extension – approved

Planning Policies

2. National Planning Policy Framework 2012 (NPPF)
Planning Practice Guidance
3. **South Cambridgeshire LDF Development Control Policies DPD, 2007:**

DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/7 Development Frameworks
GB/3 Mitigating the Impact of Development Adjoining the Green Belt
TR/2 Car Parking Standards

4. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
District Design Guide SPD - Adopted March 2010

5. **South Cambridgeshire Local Plan Submission - March 2014**

HQ/1 Design Principles

NH/8 Mitigating the Impact of Development In and Adjoining the Green Belt

S/4 Cambridge Green Belt

S/7 Development Frameworks

Consultation

6. Eversdens Parish Council supports the application

Representations

7. None received

Planning Assessment

8. Impact on the Green Belt:

The application site is situated within the Development Framework and is adjacent to the Green Belt, which runs along the north west boundary and to the rear of the garden. There is a gap between the application site and the neighbouring property, 30 High Street (which is situated in the Green Belt) which has views of the rear gardens of both properties but not direct views of the Green Belt, as the garden at 28 High Street is substantial. Although the proposed extension would lessen the gap between the two properties, a gap would still be present. Given that there are no direct views from the street scene of the Green Belt, it is considered that the proposal would not have an adverse impact on the openness of the Green Belt and would be considered to comply with policy GB/3 of the adopted Local Development Framework.

9. Visual Impact:

The proposed side and rear two storey extension is subservient to the existing dwelling with a lower ridge height and is set back from the principal elevation. It is of an appropriate scale, form and mass. The materials proposed are grey finished frames with double glazed units for the windows and doors, slate for the roof to match the existing dwelling and painted render for the walls on the ground floor to match the existing dwelling, with light coloured cladding to the first floor. Although the cladding sees the introduction of a new material, there is a mixture of materials seen in the street scene.

10. The visual impact on the street scene would be lessened by the proposed extension being set back from the principal elevation and an appropriate choice of materials. The use of cladding on the first floor element of the extension will allow for the extension to be read as an addition to the dwelling and it is considered that it will preserve the character of the local area. The proposal is considered to comply with policy DP/2 of the adopted Local Development Framework.

11. Residential Amenity:

28 High Street has two adjacent neighbours; numbers 26 and 30 High Street. There is

one window in the ground floor of the proposed extension and none at first floor level. There are no windows in the side elevation of number 30. The proposed extension has a Juliet balcony in the rear elevation at first floor level. Given the positioning of the extension, it is considered that the proposed extension would overlook the end of the rear garden of number 30 but that there are existing windows at this height and no new views would be created. There is no overlooking impact in respect of number 26 High Street.

12. There is overshadowing present to the side elevation of number 30; this overshadowing is likely to increase with the addition of the proposed extension, however the proposed extension is subservient to the existing dwelling with a lower ridge height and the elevation of number 30 that would be affected has no windows. It is considered that the proposed extension would not have a significant increase in overshadowing and it would not cause significant harm. There is no overshadowing impact in respect of number 26 High Street.
13. Given the size, height and positioning of the proposed extension it is considered that there would be no overbearing impact on either adjacent property. The proposal is considered to comply with policy DP/3 of the adopted Local Development Framework in respect of residential amenity.

14. **Parking:**

The proposed extension will result in the loss of part of the driveway. When measuring the plans, it shows that there will be approximately 11 metres of driveway remaining, which would provide spaces for two cars, which complies with policy TR/2, appendix 1 of the adopted Local Development Framework which states that there should be an average of 1.5 spaces per dwelling across the district.

Recommendation

15. Officers recommend that the Committee approve the application, subject to:

Conditions

- (a) Time Limit (3 years) (SC1)
- (b) Drawing Numbers (SC95)
- (c) Materials as stated in the application form

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 (adopted July 2007)
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- South Cambridgeshire Local Plan Submission 2014
- Planning File Ref: S/2790/17/FL

Report Author:

Rachael Forbes
Telephone Number:

Planning Officer
01954 713251

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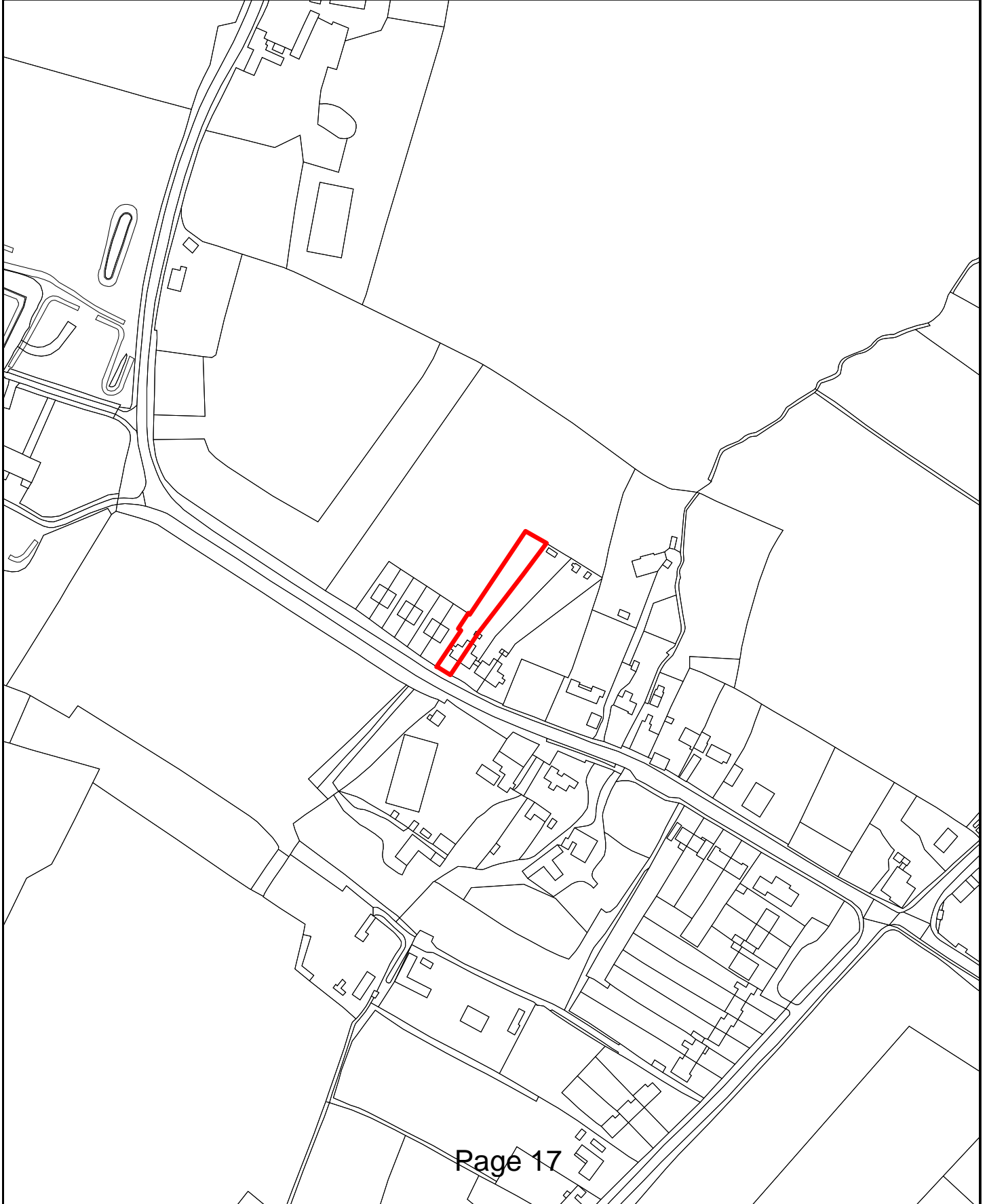
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Agenda Item 6

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 4 October 2017
AUTHOR/S: Joint Director for Planning and Economic Development

Application Number: S/2383/17/FL

Parish(es): Over

Proposal: Full Planning Permission - Erection of 26 dwellings (including ten affordable units) together with ancillary access arrangements and landscaping

Site address: Site adjacent to Longstanton Road, Over, Cambridge

Applicant(s): Camsure Homes Ltd

Recommendation: Delegated approval (to complete section 106 agreement)

Key material considerations: Five year supply of housing land
Principle of development
Density of development
Affordable housing
Impact on the character of the area
Impact on the setting of the listed building
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: Yes 3 October 2017

Departure Application: Yes (advertised 26 July 2017 and 2 August 2017)

Presenting Officer: Rebecca Ward, Principal Planning Officer

Application brought to Committee because: Approval of the planning application would represent a departure from the Local Development Framework.

Date by which decision due: 13 October 2017 (In time)

Executive Summary

1. 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.

2. It is acknowledged that this proposal would exceed the indicative maximum number of dwellings suggested as an appropriate scale of development in Group Villages. It would be outside the village framework of Over within both the adopted and emerging development. As such, there is a conflict with policies ST/6, DP/1(a) and DP/7.
3. In terms of social and economic benefits, the proposed development would provide a number of dwellings, 40% of which would be affordable. This should be given significant weight and importance in the determination of the planning application in accordance with the advice in the National Planning Policy Framework, given the need and demand for market and affordable homes in the district.
4. The site is in a good location in relation to the services and facilities within the village and has good transport connections to other service centres. There is also will be capacity at the local primary and secondary school for students resulting from the development. S106 contributions towards indoor and outdoor community facilities will be of wider benefit to the village.
5. The layout, design and scale of the development is considered to be acceptable, allowing for a reasonable the level of public open space within the development that would fit into the local area.
6. There will be some benefit to the local economy including the use of services in the village as a result. The construction stages will also attract short term employment opportunities, albeit this would be more limited given the size of the scheme.
7. There would be limited environmental harm to the character of the landscape, loss of agricultural land and the setting of the listed buildings. The enhancement and protection of the landscape boundaries can be improved to help mitigate the identified impact. Therefore the setting of the listed building would be preserved.
9. Overall, it is considered that the social benefits arising from the contribution the proposal would make to the deficit in the Council's five year housing land supply and the significant need for affordable housing; and the other limited economic benefits would clearly outweigh the potential landscape and environmental disbenefits.
10. None of these disbenefits are considered to result in significant and demonstrable harm and therefore, it is considered that the proposal achieves the definition of sustainable development as set out in the NPPF.

Relevant Planning History

12. No planning history on this site

A 2016 appeal was approved which granted outline consent for upto 55 dwellings on land adjacent to Mill Road and Willingham Road, Over (Council ref: S/2870/15/OL)

National Guidance

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

14. **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.
15. **South Cambridgeshire LDF Core Strategy DPD, 2007**
ST/2 Housing Provision
ST/6 Group Villages
16. **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
CH/4 Development within the Curtilage or Setting of Listed Buildings
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
17. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
Open Space in New Developments SPD - Adopted January 2009
Affordable Housing SPD - Adopted March 2010
Trees & Development Sites SPD - Adopted January 2009
Landscape in New Developments SPD - Adopted March 2010
Biodiversity SPD - Adopted July 2009
District Design Guide SPD - Adopted March 2010
18. **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

19. **Over Parish Council** – No objection. However, the Council requests the concerns of the neighbours are taken into account
20. **District Council Environmental Health Officer (EHO)** – Recommendation of approval subject to the conditions :
- Construction Management Plan
 - Limiting the hours of operation
 - Details of foundations and piling
 - Scheme to prevent spread of air bourn dust
 - Scheme for protecting the dwellings from noise from Longstanton Road
 - Burning of waste
 - Details of pile foundations if used
 - Details of any external lighting
 - Informative – No fires on site
21. **District Council Urban Design Officer and Conservation Officer** - Detailed pre-application discussions were held with urban design and landscape officers prior to the submission of the application. There are no objections to the proposed scheme and the suggested changes at pre-application stage have been actioned.
- The scale, layout and design of the proposed development are considered to be acceptable in accordance with policy DP/2 of the Local Development Framework. In terms of the impact on No.36 Longstanton Road (Grade II listed building), the proposed development would sustain the setting of the listed building given the separation between the two sites (as required by paragraph 131 of the national framework). The trees along the frontage of Longstanton Road (adjacent to Sandpit Pond) are outside the ownership of the applicant and therefore will be retained to protect its existing setting.
22. **District Council Landscape Design Officer** - Detailed pre-application discussions

were held with urban design and landscape officers prior to the submission of the application. There are no objections to the proposed scheme and the suggested changes at pre-application stage have been actioned. The indicative landscaping for the proposed development is therefore considered to be acceptable (subject to clarification on the below) in accordance with policy DP/2 and DP/3 of the Local Development Framework.

23. **Cambridgeshire County Council Local Highway Authority –** The access arrangements and inter-vehicle visibility splays are acceptable to the Highways Authority. However, the LHA would request that this drawing be submitted as a stand-alone document so it can be clearly referenced in any planning permission that the planning authority is minded to issue. The following conditions have been recommended:
- No water shall drain from the site onto the adopted public highway
 - Access is to be constructed of a bound material
 - Pedestrian visibility splays
 - Traffic Management Plan
 - Length of drives are divisible by 5m
 - No obscuration to the highway

24. **Cambridgeshire County Council Historic Environment Team (Archaeology) -** Our records indicate that the site lies in an area of high archaeological potential, situated to the north west of enclosure crop marks (Historic Environment Record reference 11133), with further crop mark evidence of Roman settlement and occupation to the south west to the north of the guided bus way route (07720) and artefact evidence of Roman kiln furniture (07725). Archaeological investigations for the creation of the guided bus way revealed evidence of Iron Age and Romano British occupation (MCB18477) and post-medieval occupation (MCB18476).

To the south at Norman Way Industrial Estate archaeological investigations revealed Roman activity suggestive of agricultural and possibly industrial activity in the early Roman period followed by brewing and metalworking in the later Roman period, including Roman crop processing and corn drier refuse (ECB3228, ECB4283). In addition, to the west of the pre-application area along west street are a series of listed structures, (for example DCB5639, DCB6354, DCB6521, DCB4478) and archaeological investigations to the north have revealed evidence of medieval and post-medieval occupation (CB15291).

We do not object to development from proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a negative condition, such as the example condition approved by DCLG.

25. **Cambridgeshire County Council Flood & Water Team –** We have reviewed the submitted documents and can confirm as Lead Local Flood Authority (LLFA) that we have no objection in principle to the proposed development.

The applicant has demonstrated that surface water can be dealt with on site by using permeable paving and cellular storage, restricting surface water discharge to 2l/s into an adjacent watercourse. In order to comply with the drainage hierarchy outlined in the NPPF and in order to discharge the below suggested conditions, infiltration test results should be undertaken in line with BRE365 and submitted for review. If the test results demonstrate that infiltration is viable then the drainage strategy should be modified to allow disposal of surface water via infiltration.

The LLFA is supportive of the use of permeable paving as in addition to controlling the rate of surface water leaving the site it also provides water quality treatment which is of particular importance when discharging into a watercourse.

We request the following conditions are imposed requiring the following details.

- Surface water drainage scheme
- Long term maintenance

26. **Environment Agency** – No objections in principal subject to the following conditions and informatives :

- Surface water drainage
- Foul water drainage
- Pollution prevention
- Contaminated water

27. **Scientific Contaminated Land Officer** – Although the Envirosearch screening report is useful and could form part of a comprehensive Phase I Desk Study, the site has a potentially contaminative historical usage including buildings associated with an agricultural/small holding (as confirmed in the Design and Access Statement June 2017) and is being redeveloped into a sensitive enduse (housing).

As such, I would advise that a Phase I Environmental Desk Study is required to determine whether the site is suitable for its proposed enduse. It is likely that some spot- check confirmatory soil sampling in any proposed garden areas should also be employed to ensure the quality of soils are suitable for modern domestic gardens. A condition has therefore being recommended.

28. **Anglian Water** - The foul drainage from this development is in the catchment of Over Water Recycling Centre that will have available capacity for these flows.

Foul Sewage Network – The sewerage system at present has available capacity for these flows via a gravity connection regime. If the developer wishes to connect to our sewage network they should serve a notice under the Section 106 of the Water Industry Act 1991.

29. **Affordable Housing Officer** - No response received to date

30. **Cambridgeshire County Council Growth Team** –

Early Years - spaces

Primary years - spaces

Secondary years – The proposed development will have a significant impact on the secondary education places at Swavesey Village College. The County Council's proposed solution to mitigating the secondary aged children arising from this development and others in the area is to expand the school to provide 150 additional secondary education places. The total cost of the project is £4,250,000 and contributions will be sought on the basis of £28,333 per place (£4,250,000/150). Therefore a total contribution of £113,332 is required.

Library and lifelong learning - No contributions requested

Waste - No contributions requested 5 pooled towards a project

31. **District Council Ecology Officer** - The ecological survey is welcomed and sufficient to inform the application. I agree with the ecological consultants that Natural England are unlikely to grant a European Protected Species without definitive evidence of

great crested newt (GCN) being present and impacted as survey access to two ponds was refused and one pond was unsuitable.

The record for GCN dates from 1988 and the range of this species has reduced significantly within the past 30 years. Therefore, unless any definitive evidence is submitted (e.g. in neighbour comments) to demonstrate that GCN remain present within 250m, a robust Precautionary Method Statement with reasonable avoidance measures will suffice. The approach detailed in Section 4 of the report is broadly acceptable, although the clarifications listed need to be addressed.

Update September 2017: Following updated information and covering the points of clarification there are no objections to the application subject to conditions. This would include:

- Ecological enhancement scheme
- No tree removal in bird breeding seasons
- Details of landscaping
- Great Crested Newt Mitigation Strategy

32. **District Council Tree Officer** – I have no objections to this application in principle. The application is accompanied by an arboricultural report although the report and plans are not in proper accordance with the British Standard 5837:2012.

If you are minded to approve this application, I would welcome the inclusion of a condition which seeks to protect existing retained trees during the course of development - specifically:

Prior to commencement, site preparation or the delivery of materials to site, the tree protection measures recommended in the approved tree protection strategy shall be installed and remain in position until practical completion of the implementation of the development.

S106 Officer - See summarised comments in appendix 1 with regards to contributions.

Representations

33. Severn letters of objection were received on the planning application. In summary the following concerns were raised:
- Sustainability of the site and conflict with policy TR/1 of the DCP
 - Land is not within the development framework and would set precedent (conflict with DP/1, DP/7 and core strategy ST/6)
 - Cumulative impact of development
 - Distance to services and facilities
 - Overcrowded school
 - No provision for bicycle storage
 - Connections with existing footways
 - Fencing onto Whines Lane is a wooden 6ft fence to avoid residents using the un-adopted/private lane to access the village
 - Security of surrounding properties if residents use an access onto Whines Lane
 - Impact to the setting of the listed building at 36 Longstanton Road, Over
 - Impact to character of the area
 - Loss of privacy to No.7 Longstanton Road
 - Increase in noise levels

- Highway safety impact
- Devaluation of property price

Site and Surroundings

34. The application site is located outside but directly adjacent to the Over Village Development Framework. The site is currently undeveloped grassed land (with a likely previous use as agricultural) with a number of trees and some old outbuildings. The access point into the site is from Longstanton Road.
35. The northern and southern boundary of the site is made up of a tall established conifer hedgerow. The eastern boundary is made up of over grown shrubs and trees beyond which is the countryside. Beyond the southern boundary is a residential property known as Sandpit Pond Farm. The western boundary is partly shared with No.7 Longstanton Road beyond which is the built up framework of the village.
36. There is a Grade II Listed Building (No.36 Longstanton Road) to the south of the site, on the opposite side of the road. The site is in a Flood Zone 1.

Proposal

37. The applicant seeks full planning permission for the erection of 26 dwellings (including 10 (40%) affordable housing) together with ancillary access and landscaping.

Planning Assessment

38. This application has been made on the bases the Council cannot demonstrate a five-year housing supply.
39. The key issues to consider in the determination of this application in terms of the principle of development are the implications of the five year supply of housing land deficit on the proposals and whether the proposal is considered to meet the definition of sustainable development.
40. An assessment is required in relation to the impact of the proposals on the character of the surrounding landscape, street-scene, impact to listed buildings, 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. Regard will also need to be given to the cumulative impact of the development having regard to other recent approvals in the village.

Principle of Development

Five year housing land supply

41. 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.
42. 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.

43. 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".
44. 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.
45. 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.
46. 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.
47. 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 policy 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.

48. 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 ...”
49. 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.
50. 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.
51. This approach reflects the decision of the Supreme Court in the *Hopkins Homes* appeal.
52. 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.
53. The site is located outside the Over 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 permitted. The erection of a residential development of up to 26 dwellings would therefore not under normal circumstances be considered acceptable in principle since it is contrary to this adopted and emerging policy.
54. Development in Group Villages (the current and emerging status of Over) 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.

55. By proposing 26 dwellings, the scheme would 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.’
56. 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.
57. The proposals are assessed below against the environmental, social and economic criteria of the definition of sustainable development.

Environmental Sustainability

Loss of agricultural land

58. 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 grade 2 agricultural land unless:
 - a. Land is allocated for development in the Local Development Framework
 - b. Sustainability considerations and the need for the development are sufficient to override the need to protect the agricultural value of the land.
59. The site is not allocated for development in the existing or the emerging Local Plan. However, given the sustainable location of the site for residential development and the fact that the Council cannot demonstrate a five year supply of housing land, it could be argued that the need for housing overrides the need to retain the agricultural land when conducting the planning balance. Given the extent of the housing supply deficit, it is considered that compliance with NE/17 should be afforded limited weight.

Loss of trees, hedgerows and ecology enhancements

60. The Councils Tree and Landscape Officer has worked alongside the applicant to retain the most important trees/hedgerows on and around the application site. The landscape officer has agreed to the removal of the large confers hedges on the northern and southern boundaries and they will be replaced with native species a new post and wire fence to define boundaries and keep the site contained. The loss of some of the orchard trees on the western boundary is unfortunate, however, replacements will be included alongside the LAP area.
61. In terms of ecology, the national framework requires there to be a net gain in biodiversity on the development sites. As mentioned previously some of trees/hedgerows will be lost as part of the proposal, however, replacement native species will provide for nesting opportunities. A condition will be added to any consent for a scheme of ecological enhancement.

Social Sustainability

Supply of Market and Affordable Housing

62. Paragraph 55 of the NPPF seeks to promote sustainable development in rural areas advising 'housing should be located where it will enhance or maintain the vitality of rural communities', and recognises that where there are groups of smaller settlements, development in one village may support services in a village nearby.
63. The development would provide a clear benefit in helping to meet the current housing shortfall in South Cambridgeshire through delivering up to an additional 26 residential dwellings, 40% of these units (ten units) will be affordable.
64. The mix for market housing given in the application is 30% 1 and 2 bed units, 30% 3 bed units and 40% 4/5 bed units. The proposal would meet the requirements of emerging policy H/8, which requires a mix of at least 30% of each category with 10% to be distributed across the development. This policy is afforded more weight than the existing policy due to compliance with the NPPF and the nature of the unresolved objections to the policy).
65. Officers are of the view the provision of 26 additional houses, including the affordable dwellings, is a benefit and significant weight should be attributed to 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 Over (41 people with a local connection and roughly 1700 people district wide on the district wide register).

Open Space and Community facilities contribution

66. On a site for a development of this scale the, adopted Open Space SPD requires the provision of approximately 224 square meters of formal play space, 224 square meters of informal play space and around 235 square meters.
67. At the density proposed, this indicative scheme indicates that 600 square meters of informal open space. When combined with the size of private garden space, the amount of open space to be provided is considered to represent a social benefit of the scheme.
68. Additional contributions have been provided to other community facilities. Officers have considered its compliance with CIL under the S106 section of this report. Subject to the contributions being used for this purpose, this level of provision is considered to be a significant social benefit of the proposals.

Accessibility to Services and Facilities

69. 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. As such, this scale of development must be considered in light of the facilities in Over and the impact of the scheme on the capacity of public services.
70. The recent appeal decision on Willingham Road, Over (APP/W0530/W/16/3148949) concluded that Over rated well in terms of distance to the closest primary and secondary schools, local community and social facilities and distance/use of the Guided Bus-way, however, it was conclude that the village was not well placed for shopping.
71. In comparison, this site is located further away from the key services and facilities in the

village, than the appeal site. As such travelling distances will be slightly longer on foot and by bike. The bus-way, secondary school and the employment site are a similar, if not closer distance.

72. The site is not currently connected to the existing footway networks. The proposal will include the provision to extend the footway into the site. This will be secured via planning condition. Subject to this being implemented, future occupiers will be able to safely walk/cycle to the services and the facilities in the centre of the village.
73. The services that can be found in Over include; doctors surgery, primary school, shop, small retail units, church and an industrial park. These services will all be within 1km of the site. These facilities are within 1.2km of the site and will meet the basic daily needs of the future residents. Officers accept that trips to larger food stores will have to be accommodated outside of the village.
74. In terms of other public transport options to employment and retail hubs outside of the village, there is an hourly bus service running from Over village Monday-Sunday. The closest bus stop is on Mill Road that is roughly 0.4km from the site. This distance would accord with the Manual for Streets in that bus stops should ideally be within 400m of new developments (0.4km). Officers, however, do accept there are some limitations to the service given its irregularity.
75. As such, I am of the view there is no significant material differences between the conclusions the inspector came to in relation to the appeal site and this site with regards to accessibility for future occupiers to services and facilities and therefore, whilst there would be some conflict with policy DP/1b the conflict is not considered to be significant.

Education Provision

76. In order for a planning obligation to be a material consideration in the determination of a planning application it must satisfy all of the CIL tests.
77. The County Council have confirmed there would be space at both the early years and primary years school to take the children from the proposed development (7 children – early years and 6 children primary years). A contribution has been requested towards Swavesey Secondary School as there is currently no capacity.
78. The County's proposed solution to mitigate the secondary aged children arising from this development and other is to expand the school to provide an 150 additional spaces. The total cost of the project is £4,250,000 and contributions will be sought on the basis of £28,333 per place. Therefore a contribution of £113,332 has been requested from this development. Officers consider the above response and request to be CIL compliant.

Health Care Provision

79. In terms of health impact, NHS England has not provided a response on the application as the proposal falls below their threshold of 50 dwellings for providing comments. Given the size and scale of the proposed scheme, any contributions towards the upgrades of facilities to Over Surgery would be limited.
80. Officers understand that Over Surgery is looking to expand in the near future by increasing its number of consulting rooms (it currently has 5 consulting rooms and may be increasing this to 7) and they are waiting on the CCG for confirmation of details of

funding before the submission of PID for approval. NHS England advises that each new consulting room generates capacity for around 1750 patients.

81. From 1st October Over Surgery will also start opening on Wednesday afternoons thereby increasing capacity in the village without any expansion work having taken place. In addition to any expansion at Over Surgery, several developments have been approved for developments in Willingham and Swavesey where developer contributions are sought to increase floorspace at those relevant surgeries. As there is no evidence to suggest that primary healthcare facilities will be unable to accommodate the needs of the development no contribution has been secured from this proposal.

Conclusion

82. Given the above assessment and the supporting evidence, it is considered that the adverse impacts of the development in terms of social sustainability would not represent a demonstrable level of harm that would outweigh the benefits of the provision of additional housing within the context of the Council's lack of a 5 year housing land supply.

Economic Sustainability

83. The provision of 26 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.
84. The developer has indicated delivery that the development on the site will be completed within 5 years. Given this is a full planning application and the size/scale of the scheme this is considered to be achievable.
85. Overall, it is considered that the proposed development would achieve the social and economic elements of the definition of sustainable development, subject to the mitigation measures quoted above, which the applicant has agreed to in principle and can be secured via a Section 106 agreement.

Density of development

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) at approximately 27 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 where there is a slight transition to a more low-density development, it is considered that this proposal meets the exception tests of the current and emerging policy with regard to the density of development.

Landscape Impact

87. In relation to the linear character, the site forms part of an enclosed landscape on the southeastern edge of the village being screened by tree belts and hedgerows. For these reasons, it is considered the proposed development would have only a limited adverse impact on the landscape character of Over in this location.
88. In relation to the specific proposal, the Landscape Design Officer (LDO) agrees with the visual assessment submitted in support of the application and concludes that, the site is

relatively contained in visual terms by hedge planting and tree belts and welcomes the intention to incorporate a new native hedgerow on the northern boundary and western of the site. The proposal would therefore accord with policy NE/4 and DP/2 of the Local Development Framework in that it should preserve local character and landscape.

Impact to the setting of the Listed Building - No.36 Longstanton Road

89. Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990 requires decision-makers to pay “special regard to the desirability of preserving the (listed) building or its setting or any features of special architectural or historic interest which it possesses.”
90. 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”.
91. 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.
92. 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”.
93. 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.
94. No.36 Longstanton Road is a grade II Listed Building. The proposed access is situated roughly 50m to the north. Due to the distance between the site and the listed building, the proposal would not cause significant harm to its setting, however, the retention and enhancement of the landscape boundary treatment along Longstanton Road would continue to preserve its setting in accordance with section 66 and policy CH/4 and CH/5 of the Local Development Framework.

Scale, Layout and Design of the proposed development in relation to the local area

95. The applicant has engaged in lengthy discussion at pre-application stage with the district council’s urban design and landscape officers. There have been a number of revisions to the scheme to ensure the development fits in with its immediate surroundings.
96. In terms of the layout, the site is set back from Longstanton Road with a grass/tree belt to the frontage adjacent to the pond. Officers wanted to ensure the tranquil area around the pond was retained and additional tree planting put in place to enhance this area. It was therefore determined the proposed dwelling should follow the estate road through

the development. The LAP will be situated to the front of the site where some of the older orchard trees can be retained.

97. The pattern of the development is more sporadic and low density in this part of Over. Whilst the proposed development would fall below the recommended requirement of 30 dph at 26ph, officers accept there will still be some conflict with this particular aspect, however, not significant enough to warrant concern given its set back from the roadside.
98. In terms of the scale, all of the properties will be two storeys in height. Properties to the rear of the estate will be slightly taller with rooms in the roofs. As there are a variety of building heights in the area including bungalows and two storey units, officers consider the proposed development will be in keeping in this regard.
99. The design of the properties are a typical example of the types of units expected in this location, in order to break up the bulk of the buildings a condition for materials will be requested. The developer has shown solar panels on some of the units.
100. Officers consider the proposed development would be compatible in its location having regard to scale, mass, materials, design and pattern of the development in the local area in accordance with policy DP/2 of the Local Development Framework.

Ecology

101. The Ecology Officer has raised no objections to the application subject to conditions ensuring a scheme of ecological enhancements and protection of birds nesting is submitted by planning condition.

Trees

102. The District Council Tree Officer has raised no objections to the proposals. The proposals to enhance the landscape planting on a number of the boundaries of the site and the amendments to retain more of the hedgerow along the frontage of the site are welcomed. A condition is proposed regarding tree protection measures.

Highway safety and parking

103. The majority of the properties will have access to two car parking spaces on each plot, Plots 3-6 will have access to 6 car parking spaces between them and plots 17-21 will have access to 9 car parking spaces. This would be a standard of 1.5 spaces per dwelling across these dwellings. The proposal would meet the maximum requirements of the policy TR/2 of the Local Development Framework.
104. Cycle parking will be provided to the plots without garages.
105. The applicant has demonstrated that both vehicle and pedestrian visibility splays can be achieved on both sides of the access in accordance with Manual for Streets and to the approval of the Local Highways Authority.
106. The proposals are therefore considered to comply with the requirements of policy DP/3 in terms of highway safety and the traffic generated and policy TR/1 in respect of promoting sustainable modes of travel.

Residential amenity

107. No 7 Longstanton Road, Over lies to the western boundary of the site. It is a detached single storey bungalow with a small conservatory on the rear/side elevation. The dwellings on plot 1 and 2 have been set back and away from the boundary leaving a gap of 9m. A new 1.2m high post and rail fence will be erected along with native species hedge planting to separate the plots. There will be not side facing windows on the western elevation of plot 1. A condition will ensure this remains as such thereafter.
108. Sandpit Pond Farm lies to the southern boundary of the site and is a two storey detached dwelling. The dwelling sits roughly 18m from the shared boundary of the site and is separated by a private drive-way to the property. Plot 23-24 is separated by 15m from the shared boundary and therefore the rear facing windows would not cause adverse any significant overlooking impacts.
109. Plot 22 will have its side facing elevation onto the shared boundary with a gap of 1-2m. The existing conifers will be removed and a post and rail and native hedgerow planted to protect residential amenity. There will be no side facing windows on plot 22 and therefore there will be no overlooking impacts. Given the location of the drive, the dwelling is considered to be a sufficient distance to not have any detrimental overbearing impacts.
110. In terms of noise impacts from the car parking area, the area will serve up to six vehicles belonging to the residential units therefore the level of use would not cause significant or adverse noise impacts to surrounding properties to warrant concern. This is an arrangement that is generally found on residential housing schemes. The area will be eventually enclosed by established boundaries and ground will be finished in a bound material.
111. It is considered that the proposed would not present any adverse impact on the residential amenity of the occupants of each of the plots within the development or to adjacent properties in accordance with policy DP/3 that seeks to prevent an unacceptable impact on residential amenity.

Surface water and foul water drainage

112. 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. The details of the surface water drainage strategy can be secured by condition and the means of management and maintenance can be included.
113. The Environment Agency and Anglian Water have also raised no objection in relation to surface water drainage on the basis that this condition is attached to the decision notice.
114. Anglian Water (AW) has raised no objections to the proposals. In relation to Wastewater treatment, AW confirmed that the foul drainage from this development is in the catchment of Over Water Recycling Centre, which currently does have capacity to treat the flows from the development site.
115. In relation to the foul drainage network, the applicant will be required to develop a foul water drainage strategy that is acceptable to AW in order to mitigate the impact of the additional flows from the development. These details will need to be secured by condition.
116. Officer appreciated there is local concern about the on-going maintenance of the ditches between Over and Willingham. This is a matter that will need to be highlighted

to the Environment Agency directly to action. It is not the responsibility of this developer and/or the planning application process to resolve.

Section 106 contributions

117. Officers have not received formal clarification from Over Parish Council on the contributions. However, based on the evidence provided at the Mill Road, Over appeal, district council officers consider the following contributions to be CIL compliant:
118. Outdoor play space: £27,452.58 will be secured towards upgrading of the pavilion on the Willingham Road recreation ground
119. Children's play equipment: £38,564.40 will be secured towards:
 1. An extension to and/or refurbishment of the skate park and/or the play area at Over Recreation Ground
 2. An extension to the existing play area at Over Recreation Ground (including new play equipment, surfacing and fencing)
120. Indoor community meeting space: £12,463.48 will be secured towards improvements to Over Community Centre specifically
 1. Resurfacing car park
 2. Air conditioning units
 3. New foyer
 4. Other cosmetic improvements
121. Please see completed heads of terms in Appendix 1 of the Planning Committee report. This has full justification for each of the contributions that have been requested and why they are CIL compliant.

Other matters

Archaeology:

122. The site is considered to be in a part of the district which is of high archaeological potential. Records indicate that the site lies in an area of high archaeological potential, situated to the north west of enclosure crop marks (Historic Environment Record reference 11133), with further crop mark evidence of Roman settlement and occupation to the south west to the north of the guided bus way route and artefact evidence of Roman kiln furniture Archaeological investigations for the creation of the guided bus way revealed evidence of Iron Age and Romano British occupation and post-medieval occupation
123. The County Council Archaeologist has considered the report submitted by the applicant the findings. It is considered that further investigation is considered to be necessary and any necessary mitigation implemented before development commences. This requirement can be secured by condition.

Environmental Health:

124. 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.
125. 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.

126. Given the quiet nature of the road, the resulting noise levels from the access and from Longstanton Road would not cause a significant adverse impact on the amenity of the occupants of the proposed development. Therefore conditions relating to a noise report are not reasonable or necessary as it would not meet the test of the national framework..
127. 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.
128. Provision of domestic waste receptacles by the developer will be secured via the Section 106 agreement.
129. The applicant has committed to 10% of the energy requirements generated by the development being produced by renewable sources. A condition will be placed on the decision notice.

Property Price: The devaluation of a property is not a material planning consideration.

130. Rights of access: A local resident about access has raised concerns to future residents of the development crossing the ditch onto Whines Lane. The boundary of the site will be marked with a post and rail fence along with planting; both factors should deter any future residents from crossing this land.

Conclusion

131. 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.
132. It is acknowledged that this proposal would exceed the indicative maximum number of dwellings suggested as an appropriate scale of development in Group Villages. It would be outside the village framework of Over within both the adopted and emerging development. As such, there is a conflict with policies ST/6, DP/1(a) and DP/7.
134. However, in the absence of a five year housing land supply, this conflict needs to be balanced against the benefit of the proposal in terms of its contribution to the supply of housing (and affordable housing) in accordance with para 14 of the NPPF. It is only where the conflict with those policies of the development is so great as to "significantly and demonstrably" outweigh the benefits of the proposal, particularly in terms of housing delivery, that planning permission should be refused.
135. In terms of social and economic benefits, the proposed development would provide a number of dwellings, 40% of which would be affordable. This should be given significant weight and importance in the determination of the planning application in accordance with the advice in the NPPF, given the need and demand for market and

affordable homes in the district.

136. The site is in a good location in relation to the services and facilities within the village and has good transport connections to other service centres. There is also capacity at the local primary and secondary school for students resulting from the development. S106 contributions towards indoor and outdoor community facilities will be of wider benefit to the village.
137. The density of the development is considered to be acceptable, allowing for the level of public open space within the development to exceed the policy required level. Amendments can also be made to ensure separation distances are met within any reserved matters application.
138. There will be some benefit to the local economy including the use services in the village as a result. The construction stages will also attract short term employment opportunities, albeit this would be more limited given the size of the scheme.
139. There would be limited environmental harm to the character of the landscape and the loss of agricultural land and the setting of the listed buildings. The enhancement and protection of the landscape boundaries can be improved to help mitigate the identified impact. The setting of the Listed Buildings would be preserved.
140. As commented on throughout the report, the cumulative impact of this development and other developments in Over would not place significant pressures on local services and facilities, nor would it harmfully impact the character of the village to warrant the scheme for refusal under paragraph 14 of the national framework.
141. Overall, it is considered that the social benefits arising from the contribution the proposal would make to the deficit in the Council's five year housing land supply and the significant need for affordable housing would clearly outweigh the potential landscape and environmental disbenefits. 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.

Recommendation

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

Section 106 agreement

Listed in Appendix 1, attached to this report.

Conditions

Draft list of conditions is in appendix 2 of this 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/2383/17/FL

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Heads of terms for the completion of a Section 106 agreement

Over – Longstanton Road (S/2383/17/FL)	
South Cambridgeshire District Council (Affordable Housing)	
Affordable housing percentage	40% (10 dwellings)
Affordable housing tenure	70% affordable rent and 30% Intermediate (7/3)
Local connection criteria	9 to be subject to local connection criteria and 1 not subject to local connection criteria (i.e. first 8 then 50% thereafter)

Section 106 payments summary:

Item	Beneficiary	Estimated sum
Secondary Years	CCC	£113,332
Sports	SCDC	£27,452.58
Children's play	SCDC	£38,564.40
Indoor community space	SCDC	£12,463.48
Household waste bins	SCDC	£73.50 per house and £150 per flat
Monitoring	SCDC	£500
TOTAL		£194,899.46
TOTAL PER DWELLING		£7,496.13

Section 106 infrastructure summary:

Item	Beneficiary	Summary
LAP	SCDC	Onsite LAP

Planning condition infrastructure summary:

Item	Beneficiary	Summary
Extension of footway		To extend footway from the site onto existing

CAMBRIDGESHIRE COUNTY COUNCIL

Ref	CCC1
Type	Early years
Policy	DP/4
Required	NO
Detail	According to County Council guidance the development is expected to generate a net increase of 7 early years children of which section 106 contributions would not be sought for children as there is sufficient capacity.

Ref	CCC2
Type	Primary School
Policy	DP/4
Required	NO
Detail	According to County Council guidance the development is expected to generate a net increase of 6 primary school aged children. There is sufficient capacity at the primary school.

Ref	CCC3
Type	Secondary school
Policy	DP/4
Required	YES
Detail	<p>The County Council have confirmed there would be space at both the early years and primary years school to take the children from the proposed development (7 children – early years and 6 children primary years). A contribution has been requested towards Swavesey Secondary School as there is currently no capacity.</p> <p>The County's proposed solution to mitigate the secondary aged children arising from this development and other is to expand the school to provide an 150 additional spaces. The total cost of the project is £4,250,000 and contributions will be sought on the basis of £28,333 per place. Therefore a contribution of £113,332 has been requested from this development.</p>
Quantum	£113,332
Fixed / Tariff	Fixed
Trigger	50% of the contribution upon commencement of development 50% payable prior to occupation of 50% of dwellings
Officer agreed	Yes
Applicant agreed	N/A
Number Pooled obligations	

Ref	CCC4
Type	Libraries and lifelong learning
Policy	DP/4
Required	NO
Detail	Spaces
Applicant agreed	N/A

Ref	CCC5
Type	Strategic waste
Policy	RECAP WMDG
Required	NO
Detail	Cambridge and Northstowe - Five pooled contributions have already been taken

Ref	CCC6
Type	CCC monitoring
Policy	None
Required	NO
Detail	The District Council does not support County Council monitoring requests on the basis that (i) it is contrary to a Court of Appeal decision on section 106 monitoring (ii) the District Council will undertake this

	function and share information with CCC and (iii) appeal decisions against SCDC have supported the position that the monitoring of financial contributions does not justify securing a monitoring fee. On this basis the Council considers that the request fails to satisfy the tests as set out in CIL Reg 122 and para 204 of the NPPF.
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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Ref	SCDC1
Type	Sport
Policy	SF/10
Required	YES
Detail	<p>The recreation study of 2013 highlighted that Over had a deficient level of sports space against South Cambs policies (i.e. the policy requires 4.62 hectares whereas the village only has 3.62 hectares).</p> <p>Over Parish Council have said in the past, and in respect of the Mill Road appeal, that in order to meet the needs of sports groups that the pavilion serving the Willingham Road recreation ground requires refurbishment and updating. This was found by the inspector to be CIL compliant.</p> <p>The open space in new developments SPD establishes the quantum of offsite financial contributions as follows:</p> <p>1 bed: £625.73 2 bed: £817.17, 3 bed: £1,130.04 4+ bed: £1,550.31</p>
Quantum	£27,452.58
Fixed / Tariff	Fixed
Trigger	To be paid prior to the occupations of 13 dwellings
Officer agreed	YES
Applicant agreed	N/A
Number Pooled obligations	One (Mill Road)

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 Over needed 2.31 ha Children's Play Space whereas the village had 0.19, i.e. a deficit of 2.12 ha of Children's Play Space.</p> <p>Although the proposal includes a LAP, which is unequipped play space partly meeting the needs of 2-6 year olds, a financial contribution is required in addition in order to provide formal play equipment for a wide range of children resulting from the development.</p> <p>The money will be spent on;</p> <ol style="list-style-type: none"> 1. An extension to and/or refurbishment of the skate park at Over Recreation Ground 2. An extension to the existing play area at Over Recreation Ground (including new play equipment, surfacing and fencing)

	The contribution is calculated based on the following: 1 bed: £0 2 bed: £1,202.78 3 bed: £1,663.27 4+ bed: £2,281.84
Quantum	£38,564.40
Fixed / Tariff	Fixed
Trigger	LAP to be laid out and available for use prior to the occupation of 13 dwellings Offsite contribution payable prior to occupation of 13 dwellings
Officer agreed	YES
Applicant agreed	N/A
Number Pooled obligations	None

Ref	SCDC3
Type	Offsite indoor community space
Policy	DP/4 and Portfolio Holder approved policy
Required	YES
Detail	<p>In accordance with the policy approved by the portfolio holder in 2009 Over needs 309 m2 of indoor community space whereas it has 362 m2 resulting in a surplus of 53 m2.</p> <p>Over is served by Over Community Centre which the 2009 study identified as being a substantial facility approximately 10 years old, offering a variety of services and opportunities. Main hall is of a good size, suitable for performances and sporting activities. Smaller meeting areas also available, along with bar/lounge, recently refitted and in excellent order. Centre also offers changing for grass pitches and new 3G seven-a-side pitch. Has significant use as a conferencing venue. Facilities are generally well designed and laid out.</p> <p>In 2009 the condition of the facility was described as 'Excellent'.</p> <p>The following projects were identified by Over Parish Council in respect of the Over Road appeal (and which were found to be CIL compliant):</p> <ol style="list-style-type: none"> 1. Resurfacing car park (est total cost £50,000-85,000) 2. Air conditioning units (est cost £20,000) 3. New foyer (est cost £30,000) 4. Other cosmetic improvements <p>The contribution required as per the indoor community space policy would be:</p> <p>1 bed - £284.08 2 bed - £371.00 3 bed - £513.04 4+ bed - £703.84</p>
Quantum	£12,463.48
Fixed / Tariff	Fixed
Trigger	To be paid prior to the occupations of 13 dwellings
Officer agreed	YES
Applicant agreed	N/A
Number Pooled obligations	One (Mill Road)

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

Ref	SCDC5
Type	S106 Monitoring
Policy	Portfolio holder approved policy
Required	YES
Detail	To actively monitor the delivery of affordable housing, onsite open space and play equipment and thereafter to ensure the open space and play equipment is maintained.
Quantum	£500.00
Fixed / Tariff	Fixed
Trigger	Paid in full prior to commencement of development
Officer agreed	YES
Applicant agreed	N/A
Number Pooled obligations	None

Ref	SCDC6
Type	Onsite open space and play area maintenance
Policy	
Required	YES
Detail	<p>Paragraph 2.19 of the Open Space in New Developments SPD advises that 'for new developments, it is the developer's responsibility to ensure that the open space and facilities are available to the community in perpetuity and that satisfactory long-term levels of management and maintenance are guaranteed'. The Council therefore requires that the on-site provision for the informal open space and the future maintenance of these areas is secured through a S106 Agreement. Para 2.21 advises that 'if a developer, in consultation with the District Council and Parish Council, decides to transfer the site to a management company, the District Council will require appropriate conditions to ensure public access and appropriate arrangements in the event that the management company becomes insolvent (a developer guarantee)'.</p> <p>It is the Local Planning Authority's preference that the public open space is offered to the Parish Council for adoption, recognising that the Parish Council has the right to refuse any such offer.</p> <p>If the Parish Council is not minded to adopt onsite public open space the owner will be required to provide a developer guarantee of sufficient value to be a worthwhile guarantee. Furthermore with the details of the guarantee and guarantor would need to be submitted to and approved in writing by the Council prior to commencement of development. Should this not be forthcoming the planning obligation will also be required to include arrangements whereby the long term management responsibility of the open space areas and play areas passes to plot</p>

	purchasers in the event of default.
Quantum	
Fixed / Tariff	
Trigger	
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

General

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

CH16/LBA/402/FP100revE
CH16/LBA/402/FP101
CH16/LBA/402/FP102
CH16/LBA/402/FP103
CH16/LBA/402/FP104
CH16/LBA/402/FP105
CH16/LBA/402/FP106
CH16/LBA/402/FP107
CH16/LBA/402/FP108
CH16/LBA/402/FP109
CH16/LBA/402/FP110
CH16/LBA/402/FP111
CH16/LBA/402/FP112
CH16/LBA/402/FP113revA
CH16/LBA/402/FP114
CH16/LBA/402/FP115
CH16/LBA/402/FP116
CH16/LBA/402/FP117
CH16/LBA/402/FP118
CH16/LBA/402/FP119
CH16/LBA/402/FP120
CH16/LBA/402/FP121
CH16/LBA/402/FP122
CH16/LBA/402/FP123
CH16/LBA/402/FP124
CH16/LBA/402/FP125
CH16/LBA/402/FP126
Tree Survey (April and June 2017 by Trees in Planning Ltd)

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

3. No development shall take place above slab level, until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

4. No development above slab level shall take place until a plan showing the finished floor levels of the proposed dwellings in relation to the existing and proposed ground levels of the surrounding land has been submitted to and agreed in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.
(Reason - In the interests of residential/visual amenity, in accordance with Policy DP/3 of the adopted Local Development Framework 2007)

Landscaping and boundary treatment

5. Boundary treatments shall be completed in accordance with drawing numbers CH16/LBA/402/FP100, CH16/LBA/402/FP123, CH16/LBA/402/FP124, CH16/LBA/402/FP125, before that dwelling is occupied in accordance with the approved details and shall thereafter be retained.
(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
6. Prior to the occupation of the first dwelling on the site, details of the proposed children's play area (LAP) shall be submitted to and approved in writing by the Local Planning Authority. The details shall include features to allow for imaginative play. The play area shall be laid out as approved before the first occupation of any part 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.)
7. No development above slab level shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
8. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

Trees

Prior to the commencement of development, site preparation or the delivery of materials to the site the tree protection measures recommended in the approved tree protection strategy Tree Survey (April and June 2017 by Trees in Planning Ltd) shall be erected and remain in position until practical completion of the implementation of the development.

(Reason - To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)

Ecology

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

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

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

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

11. All ecological measures and/or works shall be carried out in accordance with the details contained in Preliminary Ecological Appraisal dated June 2017 (Applied Ecology Ltd) and letter dated 24 August 2017 as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. (Reason - To enhance ecological interests in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

Highways, parking and footpath

12. The development hereby permitted shall not be occupied until vehicular and pedestrian visibility splays have been provided as shown in CH16/LBA/402/FP100revE. The visibility splays shall be kept clear from obstruction over a height of 600mm and thereafter retained. (Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

Appendix 2

13. The relevant dwellings on the development, hereby permitted, shall not be occupied until covered and secure cycle parking has been provided within the site in accordance with CH16/LBA/402/FP100revE (Reason - To ensure the provision of covered and secure cycle parking in accordance with Policy TR/2 of the adopted Local Development Framework 2007.)
14. No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Planning Authority in consultation with the Highway Authority. The principle areas of concern that should be addressed are:
- i) Movements and control of muck away lorries (all loading and unloading should be undertaken off the adopted public highway)
 - ii) Contractor parking, for both phases all such parking should be within the curtilage of the site and not on street.
 - iii) Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway)
 - iv) Control of dust, mud and debris, please note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway. The development shall be carried out in accordance with the approved details.
- (Reasons - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

15. Prior to the commencement of development above slab level, a scheme for the connection of the footway from the vehicle access point to the existing public footway on Longstanton Road should be submitted to and agreed in writing by the Local Planning Authority. The footway should be implemented prior to the occupation of the first dwelling on the site.

(Reasons - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007)

Drainage

16. Prior to the commencement of any development, a detailed scheme for the provision, implementation and long term maintenance plan of surface water drainage system (adopted or not adopted) 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.)
17. Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.

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

Removal of permitted development

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows, doors or openings of any kind, other than those expressly authorised by this permission, shall be constructed in the side elevation of Plot 1, 10, 11 or 22 at or above first floor level.
(Reason - To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

Enviromenal Health

19. During the period of demolition and construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
20. No development shall commence until a programme of measures to minimise the spread of airborne dust (including the consideration of wheel washing and dust suppression provisions) from the site during the construction period or relevant phase of development has been submitted to and approved in writing by the Local Planning Authority. Works shall be undertaken in accordance with the approved details / scheme unless the local planning authority approves the variation of any detail in advance and in writing. (Reason – 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.)
21. No development (including any pre-construction, demolition or enabling works) shall take place until a comprehensive construction programme identifying each phase of the development and confirming construction activities to be undertaken in each phase and a timetable for their execution submitted to and approved in writing by the Local Planning Authority in writing. 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.)

22. No external lighting shall be provided or installed within the site other than in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.
(Reason -To minimise the effects of light pollution on the surrounding area in accordance with Policy NE/14 of the adopted Local Development Framework 2007.)
23. The garage(s), hereby permitted, shall not be used as additional living accommodation and no trade or business shall be carried on therefrom.
(Reason - To ensure the continued provision of off-street parking space in the interests of highway safety and to safeguard the amenities of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
24. No development including demolition or enabling works shall take place until a Site Waste Management Plan for the demolition and construction phases has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be implemented in full.
(Reason - To ensure that waste arising from the development is minimised and that which produced is handled in such a way that maximises opportunities for re-use or recycling in accordance with Policy DP/6 of the adopted Local Framework 2007 and Policy ENV7 of the Regional Spatial Strategy for the East of England 2008.)
25. No development shall take place until a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been implemented. (Reason - To ensure an adequate water supply is available for emergency use.)
26. In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents noise and or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5528, 2009 - Code of Practice for Noise and Vibration Control on Construction and Open Sites Parts 1 - Noise and 2 -Vibration (or as superseded). Development shall be carried out in accordance with the approved details. (Reason - 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.)

Arch

27. No demolition/development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no

demolition/development shall take place other than in accordance with the agreed WSI which shall include:

- the statement of significance and research objectives;
- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- The programme for post-excavation assessment and subsequent analysis, publication & dissemination, and deposition of resulting material.

Developers will wish to ensure that in drawing up their development programme, the timetable for the investigation is included within the details of the agreed scheme.

(Reasons - To protect and record any archaeological features that might be found on the site in accordance with policy CH/2 of the Local Development Framework)

Renewable Energy

27. No development above slab level shall take place until an Energy Delivery Strategy which shall demonstrate how at least 10% of the expected energy requirements for the development will be delivered from renewable sources or low carbon technologies. The development 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).

Informatives

1. This permission is subject to an Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) dated
2. Any materials brought onto site for the purpose of gardens or landscaping must be certified as clean and uncontaminated and the information provided to the Council.
3. 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.
4. The granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Local Highway Authority for such works.
5. Any culverting or works affecting the flow of a watercourse requires the prior written consent of the Lead Local Flood Authority (LLFA). The LLFA seeks to avoid culverting and its Consent for such works will not normally be granted except as a means of access.
6. The granting of planning approval must not be taken to imply that consent has been given in respect of the above. Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.

7. Construction or alterations within an ordinary watercourse (temporary or permanent) require consent from the Lead Local Flood Authority under the Land Drainage Act 1991. Ordinary watercourses include every river, drain, stream, ditch, dyke, sewer and passage through which water flows that do not form part of main rivers. Please note that the Council does not regulate ordinary watercourses in internal drainage board areas.



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Scale - 1:2500

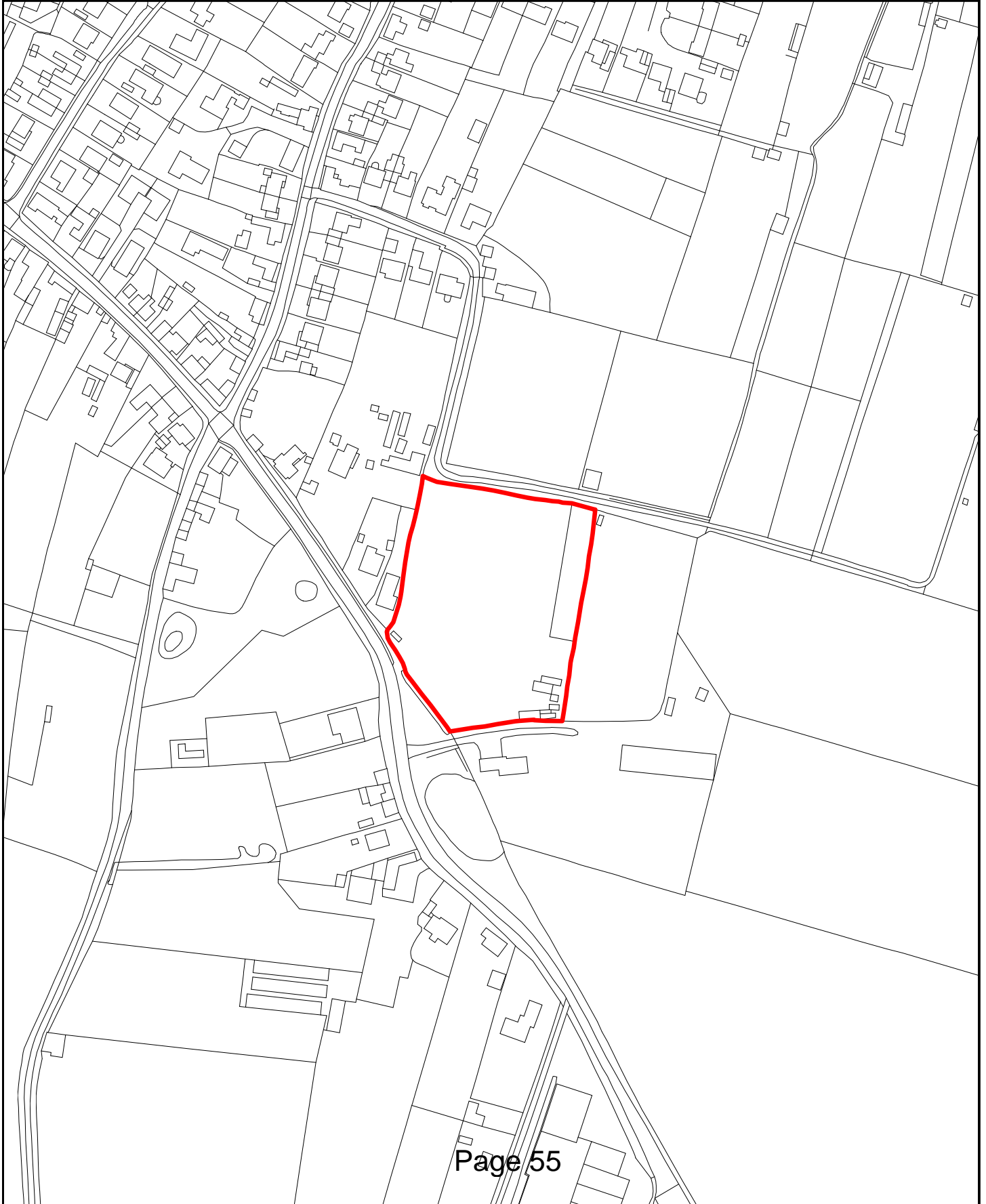
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Date of plot: 15/09/2017



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Agenda Item 7

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

4 October 2017

AUTHOR/S: Joint Director for Planning and Economic Development

Application Number:	S/3543/16/FL
Parish(es):	Great Abington
Proposal:	Full application for 45 dwellings, community orchard and children's play area
Site address:	Land to the south of Linton Road, Great Abington
Applicant(s):	Hill Residential Ltd
Recommendation:	Delegated approval (to complete section 106 agreement and agreement from the County Council of the archeologically investigation study)
Key material considerations:	Five year supply of housing land Principle of development Density of development Affordable housing (including viability considerations) Loss of agricultural land Impact on the character of the area and landscape Highway safety Noise from adjacent dog kennels Residential amenity of neighbouring properties Surface water and foul water drainage Trees Ecology Provision of formal and informal open space Section 106 Contributions Cumulative impact when taken with other committed schemes in the area and prematurity
Committee Site Visit:	Yes 3 October 2017
Departure Application:	Yes (advertised 4 January 2017)
Presenting Officer:	Rebecca Ward, Principal Planning Officer
Application brought to Committee because:	Approval of the planning application would represent a departure from the Local Development Framework.
Date by which decision due:	06 October 2017 (Extension of time agreed)

Executive Summary

1. 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.
2. The application has been submitted as a full planning application (all details included) with intentions to deliver the scheme within a five year period. The proposed development would provide a significant number and mix of dwellings. Twenty-one of which would be affordable units. This is a benefit that should be given significant weight and importance in the determination of the planning application in accordance with the advice in the NPPF.
3. The emerging Local Plan Policy H/1(i), which is a parish-led proposal seeks to allocate the site for residential development, can also be given great weight in the determination of this planning application given its stage in preparation, the resolved objections and the degree of consistency with the national framework to supply housing to meet the needs of present and future generations.
4. The layout, design and scale of the development are considered to be acceptable, allowing for a reasonable the level of public open space within the development that would fit into the local area. The developer has also introduced bungalows into the scheme to respond to the local need. The density of the development will make the best use of the land.
5. There will be some benefit to the local economy including the use of services in the village as a result. The construction stages will also attract short term employment opportunities, albeit this would be more limited given the size of the scheme.
6. The proposal would retain a significant proportion of the hedgerows along the frontage of the site and would supplement the landscaping on the boundaries of the site with the open countryside. Therefore some limited harm would be caused to the character of the landscape and loss of agricultural land. However, suitable conditions can be imposed to help mitigate the identified impacts.
7. During the consultation process concerns were raised by Westlodge Dog and Cattery Kennels and the Parish Council in regards to the noise impact the kennels could have on the future residents and whether sufficient information had been submitted to ensure there would be no future complaints. In response, the applicants submitted a further noise study to underpin their previous findings and through the Design Enabling Workshop, the dwellings/open space have been clarify located with relevant mitigation to ensure any noise impacts are kept to a minimum. Based on the information submitted with the application the Councils Environmental Health Officer does not consider there would be any unacceptable adverse impact in accordance with policy NE/15.
8. Overall, it is considered that the environmental, economic and social benefits arising from the contribution the proposal would make to the deficit in the Council's five year housing land supply and the significant need for affordable housing and provision of community orchard; and the other limited economic benefits would clearly outweigh the potential landscape and environmental dis-benefits.
9. None of the environmental dis-benefits are considered to result in significant and

demonstrable harm and therefore, it is considered that the proposal achieves the definition of sustainable development as set out in the NPPF.

Relevant Planning History

10. Modification to Emerging Local Plan (November 2016) to include planning policy H/1(i) for the development of this site for an indicative amount of 35 dwellings - currently under consideration by the Planning Inspectorate for adoption
Pampisford Road, Great Abington S/3181/15/FL - Erection of 20 Dwellings, Associated Access and Landscaping - Approved

Strawberry Farm, Great Abington S/1433/16/OL - Outline application for Residential Development of up to 8no. Dwelling including Access - Delegated approval subject to completion of S106 agreement

National Guidance

11. National Planning Policy Framework 2012 (NPPF)
Planning Practice Guidance
12. **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.
13. **South Cambridgeshire LDF Core Strategy DPD, 2007**
ST/2 Housing Provision
ST/6 Group Villages

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
CH/5 Conservation Area
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

14. **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

15. **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/1(i) Site Allocation Linton Road, Great Abington
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

16. **Great Abington Parish Council** – Updated comments following amendments dated August 2017: The Parish Council supported the amendment and made no comments
Initial comments dated 30 January 2017: The parish council recommend refusal. In summary the following key reasons were raised:
- Acoustic modelling had not adequately taken into consideration of the worst case in terms of noise from the kennels
 - Greater variation on house designs

- Footpath to the allotments should be well lit
- The parish was in favour of the development on this site if these issues could be addressed adequately.

17. **District Council Environmental Health Officer** - From the information supplied in the noise reports (including the amendment in June 2017) a significant adverse impact is not predicted to occur from the noise from the Westlodge kennels to the occupiers of the proposed development. Subject to the recommended mitigation measures approval would be in line with para 123 of the NPPF and NE/15 of the Local Development Framework.

A compliance condition should be applied to the decision notice to protect residents from noise disturbance in accordance with Policy NE/15 of the adopted Local Development Framework 2007.

Other standard conditions area also proposed:

- Lighting scheme
- Construction Management Plan
- Hours of operation
- Piling construction
- Minimise spread of air bourn dust
- Bonfires and burning waste
- Scheme for protecting the dwellings from road noise

18. **District Council Urban Design Officer and Conservation Officer** - Updated comments following amendments August 2017: Minor amendments have been made to the layout / house types etc. to address my concerns, which will improve the amenity of future residents. I do not object to this application.

19. **District Council Landscape Design Officer** - Updated comments following amendments August 2017: Recommendation - Approval subject to additional landscape mitigation works. Amended drawings Illustrative Landscape Plan 5784.02.001 Rev 01 & Boundary Treatment Plan 5784.02.003 Rev 01 I welcome the changes undertaken by the applicant However, applicant to include a native mixed hedgerow upon the western boundary. The site is set within a rural location and a hedgerow is a typical characteristic within the area. I have also included marked up drawings for your consideration.

20. **District Council Sustainability Officer** - No objections, subject to compliance with the agreed details.

21. **Cambridgeshire County Council Local Highway Authority** - Updated comments following amendments: Drawing number PL02 Rev B showing the required visibility splays is acceptable to the Local Highway Authority. The following conditions have been recommended:

- Traffic management plan
- Access made from a bound material
- Levels are such that no private water is directed on to the public highway
- Footpath connection onto Cambridge Road
- Informative

22. **Cambridgeshire County Council Historic Environment Team (Archaeology)** – Awaiting response - update to be provided

23. **Cambridgeshire County Council Flood & Water Team** - Following further correspondence with the applicant and the submission of additional details to clarify the drainage proposals; the applicant has demonstrated that surface water can be dealt with on site by using infiltration features. As Lead Local Flood Authority (LLFA) we are now content to remove our objection on this application. The following conditions are recommended:
- Surface water drainage scheme
 - Maintenance and Management Plan
24. **District Council Drainage Engineer** – Accepts the development subject to the imposition of conditions to cover the following:
- Surface water drainage scheme
 - Maintenance and management plan
25. **Environment Agency** - The site is identified as being over a Major Aquifer and within a Source Protection Zone. Care must be taken pre and post construction to prevent contaminants entering controlled waters. Whilst the Agency has no objection in principle to the proposed development we wish to offer the following recommendations and informatives :
- Surface water drainage
 - Foul water drainage
 - Pollution prevention
 - Contaminated water
26. **Scientific Contaminated Land Officer** - Condition relating to contaminated land is not required
27. **Anglian Water** - Linton Water Recycling Centre will have available capacity to take these flows. We would request a condition requiring a foul water drainage strategy.
28. **Affordable Housing Officer** – No comments received to date
29. **Cambridgeshire County Council Growth Team** -
 Early Years - No contributions - sufficient capacity
 Primary Years - No contributions - sufficient capacity
 Secondary School - No contributions – sufficient capacity
 Libraries and Lifelong learning - Spaces available
 Strategic Waste – Full, however, contributions cannot be taken as 5 pooled contributions have been taken towards a project
30. **District Council Ecology Officer** – No objections to the application subject to the imposition of the following conditions:
- Birds nesting
 - Precautionary method statement for working with reptiles
 - Biodiversity enhancement
31. **District Council Tree Officer** – No objections to the application in principle subject to a condition for compliance with the Tree Protection Plan.
32. **Cambridgeshire Fire and Rescue** - No objections, however, provision for fire hydrants to be secured
32. **NHS England** - In relation to this Planning application (S/3543/16/FL- Linton Road, Great Abington - 45 proposed dwellings) NHS England Midlands and East (East) can

advise that due to the scale of this proposed development and premises capacity in the area; there is not an intention to seek Primary Healthcare mitigation on this occasion. NHS England would therefore not wish to raise an objection to the proposed development. Other future applications in the area however will be considered as and when they arise.

Representations

33. Five letters of objection have been received from third parties. In summary, the following material considerations have been raised. Copies of the objection letters can be found on the planning file.
- Application does not comply with the emerging allocation policy H/1(i) – exceeds housing allocation
 - Site is not allocated in the adopted Local Plan
 - Site was not put forward in 2014 when the original Local Plan was submitted
 - Highway safety concerns and speeds of vehicles with junction onto the A1307
 - Fewer homes are required taking into account surveys in the village
 - Footpath should be removed from the green verge to the front of No.10 as it will result in unwanted noise
 - Concerns with a new footpath and safety of pedestrians from exiting cars.
 - Noise from Kennels on Linton Road is considerable when there is a prevailing wind
 - Concern that new residents would complain about the noise from the kennels
 - Acoustic report (Cass Allen) is not broad enough (further variations of noise recordings should be taken on year, day, time) and worse case scenario has not been explored
 - Kennels is a valued service/facility and thriving local business
 - If sound proofing kennels were to be implemented our objections would fall away
 - Should permission be granted for this development, the noise from the kennels will give rise to complaints from future residents.
 - Concern about the impact of noise to the community orchard
 - Mitigation measure not sufficient
 - Unacceptable noise levels and therefore policy NE/15 is not satisfied

Site and Surroundings

34. The site is located outside of the Great Abington village development framework boundary and in the countryside. The only constraint on the site itself is that it's a Grade 2/3 agricultural land. The site lies within a Flood Zone 1 area.
35. Adjacent to the site on the eastern boundary is a grouped Tree Preservation Order that seeks to protect an avenue of Beech, Sycamore and Elm Trees. The site is not within the Conservation Area, nor is there any close-by Listed Buildings. On the opposite side of the road from the site, lies Westlodge Dog and Cattery Kennels beyond which is the A1307.

Proposal

36. The applicant seeks full planning permission for the erection of 45 dwellings (including 21 affordable homes), community orchard and children's play area. The vehicle access will be from Linton Road.
37. The application is accompanied by technical drawings, Archaeological evaluation, LVIA, Heath Impact Assessment, Travel Plan, Transport Statement, Statement of

Community Involvement, Planning Statement (including Sustainability Statement), Noise Assessment, Planting Schedule, Flood Risk Assessment, Drainage Strategy, Design and Access Statement, Renewable Energy Statement and Contamination Report.

Planning Assessment

38. The key issues to consider in the determination of this application in terms of the principle of development is the weight to be applied to the emerging allocation, the implications of the five year supply of housing land deficit on the proposals and whether the proposal is considered to meet the definition of sustainable development.
39. An assessment is required in relation to the impact of the proposals on the character of the surrounding landscape, street-scene, highway safety, the residential amenity of neighbouring properties, noise impacts, surface water and foul water drainage capacity, the provision of formal and informal open space and other section 106 contributions.
40. Consideration also needs to be given to the cumulative impact of the development following the approval of other sites in the area.
41. The application was amended in July 2017 to mitigate the concerns from consultees and local residents. The key changes included:
 - Amendments to the layout/design of units
 - Flood risk details
 - Visibility splays
 - Additional noise recordings and updated report

Principle of Development

Emerging allocation policy

42. Paragraph 216 of the national framework states that from the day of publication, decision takers may also give weight to the relevant policies in the emerging plan according to; their stage in preparation, the extent of unresolved objections, the degree of consistency with relevant policies in the emerging plan to the policies in the national framework.
43. The site was put forward as one of the Council's major modifications to the emerging Local Plan (March 2016). The policy went through the statutory consultation process. Emerging policy H/1(i) seeks to secure the provision of 35 residential units on the site. Great Abington Parish Council put this allocation forward to meet identified local housing need. The policy was examined at a public inquiry in June 2017 by the inspector appointed by the Secretary of State. The outcome of the Local Plan is expected Autumn/Winter 2017.
44. Whilst not adopted, the emerging Local Plan is at an advanced stage of preparation by the district council and therefore can be considered to offer more policy weight when decision-taking in accordance with para 216 of the national policy. The only unresolved objections to the emerging allocation relates to a 'parish-led' approach. Concerns about the capacity local infrastructure were also raised, however, this matter has been fully considered within this decision.
45. For these reasons, it is considered that great weight can be given to the proposed allocation in determining this planning application. Whilst application exceeds the amount set in the allocated policy from 35 to 45 residential units the allocation is an

indicative amount. Policy H/1 states that the number of homes granted planning permission on a site may be higher or lower than the indicative capacity and this is to be determined through a design-led approach.

Five-year housing land supply

46. 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.
47. Notwithstanding the fact the site has been allocated for residential development in the emerging Local Plan, the Council also 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.
48. 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".
49. 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.
50. 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.
51. 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.

52. 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 policy 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.
53. 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 ...”
54. 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.
55. 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.
56. This approach reflects the decision of the Supreme Court in the *Hopkins Homes* appeal.
57. 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.

58. The site is located outside the Great Abington village framework, in the open countryside, where policy DP/7 of the LDF states that only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted. Development in Group Villages (the current and emerging status of Great Abington) is normally limited under policy ST/6 to schemes of up to an indicative maximum of 8 dwellings. By proposing 45 dwellings, the scheme would conflict with the above policies.
59. Whilst the proposal would conflict with these adopted policies, given that policy H/1(i) has allocated the site for housing, the proposed scheme would be in accordance with this emerging policy. Technically the Council has therefore already accepted that the site meets the definition of 'sustainable development' in accordance with the national framework.
60. Notwithstanding this, 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.'
61. 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.
62. The proposals are assessed below against the social and economic criteria of the definition of sustainable development.

Environmental Sustainability

Loss of agricultural land

63. 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 Grade 2 (in this case) agricultural land unless; land is allocated for development in the Local Development Framework and sustainability considerations and the need for the development are sufficient to override the need to protect the agricultural value of the land.
64. The site is not allocated for development in the adopted Local Plan, however, an allocation of housing has been proposed by the Council in the emerging Local Plan. Whilst not adopted at this stage, both the Parish Council and District Council have recognised the need for housing in this location overrides the loss of the agricultural field. It is considered that compliance with NE/17 should therefore be afforded limited weight.

Impact on local character and wider landscape

65. The site is located on the edge of the village framework with the built up part of Great Abington to its western boundary and open agricultural fields to the east and south. The site is currently an open agricultural field. Along Linton Road, the site has an established hedgerow, which also contains a number of tall mature trees this gives the approach into Great Abington a strong rural feel. The other boundaries of the site are also well established with native plant species.
66. Development of the proposed scale would impact on the current open and undeveloped character when viewed in the immediate locality; however, when taking into account the wider character/setting of Great Abington (including its Conservation Area) the impact would be more limited. Landscape enhancement features and the low-density scale of development will mitigate the harm to a degree. The principle of housing on the site is therefore supported in accordance with DP/2 and DP/3 of the adopted Local Development Framework that seek to preserve the character and appearance of the area and landscape character.
67. The development would also continue to preserve the character of the Conservation Area in accordance para.138 of the national framework and policy CH/5 of the adopted Local Plan.

Ecology enhancements

68. In terms of ecology, the national framework requires there to be a net gain in biodiversity on the development sites. The majority of trees/hedgerows will be retained as part of the proposal. Areas where they are being removed, replacement native species will be added. Additional features such as the orchard area and ponds should also aid in offsetting the impact of the development. A condition will be added to any consent for a scheme of ecological enhancement.

Social Sustainability

Supply of Market and Affordable Housing

69. 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.
70. The development would provide a clear benefit in helping to meet the current housing shortfall in South Cambridgeshire through delivering up to an additional 45 residential dwellings, 40% of these units (18) will be affordable.
71. Ensuring that the housing mix of the market dwellings complies with emerging policy H/8 (being afforded more weight than the existing policy due to compliance with the NPPF and the nature of the unresolved objections to the policy).
72. The mix for market housing is ; 7 (26%) x 2 bedrooms, 10(40%) x 3 bedroom units and 10 (40%) x 4/5 bedroom units. The scheme would fall short in meeting the requirement for the smaller market units, however, given the site is providing some bungalows to respond to the local need, that is not a requirement of the policy, the strict application of the housing mix ratio should be given some flexibility in this instance.
73. Officers are of the view the provision of 45 additional houses, including the affordable dwellings, is a benefit and significant weight should be attributed to 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 Great Abington and Little Abington (29 people with a local connection and roughly 1700 people district wide on the district wide register).

Accessibility to Services and Facilities

74. Future occupants of the proposed dwellings on the site would have easy access by walking and cycling to facilities within the village such as the primary school, shop, church, public house, café, village hall and recreation ground.
75. In Great Abington, bus services run every 30 minutes to Cambridge and Haverhill (Service 13); it also serves Linton (adjacent minor rural centre). The proposed dwellings would also have easy access by walking and cycling to the nearby employment site of Granta Park just outside the village but very close to the application site. Great Abington does not contain a secondary school, health centre or a larger food store; however these services are found in Linton, which is readily accessible by public transport. Residents would not therefore have to rely upon the private car to access the majority of their everyday needs.
76. There is no evidence to suggest the existing services are at capacity. Furthermore, the provision of additional housing will bring some, albeit limited, economic benefit to some of the existing services.

Education provision

77. When coming to their recommendations the County Council have had regard to the cumulative impact of the development of 20 dwellings approved under reference S/3181/15/FL to the north of Pampisford Road together with the proposed development of 45 residential units at this site. Consideration would have also been given to the wider catchment area for Linton Secondary School.
78. Despite this increase, both early years and primary years would have sufficient space for future students of the developments. Therefore no contributions have been requested. The catchment secondary school Linton has sufficient capacity to take on students from the proposed development.

Health care provision

79. Linton Health Centre that is now part of Granta Medical Practices serves Great Abington. NHSE has not sought any contributions from any of the proposals in Linton as there is sufficient capacity. Given the cumulative impact of the development, officers have consulted a representative who has confirmed the position remains that same and that no contributions are required.

Open Space

80. On a site for a development of this scale the, adopted Open Space SPD requires the provision of approximately 1,665 square meters of formal sports space, 384 square meters of formal children's play space, 384 square meters of informal children's play space and 416 square meters of informal open space.
81. The recreational and Open Space Study (2013) forming part of the local plan submission, showed that Great and Little Abington needed 0.54ha of informal open space. The applicant is proposing an onsite area for a community orchard the size of which satisfies the informal open space requirement.

82. The applicant is proposed a number of items on of play equipment to be located on the northeast part of the site that includes climbing structure, net swing and standing sheep. This does fall short of the LEAP that would require 9 items of equipment. Taking this into account the Parish Council has requested a contribution towards a new zip wire to be installed on the recreation ground. Provided this is secured, officers consider the development would be acceptable.
83. The amount of open space to be provided and the contributions to equipment elsewhere in the village is considered to represent a social benefit of the scheme.

Community Facilities – Indoor

84. In accordance with policy DP/4 all residential developments generate the need for the provision of, or improvement to other community facilities, where the impact is not mitigated through onsite provision a financial contribution towards offsite improvements works will be required. In accordance with the needs assessment there is a need for an additional indoor meeting space to serve both Great and Little Abington.
85. Great Abington Parish Council have requested contributions towards the continued improvement of facilities; re-building of outdoor decking area, IT communication equipment, additional storage space and installation of boiler. A financial contribution of £22,058.60 is considered to be reasonable based on the housing mix.
86. Officers have considered its compliance with CIL under the S106 section of this report. Subject to the contributions being used for these purposes, this level of provision is considered to be a significant social benefit of the proposals.

Conclusion to social sustainability

87. Given the above assessment and the supporting evidence, it is considered that the adverse impacts of the development in terms of social sustainability would not represent a demonstrable level of harm that would outweigh the benefits of the provision of additional housing within the context of the Council's lack of a 5 year housing land supply.

Economic Sustainability

88. The provision of 45 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.
89. The developer has submitted an indicative delivery statement to indicate when onsite development could commence. Given that it is a full application where details have been considered an onsite start could be made following the approval of any pre-commencement conditions.
90. Overall, it is considered that the proposed development would achieve the social and economic elements of the definition of sustainable development, subject to the mitigation measures quoted above, which the applicant has agreed to in principle and can be secured via a Section 106 agreement.

Noise impacts from the kennels

91. Westlodge dog kennels lies on the opposite side of the road to the application site to

the north-east. The kennels are licenced to look after up to 80 dogs at any one time. The site has luxury apartments, kennels and exercise areas. These are mainly located around the residential house. The owner of the kennels has submitted a two letters of objection to the council on the basis that residential accommodation on the site could be of detriment to the future of their business if noise complaints are received.

92. Paragraph 109 of the national framework, states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by, unacceptable levels of noise pollution.
93. Paragraph 123 contains a four bullet, the most relevant to this application stating that decision should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development and to mitigate and reduce including through the use of conditions.
94. The Noise Planning Practice Guidance (NPPG) provides further guidance on noise and states that noise needs to be considered when new development may create additional noise and when new developments would be sensitive to the prevailing acoustic environment. The NPPG provides advice on how to determine the impact of noise, including whether or not a significant adverse effect would occur and whether a good standard of amenity can be achieved.
95. The Environmental Health Officer (EHO) has confirmed that, unlike noise from roads or industrial units, there is no specific local or national guidance for the assessments of noise from dog kennels affecting new residential development. Therefore a bespoke approach has been taken by the applicants. The EHO has raised no objections to the methodology used by the applicant and considers a worst-case scenario has been adopted in that it compares the dogs barking against existing noise sources.
96. Initially a noise survey was carried out between 7th and 22nd December 2015 which measured noise levels from 10 barking dogs. This was then modelled using the above methodology to predict 23 dogs barking simultaneously from around the kennels through the day and night.
97. Following comments from the EHO and third parties on the robustness of this assessment, a further noise survey was then carried out between the 6th and 13th April 2017 during the Easter holiday period. The kennels were at around 50% (40 dogs) capacity during the time of the survey. This was then modelled using the above methodology to predict 46 dogs barking simultaneously from around the kennels for 50% of time and 25% of the time, peaks and troughs were also used in the modelling in order to represent when the dogs are more likely to bark.
98. On both occasions the noise from the kennels would be heard but not intrusive during the day inside and in the gardens but would, however, be intrusive at night. Consequently ventilation systems have been required for mitigation to bedroom windows that face the kennels. The EHO has supported this mitigation measure.
99. Officers are mindful that the applicants have been in discussion with the kennel owner to improve the kennel facility and insulate the buildings to further reduce any noise impact to future occupiers. As this is outside of the red-line boundary of the site and there is not concurrent application for the improvement works, officers have not been able to give this matter any material weight in the determination of this application.
100. In the view the EHO, whilst the submitted assessment presents a robust quantitative

prediction demonstrating its acceptability, subjective factors such as a future occupiers perception of barking dogs, time of the year and the way the kennel business operates will influence whether noise complaints are submitted and this will have to be reviewed by the Council at that point in time. It should also be noted that the site would not be in the path of the prevailing winds from the southwest.

101. Based on the evidence that has been submitted with the application, the Westlodge Kennels would not give rise to significant adverse impact on the health and quality of new occupiers living of the development in accordance with para.109 and 123 of the national framework and policy NE/15 of the adopted Local Development Framework.
102. Officers do accept this decision would not affect any future occupier's rights under the Environmental Protection Act 1990.

Density of development

103. 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) at approximately 26 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 a percentage of the site will be a community orchard and the need to retain the hedgerows that surround the site, it is considered that this proposal meets the exception tests of the current and emerging policy with regard to the density of development.

Details of Landscape, Scale, Layout and Design

104. The scheme has been presented to the Councils Design Enabling Panel. The Panel indicated in their comments the importance of landscaping generally to the successful delivery of the scheme. Other key urban design features were also raised and have now been addressed in the proposed scheme.

Landscape

105. As proposed, all boundary trees and hedgerows of landscape interest are to be retained and enhanced where there are gaps in the boundaries. A small section of the northern hedgerow will be lost but this will be compensated for by new native hedgerow planting along the southern boundary. The community orchard and additional tree planting are features the Councils Landscape Officer welcomed. The development will therefore have an acceptable impact on the village and landscape character in accordance with DP/2 of the adopted Local Development Framework.

Scale

106. There will be a mix of housing on the site ranging from two storey properties to bungalows. The introduction of bungalows was requested by local residents to respond to the needs survey. Residential housing to the west of the site is predominately two storey and therefore the proposed scale of the development is considered to be appropriate to the local area in accordance with DP/2 of the Local Development Framework.

Layout

107. In terms of the layout, it was recognised at an early stage that there was a requirement

to push the dwellings away from the north eastern boundary due to the proximity to the dog/cat kennels. The Councils Urban Design Officer supported a perimeter block approach and improvements have been made to the housing around the entrance of the site. Some concerns were raised to the housing at the southern part of the site which mainly centre around; separation distances, close proximity to site boundary, local of some garages, potential to overshadow and integration of parking.

108. The applicant has since amended the plans to take into account this comments. As a result the holding objection was removed and the urban design officer has now recommended approval. The layout of the site is therefore considered to be acceptable in accordance with DP/2 of the Local Development Framework.

Design and appearance

109. The general design/appearance of the units is relatively simple and non-obtrusive. The Parish Council had requested to see a greater range of building designs. Whilst officers do consider greater variation could be applied, it is felt that this could be resolved through careful consideration of materials. The appearance of the proposed residential units is therefore considered to be acceptable in accordance with DP/2 of the Local Development Framework.

Trees

110. The District Council Tree Officer has raised no objections to the proposals. There will be a need to submit a comprehensive arboricultural assessment and tree protection plan with the reserved matters application.

Ecology

111. The application is accompanied by a preliminary Ecological Appraisal prepared by Landscape Planning Ltd. The Councils Ecology Officer has commented on the scheme and has raised no objections subject to conditions.
112. The new community orchard and wildflower planting will ensure there is a net ecological gain. The clearance of the site will need to be timed to avoid nesting bird season or an inspection by an ecologist will be required before works commence.
113. Conditions covering nesting birds, precautionary method statement for working with retilers and biodiversity enhancement measures are therefore considered to be reasonable and necessary.

Highway safety and parking

114. The junction onto the A1307 is already established route utilised by the wider village. The addition of 45 dwellings would not, therefore, compromise the safety of the existing infrastructure on the highway network to warrant the application for refusal.
115. All properties will have access to two onsite car parking spaces on each plot. The proposal would meet the maximum requirements of the policy TR/2 of the Local Development Framework. Cycle parking will be provided to the plots without garages.
116. The applicants have submitted a Travel Plan, which can be conditioned as part of the approval. The applicant has demonstrated that both vehicle and pedestrian visibility splays can be achieved on both sides of the access in accordance with Manual for Streets and to the approval of the Local Highways Authority.

117. The proposals are therefore considered to comply with the requirements of policy DP/3 in terms of highway safety and the traffic generated and policy TR/1 in respect of promoting sustainable modes of travel.

Residential amenity

118. The closest neighbouring properties to the west would be a sufficient distance from the site to ensure that unreasonable overlooking and overshadowing would be avoided. At approximately 26 dwellings per hectare, each residential unit would have a suitable gardens to the standards required in the Council District Design Guide.
119. The minimum separation distances quoted in the Design Guide (25 metres between elevations with habitable rooms facing each other and 12 metres between blank elevations and those with habitable room windows) have been achieved. Conditions preventing windows on some elevations will be included in the decision notice.
120. 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 development does not have any adverse impact on the residential amenity in accordance with policy DP/3 of the adopted LDF.

Surface water and foul water drainage

121. 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.
122. 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 and Anglian Water have also raised no objection in relation to surface water drainage on the basis that this condition is attached to the decision notice.
123. Anglian Water (AW) has raised no objections to the proposals. In relation to Wastewater treatment. In relation to the foul drainage network, the applicant will be required to develop a foul water drainage strategy that is acceptable to AW in order to mitigate the impact of the additional flows from the development. These details will need to be secured by condition at this outline stage.

Section 106 contributions

124. When securing planning obligations from new development the Local Planning Authority must be satisfied that such requests are compliant with the Community Infrastructure Levy (CIL) regulations 2010 and paragraphs 203 and 204 of the National Planning Policy Framework.
125. Household waste - The local cost of providing and delivering each household waste receptacle has been calculated at £73.50 per house and £150 per dwelling to provide the relevant bins. Given future residents will require this provision/service to dispose of waste from their properties, officers consider the contribution can lawfully be requested in accordance with the regulations.
126. Community Facilities - Great Abington has a need for 95 square meters of indoor meeting space and Little Abington has a need for 55 square meters. Both villages are served by the Abington Institute, which provides 180 square meters meaning there is a

surplus of 30 square meters. Based on the likely number of people arising from the development an area of 10 square meters would be required.

127. The PC has said the monies would go towards the continued improvement of the facilities: the rebuilding of the outdoor decking area, installation of IT communications, Additional storage space, installation of new boiler. A contribution of £22,058.60 has therefore been requested based on the housing mix. Officers consider the contribution can lawfully be requested.
128. Outdoor play space - The recreation and open space study forming the Local Plan showed that Great and Little Abington needed 2.21 ha of sports space but had 3.72ha (ie a surplus of 1.51ha). In accordance with policies SF/10 and SF/11 the applicant will be required to make a contribution towards the increase in demand and to accord with paragraph 80 of the national framework in promoting health communities.
129. Great Abington PC have said in order to meet the needs for the future residents sports contributions are required to go towards; improve and enlarge the hard court area on the recreation ground, BMX track, running track around the recreation ground and cricket practice nets.
130. The off-site contributions towards the increase in demand would be £48,587.19 based on the housing mix proposed. Officers consider the contribution can lawfully be requested in accordance with the regulations.
131. Formal and Informal Play Space - The needs for children aged between 4-8 years will be met on the LEAP which is located on the site. The needs of 8-14 year have not been accommodate onsite. The PC has requested a contribution towards a Zip Wire to be installed on the recreation ground at a cost of £10,000. Officers consider the contribution can lawfully be requested in accordance with the regulations.
132. Informal open space - Will be provided onsite in the form of community orchards that satisfies the informal open space requirement. This area will need to be offered to the parish council at a suitable trigger point during the development. Officers consider the contribution can lawfully be requested in accordance with the regulations.
133. Maintenance contributions - The Open Space in New Developments SPD advises that for new development it is the developers responsibility to ensure the open space and facilities are available to the community in perpetuity and that satisfactory long term levels of management and maintenance are guaranteed. Therefore, all of the on-site open space provision will need to be secured with a maintenance scheme.

Other matters

Archaeology :

134. The site is considered to be in a part of the District that is of high archaeological potential. The site is located to the south east of the historic village core on route linking the village with Hildersham. The early 19th century grounds of Hildersham Hall are located to the east. It is likely that important ecological remains will survive in the area and these would be severely damaged or destroyed by the proposed development.
135. The County Council Archaeologist considered an archaeological elevation was necessary prior to the determination of the application. An informed judgement could then be made as to whether any planning consent will need to include provisions for recording and preservation of important archaeological remains in situ.

136. Prior to the determination of any planning application, the evaluation will need to be agreed by the County Council Archaeology department.

Other Environmental Health Matters:

137. A compliance condition will be added to the decision notice to ensure the development is carried out in accordance with the submitted noise report.
138. 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.
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.
140. 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 condition.

Conclusion

141. 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.
142. The application has been submitted as a full planning application (all details included) with intentions to deliver the scheme within a five year period. The proposed development would provide a significant number and mix of dwellings. Twenty-one of which would be affordable units. This is a benefit that should be given significant weight and importance in the determination of the planning application in accordance with the advice in the NPPF.
143. The emerging Local Plan Policy H/1(i), which is a parish-led proposal seeks to allocate the site for residential development, can also be given great weight in the determination of this planning application given its stage in preparation, the resolved objections and the degree of consistency with the national framework to supply housing to meet the needs of present and future generations.
144. The layout, design and scale of the development are considered to be acceptable, allowing for a reasonable the level of public open space within the development that would fit into the local area. The developer has also introduced bungalows into the scheme to respond to the local need. The density of the development will make the best use of the land.

145. There will be some benefit to the local economy including the use of services in the village as a result. The construction stages will also attract short term employment opportunities, albeit this would be more limited given the size of the scheme.
146. The proposal would retain a significant proportion of the hedgerows along the frontage of the site and would supplement the landscaping on the boundaries of the site with the open countryside. Therefore some limited harm would be caused to the character of the landscape and loss of agricultural land. However, suitable conditions can be imposed to help mitigate the identified impacts.
147. During the consultation process concerns were raised by Westlodge Dog and Cattery Kennels and the Parish Council in regards to the noise impact the kennels could have on the future residents and whether sufficient information had been submitted to ensure there would be no future complaints. In response, the applicants submitted a further noise study to underpin their previous findings and through the Design Enabling Workshop, the dwellings/open space have been clarify located with relevant mitigation to ensure any noise impacts are kept to a minimum. Based on the information submitted with the application the Councils Environmental Health Officer does not consider there would be any unacceptable adverse impact in accordance with policy NE/15.
148. Overall, it is considered that the environmental, economic and social benefits arising from the contribution the proposal would make to the deficit in the Council's five year housing land supply and the significant need for affordable housing and provision of community orchard; and the other limited economic benefits would clearly outweigh the potential landscape and environmental dis-benefits.

Recommendation

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

Section 106 agreement

Listed in Appendix 1, attached to this report.

Draft conditions

Listed in Appendix 2, attached to this 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/3543/16/FL

Report Author:

Rebecca ward

Principal Planning Officer

Telephone Number: 01954 713236

Heads of terms for the completion of a Section 106 agreement

Linton Road, Great Abington (S/3543/16/FL)	
South Cambridgeshire District Council (Affordable Housing)	
Affordable housing percentage	40% (21 units)
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 Little and Great Abington 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
Sports	SCDC	£48,587.19
Children's Play Space	SCDC	£10,000
Indoor community space	SCDC	£22,058.60
Household waste bins	SCDC	£3,307.50
Monitoring	SCDC	£1,000
TOTAL		£84,953.29
TOTAL PER DWELLING		£1887.85

Section 106 infrastructure summary:

Item	Beneficiary	Summary
Local Area of Play	SCDC	
Children's Play Space	SCDC	
Community Orchard	SCDC	

Planning condition infrastructure summary:

Item	Beneficiary	Summary
Footway connection	CCC	

CAMBRIDGESHIRE COUNTY COUNCIL	
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Ref	CCC1
Type	Early years
Policy	DP/4
Required	NO

Ref	CCC2
Type	Primary School
Policy	DP/4
Required	NO

Ref	CCC3
Type	Secondary school
Policy	DP/4
Required	NO

Ref	CCC4
Type	Libraries and lifelong learning
Policy	DP/4
Required	NO

Ref	CCC5
Type	Strategic waste
Policy	RECAP WMDG
Required	NO

Ref	CCC6
Type	CCC monitoring
Policy	None
Required	NO

Ref	CCC7
Type	Transport
Policy	TR/3
Required	NO

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 Great and Little Abington needed 2.21 ha of sports space but had 3.72 ha, i.e. a surplus of 1.51 ha.</p> <p>The parishes of Great and Little Abington have shared recreation facilities. The one recreation ground is located in Great Abington and has a football pitch and separate cricket pitch and a heavily used, informal MUGA. There is also an outdoor bowling green located in Little Abington. The football pitches are in very good condition and have been improved since the last report. The villages do not provide competitive junior football as many local young people play for the Aztecs Club, now based at Linton Village College. There is an adult football team, and 4 adult and 5 junior cricket teams. The Bowls club are allowed to use the ground by goodwill only as it is privately owned.</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>Great Abington Parish Council has said that in order to meet the needs of future resident's sports contributions are required to:</p> <ul style="list-style-type: none"> A. Improve and enlarge the hard court area on the recreation ground (which is well used by the community and the school), making it into a Multi Use games Area (MUGA) that can be used for a wide range of activities including tennis, 5 a side football, football and cricket practice. B. A BMX Track C. A perimeter running track around the recreation ground D. Cricket Practice nets <p>The off-site contribution towards the increase in demand for provision of outdoor sports provision is set out in Table 2 below. The total contribution would be £48,587.19.</p> <table border="1" data-bbox="507 1541 1353 1747"> <thead> <tr> <th>Dwellings with number of bedrooms</th> <th>(£) Contribution per Dwelling</th> </tr> </thead> <tbody> <tr> <td>One bed</td> <td>625.73</td> </tr> <tr> <td>Two bed</td> <td>817.17</td> </tr> <tr> <td>Three bed</td> <td>1,130.04</td> </tr> <tr> <td>Four bed</td> <td>1,550.31</td> </tr> </tbody> </table> <p style="text-align: center;"><i>Table 2: Contribution towards Outdoor Open Sports Space per dwelling</i></p>	Dwellings with number of bedrooms	(£) Contribution per Dwelling	One bed	625.73	Two bed	817.17	Three bed	1,130.04	Four bed	1,550.31
Dwellings with number of bedrooms	(£) Contribution per Dwelling										
One bed	625.73										
Two bed	817.17										
Three bed	1,130.04										
Four bed	1,550.31										
Quantum	£48,587.19										
Fixed / Tariff	Tariff										
Trigger	To be paid prior to the occupations of 50% of the dwellings.										
Officer agreed	YES										
Applicant	YES/NO										

agreed	
Number Pooled obligations	3 to date

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 Great and Little Abington needed 1.11 ha of play space whereas it had 0.08 ha, i.e. a deficit of 1.03 ha.</p> <p>Children's Play Space is defined as 'Designated areas for children and young people containing a range of facilities and an environment that has been designed to provide focused opportunities for outdoor play. Also includes informal playing space within housing areas'.</p> <p>The open space in new developments SPD goes on to clarify that the 'starting point for the mix of the Children's play space will be 50% formal and 50% informal. A lower percentage of formal space may be acceptable if it can be demonstrated that provision of the LAPS / LEAPS / NEAPs hierarchy can be achieved appropriately with less than 50% formal provision'.</p> <p>The open space SPD (on page 23) explains that a Local Area for Play (LAP) caters for a target age group of 2-6 and provides soft and hard landscaping with features and design to help stimulate imaginative play. A Local Equipped Area for Play (LEAP) has a target age group is 2-8 (focussing mainly at 4-8) and has 9 pieces of play equipment (which will comprise at least 6 pieces of play equipment for 4-8 year olds and at least 3 pieces of equipment for toddlers). A Neighbourhood Equipped Area for Play (NEAP) has a target age group of 8-14 and may comprise informal ball courts, wheeled sports facilities and/or more traditional equipped areas with a minimum of 8 pieces of play equipment suitable for the age group.</p> <p>The SPD provides a 'guide for when on-site provision will be sought' in terms children's space facilities (i.e. LAPs, LEAPs and NEAPs). For example the SPD suggests than a LAP is required at 10 dwellings, a LEAP at 50 dwellings and a NEAP at 200 dwellings. A LEAP requires an activity zone of 500 m2 and a NEAP requires an activity zone of 1200 m2.</p> <p>Although the SPD may at first glance imply that the formal open space requirement is met through the provision of LAPs, LEAPs and NEAPs the provision of a LAP or even LEAP in isolation is not considered sufficient to satisfy the formal children's play space needs of a development alone, where (for example) less than 200 dwellings are proposed as is the case here. A development providing a LEAP only meets the needs of 2-8 year olds and neglects the needs of 8-14 year olds.</p> <p>The SPD says that 'Where full provision of outdoor play space is not made on site, additional land or funding will be secured through the Section 106 Agreement or via planning obligations / conditions for improvements and / or extension to existing recreation facilities. This will be based on considerations within the village or adjoining area and will be determined in consultation with the Parish and District Councils'. Logic would therefore suggest that an offsite contribution is needed to</p>

	<p>provide children's play equipment for those age ranges not being provided for onsite.</p> <p>It is clear that the SPD intended securing the land for children's play space onsite (in this case through a LAPs and LEAPs), but that an offsite contribution be payable to provide the play equipment for older children elsewhere in the village.</p> <p>Based on a possible housing mix the development would be required to provide 384 m2 of formal play space and 384 m2 of informal play space.</p> <p>The open space in new developments SPD states that a LEAP serves an area of 450 metres distance (i.e. a 6 minute walk) and a NEAP 1000 metres distance (i.e. a 15 minute walk). The nearest play area to this site is around 850 metres away from the closest point with houses within the development being over 1km away.</p> <p>The applicant is proposing a number of items of play equipment to be located on the north east part of the site and which comprises (a) climbing structure (b) cradle net swing and (c) standing sheep. This falls short of a LEAP which would require 9 items of equipment.</p> <p>Although the needs of 4-8 years may be met through this onsite provision, the needs of 8-14 year olds are not. Little Abington Parish Council has requested a contribution towards the provision of a zip wire to be installed on the recreation ground and which is expected to cost in the region of £10,000.</p>
Quantum	£10,000
Fixed / Tariff	Tariff
Trigger	Upon occupation of the first dwelling
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	

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 Great and Little Abington needed 0.54 ha of informal open space but had 0.27 ha, i.e. a surplus of 0.27 ha.</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 informal open space.</p> <p>The space requirement is set out in Table 1 above with the total provision to be calculated based on the approved housing mix. Based on an indicative housing mix the development is required to provide 416 m2 of informal open space to be secured through the section 106 agreement.</p> <p>The applicant is proposing an onsite area for a community orchard the size of which satisfies the informal open space requirement.</p>
Quantum	

Fixed / Tariff	N/A
Trigger	
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

Ref	SCDC4										
Type	Offsite indoor community space										
Policy	DP/4										
Required	YES										
Detail	<p>In accordance with the assessment Great Abington has a need for 95 square metres of indoor meeting space and Little Abington has a need for 55 square metres. Both villages are served by the Abington Institute which provides 180 square metres meaning there is a surplus of 30 square metres. The Institute is described as a well maintained, good quality, recently updated facility which is well equipped with a community café and functions as a hub for community sports facilities. The hall is of a reasonable size.</p> <p>Based on the likely number of people arising from the development an area of circa 10 m2 is required. Great Abington Parish Council has said that monies would be used towards the continued improvement of facilities at the village Institute:</p> <ul style="list-style-type: none"> A. The rebuilding of the outdoor decking area B. Installation of IT communication equipment C. Additional storage space D. Installation of a new boiler. <p>A financial contribution based on the approved housing mix will be required in accordance with the published charges as set out in Table 4 below and which results in a total contribution of circa £22,058.60.</p> <p>Appendix B explains how these contributions are arrived at in relation to the policy.</p> <table border="1" data-bbox="598 1400 1353 1590"> <thead> <tr> <th>Dwellings with number of bedrooms</th> <th>(£) Contribution per Dwelling</th> </tr> </thead> <tbody> <tr> <td>One bed</td> <td>284.08</td> </tr> <tr> <td>Two bed</td> <td>371</td> </tr> <tr> <td>Three bed</td> <td>513.04</td> </tr> <tr> <td>Four bed</td> <td>703.84</td> </tr> </tbody> </table> <p><i>Table 3: Requirement for indoor community space per dwelling</i></p>	Dwellings with number of bedrooms	(£) Contribution per Dwelling	One bed	284.08	Two bed	371	Three bed	513.04	Four bed	703.84
Dwellings with number of bedrooms	(£) Contribution per Dwelling										
One bed	284.08										
Two bed	371										
Three bed	513.04										
Four bed	703.84										
Quantum	£22058.60										
Fixed / Tariff	Tariff										
Trigger	To be paid prior to the occupations of 50% of the dwellings										
Officer agreed	YES										
Applicant agreed	YES										
Number Pooled obligations											

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 occupation
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	

Ref	SCDC6
Type	S106 Monitoring
Policy	Portfolio holder approved policy
Required	YES
Detail	To monitor the timely delivery of onsite infrastructure (and with regards public open space and the LAP its maintenance thereafter)
Quantum	£1000
Fixed / Tariff	Fixed
Trigger	Paid in full prior to commencement of development
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	

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 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 openness space the owner will be required to provide a developer guarantee of sufficient value to be a worthwhile guarantee. Furthermore with the details of the guarantee and guarantor would need to be submitted to and approved in writing by the Council prior to commencement of development. Should this not be forthcoming the planning obligation will also be required to include arrangements whereby the long term management responsibility of the open space areas and play areas passes to plot purchasers in the event of default.</p> <p>This position has been defended at a recent appeal for 110 dwellings at Teversham Road Fulbourn (APP/W0530/W/15/3139730) where the unsuitable maintenance provisions were the sole reason that the appeal was refused. See paras 101-112 of appeal decision.</p>

Quantum	
Fixed / Tariff	
Trigger	
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

Ref	SCDC6
Type	Community Orchard
Policy	
Required	YES
Detail	<ol style="list-style-type: none"> 1. Community orchard scheme shall be submitted via planning condition to the LPA 2. Community orchard shall first be offered to the PC along with maintenance contribution (to be agreed) 3. If PC do not want to take on the orchard to be managed by the developer.
Quantum	
Fixed / Tariff	
Trigger	Laid out in full prior to the occupation of the first dwelling on the site or in a scheme to be agreed
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	

General

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - 090-100 Proposed Site Bounday
 - 090-105revG Proposed Site Layout
 - 090-110revA Proposed House Type A - Floor Plan
 - 090-111revA Proposed House Type A - Elevations
 - 090-112revA Proposed House Type B - Floor Plan
 - 090-113revA Proposed House Type B - Elevations
 - 090-114revA Proposed House Type C - Floor Plan
 - 090-115revA Proposed House Type C - Elevations
 - 090-116revB Proposed House Type D - Floor Plan
 - 090-117revB Proposed House Type D - Elevations
 - 090-118revB Proposed House Type E - Floor Plan
 - 090-119revB Proposed House Type E - Elevations
 - 090-120revB Proposed House Type E - Elevations
 - 090-121revC Proposed House Type F - Floor Plans
 - 090-122revC Proposed House Type F - Elevations
 - 090-123revC Proposed House Type F1 - Floor Plans
 - 090-124revC Proposed House Type F1 - Elevations
 - 090-125revB Proposed House Type G - Floor Plans
 - 090-126revC Proposed House Type G - Floor Plans
 - 090-127revB Proposed House Type G - Elevations
 - 090-128revB Proposed House Type G - Elevations
 - 090-129revB Proposed House Type G1 - Floor Plans
 - 090-130revB Proposed House Type G1 - Elevations
 - 090-131revC Proposed House Type H - Floor Plans
 - 090-132revC Proposed House Type H - Elevations
 - 090-133revC Proposed House Type I - Floor Plans
 - 090-134revB Proposed House Type I - Elevations
 - 090-135revB Proposed House Type I - Elevations
 - 090-136 Proposed House Type I1 - Floor Plans

090-137 Proposed House Type I1 - Floor Plans
090-138 Proposed House Type I1 - Elevations
090-139 Proposed House Type I1 - Elevations
090-150 Garages Type 1 – Plans and Elevations
090-151 Garages Type 2 – Plans and Elevations
090-152 Garages Type 3 – Plans and Elevations
090-154 Garages Type 4 – Plans and Elevations
090-155 Garages Type 3b – Plans and Elevations
090-156 Garages Type 1a – Plans and Elevations
090-160 Substation - Plans and Elevations
5784.02.001rev01 Illustrative Landscape Plan
D5784.02.003rev01 Boundary Treatments Plan
D5784.02.101rev01 Hardworks Plan – Sheet 1
D5784.02.102rev01 Hardworks Plan – Sheet 2
D5784.02.103rev01 Hardworks Plan – Sheet 3
D5784.02.104rev01 Hardworks Plan – Sheet 4
D5784.02.200 Planting Schedule
D5784.02.201rev01 Planting Schedule – Sheet 1
D5784.02.202rev01 Planting Schedule – Sheet 2
D5784.02.203rev01 Planting Schedule – Sheet 3
D5784.02.204rev01 Planting Schedule – Sheet 4
D5784.02.401 Site Furniture
D5784.02.402 Boundary Treatments
D5784.02.410 Tree Pit Details
D5784.02.420 Play Equipment

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

3. No development shall take place above slab level, until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

Landscaping and boundary treatment

4. Unless otherwise agreed in writing by the Local Planning Authority the boundary treatments shall be completed in accordance with drawing numbers D5784.02.003rev01, D5784.02.402 before that dwelling is occupied in accordance with the approved details and shall thereafter be retained.

Appendix 2

(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

5. All hard and soft landscape works shall be carried out in accordance with the approved details in plans: D5784.02.101rev01, D5784.02.102rev01, D5784.02.103rev01, D5784.02.104rev01, D5784.02.200rev01, D5784.02.201rev01, D5784.02.202rev01, D5784.02.203rev01, D5784.02.204rev01. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

6. Notwithstanding the agreed soft landscaping plan, a specific soft landscaping scheme for the Community Orchard shall be submitted to and agreed in writing by the Local Planning Authority (and in consultation with the Parish Council). The Community Orchard shall be laid out in accordance with the agreed details prior to the occupation of the 23rd dwelling on the site. (Reason - To ensure that the appearance of the site does not detract from the character of the area and to improve provision of infrastructure in accordance with Policy DP/2 and DP/4 of the adopted Local Development Framework 2007.)

Trees

Prior to the commencement of development, site preparation or the delivery of materials to the site the tree protection measures recommended in the approved tree protection strategy Drwg no.d5784.02.410 shall be erected and remain in position until practical completion of the development adjacent to the retained trees,

(Reason - To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)

Ecology

7. No development above slab level shall take place until a scheme of ecological enhancement has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the features to be enhanced, recreated and managed for species of local importance both in the course of development and in the future. The scheme shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.
(Reason - To enhance ecological interests in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

8. Prior to the commencement of development, a Precautionary Method of Working for reptile species shall be submitted to and approved by the Local Planning Authority. This shall include details of:
- the area of suitable reptile habitat which will be removed;
 - input by a suitably qualified ecologist including Toolbox Talk and ecological clerk of works seasonal timing;
 - a methodology for phased vegetation clearance; and a protocol to be followed if reptiles are found including the location of a suitable Receptor Site.

Works shall proceed in strict accordance with the approved plans.

(Reasons: To protect reptiles in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007 and the Wildlife and Countryside Act 1981 (as amended).

9. Any removal of trees, scrub or hedgerow shall not take place in the bird breeding season between 1 March and 15 September inclusive, unless a mitigation scheme for the protection of bird-nesting habitat has been previously submitted to and approved in writing by the Local Planning Authority.
- (Reason - To avoid causing harm to nesting birds in accordance with their protection under the Wildlife and Countryside Act 1981 and in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

Highways, parking and footpath

10. The development hereby permitted shall not be occupied until vehicular and pedestrian visibility splays have been provided as shown in the Transport Assessment PL02 Rev B. The visibility splays shall be kept clear from obstruction over a height of 600mm and thereafter retained. (Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
11. Prior to the occupation of a dwelling a detailed scheme for the provision of covered and secure cycle parking should be submitted and agreed by the Local Planning Authority. The development shall be carried out in accordance with the agreed details prior to the occupation of that dwelling. (Reason - To ensure the provision of covered and secure cycle parking in accordance with Policy TR/2 of the adopted Local Development Framework 2007.)
12. No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Planning Authority in consultation with the Highway Authority. The principle areas of concern that should be addressed are:
- i) Movements and control of muck away lorries (all loading and unloading should be undertaken off the adopted public highway)
 - ii) Contractor parking, for both phases all such parking should be within the curtilage of the site and not on street.

- iii) Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway)

(Reasons - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

13. The Pedestrian Access Strategy and Linton Road Footway Improvements as detailed in the Transport Statement by TPA date June 2016, Drwg. Figure 4.1 and PL03 should be implemented prior to the occupation of the first dwelling on the site, unless otherwise agreed in writing by the Local Planning Authority.

(Reasons - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007)

14. Prior to the occupation of each of the dwelling house, the Residential Travel Plan (by TPA) dated November 2016 shall be implemented in accordance with the agreed details.

(Reasons - In the interests of highway safety and sustainable development in accordance with Policy DP/1 and DP/3 of the adopted Local Development Framework 2007)

Drainage

15. Prior to the commencement of any development, a detailed scheme for the provision, implementation and long term maintenance plan of surface water drainage system (adopted or not adopted) 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.)

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

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

Removal of permitted development

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows, doors or openings of any kind, other than those expressly authorised by this permission, shall be constructed in the side elevation of Plot 11, 40, 45 at or

above first floor level.

(Reason - To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

Enviromental Health

18. The development shall be constructed in strict accordance with the noise mitigation measures listed in the Noise Assessment, Land Off Linton Road, Great Abington (Ref RP01- 15365, Revision 3, dated 26th June 2017) produced by Cass Allen and submitted with the application.
(Reason – To protect residents from noise disturbance in accordance with Policy NE/15 of the adopted Local Development Framework 2007)
19. During the period of demolition and construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
20. No development shall commence until a programme of measures to minimise the spread of airborne dust (including the consideration of wheel washing and dust suppression provisions) from the site during the construction period or relevant phase of development has been submitted to and approved in writing by the Local Planning Authority. Works shall be undertaken in accordance with the approved details / scheme unless the local planning authority approves the variation of any detail in advance and in writing. (Reason – 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.)
21. No development (including any pre-construction, demolition or enabling works) shall take place until a comprehensive construction programme identifying each phase of the development and confirming construction activities to be undertaken in each phase and a timetable for their execution submitted to and approved in writing by the Local Planning Authority in writing. 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.)
22. No external lighting shall be provided or installed within the site other than in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.
(Reason -To minimise the effects of light pollution on the surrounding area in accordance with Policy NE/14 of the adopted Local Development Framework

2007.)

23. The garage(s), hereby permitted, shall not be used as additional living accommodation and no trade or business shall be carried on therefrom. (Reason - To ensure the continued provision of off-street parking space in the interests of highway safety and to safeguard the amenities of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
24. No development including demolition or enabling works shall take place until a Site Waste Management Plan for the demolition and construction phases has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be implemented in full. (Reason - To ensure that waste arising from the development is minimised and that which produced is handled in such a way that maximises opportunities for re-use or recycling in accordance with Policy DP/6 of the adopted Local Framework 2007 and Policy ENV7 of the Regional Spatial Strategy for the East of England 2008.)
25. No development shall take place until a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been implemented. (Reason - To ensure an adequate water supply is available for emergency use.)
26. In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local planning authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents noise and or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5528, 2009 - Code of Practice for Noise and Vibration Control on Construction and Open Sites Parts 1 - Noise and 2 -Vibration (or as superseded). Development shall be carried out in accordance with the approved details. (Reason - 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.)

Archology

27. To be confirmed

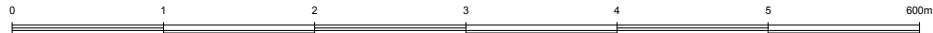
Renewable Energy

28. No dwellings shall occupied until the approved scheme for renewable energy provision and water conservation, in Energy and Sustainability Statement (November 2016) Ref: RESS/LR/201611-BC has been implemented in accordance with the agreed details. (Reason - To ensure an energy efficient

and sustainable development in accordance with Policy NE/3 of the adopted Local Development Framework 2007.)

Informatives

1. This permission is subject to an Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) dated
2. Any materials brought onto site for the purpose of gardens or landscaping must be certified as clean and uncontaminated and the information provided to the Council.
3. 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.
4. The granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Local Highway Authority for such works.
5. Any culverting or works affecting the flow of a watercourse requires the prior written consent of the Lead Local Flood Authority (LLFA). The LLFA seeks to avoid culverting and its Consent for such works will not normally be granted except as a means of access.
6. The granting of planning approval must not be taken to imply that consent has been given in respect of the above. Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.
7. Construction or alterations within an ordinary watercourse (temporary or permanent) require consent from the Lead Local Flood Authority under the Land Drainage Act 1991. Ordinary watercourses include every river, drain, stream, ditch, dyke, sewer and passage through which water flows that do not form part of main rivers. Please note that the Council does not regulate ordinary watercourses in internal drainage board areas.
8. Control of dust, mud and debris, please note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway. The development shall be carried out in accordance with the approved details.



FOR INTERNAL USE ONLY

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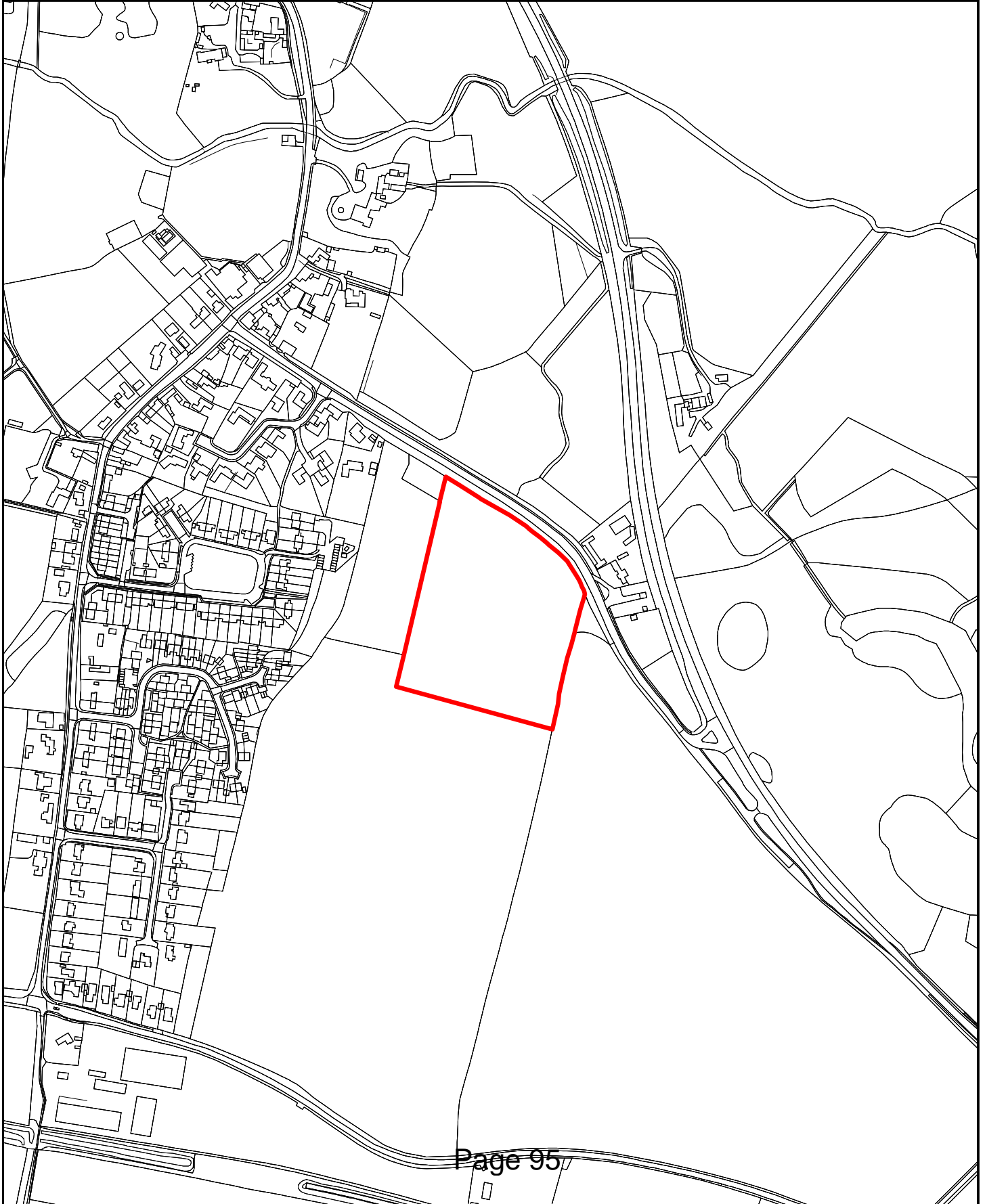
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Cambridgeshire
District Council**

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Agenda Item 8



REPORT TO: Planning Committee

4 October 2017

LEAD OFFICER: Joint Director of Planning & Economic Development

Enforcement Report

Purpose

1. To inform Members about planning enforcement cases, as at 19 September 2017. Summaries of recent enforcement notices are also reported, for information.

Executive Summary

2. There are currently 97 active cases (Target is maximum 150 open cases, Stretch target 100 open cases).
3. Details of all enforcement investigations are sent electronically to members on a weekly basis identifying opened and closed cases in their respective areas along with case reference numbers, location, case officer and nature of problem reported.
4. Statistical data is contained in Appendices 1, and 2 to this report.

Updates to significant cases

5. Updates are as follows:

(a) **Stapleford:**

Breach of Enforcement Notice on Land adjacent to Hill Trees, Babraham Road. Following continuing breaches of planning at this location an Injunction was approved by the High Court 17th November 2015, The compliance period to remove unauthorised vehicles and to cease unauthorised development represented by the commercial storage, car sales and non-consented operational works that have occurred there was by January 26th 2016. An inspection of the land on the 26th January 2016 revealed that the unauthorised motor vehicles, trailers, caravans etc. had along with the unauthorised track been removed from the land as required by the Injunction. The displaced vehicles have now been moved onto land at Little Abington owned by the occupier of Hill Trees and onto land adjacent to Hill Trees that belongs to Gonville and Caius College, Cambridge. Both parcels of land are the subject of extant enforcement notices. Currently advice has been sought through Counsel on the most effect route in dealing with this displacement and on balance it is felt that a High Court injunction, particularly given the recent successful outcome at Hill Trees and related planning history, including various unsuccessful challenges, is made to remedy the identified breaches. Case file currently in preparation.

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

The family of the deceased owner of Hill Trees have informed the council that the various claims against the estate by the current occupier have been struck out including the Inheritance Claim. Although further appeals have been made it is their solicitor's view that the person responsible for the breach of control on the Land adjacent to Hill Trees has reached the end of the road and that they are shortly going to issue a notice for the unlawful occupation of Hill Trees to cease?

A further inspection of the land adjacent to Hill Trees carried out on the 13th July confirmed that the displaced vehicles are still occupying the site along with several additional vehicles. The meeting with Counsel which was originally booked for the 17th July has now taken place on the 26th July 2017. Following advice from Counsel additional preparation work required prior to the application for a High Court Injunction.

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

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

Following a full survey of the site , Including Needs assessments preparation was made for the issue of twenty two (22) Breach of Condition Notices covering five plots in Water Lane, one plot in Orchard Drive, four plots in Pine Lane, three plots in Park Lane, and nine plots in Setchel Drove, who have been found to breach their planning permission.

A compliance inspection carried out after the 31 July 2017 confirmed that 54% of the plots previously identified as being in breach of their planning permission in relation to planning conditions are now complying with them. Work is currently underway to identify the persons continuing to breach planning and to instigate prosecution proceedings against them.

(c) **Sawston – Football Club**

Failure to comply with pre-commencement conditions relating to planning reference S/2239/13 – Current site clearance suspended whilst application to discharge conditions submitted by planning agent. Application to discharge pre-commencement conditions received and subsequently approved for conditions 3, 4 and Boundary Treatment – Conditions, 6,7,14,22,23,25,26,27,28,29,30,31,32 and 33 have now also been discharged. Following an application for a Judicial Review regarding the stadium, the

Judicial review has taken place at the High Court of Justice, Queens Bench division, Planning Courts. The judgement was handed down and reported on the 15th January 2016 in favour of the Council. The judicial review claim was accordingly ordered to be dismissed. The Claimant in this JR has now applied to the Court of Appeal for permission to appeal the decision of Mr Justice Jay. Counsel has been made aware.

Permission to appeal allowed – Appeal Listed for a 1 day hearing on the 19th January 2017. The Court of Appeal upheld the Appeal i.e. Planning permission quashed and it will now need to be returned to Planning Committee. Currently revised documents submitted and scheduled for the November 2017 Planning Committee at the earliest. No further update at this time

- (d) **Fulbourn - St Martin's Cottage, 36 Apthorpe Street,**
Erection of a wooden building in rear paddock of No.36 Apthorpe Street, Fulbourn, intended for commercial use as a carpentry workshop. The building is, in the absence of a planning permission in breach of planning control and has a detrimental impact upon the Green Belt and open countryside.

A retrospective planning application has not been submitted in order to try and regularise the breach of planning control identified therefore an application to issue an enforcement notice for the removal of the building was made. Enforcement Notice issued 9th September 2016 effective date 21 October 2016 Compliance period – Three months - Appeal received by the Planning Inspectorate. Appeal to be Written Reps.

Appeal dismissed – Compliance period 16th October 2017

- (e) **Histon – Land at Moor Drove**
Unauthorised development within the Green Belt of agricultural land and occupation of a section of the land, including stationing of five (5) touring caravans. Immediate application of a High Court Injunction made to prevent further development and occupation of the land. Application successful. Enforcement Notice to be issued requiring removal of the five (5) unauthorised touring caravans. Retrospective planning application received, awaiting validation. Planning reference S/2896/16 refers. Since application a planning agent has been engaged to provide outstanding information in order to allow original application to be validated. Application now validated. Enforcement notices (3) issued 10 January 2017 covering the section of land the subject of the unauthorised development. Planning Appeal Submitted and received by the Planning Inspectorate, Hearing has been set for October 2017. Confirmed 10th October 2017

- (f) **Horseheath - Thistledown Cardinals Green**
Erection of a wooden lodge sited in the rear garden for the purpose of an annexe for independent living accommodation, without the benefit of a planning consent. Application submitted, subsequently refused. Planning reference S/1075/16/FL refers. Enforcement notice issued wooden lodge to be removed within three months (7 May 2017) unless an appeal is received in the meantime. Planning Appeal now submitted in relation to the planning decision. Appeal to be Written Reps.

Appeal dismissed 7 July 2017 Compliance period three months, i.e. by 7th October 2017.

(g) **Willingham – The Oaks Meadow Road**

The use of the chalet building as a dwelling house without the benefit of planning permission. A retrospective planning application had previously been submitted and was due to be heard at the 7th December 2016 Planning Committee but was withdrawn by the applicant. Enforcement Notice issued and subsequently Appealed. Appeal to be by Enquiry 19th & 20th September 2017 - Confirmed

Investigation summary

- 6 Enforcement Investigations for August 2017 reflect an 11.3% decrease when compared to the same period in 2016. Forty seven (47) cases in total for the period.

Effect on Strategic Aims

- 7.. South Cambridgeshire District Council delivers value for money by engaging with residents, parishes and businesses. By providing an effective Enforcement service, the Council continues to provide its residents with an excellent quality of life.

Background Papers:

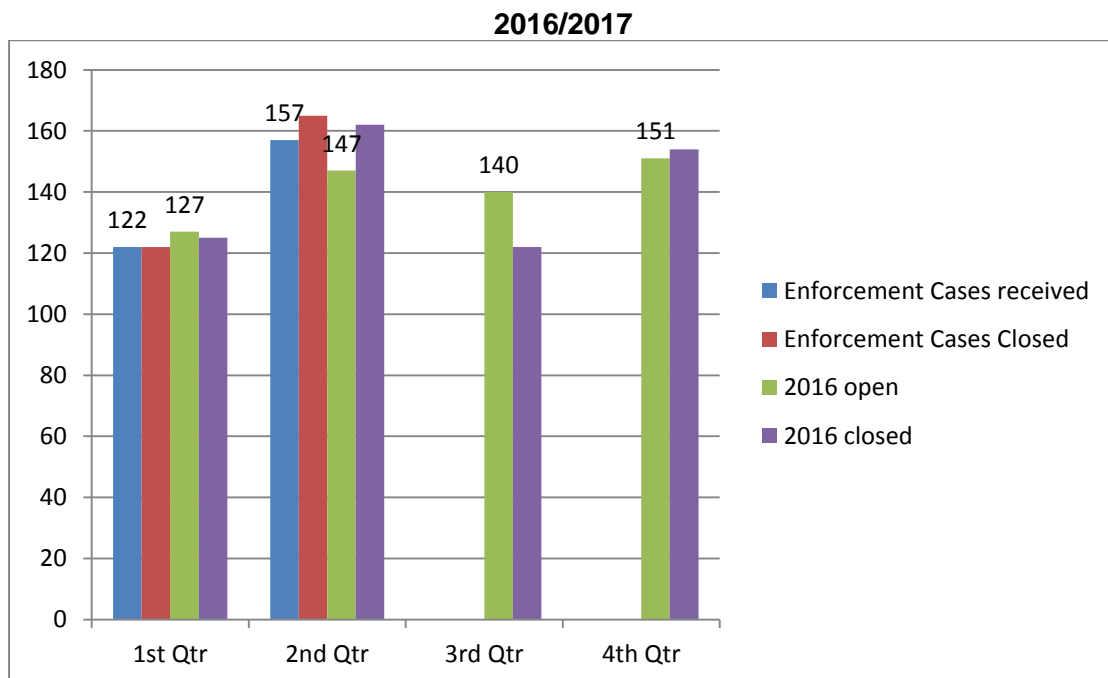
The following background papers were used in the preparation of this report:

- **Appendices 1 and 2**

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

Enforcement Cases Received and Closed

Month – 2017	Received	Closed
July 2017	52	32
August 2017	47	34
September 2017	-	-
1 st Qtr. 2017	122	122
2 nd Qtr. 2017	157	165
3 rd Qtr. 2017	-	-
4 th Qtr. 2017	-	-
1 st Qtr. 2016	127	125
2 nd Qtr. 2016	147	162
3 rd Qtr. 2016	140	122
4 th Qtr. 2016	151	154
2016 - YTD	565	563
2015 -YTD	511	527
2014 -YTD	504	476



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Notices Served and Issued

1. Notices Served

Type of Notice	Period	Calendar Year to date
	August 2017	2017
Enforcement	1	11
Stop Notice	0	0
Temporary Stop Notice	1	5
Breach of Condition	1	26
S215 – Amenity Notice	0	1
Planning Contravention Notice	0	3
Injunctions	0	0
High Hedge Remedial Notice	0	0

2. Notices served since the previous report

Ref. no.	Village	Address	Notice issued
SCD-ENF-354-17 Con 7 Traffic Management Plan	Girton	17-19 Bandon Road	Breach of Condition Notice
SCD-ENF-283-17 Change of Use, Green Belt to Garden land	Histon	Land north & west of 2 Primes Corner	Enforcement notice
SCD-ENF-360-17 Breach of Pre-Commencement Conditions	Linton	7 Bakers Lane	Temporary Stop Notice

3. Case Information

Twenty of the forty seven cases opened during August were closed within the same period which represents a 42.5% closure rate.

A breakdown of the cases investigated during August is as follows

Low priority - Development that may cause some harm but could be made acceptable by way of conditions e.g. Control on hours of use, parking etc.
Eight (8) cases were investigated

Medium Priority -Activities that cause harm (e.g. adverse affects on residential amenity and conservation areas, breaches of conditions)
Thirty Five (35) cases were investigated

High Priority (works which are irreversible or irreplaceable (e.g. damage to, or loss of, listed buildings and protected trees, where highways issues could endanger life)
Four (4) cases were investigated

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

Adverts	x 03
Amenity	x 00
Breach of Condition	x 09
Breach of Planning Control	x 00
Built in Accordance	x 05
Change of Use	x 08
Conservation	x 03
High Hedge	x 01
Listed Building	x 02
Other	x 10
Unauthorised Development	x 05
Permitted Development	x 01
<u>Total Cases reported</u>	<u>47</u>