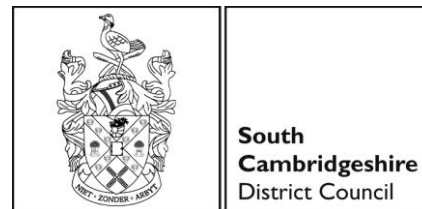


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24 October 2017

To: Chairman – Councillor Pippa Corney
Vice-Chairman – Councillor David Bard
All Members of the Planning Committee - Councillors John Batchelor,
Brian Burling, Kevin Cuffley, Anna Bradnam (substitute for 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, 1 NOVEMBER 2017 at 10.30 a.m.**

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

Yours faithfully
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**
Apologies for absence have been received from Councillor Philippa Hart. To receive apologies from other committee members.
2. **Declarations of Interest**
 1. **Disclosable pecuniary interests ("DPI")**

A DPI is where a committee member or his/her spouse or partner has any kind of beneficial interest in the land under consideration at the meeting.

2. Non-disclosable pecuniary interests

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

3. Non-pecuniary interests

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

3. Minutes of Previous Meeting

1 - 6

To authorise the Chairman to sign the Minutes of the meeting held on 4 October 2017 as a correct record.

PLANNING APPLICATIONS AND OTHER DECISION ITEMS

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

4. S/2239/13/FL - Sawston (Deal Grove, Babraham Road)

7 - 26

Erection of a football ground for Cambridge City Football Club and creation of new community recreational space

Appendices 1 – 7 are available online by visiting www.scams.gov.uk

[Click or tap here, and scroll to Item 4 for links to the Appendices](#)

5. S/3052/16/FL - Shepreth (Meldreth Road)

27 - 60

Erection of 25 dwellings including 40% affordable along with access, car and cycle parking and associated landscaping

6. S/0460/17/FL - Balsham (Plumbs Dairy,107 High Street)

61 - 80

Proposed demolition of existing Dairy buildings and erection of 15 new dwellings

7. S/1818/17/OL - Balsham (Land to the west of 10 Cambridge Road)

81 - 92

Outline planning permission for development of 1No detached house, with some matters reserved except for access and scale.

8.	S/1769/17/OL - Great Shelford (Macaulay Avenue)	93 - 108
	Outline planning permission for Demolition of existing garages on the site & development of 3No. detached houses, with some matters reserved except for access, layout and scale	
9.	S/2341/17/FL - Over (16 Mill Road)	109 - 126
	Erection of single dwelling	
	MONITORING REPORTS	
10.	Enforcement Report	127 - 134
11.	Appeals against Planning Decisions and Enforcement Action	135 - 142

OUR LONG-TERM VISION

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

OUR VALUES

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

- Working Together
- Integrity
- Dynamism
- Innovation

GUIDANCE NOTES FOR VISITORS TO SOUTH CAMBRIDGESHIRE HALL

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

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Recording of Business and Use of Mobile Phones

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

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

Disturbance by Public

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

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

EXCLUSION OF PRESS AND PUBLIC

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

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

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

Notes

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

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Agenda Item 3

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Planning Committee held on
Wednesday, 4 October 2017 at 10.00 a.m.

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

Councillors:	John Batchelor	Brian Burling
	Philippa Hart	Sebastian Kindersley
	David McCraith	Charles Nightingale (substitute)
	Alex Riley (substitute)	Deborah Roberts
	Tim Scott	Robert Turner

Officers in attendance for all or part of the meeting:

Rachael Forbes (Planning Officer), John Koch (Planning Team Leader (West)), Paul Mumford (New Communities Team Leader), Richard Pitt (Principal Planning Lawyer), Ian Senior (Democratic Services Officer), Sarah Stevens (Development Management Project Implementation Officer), James Stone (Principal Planning Officer), Charles Swain (Principal Planning Enforcement Officer) and Rebecca Ward (Principal Planning Officer)

Councillor Tony Orgee was in attendance, by invitation.

1. APOLOGIES

Councillors Kevin Cuffley and Des O'Brien sent Apologies for Absence. Councillors Charles Nightingale and Alex Riley were their respective substitutes.

2. DECLARATIONS OF INTEREST

Councillor John Batchelor declared a non-pecuniary interest in respect of Minute 7 (S/3543/16/FL - Great Abington (Land to South of Linton Road)). As Chairman of the Governors of Linton Village College, Councillor Batchelor had been involved in discussions with the County Education Authorities over the formula applied to establish the student capacity of Linton Village College, and had raised objections to the lack of any request for Section 106 monies for secondary education. He was considering the matter afresh.'

Councillor Brian Burling declared a non-pecuniary interest in respect of Minute 6 (S/2383/17/FL - Over (Site adjacent Longstanton Road)). Councillor Burling had been present at a presentation of this application at a meeting of Over Parish Council. He had asked factual questions of the applicant's agent, but did not contribute to the debate and did not vote. Councillor Burling was considering the matter afresh.

Councillor Charles Nightingale declared a non-pecuniary interest in respect of Minute 7 (S/3543/16/FL - Great Abington (Land To South of Linton Road)) because he was acquainted with the family.

While he had neither a Disclosable Pecuniary Interest, nor a non-disclosable pecuniary interest, nor a non-pecuniary interest, Councillor Alex Riley said that, in respect of Minute 4 (S/2407/17/DC - Longstanton (Northstowe Phase 2)) and in view of the close proximity of his house to the development of Northstowe, he had applied for, and received from the Deputy Monitoring Officer, a dispensation to consider the matter before Committee at this

meeting, to contribute to the debate, and to vote as part of the determination of the application.

3. MINUTES OF PREVIOUS MEETING

The Committee authorised the #chairman to sign, as a correct record, the Minutes of the meeting held on 6 September 2017.

4. S/2407/17/DC - LONGSTANTON (NORTHSTOWE PHASE 2)

The Case Officer summarised the background, and emphasised the importance of the Phase 2 Design Guide, which had been developed taking into account the Design Guide for Phase 1, thus ensuring a level of consistency.

The Team Leader (Consultancy Unit) made a PowerPoint presentation, which covered the following topics:

- Planning context
- Northstowe Phase 1 delivery
- What are Design Codes?
- Urban design framework
- Movement framework
- Landscape structure
- Character areas
- Northstowe Fields character area
- Town centre character area
- Landscape strategy
- Site wide coding
- Town centre Square
- Landscape and open space parameter plan
- Movement and access
- Density parameter plan
- Heights parameter plan

Dean Harris (for the applicants) set out the Housing and Communities Agency's priorities, which were speed of delivery, housing choice, and quality of place. Councillor Alex Riley (speaking as a Committee member) expressed disappointment that the Design Code had not addressed the issue of minimum room sizes. In reply, Mr. Harris said that the Government now only required this if minimum room sizes formed part of the Local Plan. Minimum room sizes had not been specified in the outline planning permission for Phase 2, but could be a consideration as part of Phase 3, should the draft Local Plan have been adopted by then.

A representative from Longstanton Parish Council was in the public gallery, but opted not to address the Committee. He confirmed that the Parish Council considered that Condition 9 had been complied with satisfactorily.

Speaking as the local Member, Councillor Riley acknowledged the Design Code as an impressive document, but cautioned against becoming too prescriptive. He regretted that the document did not specify minimum room sizes. He wondered how the character of Long Lane would be protected. Other important elements were delivery of a secondary school, the date of the first house completion, and the build-out timescale. The Northstowe Transport Planning Officer said that Long Lane would acquire an enhanced function as a cycle way, but that its essential character would be preserved. Councillor Riley feared that

Long Lane might be damaged by the use of Quad bikes. The New Communities Team Leader said that the secondary school was due in September 2019, and that the first house completion was expected six months before that.

Councillor Riley asked how construction vehicles would access the site. The case officer informed the Committee that delivery routes would be agreed between South Cambridgeshire District Council and the HCA, and identified in an Environmental Management Plan. The Access Road West would not be ready in time for the first construction project, but the case officer assured Members that Longstanton Parish Council would be consulted before routes were agreed.

Councillor Sebastian Kindersley noted that the indicative drawings showed balconies on flats, and commented that such balconies were not a traditional feature in South Cambridgeshire. In response, the Team Leader (Consultancy Unit) referred to Section 4.5 of the Northstowe Phase 2 Design Code. That section was clear that one of the essential design principles was that all proposals must provide external space. In the case of flats, external space most frequently meant balconies. The Team Leader (Consultancy Unit) assured Members that detailed guidelines would be drawn up.

Councillor Kindersley expressed concern about the 'Fluid' nature of the town centre. Officers pointed out that the layout was purely indicative at this stage, and that the relevant Supplementary Planning Document would be followed. Councillor Brian Burling was similarly keen that Northstowe Town Centre should be characterised by a Feature Building. There should also be opportunities for small-scale retail, public houses and Faith groups. Officers assured Councillor Burling that such comments were, and would be, addressed by the Section 106 Agreement and the Town Centre Strategy.

Distinctiveness and significance would help to deliver Town Centre quality. The Team Leader (Consultancy Unit) assured Members that the detail would evolve from what was seen as a long-term project.

Councillor Philippa Hart expressed concern at the apparent erosion of the concept of Northstowe as an exemplar development. She regretted the fact that the indicative Town Centre was excessively urban. Cllr Hart said that the Council should reach out to Faith groups in an effort to promote community integration. Councillor Tim Scott and cllr David McCraith shared the view that the indicative Town Centre lacked character, partly because of a rigid grid system of development. Councillor Burling suggested a design competition as one way of securing an exemplar Town Centre. Officers acknowledged the significance of the opportunities offered by the Design Code, and assured Members that consideration would be given to a design competition as one way of addressing the issue of evolving character.

Councillor Robert Turner agreed that design of the Town Centre was work in progress, and that Northstowe should be considered differently from North West Cambridge. He said that balconies should be allowed only where appropriate.

The Committee **discharged** Condition 9 (Design Code) attached to planning permission S/2011/14/OL (Northstowe Phase 2).

5. S/2790/17/FL - GREAT EVERSDEN (28 HIGH STREET)

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

6. S/2383/17/FL - OVER (SITE ADJACENT LONGSTANTON ROAD)

Members visited the site on 3 October 2017.

The case officer summarised discussions that had taken place about ongoing maintenance of the drainage system.

Don Proctor (applicant's agent) addressed the meeting. He commended the application as policy compliant, and said that the draft Conditions and Section 106 Agreement had both been agreed. Mr. Proctor would be happy to discuss with officers the maintenance of the drainage ditches.

Councillor Brian Burling secured a commitment from officers that Over Parish Council would be consulted about drainage measures. In response to his plea that the affording be 'peppercotted' throughout the development, the case officer said that the Registered Provider would prefer to group them so as to facilitate more efficient management.

Councillor Sebastian Kindersley said that the proposal should be approved for three reasons, namely

- It was a Full application
- It had the support of Over Parish Council
- It had local Members' support

The Development Management Project Implementation Officer reminded the Committee that the five-year housing land supply at the time of considering the application was the appropriate status to take into account.

The Committee **approved** the application subject to

1. The prior completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 securing the matters referred to the Heads of Terms attached at Appendix 1 to the report from the Joint Director for Planning and Economic Development; and
2. The Conditions set out in Appendix 2 to the said report.

7. S/3543/16/FL - GREAT ABINGTON (LAND TO SOUTH OF LINTON ROAD)

Members visited the site on 3 October 2017.

The case officer corrected a mistake in Appendix 1 to the report from the Joint Director for Planning and Economic Development. The affordable housing percentage of 40% equated to 18 affordable dwellings, not 21.

Glyn Mutton (for the applicant) and Councillor Tony Orgee (local Member) addressed the meeting. Mr. Mutton outlined the measures taken to mitigate any impact on the proposed development from Westlodge Kennels. Councillor Orgee said there was substantial local support for the proposal.

The Committee **approved** the application subject to

1. The prior completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 securing the matters referred to the Heads of Terms attached at Appendix 1 to the report from the Joint Director for Planning and Economic Development, subject to an amendment requiring 18 of the 45 dwellings

to be affordable rather than 21;

2. The prior approval of the County Council Archaeology department to the investigation details; and
3. The draft Conditions set out in Appendix 2 to the said report.

8. ENFORCEMENT REPORT

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

In respect of Smithy Fen, Cottenham (paragraph 5(b)), the Principal Planning Enforcement Officer said that ten prosecution files had been forwarded to the 3C Legal Shared Service for processing.

In respect of the Oaks, Meadow Road, Willingham (paragraph 5(g)), the Principal Planning Enforcement Officer said that the Appeal had now been rearranged, and allocated three days, starting on 17 October 2017.

9. APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION

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

Members engaged in debate about, among other things:

- Appeals against the non-determination of applications delegated to officers
- The delay in issuing decision notices
- Delegation in general

Councillor Deborah Roberts asked officers to report to the next Planning Committee meeting the percentage of delegation requests being sent to Committee for determination by Members. The Development Management Project Implementation Officer explained how the Council's scheme of delegation worked. Councillor Robert Turner, speaking as Planning Portfolio Holder, said that steps were being taken to review the scheme in due course.

Councillor Roberts suggested that training be provided for Parish Councils, reminding them about the mechanics of the scheme of delegation operated by South Cambridgeshire District Council. The Vice-Chairman said that such information was available from other sources.

The Meeting ended at 12.05 p.m.

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Agenda Item 4

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 1 November 2017
AUTHOR/S: Joint Director of Planning and Economic Development

Application Number: S/2239/13/FL

Parish(es): Sawston

Proposal: Erection of football ground for Cambridge City Football Club and creation of new community recreational ground.

Site address: Land to the north of Deal Grove, Off Babraham Road, Sawston

Applicant(s): Mr Len Satchell

Recommendation: Refusal

Key material considerations: Principle of development, effect on the openness of the Green Belt and need for very special circumstances, visual impact, highway safety, sustainability, neighbour amenity and ecology

Committee Site Visit: Yes

Departure Application: Yes – re-advertised 21 June 2017

Presenting Officer: Julie Ayre (Team Leader East)

Application brought to Committee because: Referral back to Planning Committee following Judicial Review.

Date by which decision due: 2 February 2014

Executive Summary

1. This application was first considered by the Planning Committee at its meeting on 4 June 2014. It was recommended for refusal by officers but members considered that on balance the application was acceptable and approved the application subject to conditions and a section 106 agreement. A copy of this committee report is appended. **(Appendix 1)**.
2. The approved Committee Minute for the Planning Committee dated 4 June 2014 states : -
 1. 'Members heard objections relating to access, the adverse impact on neighbours and an important ecological corridor, the loss of some trees and privacy, and noise.
 1. Committee resolved to give officers delegated powers to approve the application, subject to the following: -

- I. Reconsideration of ecology and access issues (including access from the A1307) in consultation with Parish Councils and local Members representing Sawston and Babraham.
 - II. Further consideration of the environmental impact, including from lighting on site.
 - III. Safeguarding Conditions and, if appropriate, the prior completion of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990; and
 - IV. The application being referred to the Secretary of State as a Departure from the Development Plan and not being called in for determination'. **(Appendix 2)**
3. This report should be read in conjunction with the original report to Planning Committee, dated 4 June 2014, and a subsequent Officer Delegation report dated 16 April 2015, which describe the application proposals in detail and provide comprehensive assessment of the key planning policy issues and key material planning considerations.
 4. On 25 February 2017, the Court of Appeal by order quashed the planning decision. Their reasons for doing so related to the need for the Planning Committee to give clear reasons for its decision to approve an application in the Green Belt contrary to the officer recommendation in the Committee Report.
 5. Following the ruling of the High Court the Committee is again required to consider the application.. Given the intervening period, the applicant and the Local Planning Authority have agreed that the applicant should submit a number of updated reports, to ensure that the Planning Committee is fully informed with respect to the latest position on matters including ecology, drainage, contamination and landscaping. This has been done and a fresh full round of re-consultation and publicity has been undertaken with all consultees and stakeholders.
 6. The applicant has confirmed that there are no changes to the original building plans that were previously approved and the scheme remains exactly as before. However, enabling works have been undertaken, including tree and vegetation clearance and the re-direction of a ditch, which has resulting in a change to levels on the site.
 7. The additional / updated information which has been submitted is as follows: -
 - Updated Planning Statement
 - Updated Design and Access Statement
 - Updated Ecology Surveys (bat, breeding birds, badger, great crested newt)
 - Updated Protected Species Report
 - Updated Ecological Management Plan
 - Updated Tree Survey
 - Updated Flood Risk Assessment
 - Updated Water Drainage Proposals
 - Updated Renewable Technologies
 - Updated Landscaping
 - Updated Land Contamination Strategy
 - Updated Fire Hydrant Details
 - Updated Sustainability Statements
 - Updated Water Conservation Strategy
 - Updated Landscape and Visual Impact Assessment

- Updated Community Impact Statement
- Updated Topographical Survey
- Amended Fencing
- Amended Materials
- Amended Landscaping
- Amended Services

8. Members are advised that due to their extensive nature, the appendices referred to above and below have been provided as part of the electronic publication of the report.

Planning History

9. *Following the committee meeting in June 2014, officers of the local planning authority engaged with relevant consultees and stakeholders in relation to these four matters identified by the Planning Committee.*

*On 22 September 2014 the Secretary of State for the Department for Communities and Local Government confirmed in writing to the Local Planning Authority that the application was not to be called in for determination and should be determined by the Local Planning Authority. **(Appendix 3).***

*On 9 April 2015 a Legal Agreement under Section 106 of the Town and Country Planning Act, 1990 was signed. **(Appendix 4).** The developer obligations to be secured under this agreement are as follows: -*

*On the 16 April 2015 a Delegation Report was produced and signed **(Appendix 5).** This Delegation Report provides a summary of the post-committee actions, clarifications and agreed courses of action in relation to the four matters identified by Members at the Planning Committee Meeting on 4 June 2014.*

*On 17 April 2015, the Local Planning Authority approved the planning application, subject to conditions and informatives. **(Appendix 6).***

The consented application was the subject to the 6 week Judicial Review period. Within that period a challenge to the decision was made by a local resident. This was refused and the subject to a further High Court appeal, which was successful.

*On Wednesday 25 February 2017 in the Court of Appeal ordered that the planning permission granted by the Respondent on 17 April 2015 under reference S/2239/13/FL is quashed, the reasons being that the Planning Committee, at its meeting on 4 June 2014, failed to properly set out its reasons and very special circumstances for allowing inappropriate development in Green Belt. **(Appendix 7).***

The position now therefore, is notwithstanding the Planning Committee's resolution dated 4 June 2014 to delegate authority to officers to approve the application, (subject to the further matters to be considered), there is no longer a planning permission for the development. The application has reverted back to being a live, undetermined planning application. It is therefore necessary to report the planning application back to the Planning Committee for consideration and determination.

Discharge of Condition Application in the Intervening Period

10. *Following the signing of the Section 106 Agreement and the issue of the planning*

application in April 2015, but prior to the planning permission being quashed in February 2017, the applicant submitted, and the Local Planning Authority approved, two applications for the discharge of the pre-commencement conditions pursuant to the planning permission, as follows: -

S/2345/15/DC - Discharge of Conditions 6 (Boundary Treatment), 7 (Materials), 14 (Contractors), 22 (Ecological Enhancement), 23 (Bat and Bird Nest Boxes), 25 (Foul Water Drainage), 26 (Surface Water Disposal), 27 (Surface Water Drainage), 28 (Suspended Solids), 29 (Land Contamination), 30 (Fire Hydrants), 31 (Site Waste Management Plan), 32 (Renewable Energy Technology) and 33 (Water Conservation Strategy) of Planning Consent S/2239/13/FL for Erection of Football Ground for Cambridge City Football Club and Creation of New Community Recreational Space

Approved 15 February 2016 (**Appendix 7**).

S/2587/15/DC - Discharge of Conditions 3 (Landscaping), 4 (Landscaping Programme) & (Boundary Treatment) of Planning Consent S/2239/13/FL for Erection of Football Ground for Cambridge City Football Club and Creation of New Community Recreational Space.

Approved 15 February 2016

Following the approval of these pre-commencement details the applicant has undertaken enabling works at the site. This has comprised levelling of the site and clearance of vegetation where development is intended to take place, creation of the access track and woodland walk and completion of the ditch diversion. However, the site remains screened by existing mature vegetation to all boundaries, including a TPO ancient woodland to the south of the site.

Planning Policies

- 11 *National Planning Policy Framework
Planning Practice Guidance*

Local Development Framework

12. **Local Development Framework 2007**

ST/1: Green Belt

DP/1: Sustainable Development

DP/2: Design of New Development

DP/3: Development Criteria

DP/4: Infrastructure and New Developments

DP/7: Development Frameworks

GB/1: Development in the Green Belt

GB/2: Mitigating the Impact of Development in the Green Belt

GB/5: Recreation in the Green Belt

NE/1: Energy Efficiency

NE/2: Renewable Energy

NE/3: Renewable Energy Technologies in New Development

NE/6: Biodiversity

NE/11: Flood Risk

NE/14: Lighting Proposals

NE/15: Noise Pollution

CH/2: Archaeological Sites

TR/1: Planning for More Sustainable Travel
TR/2: Car and Cycle Parking Standards
TR/3: Mitigating Travel Impact

13. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**District Design Guide SPD - Adopted March 2010
Trees and Development Sites SPD – Adopted January 2009
Biodiversity SPD – Adopted July 2009
Landscape in New Developments SPD – Adopted March 2010

14. **Draft Local Plan**

S/1: Vision
S/2: Objectives of the Local Plan
S/3: Presumption in Favour of Sustainable Development
S/4: Cambridge Green Belt
S/5: Provision of New Jobs and Homes
S/7: Development Frameworks
CC/1: Mitigation and Adaptation to Climate Change
CC/2: Renewable and Low Carbon Energy Generation
CC/3: Renewable and Low Carbon Energy in New Developments
HQ/1: Design Principles
NH/4: Biodiversity
NH/8: Mitigating the Impact of Development in and adjoining the Green Belt
NH/10: Recreation in the Green Belt
SC/4: Meeting Community Needs
SC/10: Lighting Proposals
SC/11: Noise Pollution
SC/12: Contaminated Land
TI/2: Planning for Sustainable Travel
TI/3: Parking Provision

Consultation

15. **Sawston Parish Council** - Support subject to the following: -

- No access to the site on Sundays for car boot users before 9am.
- All licensed bar users to be off the premises by midnight every night.
- Changing rooms for all weather pitches to be available to Sawston Teams and maintained by CCFC.
- Gym will be for players and CCFC Members only.
- CCFC Girls will not play or train at Sawston if they are in the same league as Sawston girls.
- Car boot sales will not start before 10.00am.
- Licensed bar will finish at 1.45 on Saturdays.
- Minibus Transport will be provided from Whittlesford Station and Babraham Park and Ride.

16. **Babraham Parish Council:** - Although in support of the application in principle the parish council have concerns about the following: -

- Increased traffic through the Babraham High Street, where speeding is currently an issue.
- Use of grounds by other users may cause traffic in addition to that caused by football events. For example, car boot sales early on a Sunday morning would

generate a lot of traffic through the village at otherwise quiet times.

- Potential increased traffic through the village if the club were to be promoted to a higher league in the future.
- Light pollution from floodlights.
- Noise pollution from the increase of traffic and the construction of the building.
- Safety regarding heavy construction traffic through the village. The road is often reduced to one lane due to on-road parking. Please note that the primary school is located on the main road and the increased traffic may pose a risk to vulnerable children.

The council would like to specify that no construction traffic use Babraham High Street to access the building site and seek reassurances that this will be enforced.

17. **Cambridgeshire County Council, Highways Authority** -The Local Highway Authority's stance in respect to the on street and off street works remains the same.
18. **Cambridgeshire County Council – Transport Assessment Team** - There was a signed S106 agreement which was signed. Is this still valid with this application? We need the applicant to confirm that the assumptions contained in the Transport Assessment still remain the same. If this is the case and the S106 is also still valid, then assuming nothing has fundamentally changed I don't think we would need a full updated Transport Assessment.

We would however request that in any case the applicant provides updated accident data to check nothing has changed in safety terms.

19. **Sport England** - Remains supportive for the reasons set out in the original representations.
20. **Environment Agency**- No objections subject to conditions to manage protection of controlled waters from contamination (site investigation, remediation and verification), measures in the event of unidentified contamination, surface water scheme and piing.
21. **Cambridgeshire County Council, Lead Local Flood Authority** – Raised no objection
22. **Anglian Water- Wastewater Treatment** - The foul drainage from this development is in the catchment of Sawston Water Recycling Centre that will have available capacity for these flows.

Foul Sewerage Network The sewerage system at present has available capacity for these flows.

Surface Water The proposed method of surface water management does not relate to Anglian Water operated assets.

23. **South Cambridgeshire Development Plan Officer** - Since the last Sawston Stadium application the Council has completed the Playing Pitch Strategy, 2016 This identified the need for new facilities, and identified the then consented facilities at Sawston as part of meeting that need.

24. **Landscape Officer** - Approval subject to:-

- The protection and enhancement of existing woodland boundary.
- A programme of planting enhancements to infill the existing boundary with Local Character species.
- The provision of additional tree and shrub planting with the car parking layout

I agree with the applicant that the site is relatively contained in visual terms by the existing woodland boundary. The development would fit in well with the existing character and will improve the character and value of the landscape.

Visual and visual amenity – Neutral effect. The development will be imperceptible with the existing views.

25. **Ecology Officer** - Considering site clearance has already taken place I will assume that it was undertaken under the supervision of an Ecological Clerk of Works as recommended in the numerous ecology reports submitted with the original application in 2013. My concern is if a significant period of time has elapsed in the interim and that vegetation has re-grown. If this is the case a similar protocol to that followed for the original application should be enforced if further site clearance is needed.

The habitat enhancement and installation of bird and bat nesting boxes is welcomed, and should help to compensate for the habitat that is being lost for the construction of the football ground. However I am concerned that the lighting design shows what appears to be four lighting columns illuminating the recreational/mitigation area to the south. I am not convinced this is in keeping with the mitigation and habitat enhancement recommendations made in the submitted ecology assessments. If this area is to provide foraging habitats for species such as bats then the additional lighting will frustrate this. I would suggest that the recreation ground lighting is either removed completely or put under a strict usage agreement to provide an unlit space for foraging bats and other nocturnal species.

The new hedge and trees suggested for the southern boundary of the football ground will need to be carefully designed to provide adequate screening for the pitch lighting to prevent light spill onto the scrub and grassland habitats to the south. I would suggest planting semi-mature individuals to provide an instant screening effect, otherwise there could be medium term impacts on nocturnal wildlife which could result in legislative conflict; given bats are fully protected under the Conservation of Habitats and Species Regulations 2010 (as amended), and have been proved to be foraging in the area.

In Summary

- If further site clearance is required, ecological avoidance and mitigation strategies should be followed as in the 2013 reports,
- either the removal or strict control of the floodlighting for the recreational/mitigation area to the south of the football ground; and
- Fast establishment of the hedge to the south of the football ground to provide screening of any light spill from floodlit pitches onto the recreation/mitigation area.

26. **Trees Officer** - An updated Arboricultural Method Statement with tree protection strategy and key stage arboricultural supervision is welcomed and is fit for purpose.

If you are minded to approve this application then please include planning conditions

as follows:

Further proposed tree works around the edges of the construction area are to be carried out in accordance with further details to be drawn up and submitted for these works.

Tree protection measures are to be installed in accordance with the approved tree protection strategy before any construction works commence on site. The tree protection measures are to remain in place during construction and may only be removed after completion of all construction works.

Arboricultural supervision to be carried out at key stages during the course of development as detailed in the approved arboricultural method statement.

27. **Cambridgeshire County Council – Archaeology** - We have reviewed the above planning application and this does not affect our previous advice, which was no comment, as the site is primarily landfill (and therefore most of the archaeology that may have been present will have been destroyed), and the southern portion of the site is to be retained as-is, avoiding any disturbance to the moated site within its bounds.
28. **Environmental Health Officer - Noise** - Having considered the original application and the Environmental Health Officers comments made at that time pertaining to that application, I can confirm the Conditions and informative recommended are still relevant as attached to the original Decision Notice and consequently still stand, which are: construction management plan, hours of use of stadium car park, controls over car boot sales, power operated machinery and plant, acoustic mitigation, lighting and floodlighting (including hours of use), foul water, surface water, contamination, site waste management plan and renewable energy.
29. **Environmental Health Officer - Contaminated Land** - The works outlined in this report appear appropriate, however still need to be implemented and verified. Therefore I recommend that no development approved by this permission shall be commenced, unless otherwise agreed, until:
 - a) The works specified in the remediation method statement have been completed, and a Verification report submitted to and approved in writing by the Local Planning Authority, in accordance with the approved scheme.
 - b) If, during remediation works and/or any construction works, any contamination is identified that has not been considered in the remediation method statement, then remediation proposals for this material should be agreed in writing by the Local Planning Authority.

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

30. **Police Architectural Liaison Officer** -Support
31. **Fire Authority** - No response.

Representations

32. 5 letters of **objection** outlining the following points: -
- Inappropriate development in Green Belt.
 - Scale of development is questionable for a club with low attendance levels and uncertain viability.
 - Edge of village location not convenient for community use.
 - Poor access route, especially for public transport.
 - Unlikely to provide level of employment suggested.
 - No clear plan for the woodland.
 - Disturbance to wildlife and residential amenity from construction activity.
 - No need for such a large development.
 - Insufficient car parking.
 - Light pollution.
 - Noise pollution.
 - Disturbance and inconvenience from car boot sales.
 - No public toilets.
 - Traffic increases.
 - Alternative access should be considered.
33. 600 signatory petition in strong **support** of the application proposals, urging the Council to facilitate the proposal as soon as possible.
34. 11 letters of neighbour **support** outlining the following points: -
- The club has spent years searching for a new ground.
 - The proposals will provide facilities for many teams and local people and families.
 - The scheme includes a gift of land for community uses.
 - A fantastic facility for young people.
 - Will ensure future generations can enjoy football.
 - A huge asset.
 - Future sporting enjoyment and participation.
 - Extra recreational space for the village.
 - Provision of all weather pitches.
 - Will enhance and encourage people to participate, spectate and support.
 - A welcome addition with economic benefits.
 - The club has a long history and needs a ground.
 - Already unanimously approved.
 - Better to locate here than to have to battle in and out of Cambridge.
35. Applicants Supporting Letter –
- The site is now clear and levelled and the site no-longer requires tree removal or relocation of drainage channel.
 - There is now clear information on how the development will be operated through the documents set out in the Additional Information submission. This includes information relating to boundary treatments, materials, ecology enhancement, foul water drainage, surface water drainage and disposal, land contamination, fire hydrants, water conservation and landscaping. This gives

much greater certainty about how the previous Conditions will be met and assures the Council and locals of the exact impact of the development

- High demand in the area for sports facilities
- Cambridge City Council have published that there are no sites for the club in the City
- There is a move to re-instate the railway line so will become a more sustainable location.
- The Cambridge City Council and South Cambridgeshire District Council Indoor Sports Facility Strategy includes this proposed 3G pitch to satisfy an identified shortfall. The document recognises that one of the Key Priorities is 'to work towards the supply identified for 3G rubber crumb pitches' which includes the CCFC pitch. It also states a key priority of for SCDC is to 'work with the FA to support clubs applying for....planning'.
- There have been other reports written such as Sporting Future: A New Strategy for an Active Nation which all recognise the benefits of sport and the importance of access to it. On 24th November 2016
- There is now significant local support for the development which includes a petition set out by a Local Councillor. This facility is wanted in this location.
- We believe the significant community and ecological benefits of the scheme outweigh any harm to the openness of the Green Belt which is limited to the site only by virtue of the significant tree belt to the perimeter of the site

Planning Assessment

36. This report should be read in conjunction with the original committee report, and the subsequent delegation report following the committee meeting.

Key Material Considerations

Green Belt.

37. The site lies outside the defined village framework of Sawston and within the countryside and Green Belt. Members should be mindful of the fact that the appearance and characteristics of the site have changed in the intervening period since the original proposals were considered. The key changes, undertaken in the understanding that planning permission had been granted, relate to the comprehensive removal of vegetation from the site, site levelling, creation of access and woodland walk and the re-direction of a drainage ditch.
38. Notwithstanding these differences, the application site remains in the Green Belt. Paragraph 89 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. A number of exceptions are identified including:
- “the provision of appropriate facilities for outdoor sport, outdoor recreation ... as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it”
39. In accordance with the advice set out in paragraphs 55-59 of the original Committee Report, officers again conclude the scale of the development, together with its siting on presently undeveloped land, means the proposal would clearly conflict with the purposes of including land in the Green Belt, namely to check the unrestricted sprawl of built-up areas and to safeguard the countryside from encroachment. It would also fail to preserve the openness of the Green Belt.

40. As such, the proposal comprises inappropriate, and by definition, harmful development. Very special circumstances are required to justify permitting the application proposals.

Visual Impact on the openness of the Green Belt.

41. Notwithstanding the removal of vegetation and some operational development, the landscaping remaining and thereafter proposed on the boundary of the site would contribute significantly to the visual enclosure of the site. While they may not be readily seen from outside of the site, the structures and the associated floodlighting would nonetheless result in significant harm to the openness of the Green Belt and thus represent additional harm.
42. While recognising the comments of the Council's Landscape Officer, it is considered the development would have an urbanising impact on the landscape. The mature trees bounding the site are deciduous trees and it is notable that the applicant's original visual impact assessment was undertaken in July, a time of year when the structures would admittedly be generally well concealed from public view. During the winter months when the trees have lost their greenery, the development would be visible in middle and long distance views from surrounding footpaths and roads. Additionally, whilst the floodlights have been designed to be lower than the boundary trees and, as set out in the lighting assessment, to point downwards in order to minimise light spillage, the lighting would clearly have an adverse impact on the landscape during the winter months. The football season lasts from August-May and, throughout the daylight saving part of the year from October-March (a time of year when tree cover will provide nominal screening), floodlighting will be required for evening matches and training.
43. In summary, it is considered that the structures and the associated floodlighting would have an adverse impact within the surrounding landscape contrary to policy DP/3 (m) of the adopted Local Development Framework..

Countryside Impact

44. Policy DP/7 states that, outside village frameworks, only development for agriculture, horticulture, forestry, outdoor recreation and other uses that need to be located in the countryside will be permitted. The policy seeks to ensure the countryside is protected from gradual encroachment and to help guard against incremental growth in unsustainable locations.

Residential Issues

45. There are no in-principle objections from statutory consultees but it is considered that the stadium would have some adverse impact upon the amenities of surrounding properties as identified in paragraphs 70 – 77 of the June 2014 committee report (appendix 1) but these could be mitigated through the following conditions:
- 46.
- Restriction on hours of operation of the stadium and main car park to 7am-11pm Monday-Saturday and 9am-10pm on Sundays and Bank Holidays.
 - Details of plant and machinery.
 - Details of acoustic mitigation of the main stadium.
 - Floodlighting to the community land to be switched off at 10.30pm.

Highway safety, car parking and cycle parking.

A transport statement has been submitted with the application. The Local Highway authority has assessed that document in light of the current situation and raised no objection subject to conditions and the Section 106 obligations being met.

Ecology

47. The Ecology Officer raises no objection principal objections as the application is supported by an Ecology Enhancement which has been previously discharged, the measures area considered acceptable subject to the original guidance being followed again as the site has re-grown since originally being cleared. This can be secured by condition should the application be considered acceptable.
48. *Sustainability and sustainable transport issues*
- An updated travel and event management plan was required as part of the conditions attached to the application determined in 2014. This was to include measures to reduce cardendency and to promote alternative modes of travel to the private motor car.
49. In spite of this, officers previously concluded (see paragraphs 88 - 90 of the original report) that due to the inconvenience of the other options, as well as the ease of (free) parking at the site, it is likely most supporters would choose to travel by car. With regards to the proposed alternative ancillary uses of the stadium and the adjacent community land, Officers considered the site is not in a very accessible location for the local population for such a facility. In addition, the access to the site is currently through an industrial estate and unlikely to be perceived as attractive to pedestrians and cyclists, particularly during the evening hours, albeit this would change if the proposed housing allocation is implemented.
50. As a result, Officers remain of the view that the proposal for this major sporting facility would result in an unsustainable form of development by attracting unsustainable forms of travel to and from the site contrary to Policies DP/1 and TR/1 of the adopted Local Development Framework 2007.

Flood risk and contamination

51. As previously stated the site is located on top of a known historic landfill site for inert waste and former railway land and also overlies a principal aquifer. The responses from the Environment Agency and Contaminated Land Officer make it clear that any harmful impacts can be controlled through planning conditions. A scheme was considered as part of the discharge of condition application S. 2345./15/DC and the proposal were considered acceptable, therefore only a compliance condition would be appropriate.
52. *Archaeology*
53. The site lies within an area of known archaeological interest including a non-scheduled medieval moat within the woodland to the south. However, given the former use of the site for landfill purposes, the County Council's Archaeology Officer considers the archaeological value of the site itself to be negligible and has therefore raised no objections to the development

54. *Water conservation and renewable energy*

The scheme has not been amended in relation to water conservation or renewable energy as part of the revised document therefore the applicant still intends conservation would be achieved by constructing a rainwater collection system from the roof areas which would then be pumped through a sprinkler to serve the main pitch. Such measures can be secured by condition in the event planning permission is granted. This was also considered as a 'discharge of condition' application and the applicant has achieved an acceptable scheme.

55. The renewable energy statement proposes the use of solar panels that would exceed the 10% renewable energy requirement. The submitted report is based on pre-construction figures and, if the scheme is approved, a condition would be needed requiring details of a final scheme.

Impact on local services

- 56.. Significant concerns were raised in the earlier committee report relating to competition between the site and existing facilities. This is not a material planning consideration. However, CCFC has sought to address the concerns raised. Sport England has advised that being the only public sport facility in the community is just one of a number of factors to be taken into account in assessing eligibility for funding and that there are other funding streams that could be applied for. As such, the development is unlikely to compromise the Village College's chance of securing funding in the future

Very special circumstances

57. In addition to the harm by reason of inappropriateness, the development is also considered to result in harm by virtue of the loss of openness of the Green Belt, unacceptable visual impact on the landscape, and by resulting in an unsustainable form of development. In accordance with paragraph 87 of the NPPF, the development should not be approved except in very special circumstances. Paragraph 88 goes on to state that "when considering any application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations"

Court of Appeal Decision

58. The High Court decision to quash the original planning permission is a matter of fact; however it is not a material planning consideration to which any particular weight should be attached. The application is being brought back to Planning Committee and Members are directed to reconsider and debate all of the material planning considerations in full. If Members are minded to approve the application then the judgement by the Court makes clear that the Committee minute clearly sets out the very special circumstances that it considers override the harm to the Green Belt arising from the proposals. to override the by definition harm to the Green Belt, and other harm, are fully and clearly set out.
59. The need to demonstrate very special circumstances was assessed in paragraphs 102 -135 of the original Committee Report. Further supporting information from the applicant has been submitted since the earlier committee report) which outlines the clubs continuing commitment to delivering the development which they believe will

secure the future of Cambridge City Football Club and provide much needed sporting facilities and a recreational ground for the village. They continue to strongly believe that their facilities can be considered under the exceptional criteria for sporting and recreational development within the Green Belt.

a) Need for the development

60. The Club currently has no permanent home and currently operate from temporary facilities/grounds in St Ives. It is believed this has prevented the club from attracting new players, being able to afford new players, gaining the level of support they need from fans and ultimately allowing the club to grow. This is a long-standing prominent football club which has had an uncertain future over the last four years and this may well have impacted on the morale within the club. The club have stated that if permission is granted for the new stadium the future of the club is bright; a permanent ground, an accessible local base for fans, an ability to self-generate funds, attract new players and ultimately grow with a view to moving up the leagues.
61. In terms of teams there are currently:
- two male adult teams (1 x EvoStik Southern . 1 x Development team, namely under 21's in Kershaw Premier, step 7)
 - Five boys teams, under 13 to under 18.
 - Two ladies teams with senior team playing at national level 3.
 - Nine girls teams, under 9 to under 17.
 - Two para-ability teams.
62. Therefore there are 20 teams under the CCFC banner playing and training at various locations in the county which is very much a community asset.
63. The financial situation remains the limited as the club is can't raise any money as income streams are severely limited through ground-sharing. The club relies on gate money on a match-day, various types of sponsorship, advertising, match-day catering (very limited) and donations. The fear is that this situation is not sustainable and without a permanent home the club may cease to exist

b) No other sites available

The club has been searching now for around nearly 15 years for a suitable location, it initially wanted to locate in the City but due to the size of the site required and land values, this has not been possible and the Sawston site remains the best option.

Other sites considered below:

- Number of sites considered in Newmarket, Linton, Papworth Everard, Swavesey were discounted on the ground of failure to meet the size requirements
- University Rugby Club- unwilling to share ground as different sports needs and sharing ground would be inappropriate
- Cambridge Rugby Club – would consider sharing, no local support
- Cowley Road site – unviable
- NIAB – no interest
- Milton – Site is Green Belt, no Parish support at the time of the application.

- Spicer Site – Site access compromised.

c) Community benefits.

64. The application would accord with paragraph 73 of the NPPF, which states that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Sawston has an identified shortfall of 5 hectares of recreation space.

Playing Pitch Strategy

The Greater Cambridge Area Encompassing Cambridge City Council and South Cambridgeshire District Council Playing Pitch Strategy 2015 – 2031, Adopted June 2016

65. The Council's Forward Planning Team has identified the 2016 adoption of the Playing Pitch Strategy as a material planning consideration in the determination of the application. This post dates the June 2014 Planning Committee resolution to delegate approval of the application to officers and the subsequent April 2015 planning approve.
66. The Playing Pitch Strategy 2016 identifies a continuing shortfall and need for additional playing pitches in Sawston, inclusive of the 2015 consent of the Cambridge City Football Club stadium and associated additional recreational space. In particular, the Playing Pitch Strategy highlights that the 3G pitch secured by the Cambridge City Football Club planning permission contributed towards the supply in Sawston. Given that the consent has been quashed, this contribution has been lost. The need for more provision and the contribution that approval of this application would make, weighs in favour of the application in the planning balance. However, officers remain of the view that the contribution to supply and reducing the deficit that exists would not be sufficient to comprise very special circumstances justifying approval of this application..
67. The application has received support from some local residents within the area who have identified benefits .including: additional green space for residents to use in association with the Parish Council; the provision of new recreational facilities which are built to the latest standards; a facility which would be available to residents for private hire, as an important local venue, which could then have wider appeal to business and residents within nearby villages; and the provision of local jobs to work in the public areas. These benefits need to be balanced against the identified harm to the Green Belt. .

Conclusions

68. The NPPF requires, that development should not be approved except in very special circumstances. Paragraph 88 goes on to state that “when considering any application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations”
69. The applicant's submission sets out what they consider to be the very special circumstances justifying approval of the application. Officers have considered these matters and the changes identified above in their assessment and remain of the view

that the matters identified whether taken singularly or together do not amount to the very special circumstances justifying approval of the application.

70. The February 2017 Court of Appeal decision to quash the original planning permission and the requirement to properly and fully set out the reasons for overturning the officer recommendation to refuse requires Members to consider, in particular, the following issues and give reasons for their conclusion in respect of each.. Members should consider not only this report but also the original report dated 4 June 2014 and the delegated report dated 16 April 2015 in formulating their conclusions and reasons on each issue. These issues are:

(1) Do the Committee agree with the officer view that the proposed development would be inappropriate development in the Green Belt? In doing so, Members must acknowledge and agree that inappropriate development is by definition harmful to the Green Belt and should not be approved in very special circumstances

(2) Do the Committee consider that there would be additional harm to the Green belt over and above the harm that would be caused by reason of inappropriateness?

i) In particular, do the Committee consider there would be harm to the openness of the Green Belt by reason of the structures and floodlighting proposed by the development?

If not, members will need to set out their reasons for coming to a different view?

ii) Do the Committee consider that the development would have an adverse impact on the countryside and landscape character?

If not, members will need to set out their reasons for coming to a different view?

iii) Do the Committee agree that the development would be in conflict with Policy DP/7 of the Local Development Framework, which provides that "Outside urban and village frameworks, only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will be permitted"?

If not, members will need to set out their reasons for coming to a different view?

iv) Do the Committee consider the site is in a location that would result in unsustainable forms of travel for the proposed use?

If not, members will need to set out their reasons for coming to a different view?

(3) Paragraph 88 of the NPPF state that "when considering any application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other

harm, is clearly outweighed by other considerations,

With that in mind, what factors do members consider to be “very special circumstances” (whether taken individually or cumulatively) which clearly outweigh the harm to the Green Belt?

Further and in particular, do members consider that the alternative site search that was carried out by the applicant was, or was not, sufficiently robust and if so, why?

71. Should Members be minded to approve the application, officers would advise consideration and imposition of the list of conditions set out in the original decision notices appended to this report. Furthermore, Members should note that the original Section 106 Agreement appended to this report remains valid, and the schedule of obligations contained therein continue to take effect, subject to any variations or amendments which may be advised by the Council’s solicitor.

Recommendation

72. That the Committee refuses the application for the following reasons:
1. The site lies outside the defined village framework for Sawston, and within the countryside and Cambridge Green Belt. The proposed development, by virtue of the nature and range of proposed uses together with; the scale of the facility will fail to preserve the openness of the Green Belt and conflict with the purposes of including land within it, namely to check the unrestricted sprawl of built-up areas and to safeguard the countryside from encroachment, would constitute inappropriate development in the Green Belt, as defined within the National Planning Policy Framework 2012 (‘the NPPF 2012’), and would therefore be contrary to Policy GB/1 of the South Cambridgeshire Local Development Framework 2007 (‘the LDF’).
 2. Notwithstanding the harm by reason of inappropriateness, the development would result in additional harm to the rural character of the area. Consequently, the proposal would be contrary to Policies DP/3 (m) and DP/7 of the adopted Local Development Framework 2007, which states that development will not be permitted if it would have an unacceptable adverse impact on the countryside and landscape character.
 3. Notwithstanding the harm by reason of inappropriateness, the site is in a location that would result in unsustainable forms of travel for the proposed use. Consequently, the proposal would be contrary to Policies DP/1 and TR/1 of the adopted Local Development Framework 2007, which state that development will only be permitted if it would be consistent with the principles of sustainable development by, in part, minimising the need to travel and reducing car dependency.
 4. Insufficient very special circumstances, including the lack of a sufficiently robust and detailed consideration of alternative sites, have been put forward to demonstrate why the harm, by reason of inappropriateness in the Green Belt and the other harm identified above, is clearly outweighed by these considerations. The application therefore fails to satisfy the requirements of paragraph 88 of the NPPF 2012.

Background Papers

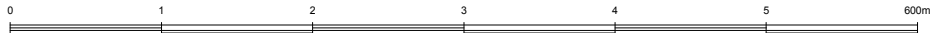
Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

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

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- Planning File Ref: S/2239/13/FL
- Documents referred to in the report including appendices on the website only and reports to previous meetings

Report Author: Julie Ayre Team Leader East
Telephone: (01954) 713251



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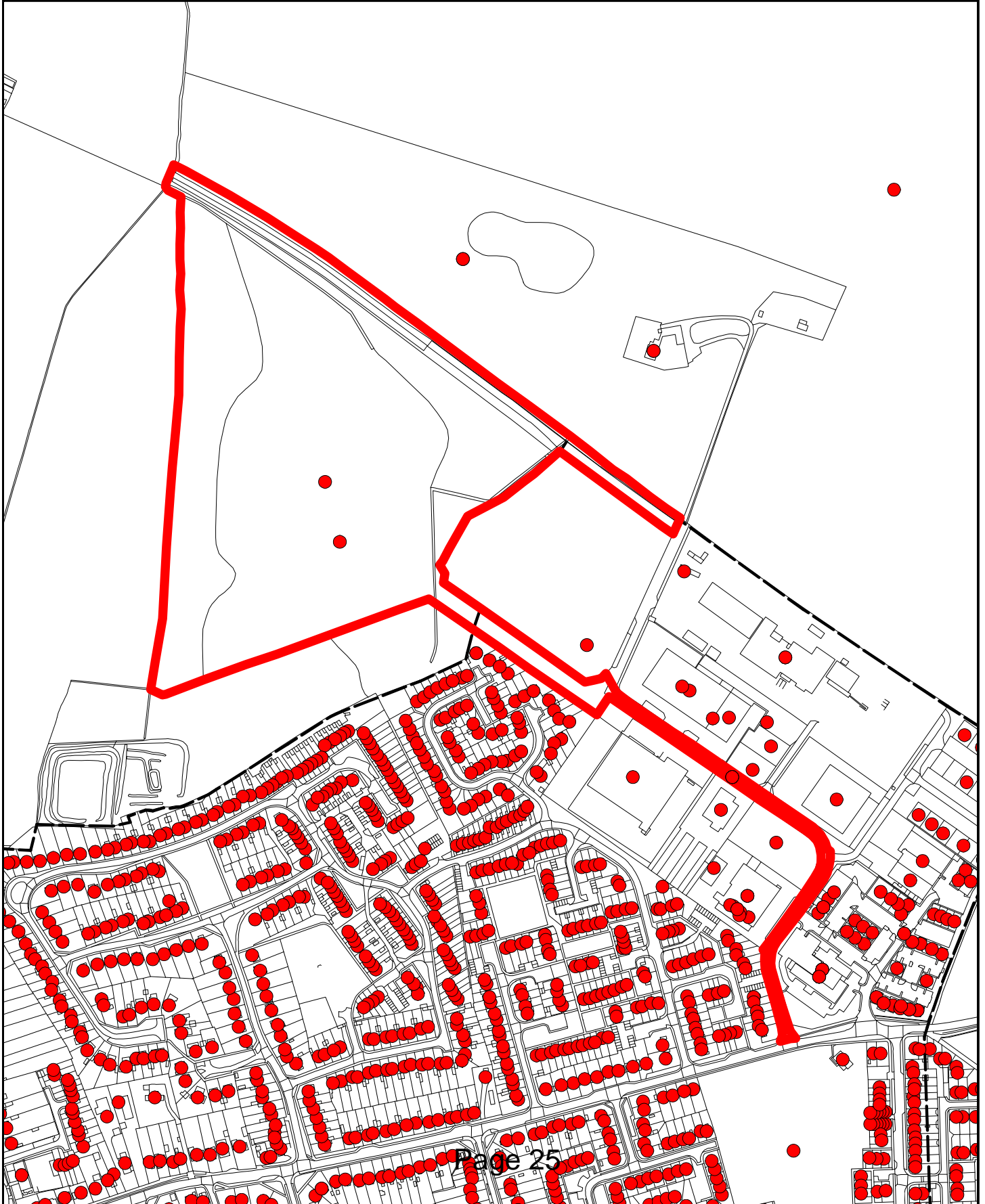
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Agenda Item 5

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 1 November 2017
AUTHOR/S: Joint Director for Planning and Economic Development

Application Number: S/3052/16/FL

Parish(es): Shepreth

Proposal: Full planning permission for the erection of 25 dwellings (including 40% affordable) along with access, car and cycle parking and associated landscaping.

Site address: Land to the east of Collins Close, Shepreth

Applicant(s): Greater Cambridgeshire Housing Development Agency

Recommendation: Delegated approval (to complete section 106 agreement)

Key material considerations: Five year supply of housing land
Principle of development
Sustainability of the location
Density of development and affordable housing
Character of the village edge and surrounding landscape
Highway safety
Residential amenity of neighbouring properties
Surface water and foul water drainage
Provision of formal and informal open space
Section 106 Contributions

Committee Site Visit: 31 October 2017

Departure Application: Yes (advertised 22 March 2017)

Presenting Officer: John Koch, Team Leader

Application brought to Committee because: The officer recommendation of approval conflicts with the recommendation of Shepreth Parish Council and would represent a departure from the Development Plan

Date by which decision due: 14 February 2017

Executive Summary

1. The application site is located outside, but adjoining the Shepreth village framework. Shepreth is designated as an Infill village. Full planning permission is sought for the erection of 25 dwellings (including 40% affordable). A revised layout plan submitted with the application demonstrates that 25 units could be provided on the site, within adequately sized plots along with the required access routes, level of formal and informal open space and surface water attenuation measures.

2. Following the receipt of additional information, none of the Council's internal consultees have recommended refusal. Neither are there objections to the proposals from the Highway Authority, the Flood Risk Authority or the Environment Agency. All of the matters raised can be secured by appropriately worded conditions.
3. The proposal would involve the loss of grade 2 Agricultural land, but is not considered to have an adverse impact on the character of the village edge, given the proximity of the existing residential development on Collins Close to the west, the commercial uses to the east and the relatively dense landscaping along the northern boundary of the site. The proposals are considered to demonstrate that the residential amenity of neighbouring properties would be preserved and the density of development would allow sufficient space to be retained between the buildings to preserve the residential amenity of the future occupants of the development.
4. Whilst Shepreth itself does have limited facilities, the site is within walking distance of a train service which gives regular access to Cambridge and Royston in a relatively short time both at commuting times and throughout the day. This represents a social and environmental benefit through providing a viable alternative to the private car for access to a wider range of services and facilities.
5. Overall, it is considered that the small amount of harm arising from the loss of agricultural land and the location on the edge of an Infill Village where development of individual sites is otherwise restricted to no more than 2 dwellings is outweighed by the significant contribution the proposal would make to the deficit in the Council's five year housing land supply, including the provision of affordable housing, and the social benefits that would result from the development. None of the 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.

Planning History

6. There is no relevant planning history on the application site. Application S/0506/10/F for the erection of 12 affordable houses and associated open space was approved in July 2010 for the development on Collins Close immediately to the south west of the site. A number of planning applications have been approved associated with the commercial development to the north east of the site which contains light industrial and office uses.

National Guidance

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

Development Plan Policies

8. 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.

South Cambridgeshire LDF Core Strategy DPD, 2007

ST/2 Housing Provision
ST/7 Infill 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/4 Listed Buildings
 CH/5 Conservation Areas
 SC/9 Protection of existing Recreation Areas, Allotments and Community Orchards
 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

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

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

10. **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/11 Infill 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

11/1. **Shepreth Parish Council** – the Parish Council recommended refusal of the original submission for the following reasons:

- The site is of nature conservation value. Trees have been planted which has created a tree belt which screens the occupants of the existing development on Collins Close from the railway line and the industrial development which area adjacent to the site. The loss of a large part of this tree belt would harm the biodiversity of the site and may harm the amenity of existing residents and occupants of the proposed development through noise pollution.
- Access to the development would be via Collins Close which is a small cul-de-sac primarily occupied by families and small children. The Parish Council question the wisdom of funnelling cars through this route and consider that this will result in a highway safety hazard, particularly during peak times. A safer access point would be between 9 Collins Close and 26 Meldreth Road in the south eastern corner of the site.
- Concerns regarding surface water drainage. The Parish Council has previously informed Anglian Water about concerns relating to the capacity of the surface water and foul sewer drainage network. The pumping station at Barrows Green regularly breaks down and this results in the flooding of an adjacent property with raw sewage. Anglian Water has agreed to undertake hydraulic modelling but, until this issue is resolved, no further development within the village will be supported by the Parish Council.
- Anglian Water has confirmed that the Foxton Waste Water Recycling Centre does not have capacity to accept the flows from the development, which highlights the problem with regard to drainage infrastructure.
- There are concerns regarding surface water drainage due to the chalk consistency of the ground below the surface. This will result in infiltration problems and surface water will gather on the site, presenting a flooding hazard.
- The proposal development is considered to be too dense given that there is a need to remove landscaping to fit the number of dwellings proposed on to the site.
- The Parish Council does recognise the need for additional affordable housing in

the village and there is some logic to developing this site – which lies adjacent to existing affordable residential development on Collins Close and John Breay Close. A greater proportion of affordable housing should be incorporated as well as a larger number of 3 bedroomed properties to meet identified local need.

- The village has a very limited bus service and the primary school is close to capacity.
 - If permission is granted, S106 money would be spent on the following projects: additional play equipment for Collins Close playground (specifically to include older children); play facilities at the Old School Field; a MUGA on the recreation ground; start-up costs for a Senior Citizens Coffee Club to include provision of a small kitchen area in the Village Hall Meeting Room; start up costs for a Cinema Club; and refurbishment of the changing/shower room at the Village Hall.
- 11/2. **District Council Urban Design Officer** – The density of the proposed development (21 dwellings per hectare - dph) is considered to be low and is below the policy requirement for 30 dph. However, the existing and emerging policies in this regard do include a caveat that justification may exist for a different density. Given the edge of village location and the need to preserve comprehensive screening on the northern boundary, it is considered that the caveat should be applied to this case. Concerns raised in relation to the parking arrangements in the original submission, the proximity of properties to the north eastern boundary and the extent of tree removal adjacent to the north western boundary with the railway line have been addressed to some degree by the revised proposals. A Local Area of Play is required as part of the proposals.
- 11/3. **District Council Landscape Design Officer** – No objection to the proposals following the revision to increase the amount of landscape planting to be retained on the northern boundary of the site. It would be preferable to include the landscaping on the north eastern boundary of the site within an area of open space so that the landscaping on that boundary can also be maintained. The landscaping within the 'woodland' area will need to be managed to ensure that the pedestrian connection to the existing play area on Collins Close would be legible for users.
12. **Cambridgeshire County Council (Local Highway Authority)** – No objections to the application, subject to the imposition of a condition requiring the provision of pedestrian visibility splays at the entrance to the development, the construction of the access road in a bound material and at levels which prevent displacement of water/debris onto the highway and the submission of a construction management plan. Question the size of some of the car parking spaces and the use of shared surfaces to serve some of the plots within the development.
13. **Cambridgeshire County Council Historic Environment Team (Archaeology)** – no objections to the proposals. It is considered not necessary to undertake any investigation work in relation to this site following the investigations undertaken during the application for the development on Collins Close (immediately west of this site). Those investigations indicated that the site is of low archaeological potential.
14. **Cambridgeshire County Council Flood & Water Team** – no objection subject to the imposition of conditions requiring compliance with the amended Flood Risk Assessment (FRA) submitted with the planning application and details of a surface water drainage strategy (including details of Sustainable Urban Drainage Systems) being secured by condition.

15. **Environment Agency** - The site lies in Flood Zone 1. The Environment Agency has no objection to the scheme, highlighting the need for the LLFRA to be consulted on the contents of the drainage strategy submitted with the application. Precautionary condition relating to the actions required if sources of contamination are encountered during the construction process and conditions requiring the submission of the final surface and foul water drainage proposals.
16. **Anglian Water** - Anglian Water (AW) has confirmed that the site is within the catchment of Foxton Water Recycling Centre, which currently does not have capacity to deal with the flows from the development. AW acknowledge that they are legally obliged to accept these flows and would be required to undertake any work required to meet these demands. AW confirm that there is available capacity within the drainage network to deal with the foul sewage flows from the development. The details of the surface water drainage from the site can be secured by condition.
17. **Contaminated Land Officer** - low risk in relation to land contamination. It is considered that adherence with the recommended mitigation measures in the Phase II Geo Environmental Assessment produced by EPS would be sufficient to offset any detrimental impact in this regard. A Verification Report should be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development.
18. **Air Quality Officer** – No objection. To ensure that sensitive receptors in the vicinity of the development are not affected by the negative impact of construction work such as dust and noise, as well as ensuring that the applicant complies with the Council's low emission strategy for a development of this scale, conditions should be included that require the submission of a Construction Environmental Management Plan/Dust Management Plan, and an electronic vehicle charging infrastructure strategy.
19. **Affordable Housing Officer** - The proposed site is located outside the development framework and should therefore be considered on the basis of an exception site for the provision of 100% affordable housing only to meet the local housing need. This would be in accordance with Policy H/10 of the emerging Local Plan. However, should this application not be determined as an exception site, then the council will seek to secure at least 40% affordable housing, which is in line with policy H/9 of the emerging Local Plan.

The developer is proposing 25 dwellings, which consists of 15 market dwellings and 10 affordable dwellings which meets the 40% requirement. There are approximately 1,700 applicants on the housing register and our greatest demand is for 1 and 2 bedroom dwellings. The district wide tenure split is 70% rented and 30% shared ownership.

The mix across the 10 affordable units would be:

Affordable Rented

4 x 2BH
3 X 1BH

Shared Ownership

3 x 2BH

We are happy with the mix proposed as it is reflective of the needs in the district, and

the tenure split is in accordance with policy. Whilst these properties should be available to all applicants registered on homelink in South Cambridgeshire, we would have no objection to 50% of the properties being available to applicants with a local connection to Shepreth.

Properties should be built in accordance with the guidance from the DCLG on Technical Housing Standards.

A registered provider should be appointed to manage the affordable housing; we would like to be informed when an RP has been appointed so that we can discuss the delivery of the affordable housing with them. The rented properties should be advertised through homelink and be open to all applicants registered in South Cambs. The shared ownership properties should be advertised through BPHA (Bedfordshire Pilgrims Housing Association) who are currently the governments appointed home buy agent in this region.

20. **Section 106 Officer** – details of the summary of section 106 requirements are appended to this report and discussed in detail later in this report. Specific policy compliant contributions amounting to £57,939.59 are requested towards the formal sports provision and children’s play space (to help fund a MUGA at the village recreation ground) and £11,149.08 towards indoor community space by way of renovation and refurbishment works at Shepreth Village Hall.
21. **Cambridgeshire County Council Growth Team** – There is currently insufficient capacity in the early years provision at Barrington Primary School (this site being within the catchment area for that school) to accommodate the anticipated 5 children within the relevant age bracket (3 of whom will qualify for free provision) that would result from this development. Barrington Primary School also does not have capacity to accommodate the anticipated 4 children within that age bracket. The County Council identified the need for a 4 classroom extension to Barrington school in 2016/17 which was planned for in order to accommodate additional development within the catchment area. The cost of the overall project, once non-CIL compliant elements are removed is £2,225,202. The overall project would accommodate 116 additional pupils, resulting in a cost per pupil of £19,183. On that basis, the contributions to be sought from this development are £57,549 in relation to pre-school provision and £76,732 in relation to primary school provision.

The development would be within the catchment area of Melbourn Village College and the County Council consider that this school has capacity to accommodate the additional pupils projected to be generated by the development (anticipated to be 3).

22. A contribution of £1,533.00 is requested to improve the provision of library services. The County Council have calculated this figure based on 53 new residents resulting from the scheme multiplied by a sum of £28.92 as a per person as a pooled contribution towards the replacement of the existing mobile library on the route that serves Shepreth. Given that the impact on the capacity of the library can be mitigated through this relatively small scheme in relation to the overall anticipated population increase, it is considered that securing this sum via a section 106 agreement would offset any negative impacts on social sustainability in this regard.

A contribution of £209.75 is to be secured towards the Thriplow recycling centre for household waste, as there have not yet been five contributions towards that project.

A monitoring fee would also be applied (£650).

23. **District Council Sustainability Officer** – no objection to the proposals. The inclusion of the specified solar PV systems appear to ensure that the development is brought up to the appropriate Distributed Energy Resources (DER) standards and confirm that a minimum of an additional 10% carbon emissions reduction can be achieved across the development. The proposal therefore meets the LDF policy requirement although further specific details are required by condition.
24. **District Council Conservation Officer** – no objections raised
25. **District Council Ecology Officer** – No objections subject to conditions preventing demolition or vegetation clearance works take place during the bird breeding season and mitigation measures re the proposed inclusion of wildflower planting and the installation of bat and bird boxes would be biodiversity enhancements which are considered to be a positive element of the scheme.
26. **District Council Tree Officer** – no objections to the proposals. The application is supported by a comprehensive arboricultural report with recommendations including a tree protection plan. Compliance with the recommendations contained within the report should be secured by condition.
27. **District Council Environmental Health Officer** – The Health Impact Assessment has been assessed as meeting the required standard of the SPD Policy. The scheme is therefore acceptable in this regard.

The amended noise impact assessment submitted is considered sufficient in relation to addressing the impact of noise generated by the adjacent commercial use and the railway line on the living conditions of the occupants of the proposed development. The report indicates that upgraded acoustic glazing will need to be installed in the rear elevations of the properties adjacent to the north western boundary of the site (adjacent to the railway). A plan showing the affected elevations has been submitted and is considered adequate, alongside the specification of the glazing, to ensure that the impact of this noise source can be adequately mitigated. Compliance with these details shall be secured by condition.

- 28.. Noise, vibration and dust minimisation plans will be required to ensure that the construction phase of the scheme would not have an adverse impact on the amenity of neighbouring residents. These details shall be secured by condition, along with a restriction on the hours during which power operated machinery should be used during the construction phase of the development and details of the phasing of the development.

The applicant will be required to complete a Waste Design Toolkit in order to show how it is intended to address the waste management infrastructure, and technical requirements within the RECAP Waste Design Management Design Guide. This detail can be secured by condition. In addition conditions should secure the submission of a Site Waste Management Plan. Provision of domestic waste receptacles by the developer will be secured via the Section 106 agreement.

29. **Cambridgeshire Fire and Rescue** – No objection to the proposals subject to adequate provision being made within the development for fire hydrants which could be secured by a condition or through a Section 106 agreement.
30. **District Council Drainage Officer** – no objection to the proposals following the submission of a revised Flood Risk Assessment and Drainage Strategy. Details of

the management and maintenance of the system will need to be provided.

Representations

31. A notice was displayed at the entrance to the site and adjacent to the existing properties on Collins Close. Two letters of objection (no representations made via the Council's website) has been received which raise the following concerns:
- The proposal would result in a loss of privacy to neighbouring properties, particularly to the rear of the dwellings on The Bramleys (to the east of the site).
 - The proposal will result in an increased risk of flooding to neighbouring properties.
 - Shepreth has limited facilities and the doctors surgeries in Harston and Melbourn are close to capacity.
 - The proposal will result in additional traffic in the locality which would be detrimental to highway safety.
 - The proposal would result in a significant level of tree loss on the boundaries of the site. The removal of trees on the boundary adjacent to the railway line would result in increased noise levels that will detrimentally affect the amenity of neighbouring residents.
 - The bus service serving the village is limited and would not offer regular connectivity from the site to the services and facilities within the village and in neighbouring settlements. Travel would therefore be reliant on the private car.
 - The density of the development is considered to be too high and out of keeping with the character of the surrounding area.
 - The proposed replacement tree planting/landscaping is considered to be inadequate to compensate for the amount of trees it is proposed to remove.

Site and Surroundings

32. The application site is located on the western edge of Shepreth. The land lies outside of the existing development framework which runs parallel with the southern boundary of the site. The site is currently paddock land to the east of the residential development on Collins Close. There is a dense area of tree planting on the north western boundary, which screens the site from the railway line beyond. Less dense landscaping is located along the north eastern boundary of the site, which is the common boundary between the field and the adjacent commercial uses.

Proposal

33. The applicant seeks full planning permission for the erection of 25 dwellings, including 40% affordable housing, along with access, car and cycle parking and associated landscaping.

Planning Assessment

34. 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 Willingham generally and this site specifically allow the proposal to meet the definition of sustainable development. An assessment is required in relation to the impact of the proposals on the character of the village edge and surrounding landscape, highway safety, the residential amenity of neighbouring properties, environmental health, surface water and foul water drainage capacity, the provision of formal and informal open space and other section 106 contributions.

Principle of Development

Five-year housing land supply:

35. 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.
36. 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.
37. 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".
38. Further guidance as to which policies should be considered as 'relevant policies for the supply of housing' have emerged from the decision of 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.
39. The effect of the Supreme Court's judgement is that policies ST/6, DP/1(a) and DP/7 are no longer to be considered as "relevant policies for the supply of housing". They are therefore not "out of date" by reason of paragraph 49 of the NPPF. None of these adopted policies are "housing supply policies" nor are they policies by which "acceptable housing sites are to be identified". Rather, together, these policies seek to direct development to sustainable locations. The various dimensions of sustainable development are set out in the NPPF at para 7. It is considered that policies ST/6 (and the other settlement hierarchy policies by extension), 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.
40. 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/7, 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 ...”

41. 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/7, 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/7, 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.
42. 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/7, 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.
43. This approach reflects the decision of the Supreme Court in the *Hopkins Homes* appeal.
44. 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 as this is a full application, 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.
45. The site is located outside the Shepreth 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 25 dwellings would therefore not under normal circumstances be considered acceptable in principle since it is contrary to this adopted and emerging policy.
46. Development in Infill Villages (the current and emerging status of Shepreth) is normally limited under policy ST/7 to schemes of up to an indicative maximum of 2 dwellings, or in exceptional cases 8, 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.

47. By proposing 25 dwellings, the scheme would significantly exceed the indicative maximum of 8 on a greenfield site. The principal consideration is that the NPPF requires development to be assessed against the definition of sustainable development. Specifically in relation to the size of development in or on the edge of Group Villages, the Inspector in an appeal decision in Over (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.' Clearly this principle applies to all levels of the settlement hierarchy, as the deficit in relation to the five year housing land supply applies to the District as a whole.
48. In light of the above, it is not appropriate 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 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. Because of the train station serving the Cambridge to London King's Cross line, Shepreth is served by a public transport service that far exceeds that available in the majority of other infill villages in the District. This needs to be given due weight in the decision making process.
49. The proposals are assessed below against the social, economic and environmental criteria of the definition of sustainable development.

Social sustainability

50. 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.
51. The development would provide a clear benefit in helping to meet the current housing shortfall in South Cambridgeshire through delivering up to an additional 25 residential dwellings. 40% of these units will be affordable (10 units). The affordable housing will be secured through a Section 106 Agreement.
52. Policy HG/2 of the current LDF requires the mix of market dwellings within developments to be split 40% 1 or 2 bed and approximately 25% 3 bed and the same for 4 or more bed properties. Policy H/8 of the emerging Local Plan is being given significant weight in the determination of planning applications however, due to the limited nature of the unresolved objections to the policy, in accordance with the guidance contained within paragraph 216 of the NPPF. This policy requires a minimum of 30% of each of the three size thresholds to be provided, with the remaining 10% allocated flexibly across developments.
53. This proposal would allocate the following mix to the market housing within the scheme: 23% 2 bedrooms (4), 57% 3 bedrooms (8) and 20% 4 bedrooms (3). Clearly this equates to an under provision of 2 and 4 bed properties when assessed against either the emerging policy on housing mix. However, Shepreth has a significantly larger proportion of detached properties than the South Cambridgeshire District average (51% compared to 41%). Whilst semi-detached properties are 4% higher as a proportion of the total housing stock in Shepreth than the District average, there are 9% fewer terraced properties than the District average. This data was taken from the 2011 census.

54. Whilst this data is not broken down to property sizes, this evidence appears to corroborate the supporting text of emerging policy H/8 which states that 'housing stock (in the District) has traditionally been dominated by larger detached and semi-detached houses. Whilst recent developments have helped to increase the stock of smaller properties available, the overall imbalance of larger properties remains. The 2011 census for example identifies that 75% of the housing stock' are detached or semi-detached houses and bungalows, with 18% terraced homes and 6% flats or maisonettes.'
55. Within the context of sustainable development, it is considered that there is clear evidence of an oversupply of detached properties in Shepreth. Paragraph 50 of the NPPF also requires planning authorities to 'plan for a mix of housing based on current and future demographic trends, market trends and the needs for different groups in the community' and to 'identify the size, type, tenure and range or housing that is required in particular locations, reflecting local demand.'
56. Whilst there is a partial conflict with the emerging Local Plan policy therefore, the evidence provided by the 2011 Census data and the guidance contained within the NPPF are considered to ensure that the proposal would still achieve the social element of sustainable development by responding to the size of properties required in the locality.
57. Officers are of the view the provision of 25 additional houses, including the affordable dwellings, is a benefit and significant weight should be attributed this in the decision making process, particularly in light of the Housing Officer's confirmation that there is a significant need for affordable housing in Shepreth.
58. The adopted Open Space SPD requires the provision of just over 600 square metres of informal and formal public on site open space for a development on the scale proposed. Whilst the area proposed would remain relatively densely covered by trees, there would be a new woodland footpath linked to an existing play area to the west of Collins Close.
59. The proposed plans indicate that alongside the required amount of public open space the development would allow for plots that meet the minimum standards for garden sizes in this location, which the design guide suggest should be a minimum of 50 square metres for 2 bed properties and 80 square metres for larger dwellings (the 'rural' size guidance has been applied in this instance given the edge of village location of the site.)
60. Paragraph 7 of the NPPF states that the social dimension of sustainable development includes the creation of a high quality built environment with accessible local services. The proposed plans are considered to demonstrate that 25 dwellings can be erected on the site in a manner which would respect the transition between the built environment and the open countryside through relatively low density of development and the overall scale and massing of the dwellings is considered to be acceptable.
61. Given that this proposal is required to meet all three elements of the definition of sustainability as set out in the NPPF, there is a need to consider the range of facilities in Shepreth available to the occupants of the proposed scheme and the impact of the scheme on the capacity of public services that serve the village.
62. Paragraph 204 of the NPPF relates to the tests that local planning authorities should apply to assess whether planning obligations should be sought to mitigate the impacts

of development. In the line with the CIL regulations 2010, the contributions must:

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

63. Whilst it is possible to commute to and from Cambridge from Shepreth, the bus service is limited and does not provide a regular alternative to the private car as there is no service during the rest of the day, with no service at the weekends. The service to and from Royston would not allow commuting and is limited to 2 services to and from Royston Monday to Saturday. It is acknowledged that if occupants of the development were reliant on the bus service as a more sustainable means of transport, the infrequency of the service in Shepreth would significantly weaken the environmental sustainability of the proposal.
64. However, Shepreth railway station is within walking distance of the site and the connection can be made via existing footpaths. There are 3 trains at commuting times to and from Royston (total journey time from the site to Royston train station is 15 minutes). There are 2 trains to and 3 from Cambridge at commuting times (total journey time to Cambridge station is 20 minutes). There is a frequent service throughout the day Monday to Saturday and an hourly service to and from both Cambridge and Royston on Sundays. Given the ease of access to this mode of transport from the site and the speed and frequency of the respective services, it is considered that connection by rail offers a viable alternative to the use of the private car to access a wide range of employment, services and facilities. This factor is considered to be a benefit which should be afforded significant weight in the determination of the application.
65. The County Council as the relevant Authority for providing education services have indicated that there is currently insufficient capacity in the early years provision at Barrington Primary School (this site being within the catchment area for that school) to accommodate the anticipated 5 children within the relevant age bracket (3 of whom will qualify for free provision) that would result from this development. Barrington Primary School also does not have capacity to accommodate the anticipated 4 children within that age bracket. The County Council identified the need for a 4 classroom extension to Barrington school in 2016/17 which was planned for in order to accommodate additional development within the catchment area. The cost of the overall project, once non-CIL compliant elements are removed is £2,225,202. The overall project would accommodate 116 additional pupils, resulting in a cost per pupil of £19,183. On that basis, the contributions to be sought from this development are £57,549 in relation to pre-school provision and £76,732 in relation to primary school provision.
66. The development would be within the catchment area of Melbourn Village College and the County Council consider that this school has capacity to accommodate the additional pupils projected to be generated by the development (anticipated to be 3).
67. A contribution of £1,533.00 is requested to improve the provision of library services. The County Council have calculated this figure based on 53 new residents resulting from the scheme multiplied by a sum of £28.92 as a per person as a pooled contribution towards the replacement of the existing mobile library on the route that serves Shepreth. Given that the impact on the capacity of the library can be mitigated through this relatively small scheme in relation to the overall anticipated population increase, it is considered that securing this sum via a section 106 agreement would offset any negative impacts on social sustainability in this regard.

68. No contribution is to be secured towards the Thriplow recycling centre for household waste, as there have now been five contributions towards that project.
69. In terms of health impact, the applicant has submitted an Impact Assessment in this regard. This Assessment acknowledges that there may need to be an upgrade in public service facilities to accommodate the needs of the occupants of the development to ensure that the high standards of public health in locality are maintained.
70. Whilst NHS England have not provided a response to the planning application, (as it their protocol in relation to proposals for less than 50 dwellings) Officers have contacted the GP surgery in Melbourn to ascertain whether the anticipated population of the development (approximately 53 using the Open Space SPD estimates) could be accommodated at the surgery given that the Royal College of General Practitioners has a guideline of 1,800 patients per GP.
71. The surgery has confirmed that the practice is still taking on new patients. There is an issue regarding the future expansion of the practice due to the physically constrained nature of the site. However, a contribution has been sought in relation to the development at New Road in Melbourn (199 units and a care home) and is proposed to be sought from other developments of a larger scale on sites in Melbourn and the surrounding villages, which will contribute to a suitable project once this has been identified. NHS England confirmed in relation to the Melbourn site that a number of options are being explored and this justification was accepted by the Inspector. Given the relatively smaller scale of this scheme in comparison with those other developments, and considering the limit of 5 contributions being pooled to the same project, it is considered that there is no evidence to justify a contribution in this case.
72. Shepreth has a village hall, equipped recreation ground, allotments and 2 pubs but does not have a primary school, or any shops. Whilst a mobile library service does serve the village, it is clear that even basic day to day needs are not met by facilities within the village and therefore travel outside of the village would be an essential and regular requirement of occupants of the proposed development. However, given the regular and convenient nature of public transport links to settlements with a wide range of services and facilities, it is considered that the lack of facilities within the village is not, when seen in isolation, to be sufficient to outweigh the benefits of the provision of housing, including affordable units, within the context of a lack of a five year supply of housing land.
73. The fact that the developer has agreed to the principle of paying the contribution to fund the additional infrastructure required to offset the impact of the development in this regard ensures that the impact of the scheme on the capacity of these facilities could be adequately mitigated, weighing in favour of the social sustainability of the scheme. In light of this and the close proximity of a sustainable means of transport to access a broad range of sources of employment, services and facilities, it is considered that the proposal would achieve the definition of sustainability in terms of connectivity.

Economic sustainability

74. The provision of 25 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.

Environmental sustainability

Density of development

75. The proposed density of the development would be 21 dwellings per hectare. Policies HG/1 of the current LDF and H/7 of the emerging Local Plan require new residential development to achieve a minimum of 30 dwellings per hectare within Minor Rural Centres and other villages within the settlement hierarchy. Policy HG/1 states that higher densities should be achieved in more sustainable locations. However, both policies include the caveat that a lower density may be acceptable if this can be justified in relation to the character of the surrounding locality. Given that the application site is located on the edge of the settlement and that development to the west (also beyond framework boundary) is of low density, it is considered that this proposal meets the exception tests of the current and emerging policy with regard to the density of development.

Agricultural land, character of the village edge and surrounding landscape

76. 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 :
- 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.
77. While there would be conflict with policy NE/17, 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, the need for housing overrides the need to retain this relatively small area of agricultural land.

Landscape Impact

78. The site is considered to be visually contained in landscape terms due to the screening provided on the north eastern boundary with the commercial uses and there is dense screening on the north western boundary with the railway line. The site is visible from Meldreth Road although properties along the frontage of Meldreth Road provide the foreground and the existing development on Collins Close forms the backdrop on the approach to the site from the north east.
79. The proposals have been revised to pull the properties at plots 23 and 24 further away from the north western boundary, allowing the retention of a greater proportion of the tree planting along that boundary. This would ensure that the sense of containment provided by this landscaping would be retained. Whilst the Landscape Design Officer's (LDO) comments regarding the potential loss of trees on the north eastern boundary are noted (as these trees would be within private gardens), the boundary is considered to be less sensitive due to the fact that commercial units form the backdrop to that boundary of the site.
80. The tree survey identifies the trees on the north eastern boundary as being of average or poor in terms of form and condition and the Tree Officer has raised no objection to the loss of these trees. Following the revisions to increase the length of the rear gardens of the plots adjacent to that boundary, it is considered that there would be adequate space to plant better quality specimens as part of a landscape strategy that can be secured by condition.

81. The LDO also makes the point that there would need to be some tree removal to create a safe environment for the pedestrian link to the play space on Collins Close. It is considered that there is space within this part of the site to remove a small number of trees to widen the route as part of a wider management plan. These details can also be secured by condition.

Design

82. The Urban Design Officer (UDO) expressed concerns in relation to the proximity of properties to the north eastern boundary and the extent of tree removal adjacent to the north western boundary with the railway in the original submission. These concerns have been addressed in the revised submission by increasing the depth of the gardens of plots 19-22 and pulling plots 23-25 further in from the respective boundaries of the site. The depth of the gardens of plots 19-22 has been increased and plots 23-25 have been pulled further in from the respective boundaries of the site.
83. Concerns were raised by the Design Officer in relation to the parking arrangements in the original submission. Comments that the parking court between plots 1-3 and 4 and 5 is not ideal. Parking to the front of plots 15 and 16 has been rationalised and the spaces associated with plots 6-8 have been relocated so that they would no longer be prominent from the entrance to the development.
84. Whilst it is acknowledged that the properties adjacent to the north eastern boundary would not have 15 metre long rear gardens, as considered 'preferable' in the Design Guide, each of the gardens exceed the minimum size of garden in the Design Guide and therefore the revised scheme is considered to be acceptable. This assessment is made within the context of the limited landscape sensitivity of that boundary of the site given the relatively close proximity of the extensive commercial area to the north east.

Trees

85. The applicant has provided a Tree Survey in support of the planning application. The proposals have been revised to retain a greater depth of the planting along the north western edge of the site. The trees to be removed on the north eastern boundary would be limited to specimens classified as category C i.e. not of sufficient amenity value or condition to be worthy of retention. These trees are considered to be of limited amenity value due to their lack of prominence in wider public views of the site. The District Council Tree Officer has raised no objection to the revised proposals.
86. A condition can be added to the permission requiring tree protection measures to be agreed. Details of the species mix, number and location of new landscaping to be implemented can also be secured by condition.

Ecology

87. The application is supported by an ecological assessment and the site is generally considered to be of low biodiversity value. No suitable habitat was recorded to support reptile species and no activity/evidence of badgers was observed. None of the trees present on site were considered as potential roosts but bats would be likely to use hedgerows for feeding.
88. The survey indicated that there is evidence of previous nesting birds within the buildings and potential evidence of nesting activity in the hedgerows on the

boundaries of the site. To mitigate the impact of this, no demolition or vegetation clearance works take place during the bird breeding season. No nesting activity by barn owls was encountered on the site and the installation of bird boxes within the development is considered to be adequate mitigation.

89. Similar mitigation is considered necessary for bats as the report concluded that no evidence of bats nesting within the site were encountered during the survey period. Mitigation measures are recommended to ensure that any potential impact on badgers is mitigated during the construction of the development. In relation to Great Crested Newts, there are two ponds 140 metres to the north of the site which are considered to have some potential to support this protected species. A survey was undertaken during the breeding season and the no newts were recorded during the four visits to the two ponds. The suitability of the habitat was also considered poor in terms of the ability to support Great Crested Newts. No specific mitigation measures were recommended in the report.
90. The District Council Ecology Officer has no objection to the proposals following the receipt of additional information relating to the mitigation measures to be implemented. The proposed inclusion of wildflower planting and the installation of bat and bird boxes would be biodiversity enhancements which are considered to be a positive element of the scheme, according with paragraph 118 of the NPPF. Details of the specifications and management of these features can be secured by condition.

Highway safety and parking

91. The County Council as Local Highway Authority have raised no objections to the proposals. Access to the development would be gained via Collins Close, in the location of the existing field gate which is located at the end of turning head between 2 of the existing dwellings on that street.
92. The Highway Authority have requested conditions be imposed in relation to the provision of 2 metre x 2 metre pedestrian visibility splays on either side of the driveways serving each of the properties and internal access roads and details of the construction material and finished levels of the driveways. The amended plans show driveways across the development would be a minimum of 5 metres in length, which is considered to be acceptable and would avoid reliance on parking within the road. A construction environment management plan can also be secured by condition to ensure that the construction phase does not result in a detrimental impact on the residential amenity of neighbouring properties or highway safety.
93. The proposal makes provision for 2 car parking spaces on each plot, meeting the requirements of the LDF standards of 1.5 spaces per dwelling across developments with additional room for visitor parking. Given that 2 bedroomed properties have also been allocated 2 parking spaces, it is considered that the overall scheme would not result in reliance for on street parking either within the development or on the wider highway network.

Residential amenity

94. In terms of the amenity of the future occupiers of the development, the amended layout ensures that the 25 metre guideline separation between elevations containing habitable room windows and 12 metres between blank elevations and those with habitable room windows would be adhered to. The amount of private amenity space associated with each property is considered to meet the minimum requirements of the Design Guide.

95. The amended noise impact assessment submitted is considered sufficient in relation to addressing the impact of noise generated by the adjacent commercial use and the railway line on the living conditions of the occupants of the proposed development. The report indicates that upgraded acoustic glazing will need to be installed in the rear elevations of the properties adjacent to the north western boundary of the site (adjacent to the railway). A plan showing the affected elevations has been submitted and is considered adequate, alongside the specification of the glazing, to ensure that the impact of this noise source can be adequately mitigated. Compliance with these details shall be secured by condition.
96. It is considered that further assessment of the potential noise generated by traffic and vehicle movements on Meldreth Road is required and the implications of this in terms of sound insulation measures which may need to be incorporated into the buildings that would front onto the highway. This assessment can be secured by condition.
97. An assessment of the impact of artificial lighting resulting from the development can also be secured by condition in order to ensure that the strength of such light does not have any adverse impact on the amenity of neighbouring properties or the surrounding area.
98. Standard conditions relating to the construction phase of the development have been recommended by the EHO in relation to managing the impact on the environment and amenity of neighbouring properties during construction process and the management of waste during construction and on occupation of the development. These can all be added to the decision notice

Surface water and foul water drainage

Surface water drainage

99. The site lies in Flood Zone 1. The Lead Local Flood Authority has not raised an objection following the submission of revised surface water drainage strategy and is of the view that surface water drainage would achieve the requirement of not exceeding the existing run off rate on the site, subject to suitable conditions being included in any consent. The Environment Agency has not objected to the proposals and has not recommended any specific conditions.

Foul water drainage

100. Anglian Water has commented that the site is within the catchment of the Foxton Water Recycling Centre, which does not currently have capacity to treat the flows from the proposed development. However, they acknowledge in their response that they are legally obliged to accommodate the demands of any development and would therefore ensure that there is sufficient capacity to deal with the flows, should planning permission be granted.
101. Officers have held a meeting with Anglian Water, in recognition of the concerns raised regarding the capacity of the treatment works. Anglian Water have explained that it is only at the point that there is certainty a scheme will be built i.e. outline and reserved matters planning permission has been granted, that a specific project will be identified. The required works would be identified and carried out in the time between the granting of planning permission and the occupation of the development. On the applicant's indicative timescale, the development would not be fully occupied until more than 2 years after the discharge of conditions, should planning permission be

granted. This would allow sufficient time for any upgrade works to be completed and as such, the current deficit in capacity would not be a reasonable ground on which to refuse planning permission.

102. In terms of foul water, Anglian Water has confirmed that there will be a need to mitigate the impact of additional foul water entering the drainage network and that a suitable drainage strategy will be required. This can be secured by condition.

Section 106 contributions

103. In addition to the requirements of the County Council as Education Authority, the Section 106 Officer has confirmed that the contributions towards the formal sports provision and children's play space (to help fund a MUGA at the village recreation ground) and indoor community space by way of renovation and refurbishment works at Shepreth Village Hall are CIL compliant and will meet the needs arising from the development.
- 104.. Contributions are also required towards Household Waste Receptacles charged at £73.50 per dwelling and a monitoring fee of £500 (flat fee),

Other matters

Archaeology and Heritage

105. An investigation into the archaeological potential of the site has been undertaken by the applicant and there is evidence of remains of a 13-15th century medieval farm building on the site. As a result of the investigation works already submitted, the County Council Archaeologist is satisfied that no further investigation works are necessary and no conditions are required should planning permission be granted.
106. Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990 requires decision-makers to pay "special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses." Given the separation distance between the site and the edge of the Shepreth conservation area and the fact that residential development lies directly between, it is considered that the proposed development would not have an adverse impact on the character or appearance of the conservation area. There are no listed buildings within close proximity of the site and therefore the development of the site would not have an adverse affect on the setting of any heritage assets in this regard.

Environmental Health

107. The Public Health Specialist has commented that the Health Impact Assessment has been assessed as meeting the required standard of the SPD Policy. The scheme is therefore acceptable in this regard.
108. 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.
109. The site is considered to be a low risk in relation to land contamination and as such it

is considered that a scheme of investigation into any potential harm and suitable remediation can be secured by condition at this outline stage, to ensure that the detailed layout does not result in any adverse impact in this regard, acknowledging the sensitive end use proposed for the site.

110. 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.
111. The applicant will be required to complete a Waste Water Design Toolkit in order to show how it is intended to address the waste management infrastructure, and technical requirements within the RECAP Waste Design Management Design Guide. This can be secured by condition. In addition, conditions should secure the submission of a Site Waste Management Plan. Provision of domestic waste receptacles by the developer will be secured via the Section 106 agreement.
112. The applicant has indicated that a minimum of 10% of the energy needs generated by the development can be secured through on site 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.

Conclusion

113. Policies ST/5 and DP/7 of the LDF are relevant, but are considered to carry limited weight in the determination of this application. Recent appeal decisions have confirmed that the settlement hierarchy is also to be afforded limit weight, with the main focus being whether the proposed development itself meets the definition of sustainable development as set out in the NPPF.
114. Policies HG/1, HG/2 and HG/3 are all housing policies which are considered to carry some weight in the decision making process as these relate to the density of development, housing mix and affordable housing, all of which contribute to sustainable development. In relation to the other relevant policies of the LDF quoted in this report are considered to be consistent with the definition of sustainable development as set out in the NPPF and therefore have been given some weight in the assessment of this application.
115. Shepreth is classified as an Infill Village and has only a limited range of services and facilities. The site is not served by a good bus services but the presence of the rail station close to the site would allow commuting to and from other major service centres. This is both a social and an environmental benefit of the scheme.
116. In addition to the ability to mitigate the harm in relation to the capacity of services and facilities, it is considered that the scheme includes positive elements which enhance social sustainability. These include the provision of 40% affordable housing. The package of contributions to be secured through the Section 106 towards the enhancement of offsite community facilities would be a wider benefit of the proposals, further enhancing the social sustainability of the scheme.
117. Following the receipt of additional information, none of the Council's internal consultees have recommended refusal. Neither are there objections to the proposals

from the Highway Authority, the Flood Risk Authority or the Environment Agency. All of the matters raised can be secured by appropriately worded conditions.

118. Overall, it is considered that the small amount of harm arising from the loss of agricultural land and the location on the edge of an Infill Village where development of individual sites is otherwise restricted to no more than 2 dwellings is outweighed by the significant contribution the proposal would make to the deficit in the Council's five year housing land supply. None of the 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

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

Section 106 Agreement

As per the Heads of Terms set out in Appendix 1.

Draft conditions

- (a) Time limit for implementation
- (b) Approved plans
- (c) Landscaping details and implementation
- (d) Contaminated land assessment and remediation
- (e) Dust, noise, vibration mitigation strategy
- (f) Noise assessment relating to impact of road traffic on Meldreth Road
- (g) Provision and retention of acoustic glazing
- (h) Details of renewable energy generation within the development and associated noise assessment and mitigation measures – 10% renewables and compliance.
- (i) Woodland management plan
- (j) Foul water drainage scheme
- (k) Surface water drainage scheme
- (l) Sustainable drainage strategy
- (m) Tree Protection measures
- (n) Compliance with flood risk assessment
- (o) Traffic Management Plan
- (p) Falls levels and bound materials fro the new access road
- (q) Pedestrian visibility splays
- (r) Electric vehicle charging points
- (s) Time restriction on the removal of trees
- (t) Ecological enhancements including bird and bat boxes
- (u) Site waste management plan
- (v) Restriction on the hours of power operated machinery during construction
- (w) Compliance with ecological survey submitted
- (x) External lighting to be agreed
- (y) Cycle storage
- (z) Screened storage refuse
- (aa) Boundary treatments
- (bb) Waste water management plan
- (cc) Construction environment management plan
- (dd) Details of piled foundations
- (ee) Fire hydrant locations

Informative

(a) Environmental health informatives

Background Papers:

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

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- South Cambridgeshire Local Plan Submission 2014
- Planning File Reference: S/3052/16/FL

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Heads of terms for the completion of a Section 106 agreement

Shepreth – Collins Close (S/3052/16/FL)	
South Cambridgeshire District Council (Affordable Housing)	
Affordable housing percentage	40%
Affordable housing tenure	70% affordable rent and 30% Intermediate
Local connection criteria	Yes. Location connection criteria to apply to 9 affordable dwellings.
Local connection villages	Priority: Shepreth Second: Fowlmere, Foxton, Barrington and Meldreth

Section 106 payments summary:

Item	Beneficiary	Estimated sum
Early years	CCC	£57,549
Primary School	CCC	£76,732
Libraries and lifelong learning	CCC	£1,553
Sports	SCDC	£24,557.43
Children's play space	SCDC	£33,382.16
Indoor community space	SCDC	£11,149.08
Household waste bins	SCDC	£1,837.50 (being £73.50 per house)
Monitoring	SCDC	£500
TOTAL		£207,260
TOTAL PER DWELLING		£8,290.41

Section 106 infrastructure summary:

Item	Beneficiary	Summary
Onsite public open space	SCDC	Woodland area identified in plans

Planning condition infrastructure summary:

Item	Beneficiary	Summary
N/A		

CAMBRIDGESHIRE COUNTY COUNCIL	
Ref	CCC1
Type	Early years
Policy	DP/4
Required	Yes
Detail	<p>There is currently insufficient capacity in the early years provision at Barrington Primary School (this site being within the catchment area for that school) to accommodate the anticipated 5 children within the relevant age bracket (3 of whom will qualify for free provision) that would result from this development.</p> <p>The County Council identified the need for a 4 classroom extension to Barrington school in 2016/17 which was planned for in order to accommodate additional development within the catchment area. The cost of the overall project, once non-CIL compliant elements are removed is £2,225,202. The overall project would accommodate 116 additional pupils, resulting in a cost per pupil of £19,183.</p> <p>On that basis, the contributions to be sought from this development are £57,549 in relation to pre-school provision</p>
Project	Additional pre-school capacity at Barrington Primary School
Quantum	£57,549
Fixed / Tariff	Fixed
Trigger	Prior to occupation of first dwelling
Officer agreed	Yes
Applicant agreed	Yes
Number Pooled obligations	One (Cemex at Barrington)
Ref	CCC2
Type	Primary School
Policy	DP/4
Required	Yes
Detail	<p>There is currently insufficient capacity in the primary school provision at Barrington Primary School (this site being within the catchment area for that school) to accommodate the anticipated 4 children within the relevant age bracket</p> <p>The County Council identified the need for a 4 classroom extension to Barrington school in 2016/17 which was planned for in order to accommodate additional development within the catchment area. The cost of the overall project, once non-CIL compliant elements are removed is £2,225,202. The overall project would accommodate 116 additional pupils, resulting in a cost per pupil of £19,183.</p> <p>On that basis, the contributions to be sought from this development are £76,732 in relation to pre-school provision</p>
Project	Additional pre-school capacity at Barrington Primary School
Quantum	£76,732
Fixed / Tariff	Fixed
Trigger	Prior to occupation of first dwelling
Officer agreed	Yes
Applicant agreed	Yes
Number Pooled obligations	One (Cemex at Barrington)

Appendix 1

Ref	CCC3
Type	Secondary school
Policy	DP/4
Required	No
Detail	The County Council state that there is spare capacity at Melbourn Village College.

Ref	CCC4
Type	Libraries and lifelong learning
Policy	DP/4
Required	Yes
Detail	<p>A contribution of £1,533.00 is requested to improve the provision of library services.</p> <p>The County Council have calculated this figure based on 53 new residents resulting from the scheme multiplied by a sum of £28.92 towards the replacement of the existing mobile library on the route that serves Shepreth.</p>
Project	Replacement of existing mobile library serving Shepreth
Quantum	£1,553
Fixed / Tariff	Fixed
Trigger	Prior to occupation of 13 th dwelling
Officer agreed	Yes
Applicant agreed	Yes
Number Pooled obligations	None

Ref	CCC5
Type	Strategic waste
Policy	RECAP WMDG
Required	No
Detail	The Thripow HRC has maximised its pooling limited under CIL Regulation 123 and as such the LPA cannot secure any contributions for such infrastructure.

Ref	CCC6
Type	CCC monitoring
Policy	CCC internal policy
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.

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 Shepreth needed 1.30 ha but has 1.71 ha i.e. a surplus of 0.41 ha of Outdoor Sport Provision.</p> <p>Shepreth Parish Council has said that a village wide consultation was held last year and a 'Wish List' was compiled. Funded by Shepreth Parish Council and a Grant from Amey Cespa, Shepreth Parish Council will shortly be starting on replacing the 45 year old play equipment on the 'Village Hall' Recreation Ground with new equipment from the 'Wish List'.</p> <p>All that remains on that list is Goalposts and a Basketball Court. A MUGA will fulfil the last wishes and be of benefit to all villagers, of all ages, all year round. The PC expects to be able to reduce the price quoted for the MUGA by using local contractors for most of the groundwork. The new MUGA will be located on the Recreation Ground behind Village Hall in Shepreth. The dimensions are 34M x 18M for use for a number of sports, with a chicane entrance for wheelchair users. The tarmac surface will have line markings for basketball, netball and 5 a side. There will be basketball/netball hoops, 5 a side goals and target panels for cricket. Fencing will consist of powder coated wire mesh panels and metal posts.</p> <p>The expected project cost is £74,000 and will be delivered as soon as funding is available. Shepreth Parish Council has asked that the sports contribution and formal play space contribution is pooled to maximise the funding towards this project. In doing this a contribution of £57,939.59 is secured when applying the tariffs set out in the SPD as below.</p> <p>1 bed: £625.73 2 bed: £817.17, 3 bed: £1,130.04 4+ bed: £1,550.31</p>
Project	New Multi Use Games Area to be built on Shepreth Recreation Ground
Quantum	£24,557.43
Fixed / Tariff	Fixed
Trigger	To be paid prior to the occupation of 8 dwellings
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	One to date

Ref	SCDC2
Type	Children's play space
Policy	SF/10
Required	YES
Detail	See 'Sport' section
Project	New Multi Use Games Area to be built on Shepreth Recreation Ground
Quantum	£33,382.16
Fixed / Tariff	Fixed
Trigger	To be paid prior to the occupation of 8 dwellings
Officer agreed	YES

Appendix 1

Applicant agreed	YES
Number Pooled obligations	None

Ref	SCDC3
Type	Informal open space
Policy	SF/10
Required	NO
Detail	<p>The Recreation and Open Space Study July 2013, forming part of the local plan submission, showed that Shepreth needed 0.32 ha of informal open space and had 0 ha meaning a surplus of 0.32 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 applicant is proposing some onsite open space areas that links the new development to the small play area on Collins Close. This is considered sufficient not to warrant further offsite contributions in lieu of the open space policy. The onsite provision of open space will be secured as part of the approved plans, however its management and maintenance will be secured through the management plan, see 'Onsite open space and play area maintenance'.</p>

Ref	SCDC4
Type	Offsite indoor community space
Policy	DP/4
Required	YES
Detail	<p>In accordance with Development Control Policy DP/4 infrastructure and new developments, all residential developments generate a need for the provision of, or improvement to, indoor community facilities. Where this impact is not mitigated through onsite provision a financial contribution towards offsite improvement works will be required.</p> <p>The Council undertook an external audit and needs assessment undertaken in 2009, in respect of all primary community facilities in each village. The purpose of this audit was threefold (i) to make a recommendation as to the indoor space requirements across the District (ii) to make a recommendation on the type of indoor space based on each settlement category and (iii) make a recommendation as to the level of developer contributions that should be sought to meet both the quantity and quality space standard.</p> <p>Whilst not formally adopted as an SPD, this informal approach was considered and approved at the Planning and New Communities portfolio holder's meeting on 5th December 2009 and has been applied since.</p> <p>In accordance with the policy Shepreth needs 92 m2 of indoor community space whereas it has 154 m2 resulting in a surplus of 62 m2. Based on the submitted housing mix an area of circa 7 m2 is required.</p> <p>Shepreth is served by Shepreth Village Hall which the audit described as a fair sized hall which is in average overall order. Used on a day to day basis by children's group. Has a stage and changing facilities (partially updated) used by teams on adjacent recreation ground. Good car park, but some modernisation needed. Limited storage. A number of issues were identified.</p>

Appendix 1

	<p>Shepreth Parish Council has said that contributions are required towards the (i) Refurbishment of toilets (ii) Repair/Replacement of roof (iii) Replacement of electric wiring and electric installations at Shepreth Village Hall. These are expected to cost at least £22k.</p> <p>The contribution required as per the indoor community space policy would be:</p> <p>1 bed - £284.08 2 bed - £371.00 3 bed - £513.04 4+ bed - £703.84</p>
Project	Improvements to Shepreth Village Hall including (i) Refurbishment of toilets (ii) Repair/Replacement of roof (iii) Replacement of electric wiring and electric installations
Quantum	£11,149.08
Fixed / Tariff	Fixed
Trigger	To be paid prior to the occupation of 13 dwellings
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

Ref	SCDC5
Type	Household waste receptacles
Policy	RECAP WMDG
Required	YES
Detail	£73.50 per house and £150 per flat
Project	
Quantum	See above
Fixed / Tariff	Tariff
Trigger	Paid in full prior to occupation of first dwelling
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

Ref	SCDC6
Type	S106 Monitoring
Policy	Portfolio holder approved policy
Required	YES
Detail	To monitor the timely compliance of the planning obligations, specifically onsite infrastructure including affordable housing and public open space
Project	monitoring of the proper and timely performance of the Owner's covenants under the terms of the Agreement
Quantum	£500
Fixed / Tariff	Fixed
Trigger	Paid in full prior to commencement of development
Officer agreed	YES
Applicant agreed	YES
Number Pooled obligations	None

Ref	SCDC7
Type	Onsite open space and play area maintenance
Policy	
Required	YES
Detail	<p>Paragraph 2.19 of the Open Space in New Developments SPD advises that 'for new developments, it is the developer's responsibility to ensure that the open space and facilities are available to the community in perpetuity and that satisfactory long-term levels of management and maintenance are guaranteed'. The Council therefore requires that the on-site provision for the informal open space and the future maintenance of these areas is secured through a S106 Agreement. Para 2.21 advises that 'if a developer, in consultation with the District Council and Parish Council, decides to transfer the site to a management company, the District Council will require appropriate conditions to ensure public access and appropriate arrangements in the event that the management company becomes insolvent (a developer guarantee)'.</p> <p>It is the Local Planning Authority's preference that the public open space is offered to the Parish Council for adoption, recognising that the Parish Council has the right to refuse any such offer.</p> <p>If the Parish Council is not minded to adopt onsite public open space the owner will be required to provide a developer guarantee of sufficient value to be a worthwhile guarantee. Furthermore with the details of the guarantee and guarantor would need to be submitted to and approved in writing by the Council prior to commencement of development. Should this not be forthcoming the planning obligation will also be required to include arrangements whereby the long term management responsibility of the open space areas and play areas passes to plot purchasers in the event of default.</p>

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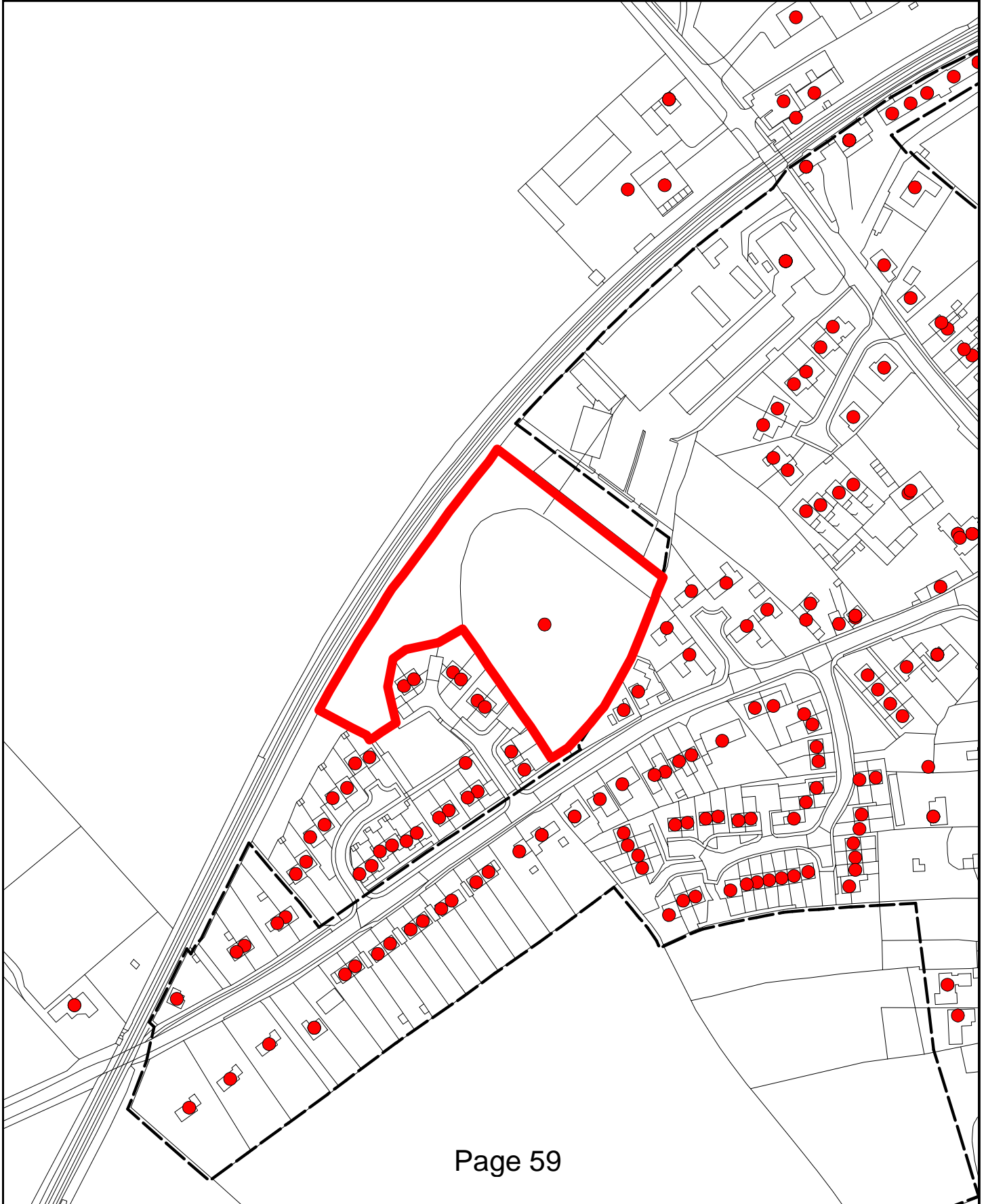
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District Council**

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Agenda Item 6

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 1 November 2017
AUTHOR/S: Joint Director for Planning and Economic Development

Application Number: S/0460/17/FL

Parish: Balsham

Proposal: Proposed demolition of existing dairy buildings and erection of fifteen new dwellings

Site address: Plumbs Dairy, 107 High Street

Applicant(s): Plumbs Property

Recommendation: Delegated Approval (subject to complete section 106)

Key material considerations: Principle of development
Five year housing land supply
Sustainability of the location
Loss of employment
Density of development and affordable housing
Visual/heritage impact
Highway safety and parking
Residential amenity
Section 106 contributions

Committee Site Visit: 31 October 2017

Departure Application: No

Presenting Officer: Edward Durrant, Principal Planning Officer

Application brought to Committee because: The local member, Councillor Fraser, has requested that the application be determined by the planning committee.

Date by which decision due: 8 November 2017 (extension of time agreed)

Executive Summary

1. This application seeks approval for 15 dwellings (40% affordable) on the existing Plumbs Dairy site and land to the rear of 105 High Street, which has consent for a dwelling to the rear. The entire application site falls within the Balsham village framework, protected village amenity area and conservation area. The part of the site that presently accommodates Plumbs Dairy has a mix of primarily low level, concrete block buildings and the garden land part of the site to the east is more open in character. The employment site is used by Plumbs Dairy for storage and distribution (B8) with ancillary office use. Due to the firm relocating its operation to more modern premises at Linton the site is due to become vacant.

2. Balsham is a group village, where development of 15 up to dwellings on a previously developed site accords with the policies of the Adopted Core Strategy. The proposed new homes are considered to be a positive contribution to the conservation area and not to be detrimental to the setting of a nearby listed building or the protected village amenity area. The main issue to consider in the determination of this application is whether the benefits that would result in the residential development of the site would outweigh the loss of the westernmost part of the site that presently has a commercial use.
3. Although the site has not been marketed as an employment site a report has been submitted that demonstrates that the buildings within the site would not be suitable for conversion without significant expenditure. The same report also lists a number of purpose built employment sites in the nearby villages that are presently vacant.
4. The applicant argues that the cost of the necessary works to bring the site up to modern day standards would make the site less commercially viable than the vacant employment sites/buildings in the surrounding area. There are also a number of constraints that would add to the cost of any redevelopment of the employment site in isolation. The redevelopment of the site for a residential use is considered to comply with the aims of Policy ET/6 as the loss of the employment use would not be detrimental to the provision of employment sites in the vicinity and there would be benefits to the community resulting from the proposal.
5. These benefits include the provision of housing in a sustainable location, with 40% affordable housing, a visual enhancement of the conservation area through the architect designed dwellings and the fact that once Plumbs Dairy relocates the unsightly clutter of staff vehicles parked along the High Street would be removed. In addition to the provision of a LAP on the site there would also be off-site S106 contributions towards Balsham sports pavilion, outdoor gym equipment, Balsham Church Institute, household waste receptacles and monitoring.
6. Policy ET/6 is not considered to be a housing supply policy that would be out of date as a result of the District not currently having a 5 year supply of housing land. Notwithstanding this there are clearly benefits to the provision of a further 15 homes to meet the council's targets for the purposes of the National Planning Policy Framework 2012 (NPPF) in a sustainable village location.
7. The benefits identified in this report can be afforded significant weight in favour of the proposal and are deemed to clearly outweigh any potential disbenefits which include the loss of the employment site. The proposal is therefore recommended for approval subject to the necessary safeguarding conditions and Section 106 Agreement.

Planning History

9. SC/0522/69/O – High Street – erection of chalet bungalow - Refused
10. S/0552/77/F - 105 High Street - single and double storey extension - Approved
11. S/0771/77/F - R/O107 High Street – erection of an agricultural dwelling - Refused
12. S/2007/78/F - 105 High Street – erection of front porch - Approved
13. S/1233/87/F - 105 High Street - extension - Approved
14. S/1032/93/F – Home Dairy - Office extension - Refused

- 15. S/1409/93/F - Home Dairy - Office extension - Approved
- 16. S/1085/09/F- 105 High Street – Garage/Pool Pump Room and Gym with New Vehicular Access - Approved.
- 17. S/0362/10/F - 105 High Street – dwelling following demolition of existing building - Approved.
- 18/1. S/1842/12/DC - 105 High Street – conditions 2 and 10 of S/1085/09/F - Approved.
- 18/2. S/0994/13/DC - 105 High Street – conditions 3, 6, 7, 8, 9, 12 and 13 of S/0362/10/F - Approved.

Planning Policies

- 19. **National Guidance**
National Planning Policy Framework 2012 (NPPF)
Planning Practice Guidance (PPG)

Development Plan Policies

- 20. **South Cambridgeshire LDF Core Strategy DPD, 2007**
ST/2 Housing Provision
ST/3 Re-Using Previously Developed Land and Building
ST/6 Group Villages
- 21. **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
ET/6 Loss of Rural Employment to Non-Employment Uses
SF/10 Outdoor Playspace, Informal Open Space, and New Developments
SF/11 Open Space Standards
NE/1 Energy Efficiency
NE/2 Renewable Energy
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/10 Foul Drainage-Alternative Drainage Systems
NE/11 Flood Risk
NE/12 Water Conservation
NE/14 Lighting Proposals
NE/15 Noise Pollution
NE/17 Protecting High Quality Agricultural Land
CH/4 Development Within the Curtilage or Setting of a Listed Building)
CH/5 Conservation Areas
TR/1 Planning For More Sustainable Travel

TR/2 Car and Cycle Parking Standards
TR/3 Mitigating Travel Impact

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

Open Space in New Developments SPD - Adopted January 2009
Affordable Housing SPD - Adopted March 2010
District Design Guide - Adopted March 2010
Biodiversity- Adopted January 2009
Trees & Development Sites SPD - Adopted January 2009
Landscape in New Developments SPD - Adopted March 2010
Health Impact Assessment SPD– Adopted March 2011
Listed Buildings: Works to or affecting the setting of-July 2009

23. **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
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/8 Sustainable Drainage Systems
CC/9 Managing Flood Risk
HQ/1 Design Principles
NH/2 Protecting and Enhancing Landscape Character
NH/3 Protecting Agricultural Land
NH/4 Biodiversity
NH/14 Heritage Assets
H/7 Housing Density
H/8 Housing Mix
H/9 Affordable Housing
H/11 Residential Space Standards for Market Housing
E/14 Loss of Employment Land to Non Employment Uses
SC/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
SC/12 Contaminated Land
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision
TI/8 Infrastructure and New Developments
T1/9 Education facilities

Consultations

24. **Balsham Parish Council** – Has made no recommendation but states that the development is contrary to policies S/3 Sustainable Development, S/10 Group Villages, SC/6 indoor community facilities, DP/7 and ST4/5/6/7. In their first response they noted that the site has not been marketed and it would result in a loss of jobs in

- Balsham and that the site is in the conservation area, PVAA and opposite a listed building.
25. **Contaminated Land Officer** - Has no objection and has requested that a condition be attached to any consent relating to contaminated land.
 26. **Affordable Housing Officer** - Originally requested that the proposed affordable housing units be amended in size and design. Following a meeting with the applicant two potential options have been agreed, which relate to either a policy compliant scheme in terms of the affordable housing mix or a commuted sum if a Registered Provider would take on a higher number of intermediate units that would be easier to manage. Following amendments to the size of the affordable units there are no objections to the development as both the aforementioned affordable housing options are considered acceptable.
 27. **Sustainability Officer** – Supports the application subject to a condition to clarify the maximum amount of water per person per day that the development will be designed to.
 28. **Environmental Health Officer** - Has no objection and has requested that conditions be attached to any consent relating to hours of works.
 29. **S106 Officer** - Following submission of the amended S106 contributions supports the application.
 30. **Trees Officer** – Has no objection and has requested that a condition relating to tree protection be attached to any consent.
 31. **Landscape Design Officer**- Has no objection and recommends the applicant considers providing a rural approach to the site and incorporates more tree planting and green spaces within front plot boundaries to consider and enhance the local landscape character and visual amenity. Following submission of revised plans, no objection, recommends applicant considers a number of factors.
 32. **Ecology Officer**- Has no objection and has requested that conditions be attached any consent relating to ecological mitigation and biodiversity enhancement.
 33. **Drainage consultant** – Has no objection and has requested that conditions be attached to any consent relating to surface water drainage.
 34. **County Education, Waste and LLL S106** – Has not requested any contributions towards early years, primary school, secondary school, libraries or strategic waste.
 35. **Urban Design Officer** – Originally questioned the layout of the site primarily relating to the location of the LAP and parking spaces for the affordable homes. Also suggested that the courtyard area be more broken up by planting or different materials, that changes be made to the fenestration and questioned the parking for 105 High Street and the housing mix. The contemporary design of the buildings is considered appropriate and will not have a detrimental impact upon the conservation or heritage assets. Following the submission of amended plans supports the application.
 36. **Archaeology Officer** - Has no objection and has requested that a condition be attached to any consent.

37. **Lead Local Flood Authority-** Initially objected to the proposal and requested further information on infiltration rates. Following the submission of further information a condition has been requested to require further testing following the grant of planning.
38. **Local Highways Authority** - Originally objected to the proposal. Following the amendment to provide visibility splays has no objection and has requested that conditions be attached to any planning consent.
39. **Cambridgeshire Fire and Rescue** – Has requested that adequate provision be made for fire hydrants.
40. **Representations**
41. Representations have been received from the owner/occupiers of 103 High Street and 20 Queens Close, Balsham, who object to the application on the following grounds:
- Impact upon existing schools and services
 - Increase in vehicular traffic and parking issues
 - Limited facilities in the village
 - Out of keeping with the local context, street pattern and scale
 - Loss of privacy to rear garden (no. 103)
 - Loss of green space
42. Representations have been received from the owner/occupiers of 109 High Street and 8 West Wickham Road, Balsham, who support the application and make the following comments:
- Good design and layout with different style of houses
 - Will not miss stream of parked cars
 - Enhance the village and community
 - Would be happy to discuss with the developer boundary treatment on the western edge to ensure that new fence is not erected against the existing fence
43. Councillor Fraser has requested that the application be considered by the planning committee for the following reasons:
- Development is in a conservation area, a protected village amenity area and opposite a listed building.
 - Loss of the last commercial site in the village. The report supplied by the developers only addresses the existing buildings. If the site were to be sold for commercial development, purchasers would no doubt redevelop the site to meet their own needs.
 - The village is poorly served by buses and it is therefore very difficult for people to travel to employment areas outside the village. Far better for employment opportunities to be available locally and I am sure that with the two developments already approved there will be a number of people who would like to find local jobs to say nothing of the existing residents.
 - Concerns about the effect the development will have on the High Street. Planning requires 1.5 car parking spaces per property. However we all know that this is more likely to be either two or three, which will inevitably lead to more parking on the already congested High Street.
 - Doctor's surgery is already overcrowded (and this before the High Street and Linton Road developments come on stream) villagers are already having to wait between three and four weeks to have an appointment with a named doctor.

- We reference to ST/4 this development will add to green house gas emissions given the lack of local transport.
- ST/6 - With Linton Road and High Street permissions there will already be a wide choice of quality homes.
- ST/7 - There will be significant change to the local character of this part of the village particularly as the site is in a conservation area and a PVAA.
- DP1a - I believe there would be a significant negative impact that would outweigh any benefits. Better to retain this as a commercial site that would benefit the village as a whole.

Site

44. This application site lies entirely within the Balsham Village Framework, conservation area and protected village amenity area. The linear Plumbs Dairy part of the site presently accommodates a mix of concrete sheds and primarily single storey buildings to the east and west of the central roadway and a two storey administration building to the north. This building is set back from the High Street frontage by an area of parking either side of the central roadway, which leads through to open paddock land to the south of the site. To the south of the buildings there is an area of parking and to the west there are a number of mature, protected trees. The B8 site (storage and distribution) is soon to be vacated due to the firm relocating its operation to more modern premises at Linton.
45. A large part of the application site is made up of land to the east that presently forms part of the curtilage of 105 High Street. This land is typical of a residential garden with a grassed area and some semi-mature trees. There is also a large outbuilding to the rear of the garden, which is roughly where consent has been granted for a single-storey dwelling.
46. Either side of the entrance there are residential properties that front onto the High Street. There is also an electrical substation that sits between the curtilage of 105 High Street and the dairy site. To the east the two storey properties front the High Street in a linear pattern of development. To the west there is a complex of converted barns arranged in a courtyard formation that access onto the High Street. To the north of the High Street there is a grade II listed converted barn that abuts the extensive and well landscaped curtilage of 86 High Street.

Proposal

47. The application seeks full planning permission for the demolition of the existing buildings on the site and the erection of 15 dwellings (40% affordable) that would be served off a repositioned vehicular access from the High Street, and associated parking, landscaping and a Local Area of Play. In response to consultation responses the layout of the application and the design of the homes has been amended and further information has been submitted.

Planning Assessment

48. The key issues to consider in the determination of this application are the principle of development and the impact of the loss of an employment site. An assessment is also required in relation to the density and mix of the development, affordable housing, section 106 contributions and the impact upon the conservation area, protected village amenity area, highway safety, trees and landscaping, ecology, residential amenity, surface water drainage, archaeology, and environmental issues.

Principle of Development

49. The site is located within the Balsham village framework, a Group Village which is proposed to remain so in the emerging Local Plan. Policy ST/6 of the adopted Core Strategy and S/10 of the Local Plan submission permits residential development and redevelopment of up to 8 dwellings within the village framework. Development may exceptionally consist of up to about 15 dwellings where this would make the best use of a single brownfield site. As the site is formed partly by a brownfield site and partly by a residential curtilage, which has consent for residential development, the principle of the development is acceptable subject to the consideration of all other material planning considerations.

Affordable Housing

50. The layout of the site with five combined homes and one detached home means that management of an approved tenure split may prove challenging as there would be a mix of tenures in the block of homes. Therefore, two options have been agreed with affordable housing officers that would either result in a policy compliant scheme with a mix of tenures in the main block, or an increase in the number of intermediate units, which would be easier to manage by a Registered Provider, and would result in the payment of a commuted sum to the District Council to make up the difference of delivering a policy compliant scheme. Subject to approval by committee one option would be agreed, once a Registered Provider is on board, before the S106 is finalised. Affordable housing officers support the approach of the application being considered by committee without the tenure mix yet being agreed.

Housing Delivery

51. This site is not being promoted as a five year supply site as it falls within the village framework and does not exceed the numbers in policy ST/6. Notwithstanding this, clearly the additional homes would make a meaningful contribution towards the Council's present housing supply deficit. The fact that Plumbs Dairy has already secured an alternative site, within the District, means that the site and the wider community benefits are likely to be delivered in a timely manner, rather than the former staying vacant and providing nothing for the local community.

Sustainable location

52. The development of this site has to be seen in the context of recent approvals for 33 homes on the Balsham Builders site and 29 homes approved at appeal on land at Linton Road (S/2830/15/OL). In the consideration of both of these applications Balsham was considered to be a sustainable location. The South Cambridgeshire 2014 Services and Facilities Study for Balsham details a range of services and facilities in the village and the site is within walking distance of many of these as well as bus stops that connect Balsham to Linton, Haverhill and Cambridge.
53. One of the objections to the development referred to other developments in the village and the impact that they will have on services and schooling. As part of consultation on the Balsham Builders sites the Meadows Primary School appealed for new family housing in the village to counter the impact of falling student numbers. Due to the school capacity in the area the County Council has not requested education payments for primary or secondary education.
54. Although this application would result in the loss of an employment site there are still employment opportunities within the village (including primary school, retail) Balsham

is also well located to access employment opportunities in Linton (3 miles), Great Abington and Babraham (5 miles) with Granta Park and The Babraham Institute, the Genome Campus in Hinxtton, ARM in Fulbourn and Newmarket Business Park; and Haverhill Business Park. As a number of these sites are currently expanding they will provide more employment opportunities within close proximity of the site and put further pressure on the need for housing.

Economic sustainability

55. The provision of fifteen new homes would 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 in Balsham, both of which would be of benefit to the local economy. The redevelopment of the site would not result in the closure of Plumbs Dairy, as the company is in the process of moving to a more appropriate employment site at Linton. The redevelopment of the site would therefore form part of the business case for an established employer relocating their business to a designated employment site that would allow them to grow the business further and create further employment opportunities.

Loss of employment

56. Policy ET/6 of the LDF requires that any proposal for the re-development of existing employment sites to non-employment uses within village frameworks will be resisted, unless it is demonstrated that the site is inappropriate for any employment use to continue having regard to the following criteria:
- market demand, with documentary evidence submitted that identifies that the site is not suitable or capable for continued employment, and that the property has been adequately marketed for a period of not less than twelve months;
 - or the overall benefit to the community of the proposal outweighs any adverse effect on employment opportunities and the range of available employment land and premises;
 - or the existing use is generating environmental problems and any alternative employment use would continue to generate similar environmental problems.
57. In assessing the loss of the employment site it is necessary to recognise that not all the application site is in an employment use. The eastern part of the site presently forms part of the residential curtilage of 105 High Street, which already has consent for a new dwelling to the rear. Therefore the employment site only constitutes the linear strip of land to the east of the application site between the electrical sub-station and the protected trees.
58. In order to address the fact that the site has not been marketed the applicant has submitted a Commercial Viability Appraisal Report produced by Barker Storey Matthews. This report details the condition of the existing buildings, most of which are of basic blockwork construction with low ceiling heights and either corrugated metal or asbestos roofs. These buildings, most of which date back to the 1950s, are considered to be near to the end of their useful economic lives. The report concludes that the continued use of the buildings would require significant expenditure to bring them up to modern day standards.
59. The report also lists a number of vacant B1 and B8 employment buildings in the surrounding area. Although none of these are in Balsham they are in nearby villages and the applicant argues that any businesses locating to the area would be likely to consider these vacant sites first, especially due to the significant redevelopment costs and constraints of the dairy site. In terms of a B1 use the existing buildings would

need to be rebuilt or significantly altered to meet building regulations. The report concludes that any rebuilding of the buildings to modern day standards would make the site commercially unviable and any proposal to reuse the existing buildings would result in a negative return on capital due to their limited life expectancy. For a B8 use the low eaves heights of the buildings would limit their appeal to most operators, many of which prefer to be on main road networks.

60. There are also a number of planning constraints that would further impact upon the viability of redeveloping the employment site in isolation. The westernmost buildings are in close proximity to protected trees and if they were to be rebuilt then the impact upon these trees would represent a significant constraint on the layout and scale of where any new buildings could be located. As these buildings are presently sandwiched between the protected trees and the roadway to the south, any rebuilding of them in their present location would be difficult to achieve without negatively impacting upon the root systems of the protected trees.
61. The present views to the open land to the south of the site are important as they add to the character and appearance of the conservation area and the protected village amenity area. This sense of openness has been maintained by the proposals and the setting of the protected trees has been enhanced by taking development away from them. This has only been achievable because of the inclusion of the additional land to the east of the Plumbs Dairy site, which means that the central route through the site has shifted eastwards. If the employment site were to be redeveloped in isolation the protection of the rural vista to the south through the linear site would further complicate any layout.
62. The applicant argues that the continued employment use at the site, or an alternative B8 use, would impact upon residential amenity through twenty four hour operations and regular HGV and car access. There is no evidence to suggest that the site presently causes a nuisance but that could be because of its historic location in the village neighbours have accepted such disturbances. However, from a marketing point of view the proximity of the site to existing residential properties would significantly reduce the appeal for businesses to occupy the site, especially as a B8 use.
63. One of the public representations has referred to the present staff parking along the High Street, which is a circumstance of having such a constrained site. Clearly there would be benefits to the street scene of this part of the High Street by not having so many vehicles routinely parked on the carriageway.

Density of development

64. The site measures 0.58 hectares in area and would equate to a density of 26 dwellings per hectare. Policy HG/1 of the LDF and H/7 of the Proposed Local Plan requires residential developments to make the best use of the site by achieving an average net density of at least 30 dwellings per hectare with higher densities of at least 40 dwellings per hectare in more sustainable locations. Given the constrained nature of the site, and in keeping with the open nature of this part of the conservation area, the proposed density is considered to be appropriate. The balance of housing across the site is considered acceptable with family housing to the south and the provision of the smaller properties to the north.

Visual Impact

65. The proposed contemporary style homes have been positioned to make the most of

the linear nature of the northern part of the site with the more spacious, detached homes and curtilages located in a courtyard layout to the south. The style of homes mimics the barn style of nearby properties in a more contemporary form. The provision of the amenity space/LAP around the protected trees enhances their setting as well as that of the protected village amenity. The existing buildings offer little to the conservation area or the street scene and the proposed homes are considered to add interest and diversity to this part of the village. One of the key features of the protected village amenity, and the conservation area, are the vistas through to the countryside to the south. This vista has been retained and enhanced by the design of the buildings that actively front onto the central roadway. The proposal is considered to preserve the character and appearance of the area of the conservation area, and would be appropriate to the visual amenity of the area.

66. Concerns about the impact upon the openness of the area have been raised by the local member and one of the neighbours. Although the land to the rear of 105 is presently open it is within the village framework and already has consent for a new dwelling, which if built would impact upon the openness of the area through the erection of a new building and boundary treatments. The proposed layout of the site provides for greater openness to the north, adjacent to the protected trees, and introduces an open courtyard area to the south. The development is therefore considered to provide more publicly enjoyable areas of openness than the site presently offers.

Heritage Impact

67. Presently the site adds very little to the character and appearance of the conservation area with the most significant visual impact being the mature trees along the western boundary of the site. Through the retention of these trees in a more appropriate setting, and a sympathetic building design and external treatment, the development is considered to be an enhancement of the setting of this part of the conservation area.
68. Although the site is opposite a listed building the development would not be seen in the same context as it as the new homes are to the south of the High Street. The proposal would not therefore result in any harm to the setting of the listed building opposite.

Highway safety and parking provision

69. The Highway Authority has raised no objections to the scheme following the submission of amended plans showing that the necessary visibility splays could be achieved. Any approval would result in conditions in relation to the management of traffic and delivery of materials during the construction phase of the development.
70. Presently employees of Plumbs Dairy park on the High Street due to the limited staff parking within the site. Once the dairy relocates this employee parking will no longer take place. Having less vehicles parked on the High Street will visually be preferable to the existing situation and will have highway safety benefits as obstacles to the free flow of traffic will be removed. Although not all of the homes would have access to two in curtilage parking spaces the layout could easily accommodate visitor parking on the internal roadway to limit any vehicles being parked on the High Street.
71. The applicant identifies that presently only a limited number of employees come from the surrounding area. By relocating the business to a larger and better served village there is the potential for employees to consider alternative, and more sustainable transport modes to get to work.

Trees and Landscape

72. The landscaping of the site benefits from the existing trees to the west, with more had landscaped areas proposed to the east. A condition would be attached to any consent to require tree protection prior to any demolition or construction works. A condition would also be attached to require details of proposed hard and soft landscaping, including a planting specification for the proposed scheme.

Local Area of Play

73. A local area of play (LAP) is proposed to the west of the site. Originally this LAP was to be enclosed by the built development but as a result of the amendments it has become more of a focal point within the development and no longer contains play equipment. The removal of the proposal play equipment was requested by officers as LAPs do not normally contain them and it has enabled a contribution of £16,309.68 towards outdoor gym equipment, which would be secured through the Section 106.

Ecology

74. By providing more space around the existing trees there is the potential for the site to offer less constrained habitats for biodiversity to flourish. A condition would be attached to the consent requiring a scheme of ecological enhancement.

Residential amenity

75. The immediate neighbour to the west of the site has questioned whether there would be any overlooking of their property from the first floor windows of the northernmost properties. Although western facing habitable rooms are proposed there are a number of factors that would limit any overlooking. These factors include the angles involved from the new windows to 109 High Street's amenity area. Any views of this area would also be largely obscured by the existing protected trees on the western boundary of the site and eastern projecting gable of no. 109, which would limit views from the any new windows.
76. Officers questioned whether the proximity of the eastern most dwelling to the boundary with 97 High Street would result in some overlooking of their rear garden. As a result of the amended design this property now features openings to the first floor habitable rooms that look southwards rather than to the east. This would effectively limit any overlooking of no. 97's rear garden.
77. The neighbour at 103 High Street, to the north of the site, has questioned whether the new properties would overlook their rear garden. The distance between the rear windows of the north easternmost dwelling on the site and the well screed boundary of 103 High Street would be approximately 16 metres. Any impact of windows at this distance is not considered to result in an unacceptable impact upon neighbour amenity.

Section 106 Contributions

78. In addition to payments towards waste and monitoring the development would also make contributions towards Balsham Sports Pavilion (£14,713.85) and £16,309.68 towards outdoor gym equipment. There would also be a payment of £6,167.08 towards Balsham Church Institute. These contributions for specific projects would add to the range of facilities for Balsham not just for use by new residents but also by the

existing community.

Surface Water Drainage

79. Cambridgeshire County Council as Lead Local Flood Authority have raised no objection to the application following the submission of additional information and have requested that a condition be attached to any consent to require further testing to ensure that the proposed SUDs can be implemented.

Archaeology

80. In accordance with the comments of Cambridgeshire County Council Archaeology a condition requiring a programme of archaeological investigation would be attached to any consent granted.

Energy and Water Conservation

81. A Sustainability Report has been submitted with the application and is considered acceptable as it demonstrates compliance with the Council's policies. Though there are conflicting figures for the maximum water usage calculations per person per day. It has been agreed that this matter will be clarified by way of a planning condition requiring the development to deliver facilities for a maximum use of 105 litres per person per day.

Recommendation

82. Officers recommend that the Committee grants planning permission subject to:

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

Completion of an agreement confirming contributions of the following:

- £14,713.85 towards Balsham Sports Pavilion contribution
- £16,309.68 towards outdoor gym equipment
- £6,167.08 towards Balsham Church Institute
- £73.50 per house and £150 per flat for household waste bins
- 40% affordable housing
- £500 for S106 monitoring fee
- Local Area of Play to be provided on site

Conditions

- (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: Location Plan 1:1250, 1881 02 C, 1881 02 C, 423(PL)1-01, 423(PL)1-02, 423(PL)2-01, 423(PL)2-02, 423(PL)2-03, 423(PL)2-04, 423(PL)2-05, 423(PL)2-06, 423(PL)2-07, 423(PL)2-08, 423(PL)2-09, 423(PL)02, 423(PL)18 and 423(PL)19.**
(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 apart from site demolition and site clearance works shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
- (4) **Prior to the first occupation of any of the development full details of both hard and soft landscape works shall be 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.)
- (5) **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.)
- (6) **All works must proceed in strict accordance with the recommendations detailed in Sections 4.5 and 4.6 of the Ecology Report (Applied Ecology Ltd. – September 2016) Appraisal report (Landscape Planning Ltd., June 2016). This shall include avoidance and mitigation measures for nesting birds and hedgehog. If any amendments to the recommendations as set out in the report are required, the revisions shall be submitted for approval in writing to the Local Planning Authority before works commence.**
(Reason: To minimise disturbance, harm or potential impact on protected species 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).
- (7) **No development shall commence until a scheme for ecological enhancement including a location plan and establishment and specification for native planting, connectivity measures and habitat for hedgehog and in-built features for nesting birds, roosting bats has been submitted for approval in writing to the Local Planning Authority. The**

agreed scheme shall also include a programme for the works and shall be implemented in accordance with the approved details.

(Reason: To provide habitat for wildlife and enhance the site for biodiversity in accordance with the NPPF, the NERC Act 2006 and Policy NE/6 of the adopted Local Development Framework 2007).

- (8) **Prior to demolition, site preparation, commencement or the delivery of materials to site the tree protection measures recommended in the submitted Hayden's Tree Protection Plan (dated 22/11/2016) shall be erected and remain in position until the practical completion of the development.**
(Reason – To ensure that adequate protection is in place for the trees on the site during the demolition and construction process in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)
- (9) **The garages, carports and parking spaces that are to be provided on or near each dwelling for parking and turning of vehicles shall be provided before the respective dwellings are occupied, and those spaces shall not thereafter be used for any purpose other than for the parking and turning of vehicles.**
(Reason - To ensure that residential vehicles are parked clear of the highway to avoid unsightly street environments and potential highway safety problems in accordance with Policy TR/2 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007.)
- (10) **All private driveways shall be constructed using a bound material to prevent debris spreading onto the proposed adopted public highway and so that their falls and levels are such that no private water cross onto the proposed adopted public highway.**
(Reason - for the safe and effective operation of the highway)
- (11) **No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Local Planning Authority in consultation with the Highway Authority. The principle areas of concern that should be addressed are:**
(i) **Movements and control of muck away lorries (all loading and unloading shall be undertaken off the adopted highway)**
(ii) **Contractor parking, for both phases all such parking shall be within the curtilage of the site and not on street**
(iii) **Movements and control of all deliveries (all loading and unloading shall be undertaken off the adopted public highway)**
(iv) **Control of dust, mud and debris, in relationship to the functioning of the adopted public highway**
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- (12) **Visibility splays shall be provided across the front gardens of the properties on plots 38 and 39 of drawing Planning Layout (ref. 12716/PL1 – Rev B) and shall be maintained free from any obstruction over a height of 600mm.**
(Reason: In order to maintain unobstructed visibility splays for the junction to the south of plot 39 in the interests of highway safety in accordance with Policy DP/3 of the South Cambridgeshire Local Development Framework Development Control Policies DPD 2007.)

- (13) **No development or demolition shall take place until details of the following have been submitted to and approved in writing by the local planning authority:**
- **Contractors' access arrangements for vehicles, plant and personnel;**
 - **Contractors' site storage area(s) and compound(s);**
 - **Parking for contractor's vehicles and contractors' personnel vehicles; and**
 - **Method statement for the control of debris, mud and dust arising from the development during the demolition and construction period.**
- (Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- (14) **The development shall be carried out in accordance with the water efficiency measures identified in the SLR Water Conservation Strategy ref: 408.06369.00003 – December 2016 to deliver a maximum water use of 105 litres per person per day.**
- (Reason – To maximise water efficiency measures in accordance with Policy NE/12 the adopted Local Development Framework 2007.)
- (15) **Prior to the first occupation of any of the development full details of 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 shall be 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.)
- (16) **The approved renewable and /or low carbon energy technologies shall be fully installed and operational prior to each dwelling being occupied and shall thereafter be retained and remain fully operational in accordance with a maintenance programme, which shall be submitted to and agreed in writing by the local planning authority.**
- (Reason: In the interests of reducing carbon dioxide emissions in accordance with Policies NE/1 and NE/3 of the adopted Local Development Framework and CC/3 of the South Cambridgeshire Proposed Local Plan.)
- (17) **No demolition/development shall take place until a written scheme of investigation (WSI) has been submitted to and approved in writing by the Local Planning Authority. 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 objective;**
 - **The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; and**
 - **The programme for post-excavation assessment and subsequent analysis, publication and dissemination, and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.**

(Reason - To secure the provision of archaeological excavation and the subsequent recording of the remains in accordance with Policy CH/2 of the adopted Local Development Framework 2007.)

- (18) **No development shall commence until:**
- A. The application site has been subject to a detailed scheme for the investigation and recording of contamination and remediation objectives have been determined through risk assessment and agreed in writing by the local planning authority.**
 - B. Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation method statement) have been submitted to and approved in writing by the local planning authority.**
 - C. The works specified in the remediation method statement have been completed, and a Verification report submitted to and approved in writing by the local planning authority, in accordance with the approved scheme.**
 - D. If, during remediation works, any contamination is identified that has not been considered in the remediation method statement, then remediation proposals for this material should be agreed in writing by the local planning authority.**

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

- (19) **During the period of demolition and construction, no power operated machinery shall be operated on the site, and there shall be no construction related deliveries taken at or dispatched from the site, before 0800 hours and after 1800 hours on weekdays and before 0800 hours and after 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 construction work and or construction related dispatches from, or deliveries to the site shall take place other than between the hours of 0800 hours and 1800 hours on weekdays and 0800 hours 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.)

Informatives

- (a) The granting of 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 Highway Authority for such works.
- (b) If the developer wishes to connect to Anglian Waters sewerage network, they should serve notice under Section 106 of the Water Industry Act 1991.

- (c) The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise and dust during the construction phases of development. This should include the use of water suppression for any stone or brick cutting and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information please contact the Environmental Health Service.
- (d) There shall be no burning of any waste or other materials on the site, without prior consent from the Environmental Health Department to ensure nuisance is not caused to local residents.
- (e) Should driven pile foundations be proposed, then before works commence, a statement of the method of construction of these foundations shall be submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.

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 Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies DPD (adopted July 2007)
- South Cambridgeshire Local Plan Submission 2014

Report Author:

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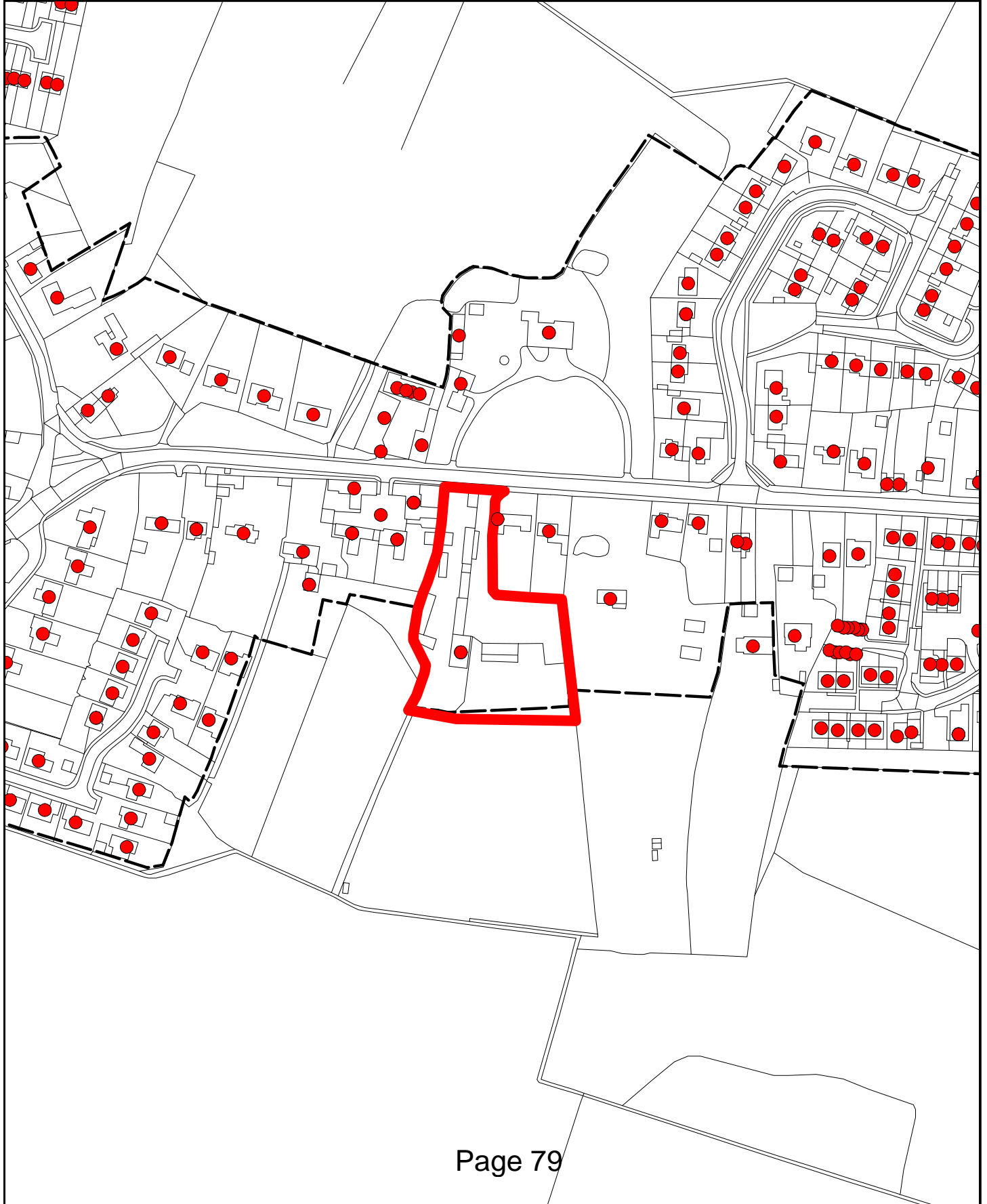
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District Council**

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Agenda Item 7

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 1 November 2017
AUTHOR/S: Joint Director for Planning and Economic Development

Application Number: S/1818/17/OL

Parish(es): Balsham

Proposal: Outline planning permission for 1 detached house. All matters reserved with the exception of the means of access and scale

Site address: Land to the west of 10 Cambridge Road, Balsham

Applicant(s): South Cambridgeshire District Council (SCDC)

Recommendation: Approval

Key material considerations: Principle
Scale
Access
Neighbour Amenity
Trees

Committee Site Visit: Yes

Departure Application: No

Presenting Officer: Julie Ayre, Team Leader (East)

Application brought to Committee because: Application made by SCDC on land owned by SCDC

Date by which decision due: 19 July 2017 (Extension of time agreed until 15 November 2017)

Executive Summary

1. The application is reported to Planning Committee because the applicant is South Cambridgeshire District Council.
2. This is an outline planning application for the erection of a single dwelling. Access to the site and the scale of the dwelling are to be formally considered. Layout, appearance and landscaping are reserved at this stage.
3. The principle of a single dwelling on the site is acceptable, having regard to the, location and accessibility of the site and the application of the presumption in favour of sustainable development.

4. The site is of sufficient size to accommodate a modest-sized single dwelling and safe vehicular access is possible from the lane to the North West. Off-street parking and turning space can also be provided.
5. A 1.5 storey scale is considered necessary to ensure a compatible relationship with the surrounding area and the residential amenities of 10 Cambridge Road.
6. There are no objections from technical consultees.
7. The recommendation is one of approval, subject to conditions.

Planning History

8. Application Site

PRE/0451/16 - The application was the subject of a pre-application enquiry. In principle support was given to a single dwelling, subject to formal consideration of detailed layout, scale, appearance, landscaping and access.

Adjacent Site to South

S/0255/17/OL – Outline application for the development of 36no. dwellings with all matters reserved except for access – Approved (06 October 2017)

S/2830/15/OL – Outline application for residential and details of means of access – Refused. Allowed on appeal (APP/W0530/W/16/3162747)

National Guidance

9. National Planning Policy Framework (NPPF)
Planning Practice Guidance

Development Plan Policies

10. **South Cambridgeshire LDF Core Strategy DPD, 2007**
ST/2 Housing Provision
ST/6 Group Villages
11. **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
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/15 Noise Pollution
TR/1 Planning For More Sustainable Travel
TR/2 Car and Cycle Parking Standards

12. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
Trees & Development Sites SPD - Adopted January 2009
Landscape in New Developments SPD - Adopted March 2010
District Design Guide SPD - Adopted March 2010

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

- S/1 Vision
- S/2 Objectives of the Local Plan
- S/3 Presumption in favour of sustainable development
- S/7 Development Frameworks
- S/10 Group Village
- CC/7 Water Quality
- CC/8 Sustainable Drainage Systems
- HQ/1 Design Principles
- NH/4 Biodiversity
- H/7 Housing Density
- H/15 Development of Residential Gardens
- TI/2 Planning for Sustainable Travel
- TI/3 Parking Provision

Consultation

14. **Balsham Parish Council** – No Response
15. **County Highway Authority** – No objections subject to conditions in relation to the provision of a traffic management plan, levels and construction materials of the and access, pedestrian visibility splays and provision of manoeuvring space.
16. **Environmental Health Officer** – No response.
17. **Strategic Housing Department** – the reasons why SCDC are not developing the site themselves are as follows:
- as a Right to Build Vanguard we committed to providing 100 plots to market as part of our bid to the DCLG for the Right to Build status. The audit of HRA owned land was part of this process and we have identified 100 plots of HRA land to fulfil this requirement. These plots sit aside working with our planning team and developers to bring more privately owned land forward for self and custom build.
 - when the 1% reduction per year for 4 years in council rents was introduced our budget for new build council housing was erased. To continue to build council homes to bring in a revenue stream and ensure spend of Right to Buy receipts and Commuted Sums the idea of utilising our HRA land plots for sale; and using the capital receipts to fund out new build council housing was presented to EMT and Cabinet. The business case was approved by Cabinet in July 2016 and was subsequently refreshed at EMT in July 2017.
 - the council building out 1 plot on a small piece of land is not financially viable or efficient in terms of resources.
 - the council building out on small garage sites is an expensive way to construct council houses. Volume generates economy of scale, and in doing larger exception sites or S106 sites we get much better value for money and essentially can build more affordable homes for the same budget.

18. **Tree Officer** – No objections subject to conditions regarding provision of an updated tree survey report and installation of tree protection measures throughout construction.

Representations

19. Two letters have been received; one from a prospective buyer of 10 Cambridge Road querying when a decision will be made and how it may affect the existing house at no.10, and one of objection, from 10 Cambridge Road, raising the following concerns:
- The proposal would be detrimental to highway safety.
 - The proposal would result in a loss of privacy with the front of the new dwelling overlooking the rear of no.10 Cambridge Road, which being on higher land, would also look straight into the front of the new dwelling.
 - The proposal may be affected by the outcome of application S/0255/17/OL as a piece of land to the west of the proposed site was designated as flood plain.
 - The proposal would, along with application S/0255/17/OL, place additional pressure on the current drainage system, increasing frequency of flooding.

Site and Surroundings

20. The application site is located on the western edge of Balsham, bound to the north west by Hildersham Road. There is a mature green hedge along the Hildersham Road site frontage and a small but established woodland on the opposite side of Hildersham Road. To the south and south west there is an instant transition out into open, undulating countryside, although the area immediately south of the site benefits from planning consent, reference S/0255/17/OL, for the erection of 36 dwellings, approved on 06 October 2017. To the north of the site, beyond Cambridge Road, there is also open countryside. To the east is the garden of 10 Cambridge Road, beyond which is a row of semi-detached dwellings on the south side of Cambridge Road. Beyond that is the main body of the village.
21. The site is located within Balsham Village Development Framework. The site is not located within a Conservation Area and does not form the setting to any Listed Buildings or other heritage assets. The site is not affected by flood risk and does not comprise a sensitive habitat for protected species and is unlikely to be affected by contamination. Furthermore, the site is not within the Green Belt.

Proposal

22. The application seeks outline planning permission for the development of 1 detached house, with some matters reserved except for access and scale.

Planning Assessment

23. The key issues to consider in the determination of the application are principle of development, visual amenity, highway safety, and neighbour amenity.

Principle of Development

24. Balsham is defined as a Group Village under Policy ST/6 of the Local Development Framework and Policy S/10 of the Proposed Local Plan. In Group Villages, development and redevelopment without up to an indicative maximum scheme size of 8 dwelling will be permitted within the village frameworks.

25. Policy HG/1 of the Local Development Framework Development Control Policies and Policy HG/7 of the emerging Local Plan seeks that all residential developments make the best use of the site by achieving net densities of at least 30 dwellings per hectare unless exceptional local circumstances require a different treatment, or at least 40 dwellings per hectare in more sustainable locations. The proposed site was calculated as having an area of approximately 0.06 hectares. The provision of a single dwelling on the site would equate to a density of 17 dwellings per hectare, which would be below the required density of Policy HG/1. However, given the character of the area and constrained shape of the site, the proposed density is considered acceptable, subject to other considerations discussed below.

Visual Amenity

26. The site comprises a triangular shaped parcel of land at the edge of the village where there is an immediate transition to open countryside. There is a mature green hedge along the Hildersham Road site frontage. The existing properties to the east of the site are two storey semi-detached properties, set back from the public highway of Cambridge Road. To the north, west and south of the site is open countryside. It is acknowledged that the land immediately south of the site benefits from planning consent for 36 dwellings (S/0255/17/OL). The masterplan for this neighbouring planning consent indicates a mixture of single storey and two storey dwellings, with a landscape buffer on the western edge of the site adjacent to Hildersham Road.
27. The application proposes a one and a half storey dwelling which would be sited close to the public highway of Hildersham Road and therefore relatively evident from street scene views. Much of the existing mature green hedge along Hildersham Road is to be retained, except for where access alterations are proposed. Given that the site is considered to be a sensitive edge of settlement location, the provision of a one and a half storey property is considered acceptable. It is considered reasonable and necessary to impose a condition restricting the dwelling to not exceed one and a half storey in height. A landscape scheme and boundary treatment details will form part of the reserved matters application..
28. Subject to full details of the proposed dwelling being provided at reserved matters stage, to ensure appropriate design and material finish, the principle of a one and a half storey dwelling on site is considered to be acceptable in terms of its impact on the visual amenity of the area and to accord with polies DP/2 and DP/3 of the Local Development Framework.

Highway Safety and Access

29. The proposed development will take its access from Hildersham Road on the north west boundary of the site, close to the junction with Cambridge Road. One letter of objection has been received which raises concern regarding highway safety. The County Council as Local Highways Authority have been formally consulted on the application and have raised no objections to the proposals on highway safety grounds.
30. The Local Highways Authority has requested a Traffic Management Plan as a part of this application, along with several other conditions relating to the vehicular access to the site. On this basis, and in the opinion of the Local Highway Authority, there would application but have not objected on the grounds of highway safety and therefore the proposed scheme would accord with Policy DP/3 of the Local Development Framework.

31. Sufficient car parking would be provided on site to serve the proposed dwelling to accord with the requirements of Policy TR/2 of the Local Development Framework. The conditions suggested by the local highway authority are all deemed reasonable and necessary.

Residential Amenity

32. One letter of objection has been received which raises concern regarding the loss of privacy to both the existing dwelling of 10 Cambridge Road and to the potential occupiers of the proposed dwelling.
33. The site plan shows the proposed dwelling to be orientated in an east-west direction, with the front elevation of the property facing north. The application proposes a one and a half storey dwelling, stated on the proposed site plan, which would be sited approximately 18 metres south west of no.10 Cambridge Road and approximately 10 metres from the common boundary.
34. There are three first floor windows in the rear elevation of no.10 Cambridge Road which face south. There are no first floor windows in the side elevation which faces west. The rear first floor windows of no.10 Cambridge Road are not considered to result in a significant loss of privacy to the future occupiers of the proposed dwelling, given the separation and the oblique nature of the views which would be available.
35. The potential loss of privacy to no.10 Cambridge Road would be dealt through a Reserved Matters application when the detailed plan of the dwelling is provided. However, it is considered that the proposed development is unlikely to result in a significant loss of privacy to no.10 Cambridge Road given the separation between the properties, the scale of the proposed development and conditions which could be imposed on the Reserved Matters Application.
36. In terms of the potential for loss of light or sense of overbearance, the separation between the two properties and proposed scale of the new dwelling are such that the proposed development is not considered to result in a significant negative impact upon residential amenity.

Trees

37. The site contains a small number of trees and the application is supported by a Tree Survey and Constraints Plan by Hayden's Arboricultural Consultants. The application has been subject to formal consultation with the Council's Trees Officer who has raised no objection in principle, subject to conditions regarding provision of an updated tree survey report and installation of tree protection measures throughout construction. Subject to these conditions, the proposal is considered to comply with policy NE/6 of the Local Development Framework.

Flood Risk and Drainage

38. One letter of objection has been received which makes reference to land to the west of the site being designated as flood plain and the potential impact on the current drainage system of the proposed development, along with the approved development of 36 dwellings south of the site.
39. The site is located in Flood Zone 1 (low risk) and the surrounding area is not designated as being within Flood Zone 2 or 3. Therefore there is not considered to be

any significant level of flood risk to the residential development of the site. It is considered reasonable and necessary to apply conditions requiring a surface water and foul water drainage scheme to be submitted to and approved in writing by the Local Planning Authority. On that basis, the principle of a dwelling on site is considered to be acceptable in terms of flood risk and surface water drainage and accords with policies NE/9 and NE/11 of the Local Development Framework.

Other Matters

40. No response has been received from the Council's Environmental Health Team. However, it is considered reasonable and necessary to impose a condition restricting the hours of work to minimise noise disturbance for adjoining residents, in accordance with Policy NE/15 of the Local Development Framework.

Recommendation

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

Conditions

- 1) Approval of the details of the layout of the site, appearance of buildings and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced. (Reason - The application is in outline only.)
- 2) Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. (Reason - The application is in outline only.)
- 3) The development hereby permitted shall begin not later than the expiration of two years from the date of approval of the last of the reserved matters to be approved. (Reason - The application is in outline only.)
- 4) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing numbers 1547-P-501 and 1547-P-502. (Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
- 5) The landscaping details required under condition 1 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 and the positions, design, materials and type of boundary treatment to be erected. (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) 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.)

- 7) The dwelling hereby permitted shall not exceed one and a half storey in height. (Reason - To ensure the development is satisfactorily assimilated into the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
- 8) Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority. (Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)
- 9) 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.)
- 10) No construction site machinery or plant shall be operated and no construction related deliveries taken at or despatched from the site before 0800 hours and after 1800 hours on weekdays, before 0800 hours and after 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.)
- 11) Visibility splays shall be provided on both sides of the access and shall be maintained free from any obstruction over a height of 600mm within an area of 2m x 2m measured from and along respectively the highway boundary. (Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- 12) No construction works shall commence on site until a traffic management plan has been agreed with the Local Planning Authority in consultation with the Highway Authority. The principle areas of concern that should be addressed are:
 - i. Movements and control of muck away lorries (all loading and unloading shall be undertaken off the adopted public highway)
 - ii. Contractor parking, for both phases all such parking shall be within the curtilage of the site and not on street.

- iii. Movements and control of all deliveries (all loading and unloading shall be undertaken off the adopted public highway)
 - iv. Control of dust, mud and debris in relationship to the operation of the adopted public highway
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- 13) The proposed driveway shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public water.
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
 - 14) The proposed driveway shall be constructed using a bound material to prevent debris spreading onto the adopted public highway
(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
 - 15) The new dwelling, hereby permitted, shall not be occupied until the parking and turning space for the dwelling has been provided in accordance with the details shown on the approved plans. That area shall thereafter be retained for the parking and turning of vehicles.
(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
 - 16) Prior to commencement, site preparation or the delivery of materials to site the applicant shall submit an updated arboricultural impact assessment and tree protection strategy in accordance with British Standard BS5837 for the approval of the Local Planning Authority to reflect the detailed layout. The tree protection measures must be implemented in accordance with the details provided in the approved arboricultural impact assessment and tree protection strategy 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 the policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)

Informatives

1. There shall be no burning of any waste or other materials on the site, without prior consent from the environmental health department.
2. Should driven pile foundations be proposed, then before works commence, a statement of the method for construction of these foundations shall be submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.
3. The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise and dust during the construction phases of development. This should include the use of water suppression for any stone or brick cutting and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information

please contact the Environmental Health Service

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 Highway Authority for such works.

Background Papers:

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

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- South Cambridgeshire Local Plan Submission 2014
- Planning File Reference: S/1818/17/OL

Report Author:

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Telephone Number:

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01954 713417



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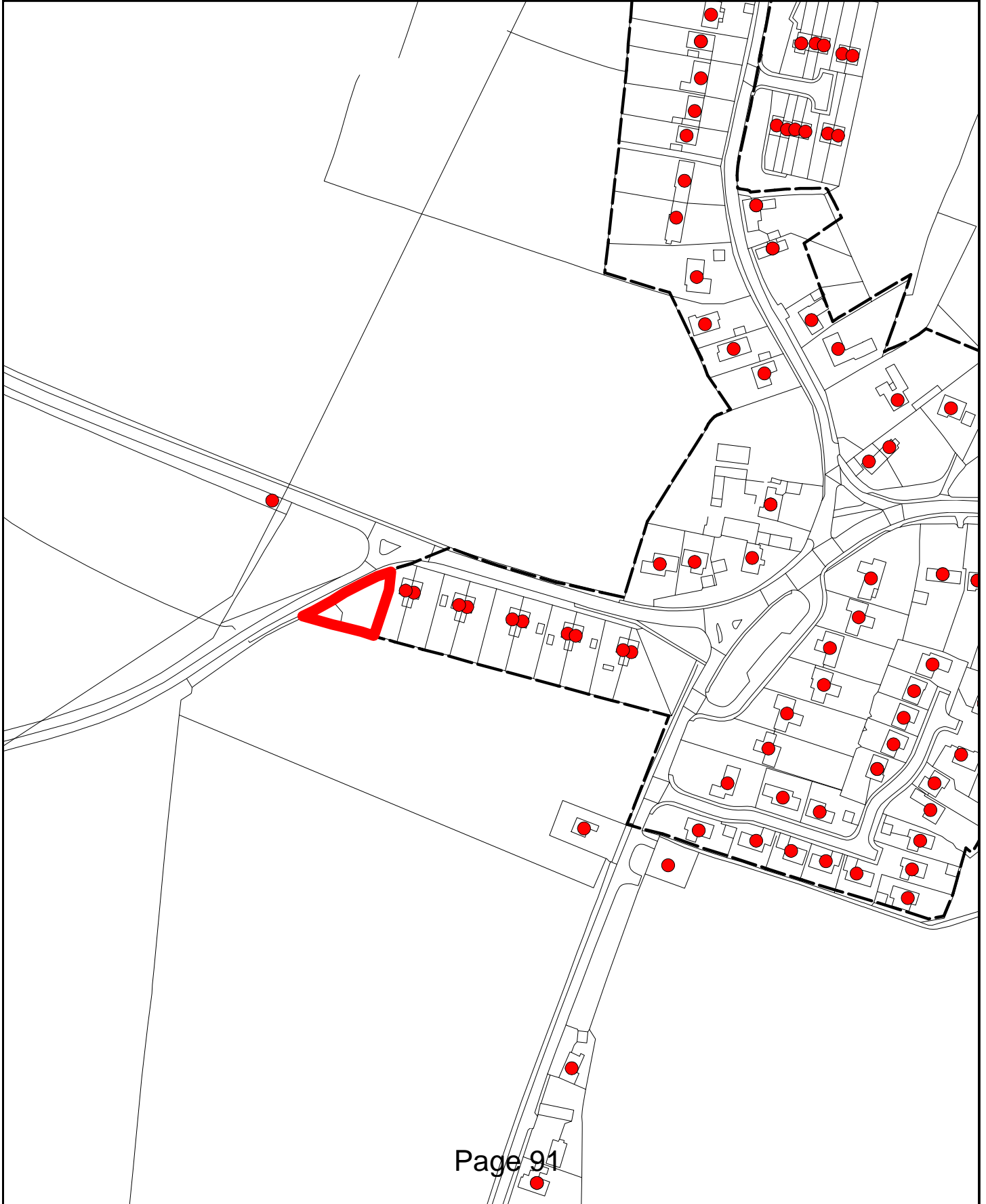
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Date of plot: 20/10/2017



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Cambridgeshire
District Council**

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Agenda Item 8

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee 1 November 2017
AUTHOR/S: Joint Director for Planning and Economic Development

Application Number: S/1769/17/OL

Parish(es): Great Shelford

Proposal: Outline Planning Permission for Demolition of Existing Garage on the site and development of 3 detached dwellings with access and layout included all other matters are to be reserved.

Site address: Land off Macaulay Avenue, Great Shelford

Applicant(s): Laurence Castle, South Cambridgeshire District Council

Recommendation: Delegated Approval to secure a s106 Agreement

Key material considerations: Five year supply of housing land
Principle of development
Sustainability of the location
Density of development and affordable housing
Impact to the local area
Residential amenity of neighbouring properties
Highway safety - access
Surface water and foul water drainage
Provision of formal and informal open space
Section 106 Contributions

Committee Site Visit: Yes, 31 October 2017

Departure Application: No

Presenting Officer: Rebecca Ward, Principal Planning Officer

Application brought to Committee because: Applicant is South Cambridgeshire District Council

Date by which decision due: 31 August 2017

Planning History

1. None of relevance

National Guidance

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

Development Plan Policies

3. 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.

South Cambridgeshire LDF Core Strategy DPD, 2007

ST/2 Housing Provision
ST/5 Minor Rural Centres

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
HG/1 Housing Density
HG/2 Housing Mix
HG/3 Affordable Housing
NE/6 Biodiversity
NE/9 Water and Drainage Infrastructure
NE/11 Flood Risk
CH/4 Development in the setting of Listed Buildings
TR/1 Planning For More Sustainable Travel
TR/2 Car and Cycle Parking Standards
TR/3 Mitigating Travel Impact

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

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

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

S/1 Vision
S/2 Objectives of the Local Plan
S//3 Presumption in Favour of Sustainable Development
S/5 Provision of New Jobs and Homes
S/6 The Development Strategy to 2031
S/7 Development Frameworks
S/9 Minor Rural Centres
HQ/1 Design Principles
H/7 Housing Density
H/8 Housing Mix
H/9 Affordable Housing
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/8 Sustainable Drainage Systems
CC/9 Managing Flood Risk
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision

Consultation

6. **Great Shelford Parish Council** - No comments received (chased 28 Sept 2017)
7. **Strategic Housing Department** - In respect of the garages identified on the plan - these are owned by South Cambridgeshire District Council. All garages are currently empty and have been identified for redevelopment as part of the Council's ongoing objectives to ensure that garages and surrounding land are managed effectively and efficiently thereby contributing to the built environment, maximising rental income for the Council and providing a valuable resource for the public. These garages are no longer fit for purpose and would require substantial capital to be invested to bring them up to a required standard. This would not be best value for money for the Council.

The planning application is for the development of three residential self build units. Under current planning policy, the Local Authority would seek to achieve 40% affordable housing on 3 or more dwellings and in this case we would look to the provision of one dwelling to be affordable. Given the application is for self build, of which we are a vanguard, it is considered impractical to have an affordable dwelling on the site and we would look to receive a commuted sum in lieu of the affordable housing. As the planning application is being made by South Cambridgeshire District Council, the income generated from the sale of the self build land, once planning permission is secured, would be reinvested into the Council's Housing Revenue Account for the provision of affordable housing. In this instance it would therefore seem illogical to request a commuted sum and I can confirm that we would not be seeking an affordable housing contribution (in planning terms) in this instance.

The reasons why SCDC are not developing the sites themselves are as follows:

- As a Right to Build Vanguard we committed to providing 100 plots to market as part of our bid to the DCLG for the Right to Build status. The audit of HRA owned land was part of this process and we have identified 100 plots of HRA land to fulfil this requirement. These plots sit aside working with our planning team and developers to bring more privately owned land forward for self and custom build.
- when the 1% reduction per year for 4 years in council rents was introduced our budget for new build council housing was erased. To continue to build council homes to bring in a revenue stream and ensure spend of Right to Buy receipts and Commuted Sums the idea of utilising our HRA land plots for sale; and using the capital receipts to fund out new build council housing was presented to EMT and Cabinet. The business case was approved by Cabinet in July 2016 and was subsequently refreshed at EMT in July 2017.
- the council building out 1 plot on a small piece of land is not financially viable or efficient in terms of resources.
- the council building out on small garage sites is an expensive way to construct council houses. Volume generates economy of scale, and in doing larger exception sites or S106 sites we get much better value for money and essentially can build more affordable homes for the same budget.

In the case of Macaulay Avenue, Great Shelford we are selling on 3 plots for 3 large detached family houses; thereby generating excellent value. The expected receipt on

this site will build out 6 or 7 council new build homes elsewhere on a larger site where we benefit from economies of scale. We could not have built out a similar number of council dwellings on the Macaulay Avenue site as they would have been considerably more expensive plus we have the access, parking requirements, and covenants on this site that mean that 3 houses is the optimum build out.

8. **Cambridgeshire County Council (Local Highway Authority)** - No objections to the proposed development. However, comments that the loss of off street car parking may result in an increase of demand for on street car parking which may result in some loss of residential amenity. The following standard conditions were also recommended; use of a bound material for driveways and suitable levels.
9. **Drainage Officer** - No objections subject to conditions for a foul and surface water drainage scheme
10. **Contaminated Land Officer** - The above site comprises a number of disused domestic garages with asbestos roofing and surrounded by poor quality concrete hard standing. The proposed use is one which is highly sensitive to the presence of contamination (residential) and the EPS report has identified a number of potential contaminant linkages. The report makes recommendations for intrusive investigation and subsequent risk assessment of the site to assess its suitability for the proposed use. Therefore a full-contaminated land condition has been requested.
11. **Tree Officer** - No objection to this application in principle. The application has the benefit of an arboricultural report, which is clear and fit for purpose but includes comment only upon the constraints imposed by trees because there is no layout upon which to comment.

A forthcoming detailed application will be expected to be supported by an updated arboricultural report and tree protection strategy. The acceptability of the development will be dependent upon the proposed layout and its juxtaposition with trees. Prior to commencement the applicant should submit an updated arboricultural report and tree protection strategy via planning condition.

12. **County Council Archaeology Team** - Our records indicate that the site lies in an area of high archaeological potential, situated in a significant multi-period landscape. Archaeological investigations adjacent to the site identified multi-period remains (Historic Environment Record reference ECB1197) including medieval settlement evidence (CB15542), with Romano-British settlement evidence to the north east (CB15538). Granham's Manor is located roughly 220m to the north of the application area (01002). This site consists primarily of the remains of a rectangular moated site with a wet ditch. Attached to this on the eastern side and running almost to the foot of the Gog Magog Hills, is an embanked enclosure of roughly rectangular plan. Archaeological investigations at Granham's Farm have also identified Saxon occupation (MCB20044). In addition, to the north of Granham's Farm is Iron Age settlement (CB15540). A standard condition has therefore been recommended.

Representations

13. No comments received

Site and Surroundings

14. The site is located within the defined village development framework of Great Shelfrod. The site is not located within a Conservation Area and does not form the

setting of any Listed Buildings or other built heritage asset, albeit No.32-38 Granhams Road (Grade II) is situated to the north of the site on Granhams Road. The site is within a Flood Zone 1 and furthermore, the site is not within the Green Belt.

Proposal and Justification

15. Substantial new parking zones have been created since the original estate was planned and built by Chesterton Rural District Council. These new bays were created by the Council's Housing department as a result of local requests for more convenient parking closer to resident's homes. As a result of the creation of the requested new parking bays the demand for lock-up garages substantially diminished and the garage blocks fell into disrepair.
16. The proposal involves the demolition of the existing lock-up garages and the erection of three plots for self-builders. The application is submitted as an outline planning permission at this stage with access. Matters relating to appearance and landscaping are to be reserved.

Planning Assessment

17. The key issues to consider in the determination of this application are the principle of development and whether the development meets the definition of sustainable development in relation to proximity to services and facilities.
18. An assessment is required in relation to the impact of the proposals on the character of the village, highway safety, the residential amenity of neighbouring properties, environmental health, surface water and foul water drainage capacity.

Principle of Development

19. Housing Supply and self-build plots

The District is currently unable to demonstrate a five year supply of housing sites. Set within this context, relevant policies for the supply of housing should not be considered up-to-date and housing applications should be considered in the context of the presumption in favour of sustainable development.

20. Paragraph 50 of the NPPF states that local planning authorities should deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. A mix of housing should be planned for based on current and future demographic trends, market trends and the needs of different groups of the community, such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes.
21. In March 2015 the government introduced the Self-build and Custom Housebuilding Act 2015 (the 2015 Act). This places a duty on certain public authorities to maintain a register of individuals who wish to acquire serviced plots of land to bring forward self-build and custom housebuilding projects and places a duty on public authorities to have regard to those registers in carrying out planning and other functions including housing, regeneration. The 2015 Act now also places a legal duty on authorities to grant sufficient development permission to meet the demand for self-build and custom build in its area.
22. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning

applications shall be determined in accordance with the development plan, unless material considerations indicate otherwise. At present Council does not have a specific adopted or emerging local planning policy for the provision of self-build and custom build sites in the district. Therefore, in determining this application members will need to have regard to national planning policy.

23. The proposed development if approved will make a small contribution to the demands of the register at first observation, but given, that it's a relatively new concept for the Council as a vanguard authority, officers advise that substantial weight should be given to this factor in favour of the development. A clause can be written into the agreement to ensure they are sold of as self-build plots.
24. Furthermore, it is considered that the development of three new dwellings would help, in a modest way, to increase the supply of housing in the district.

Sustainability of the site

25. The National Planning Policy Framework sets out that there are three dimensions to sustainable development; (1) Economic, (2) Social and (3) Environmental and at the heart of the NPPF is a presumption in favour of sustainable development. For decision taking this means:
 - Approving development proposals that accord with the development plan without delay; and
 - Where the development plan is absent, silent or the relevant policies are out-of-date, granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or specific policies in the Framework indicate development should be restricted.
26. It is considered that Great Shelford, a Rural Centre, is a sustainable location and the site has good accessibility to services and facilities, employment opportunities and public transport provision. The adopted and emerging Development Plans outline that Rural Centres are a sustainable option to accommodate housing delivery. The site is within the framework and therefore accords with policy DP/7 of the NPPF, albeit only limited weight can be given to this policy given the current housing land supply deficit.

Housing density, mix and affordable housing

Housing density

27. The area of the site is 0.10 hectares, with the provision of 3 residential units, this would equate to a development of 30 dwellings per hectare. This would accord with the councils adopted and emerging planning policies HG/1 and H/7.

Housing mix

28. The mix of housing will be determined at reserved matters stage, whereby local circumstances should dictate the size of the dwellings, in accordance with emerging policy H/8. The Council are now giving full weight to this policy given the emerging plans stage of preparation. Given the site is for self-build houses the local circumstances of the people on the register will be given weight at reserved matters stage.

Affordable Housing

29. Planning law requires that planning applications shall be determined in accordance with the development plan, unless material considerations indicate otherwise.
30. Development Control Policy HG/3 of the Council's adopted Development Plan Document July 2007 requires the provision of affordable housing at a threshold of two properties, but the Council has proposed raising this threshold to three to secure consistency with policy H/9 of its emerging Local Plan.
31. A Written Ministerial Statement (WMS) was issued on 28 November 2014 which seeks to limit affordable housing and tariff style section 106 contributions to developments that are of ten units or less, and which have a maximum combined gross floor space of 1,000 square metres.
32. Although weight may be given to the WMS in the determination of planning applications, it has been accepted by the Minister and, recently by the Planning Inspector in a letter of March 2017 to the London Borough of Richmond upon Thames that the WMS does not of itself override an inconsistent policy in an adopted development plan, which, by s.38(6) of the Planning and Compulsory Purchase Act 2004 is the starting point for any planning decision.
33. Such an approach also accords with the decision given by the Court of Appeal in R (West Berkshire DC) v Secretary of State for Communities and Local Government [2016] 1 WLR 3923. There is now a growing body of appeal decisions where the policies of an adopted development plan continue to be given weight in planning decisions notwithstanding that these policies do not conform with the affordable housing thresholds set out in the WMS.
34. Since the Court of Appeal decision as to the WMS the Council has successfully defended two appeals where the Council's justification, derived from local circumstances, as to the provision of affordable housing on smaller sites was accepted by the Planning Inspector. The local circumstances include:
 - The high level of housing need across the District
 - That the blanket policy would prevent affordable housing being delivered in 87 out of 105 of our villages (Group Villages and Infill Only Villages)
 - That the development control policies recognise viability in decision taking
 - The Council has a strong track record of delivering affordable housing on market led sites (of 2 or more dwellings) since 2007
 - That the Council have proved (through completed viability appraisals) that the vast majority of schemes including the two appeal schemes remained viable whilst providing affordable housing
35. Therefore, affordable housing provision is material to the determination of this planning application and members are advised to give full weight to policies HG/3 and H/3 of the Local Development Framework. Given the nature of the proposed development, it would be unrealistic to seek affordable housing provision in the usual manner onsite. This approach is consistent with application S/1524/16/OL St Neots Road, Hardwick considered by members in August 2017.
36. However, in lieu of policy led onsite provision, it is considered that a commuted sum policy approach be applied in this case and secured by a S106 agreement. This would ensure that all proceeds, net-off costs, will be re-distributed into the Councils New Build Capital Programme for the provision of affordable housing.

37. On this basis and in the absence of any specific existing policy, officers are content that all reasonable measures have been explored in order to secure an affordable housing contribution and at the same time ensuring that the Council's affordable housing policy does not prove to be a barrier to the self-build projects. Whilst the application does involve a departure from the usual application of policy HG/3 and H/3 and the affordable housing SPD, very special circumstances are considered to be evidenced and justified in this particular case with weight being applied to the objectives of the 2015 Act and the Council's vanguard authority status.

Layout and Neighbouring Amenity

38. The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development is indivisible from good planning and should contribute positively to making places better for people. Amongst other things, good design should function well over the lifetime of the development, establish a strong sense of place, optimise the potential of the site to accommodate development, respond to local character without preventing or discouraging appropriate innovation, be safe and accessible and be visually attractive in terms of architecture and landscaping.
39. The NPPF states that local planning authority decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.
40. The site is previously developed with two rows of lock-up garages. The site is rather un-kept in appearance and there would be positive planning gain outcomes from a small scale redevelopment scheme.
41. There are existing residential dwellings to the east, south and west of the site. Detailed designs including their scale will not be submitted until reserved matter stage and therefore will offer the self-builders some flexibility. Notwithstanding this, the district council has to be comfortable that the amount of units can fit within the parameters of the site without having a detrimental impact to neighbouring occupiers.
42. The proposed layout demonstrates that three units, along with garages and parking spaces could fit on the site. The south-east elevation on plot 1, the north-west elevation on plot 2, the north-east elevation on plot 3 all sit within 3m of the shared boundaries. Given the proximity to the neighbour's gardens, no first floor windows or doors will be located on the specified elevations (at reserved matters stage), unless they are obscure glazed and non-opening.
43. Officers consider the potential to over-look could be designed out through by the careful orientation of the rooms. There also seems to be some room to pull plot 1 away from the boundary with No.46 to increase separation distances.
44. Based on the submitted plans officers consider any reserved matters scheme is likely to accord with policy DP/3 of the Local Development Framework and not cause significant or adverse harm.

Highway safety and parking

45. The site is located at the end of a cul-de-sac and is currently used for 23 lock-up garages, all of which would have generated historic traffic movements. The removal of

these garages and their replacement with three dwellings is likely to result in the reduction of traffic movements relative to the historic situation. The proposed development and the allocation of parking to the existing dwellings are therefore considered to generally comply with policies DP/3 and TR/1 of the Local Development Framework.

46. The indicative plans submitted with the application demonstrate each dwelling could accommodate up to two on-site spaces with additional visitor spaces. Therefore the development would appear to be in compliance with parking standards set out in policy TR/2 of the Local development Framework.

Trees and Landscaping

47. There are some existing trees on the boundaries of the site. An arboricultural assessment has been submitted with the application which accurately plots the existing trees and their root protection areas to determine the developable areas of the site and to inform any necessary tree protection measures during construction.
48. Any reserved matters application will be expected to be supported by an updated arboricultural report and tree protection strategy. The acceptability of the development will be dependent upon the proposed layout and its juxtaposition with trees.
49. On this basis the Councils Tree Officer has raised no objections to the proposed development and it would accord with policy DP/2 and NE/6 of the Local Development Framework.

Other matters

50. 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.”
51. Section 72 of the Planning (Listed Buildings and Conservation Area) Act 1990 requires decision-makers to pay “special regard to the desirability of preserving or enhancing the character or appearance of that area”.
52. 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”.
53. 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”.
54. 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.

55. Given the distance, the development would continue to preserve the setting of the No.32-38 Grahams Road in accordance with section 66 and policy CH/4 and CH/5 of the Local Development Framework and section 66 of the Conservation Area and Listed Buildings Act.
56. Conditions covering surface water drainage and foul water drainage are necessary as the application does not detail the arrangement at this stage. A contamination condition and archaeological condition is also necessary following the comments from consultees.

Conclusion

57. The proposed development would accord with the development plan being inside the village framework. Therefore planning permission should be approved without delay in accordance with paragraph 14 of the National Planning Policy Framework.
58. The provision of three self-build plots in a sustainable location will also benefit the local self-build register and the revenue from the plots will be put back into the creation of affordable housing elsewhere in the district. It is therefore considered that the proposal achieves the definition of sustainable development as set out in the NPPF.

Recommendation

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

Section 106 Agreement

To conclude affordable housing provision and build out as self-build plots.

Conditions

- 1) Approval of the details of the scale of the buildings, appearance of buildings and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
(Reason - The application is in outline only.)
- 2) Application for the approval of the reserved matters, for each plot, shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
(Reason - The application is in outline only.)
- 3) The development hereby permitted shall begin not later than the expiration of two years from the date of approval of the last of the reserved matters to be approved.
(Reason - The application is in outline only.)
- 4) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing numbers 1553-P-501, 1553-P-502
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

- 5) 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.)
- 6) Prior to the occupation of each of the dwellings, a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment for that dwelling shall be completed before the dwelling is occupied in accordance with the approved details and shall thereafter be retained.
(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
- 7) Prior to the commencement of development on each of the plots, a scheme for the provision and implementation of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.
(Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)
- 8) Prior to the commencement of development on each of the plots, 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.
- 9) No construction site machinery or plant shall be operated, no construction related deliveries taken at or despatched from the site before 0800 hours and after 1800 hours on weekdays, before 0800 hours and after 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.)
- 10) The proposed access road shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public water. (Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- 11) The proposed access road shall be constructed using a bound material to prevent debris spreading onto the adopted public highway. (Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

- 12) Prior to commencement, site preparation or the delivery of materials to site the each plot shall submit an updated arboricultural impact assessment and tree protection strategy in accordance with British Standard BS5837 for the approval of the Local Planning Authority to reflect the detailed layout. The tree protection measures must be implemented in accordance with the details provided in the approved arboricultural impact assessment and tree protection strategy 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 the policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)
- 13) No demolition/development shall take place until a written scheme of archaeological investigation 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)
- 14) No development approved by this permission shall be commenced, unless otherwise agreed, until:
- a) The application site has been subject to a detailed scheme for the investigation and recording of contamination and remediation objectives have been determined through risk assessment and agreed in writing by the Local Planning Authority.
 - b) Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation method statement) have been submitted to and approved in writing by the Local Planning Authority.
 - c) The works specified in the remediation method statement have been completed, and a Verification report submitted to and approved in writing by the Local Planning Authority, in accordance with the approved scheme.
 - d) If, during remediation and/or construction works, any contamination is identified that has not been considered in the remediation method statement, then remediation proposals for this material should be agreed in writing by the Local Planning Authority.
- (Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development

can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy DP/1 of the adopted Local Development Framework 2007)

Informative

- 1) 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 Highway Authority for such works.

Background Papers:

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

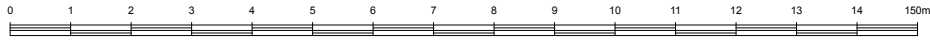
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- South Cambridgeshire Local Plan Submission 2014
- Planning File Reference: S/1769/17/OL

Report Author:

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Principal Planning Officer
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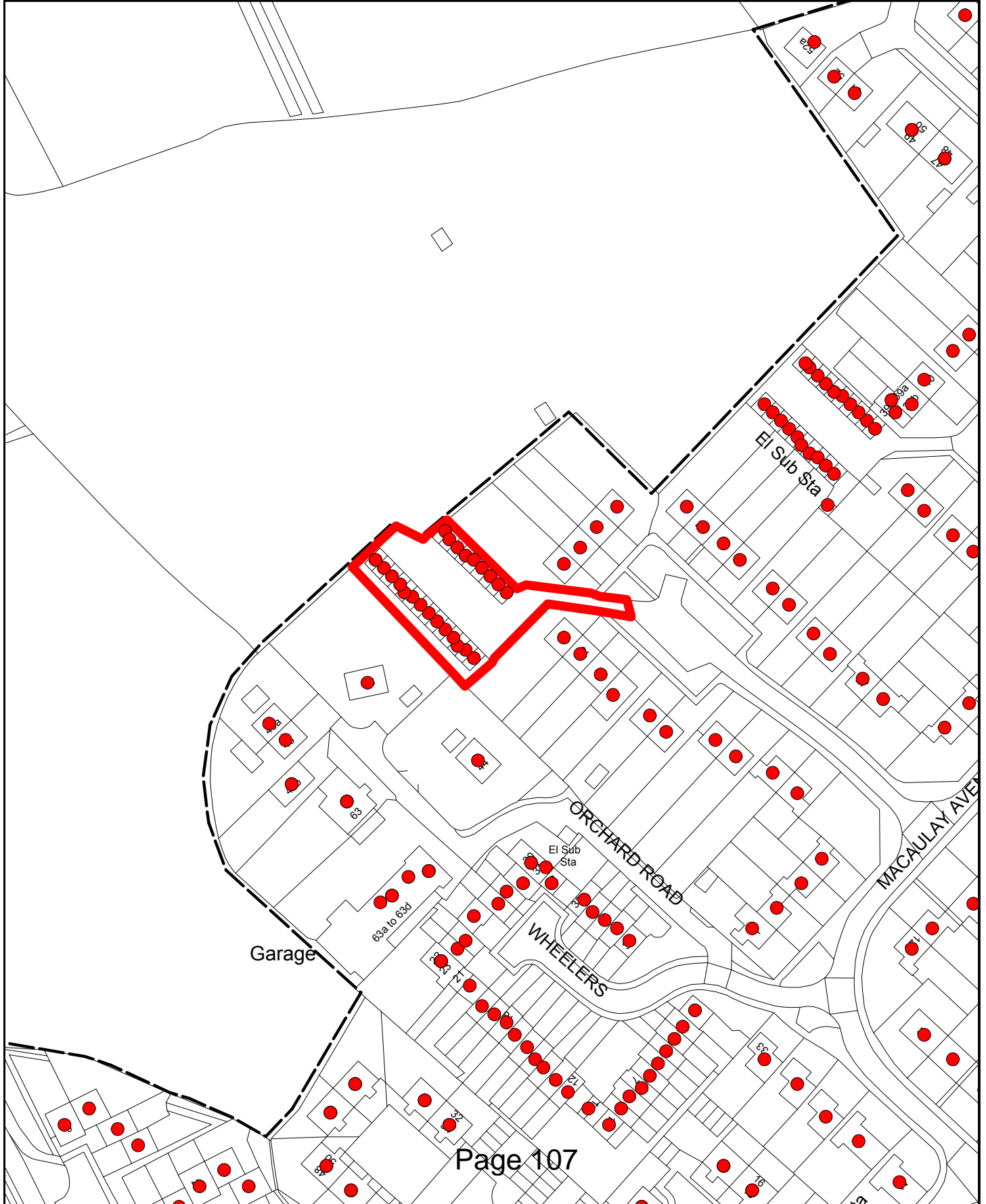
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Date of plot: 20/10/2017



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Agenda Item 9

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

1 November 2017

AUTHOR/S: Joint Director for Planning and Economic Development

Application Number: S/2341/17/FL

Parish(es): Over

Proposal: Erection of single dwelling

Site address: 16 Mill Road, Over CB24 5PY

Applicant(s): Mr I Corney

Recommendation: Approval

Key material considerations: Five year supply of housing land
Principle of development
Density of development
Impact on area
Highway safety
Residential amenity of neighbouring properties
Surface water and foul water drainage

Committee Site Visit: Yes

Departure Application: Yes (Advertised 27 September 2017)

Presenting Officer: Rebecca Ward, Principal Planning Officer

Application brought to Committee because: The Parish Council requested the application be considered by the Planning Committee and the applicant's partner is a District Councillor and member of the Planning Committee.

Date by which decision due: 10 November 2017

Relevant Planning History

1. S/1827/14/OL - Outline application - Erection of one dwelling - Allowed at appeal on 3 June 2015

S/2890/16/RM - Reserved Matters Application following approved Outline Application S/1827/14/OL (Erection of One Dwelling) for the appearance, landscaping, layout & scale - Approved on 9 February 2016

S/1850/17/OL - Outline planning application for erection of detached dwelling with some matters reserved apart from access - Withdrawn

National Guidance

2. National Planning Policy Framework 2012 (NPPF)
Planning Practice Guidance
 3. **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.
 4. **South Cambridgeshire LDF Core Strategy DPD, 2007**
ST/2 Housing Provision
ST/6 Group Villages
 5. **South Cambridgeshire LDF Development Control Policies DPD, 2007:**
DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/7 Development Frameworks
HG/1 Housing Density
NE/4 Landscape Character Areas
NE/9 Water and Drainage Infrastructure
NE/11 Flood Risk
NE/17 Protecting High Quality Agricultural Land
TR/2 Car and Cycle Parking Standards
 6. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**
Landscape in New Developments SPD - Adopted March 2010
Biodiversity SPD - Adopted July 2009
District Design Guide SPD - Adopted March 2010
 7. **South Cambridgeshire Local Plan Submission - March 2014**
S/2 Objectives of the Local Plan
S/3 Presumption in Favour of Sustainable Development
S/7 Development Frameworks
S/10 Group Villages
HQ/1 Design Principles
H/7 Housing Density
H/8 Housing Mix
NH/2 Protecting and Enhancing Landscape Character
NH/3 Protecting Agricultural Land
CC/8 Sustainable Drainage Systems
CC/9 Managing Flood Risk
TI/3 Parking Provision
- Consultation**
8. **Over Parish Council** - Over Parish Council objects to this application. Please see attached consultation response included as appendix 1 to this report.
 9. **District Council Environmental Health Officer (EHO)** - No objections subject to the following conditions:
 - Limiting the hours of building operations
 - Burning of waste
 - Details of pile foundations if used
 10. **Cambridgeshire County Council Local Highway Authority (LHA)** - In a letter dated

25 July 2017, the LHA requested the application be refused as the applicant had failed to provide an acceptable drawing showing the required visibility splays (2.4mx43m).

Update September 2017: No objections raised. The Local Highway Authority would also recommend the following conditions:

- Traffic Management Plan
- 2x2 pedestrian visibility splays
- Falls and levels are such that no private water from the site drains across the adopted public highway
- Constructed of a bound material
- Gates are set back 5m from the highway
- Informative regarding works in the highway

11. **Drainage Engineer** - No objections to the application following the submission of surface water drainage scheme. Connection to the awarded drain to the east has been implemented and confirmed. No further conditions are required.

Representations

12. Eleven letters of objection were received on the planning application. In summary the following concerns were raised :
- Drainage and flooding
 - Clear definition of the ditch ownership and responsibilities
 - Capacity of the ditch running to the rear of No-18 to No.24
 - No movement of water in the ditch concerns additional flows will worsen the situation
 - Capacity of Mill Road to take extra vehicle movements
 - Not within the village development framework
 - Access not sufficient to take private and commercial traffic
 - Not in keeping with the surrounding pattern of development
 - The development would not accord with the earlier appeal decision
 - No dimensions are on the plans
 - Request that a dwelling is kept to a minimum of 7m in height
 - Planting scheme has not been implemented for No.16 Mill Road
 - Additional planting required for the proposed dwelling
 - Cumulative development

Site and Surroundings

13. The site is located outside the Over village framework and on land designated as countryside. It is situated to the south of Mill Road, on the eastern edge of the village. The site will be accessed from Mill Road through an existing drive (between nos.12 and 18 Mill Road).
14. The site measures 0.11 hectares in area and currently is part of the residential curtilage to No.16 Mill Road. No.16 and its associated garage has been recently built under planning permission S/1827/14/OL and subsequent reserved matters application reference S/2890/16/RM.
15. There is a hedge with trees along the southern boundary of the site and a 1.8m high close-boarded fence along the western boundary; beyond this are residential properties and their gardens. There are also private ditches along the southern and western boundaries of the site.

Proposal

16. The applicant seeks full planning permission for the erection of a single dwelling. The site will be accessed via Mill Road. The plans were amended on the 11 September 2017 to include the following :
- Drainage design statement
 - Visibility splays
 - Obscure glazed window to west elevation and window added to north elevation
 - Visibility splays

Planning Assessment

17. 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.
18. An assessment is required in relation to the impact of the proposals on the character of the surrounding area, highway safety, the residential amenity of neighbouring properties, environmental health, surface water and foul water drainage capacity.

Principle of Development

Five Year Housing Supply

19. 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.
20. 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.
21. 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 would also have been considered policies "for the supply of housing".
22. Further guidance as to which policies should be considered as 'relevant policies for the supply of housing' has emerged via 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.
23. 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.
 24. 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 ...”
 25. 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.
 26. 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. 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.
 27. This approach reflects the decision of the Supreme Court in the *Hopkins Homes* appeal. Officers are of the view 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.
 28. 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 be permitted. The erection of a residential unit would therefore not under normal circumstances be considered acceptable in principle since it is contrary to this adopted and emerging policy.

29. 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.
30. By proposing a single dwelling or when taken cumulatively with the other dwelling on the site, the scheme would not exceed the indicative maximum of 8 on a greenfield site and therefore would have met the policy objective above.
31. Notwithstanding this, 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.
32. The proposals are assessed below against the environmental, social and economic criteria of the definition of sustainable development.

Access to services and facilities

33. Over is designated as a Group Village in the Local Plan and has a range of services and facilities including; a primary school, doctors surgery, mobile library service, village store, hair dressers, garage, community centre and hall, church, allotments and recreation and play ground.
34. Whilst the village does not provide the level of services a minor rural centre would, officers consider this level of provision is suitable to meet everyday needs. The addition of a single dwelling or when taken cumulatively with the dwelling that has been built, would have no material adverse or beneficial impacts on existing services.
35. As previously pointed out, the site lies on the eastern edge of the village with Mill Road running beside the site access, linking pedestrians to the services and facilities of the village. There is a bus stop at the end of the drive, with services to Cambridge throughout the day. The guide bus way is situated just outside the village with sufficient space for cycle parking. Some residents might wish to make the extra journey to get more direct services.
36. For the above reasons officers consider that the plot is within a sustainable location in accordance with policy DP/1b and TR/1 of the Local Development Framework and would not be in an isolated location in accordance with paragraph 55 of the NPPF.
37. It should be noted that the inspector in the 2014 appeal reached the same conclusion. Since then there has also been another appeal granted on Mill Road for a scheme of 55 dwellings whereby the location was deemed to be acceptable.

Impact on character and appearance of the area

38. Policy DP/2 of the DCP states that all new development must be of a high quality design and as should be appropriate to the scale and nature of the development which should amongst other things; preserve or enhance the character of the local area and be compatible with its location and appropriate in terms of scale, mass, form and design in relation to the surrounding area.
39. Paragraph 60 of the national framework states that decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.
40. *Layout and Siting*
The proposed dwelling is located on the northern boundary of the site, adjacent to the access point. The proposed dwelling would not relate to any buildings to the west (garden area of No.3a) or to the east (paddock area). The dwelling would however be sited in-between nos. 16 and 18 Mill Road and therefore would moderately be compatible within its location following this line of development.
41. Given that the dwelling is located 65m from Mill Road and 60m from Whines Lane, the impact of the development to the street-scene is going to be more limited. On this basis, officers do not consider that its location or siting would harmfully affect the character of the area to warrant the application for refusal.
42. *Scale, Mass and Form*
The overall height of the dwelling at 7m will largely match surrounding houses. The stepped approach to the main bulk of the house and the flat roof projection will reduce the overall scale and mass. The general layout will present an alternative design form to the area, however, given that there is a mix in the area already and by virtue of its distance from the street-scene, officers consider the form of the dwelling would preserve the character of the area and be compatible in its location.
43. *Appearance*
There is a range of style properties in the immediate area. No 4. Whines Lane is a one and a half storey dwelling with a pitched roof and gable-ends finished in a dark brick, while no 3a is a two storey dwelling with a hipped roof, finished in a lighter brick. Nos.18-22 are of a more uniform two storey design in a grey brick and Nos.10 and 12 are single storey bungalows finished in a yellow/orange mix brick. For these reasons, officers do not consider there to be a predominant design in the local area that needs to be replicated for the proposed dwelling. Furthermore, the fact the site has limited public views from the east also gives some flexibility to the design approach.
44. The main elevations, which will be seen from public views, are the northern end with the flat roof projection and the chimney (seen from the access at Mill Road). The proposed development will introduce another modern design form to the area. However, given there is not a predominant design form, the structure is considered to be compatible with the area.
45. Conditions will be required for details of materials and a soft landscaping scheme. For the above reasons, the proposed development on balance is considered to generally accord with policies DP/2 and DP/3 of the DCP and paragraph 60 of the NPPF as it would preserve the character of the area and be compatible within its location.

Highway safety and parking

46. Access to the site is between No.12 and No.18 Mill Road. This is an existing vehicular access. The width will be increased to 5m as part of this proposal. The drive is 50m in length (until it reaches the paddock). A 1.8m close boarded fence and hedging separates the drive from the residential properties.
47. The proposed development will intensify the use of the access point onto Mill Road. Local residents have raised concerns to the impact it would have on the number of vehicles coming and going from the site but also the impact on Mill Road. When taken together with the existing dwelling on the site, the provision of two residential units would not be a cause for concern on highway safety grounds given that the speed of vehicles on Mill Lane is relatively low and that there is adequate visibility when emerging from the site. Amended plans include the required visibility splays requested by the LHA.
48. The LHA has raised no objections to the proposal on these grounds. The proposed development would therefore accord with policy DP/3 of the DCP. The LHA has requested a Traffic Management Plan condition is included on the decision notice. Given the size of the site with plenty of room to store materials, accommodated contractor parking etc., officers consider a TMP to be unnecessary and therefore unreasonable. The gates on the access drive are set 10m from the highway boundary and therefore the proposed condition is not needed. The other conditions are both necessary and reasonable and will be applied.
49. Given the relatively low density of the scheme, it is considered that there would be sufficient space to locate 2 car parking spaces on the plot, meeting the requirements of policy TR/2 of the DCP.

Residential amenity

50. Impact to No.18 Mill Lane - The proposed dwelling is sited 13m from the shared boundary with No.18, with the closest first floor windows being located 22m. No.18 has a swimming pool in their rear garden. The siting of the dwelling would exceed the guidance in the Council's District Design Guide, whereby first floor windows should be located 15m from the shared boundary so as not to cause any direct overlooking to garden amenity areas. As such, no adverse overbearing, overlooking or overshadowing impacts will be apparent.
51. The access road will be constructed of a bound material and therefore noise from additional cars will not cause a significant impact on residential amenity to the occupants of either adjoining property.
52. Impact to No.3a Whines Close - The western gable end will be sited 6m from the shared boundary with No.3a Whines Lane. The first floor side facing window has now been removed and therefore no significant impacts will be apparent. A condition will protect this in perpetuity.
53. Subject to the EHO proposed condition re working hours for building operations, the development is considered to accord with policy DP/3 of the Local Development Framework as it will not have an unacceptable adverse impact on residential amenity.

Surface water and Foul water drainage

54. The site is located within flood zone 1 (lowest risk of flooding). A private ditch runs along the northern and western boundary of the site. The northern ditch connects into the awarded ditch to the far east of the paddock.
55. A condition was applied to the previous planning application for a surface water drainage scheme. The scheme included the provision of a permeable driveway and a water chamber, which collects water from the site, and controls flows of water into the ditch to the north. This has now been implemented by the applicant.
56. Concerns have been raised about whether there is capacity for the additional flows to be taken by an additional dwelling on the site.
57. The drainage engineer has reviewed the plans and has visited the site and confirms that the drainage system is now adequate to take the run-off from the additional unit in this application. Therefore, the scheme would accord with policy NE/9 of the Local Development Framework.
58. Foul drainage from the proposed dwelling will be connected to the private drain serving the original plot and then drain into the public sewer on Mill Road.
59. The ownership of the ditches and their on going maintenance is a civil matter between the respective parties and is not a material consideration in the determination of this planning application.

Conclusion

60. 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.
61. The development would be outside the village framework of Over within both the adopted and emerging development. As such, there is a conflict with policies DP/7. 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. In this regard the policy DP/7 has to be given reduced weight.
62. In terms of social and economic benefits, the proposed development would provide a single market dwelling. It would therefore only contribute in a small way towards the undersupply of homes and bring only limited economic benefits.
63. The site is, however, in a good location in relation to the services and facilities within the village and has good transport connections to other service centres. Therefore future occupiers could have a reduced dependency on a car. Given that the site is predominately surrounded by residential dwellings, there would be very limited environmental and landscape harm.
64. Officers consider the proposal would represent a sustainable form of development, having regard to paragraphs 14 and 49 of the NPPF. The limited impact on the countryside and setting of the village and the conflict with policy DP/7 of the DCP is not considered to significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF when taken as a whole. Officers therefore consider that planning permission should be granted.

Recommendation

65. Officers recommend that the planning committee grants planning permission, subject to the following:

Conditions

- 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: Drwg.470-P-01A, 470-P-02B, 050-2016-11-P1. (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 above slab level shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
- 4) Prior to the occupation of the dwelling house, full details of soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. The details shall include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock. The dwelling shall not be occupied until the landscape scheme has been implemented in accordance with the agreed details. (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.)
- 5) The surface water drainage scheme shall be constructed and completed in accordance with the recommendations in letter dated 7 September 2017 (ref:050/2016/02/DSH) prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority. (Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)
- 6) 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 or before 0800 hours and after 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.)
- 7) 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 western side elevation of the dwelling at and above first floor level unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf. (Reason – To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

- 8) Apart from any top hung vent, the proposed first floor windows in the western side elevation of the building, hereby permitted, shall be fitted with obscured glazing (meeting as a minimum Pilkington Standard level 3 in obscurity) and shall be permanently fixed shut. The development shall be retained as such thereafter. (Reason - To prevent overlooking of the adjoining properties in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
- 9) The visibility splays shall be retained in accordance with plan P-02 revB. The area within each splay shall be kept clear of any obstruction exceeding 600mm in height at all times. The inter vehicles visibility splays must be within the existing adopted public highway or land under the control of the applicant. (Reason -To provide adequate inter-visibility between the users of the access and the existing public highway for the safety and convenience of users of the highway and of the access)
- 10) The proposed driveway shall be constructed using a bound material to prevent debris spreading onto the adopted public highway and shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public water. (Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

Informatives

- 1) 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 Highway Authority for such works.
- 2) There shall be no burning of any waste or other materials on the site, without prior consent from the environmental health department.
- 3) Should driven pile foundations be proposed, then before works commence, a statement of the method for construction of these foundations shall be submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.

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

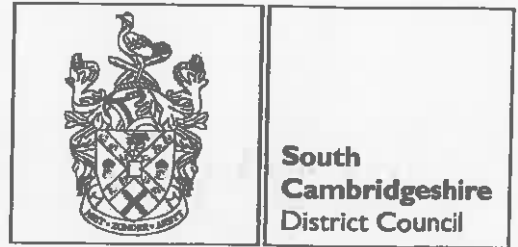
- Planning File Reference: S/2341/17/FL

Report Author:

Rebecca Ward
Telephone Number:

Principal Planning Officer
01954 713236

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



South
 Cambridgeshire
 District Council

Mrs LJ Poulter,
 Over Parish Council Clerk
 32, West Street
 Over
 Cambridge
 Cambridgeshire
 CB24 5PL

Planning and New Communities

Contact: Rebecca Ward

Tel: 03450455215

Email: planningcomments@scambs.gov.uk

Our Ref: S/2341/17/FL

Your Ref:

Date 03 July 2017

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

Dear Sir/Madam

Proposal: **Erection of a single detached dwelling.**
Application Ref: **S/2341/17/FL**
Location: **16 , Mill Road, OVER, CB24 5PY**
Applicant: **Corney**

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

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

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

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

Should the Parish Council wish to request that the application be considered by the District Council's Planning Committee, **please state the material considerations and planning reasons**. Examples of material considerations can be found below. The Chairman of the District Council Planning Committee will respond to all reasonable requests.

EXPLANATION OF APPLICATION SUFFIX

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

The Parish Council: - (Please delete appropriately)

~~Supports~~

Objects

Has no recommendation

Comments:

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

Planning reasons:

Over PC object to this application - please see attached comments.

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

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

Signed.....

[Redacted Signature]

Date.....

11/7/17

Clerk to the Parish Council or Chairman of the Parish Meeting

Guidance:

What are Material Considerations?

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

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

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

EXPLANATION OF APPLICATION SUFFIX

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

Over Parish Council **opposes** this application on the following grounds:

1. Location

Great care was taken over the positioning of the first dwelling in this paddock, No.16 Mill Road, to ensure that it was kept as close as possible to the Whines Lane development. The application stressed its relationship with those dwellings, and the officers' report said in Para 29:

"The proposed dwelling would be situated to the southern edge of the plot in line with the built-up development of Whines Lane, situated between No.3a and No.4. As the dwelling is situated in the corner of the plot, in line with the existing built up development, views onto the site from the countryside will remain unchanged."

The Planning Inspector also stressed this point in his Appeal Report, Para 15, saying:

"..... I see no reason why the Council could not control the positioning and size of the new dwelling and ancillary structures, as part of its consideration of the reserved matters, in order to ensure that the buildings would be closely related to existing built development."

The dwelling proposed in this new application does not relate to **either** the Whines Lane or the Mill Road built development, but is situated on open ground midway between them. In that location it is a significant and unwelcome intrusion on the landscape.

2. Access

In their assessment of access to the previous dwelling (No.16), the officers stressed that the impact of a single dwelling would be minimal:

"... the drive would solely serve the proposed dwelling." (Para 34)

"... officers consider the existing access is suitable to serve a single dwelling without having an adverse impact to highway safety." (Para 35)

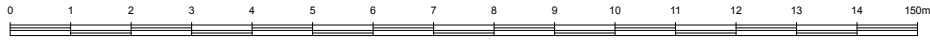
"... whilst the use of the drive would intensify for a single dwelling, it is not considered to be significant." (Para 36)

We consider that the increased usage resulting from a further dwelling sharing the same drive would significantly change this benign assessment, and that any additional traffic on the narrow section between No.12 and No.18 Mill Road would be particularly intrusive.

The Council dislikes this type of incremental development onto land that is outside the village framework, and takes issue with the argument that "it's only single dwelling". When taken together with the previous dwelling on this site, the two houses and their ancillary structures represent a significant and unwelcome encroachment onto open land.

The Parish Council would like to request this application be referred to the planning committee and if so Geoff Twiss is authorised to address the meeting on behalf of Over Parish Council.

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FOR INTERNAL USE ONLY

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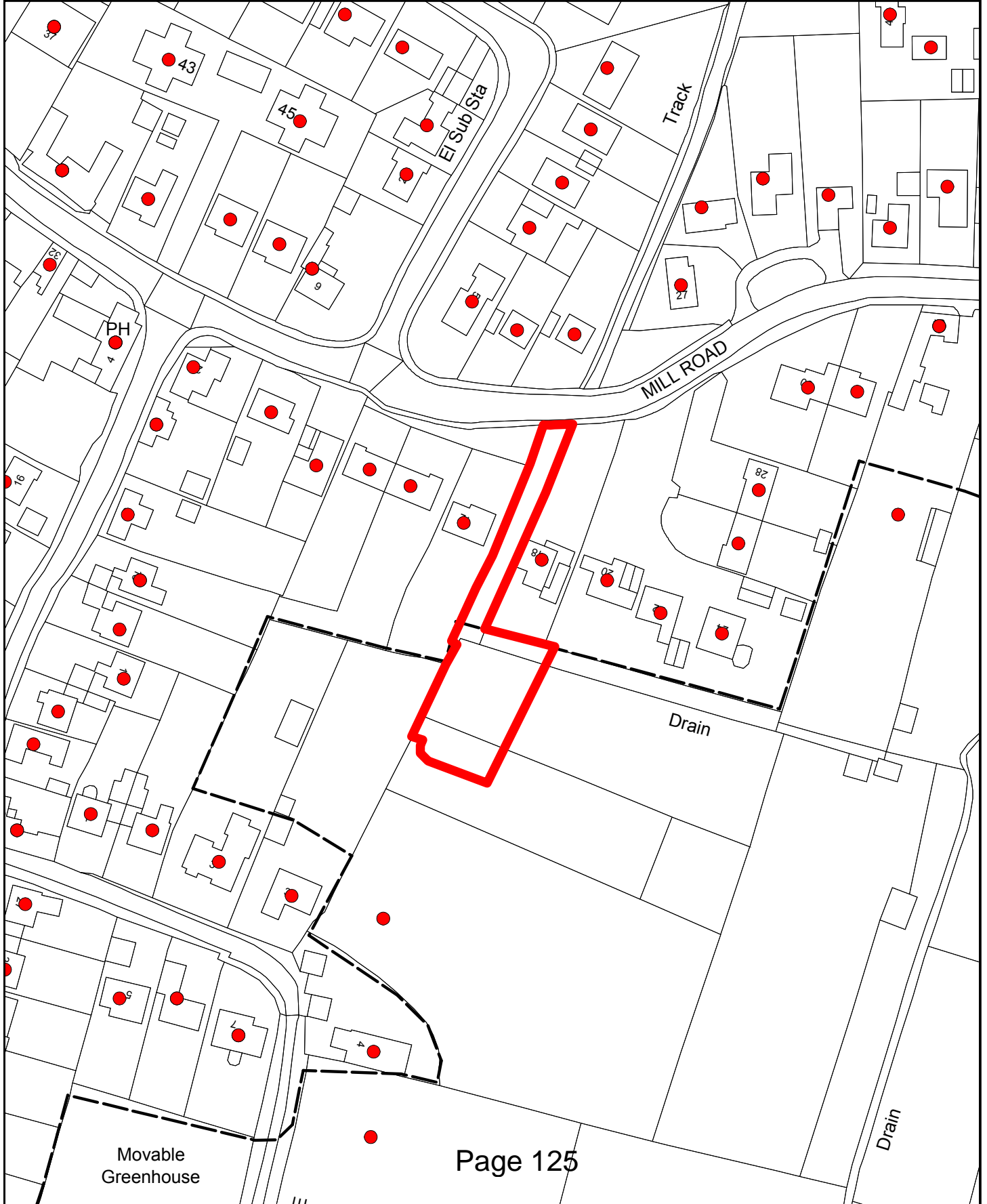
Time of plot: 07:40

Date of plot: 20/10/2017



South Cambridgeshire District Council

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Agenda Item 10



REPORT TO: Planning Committee

1 November 2017

LEAD OFFICER: Joint Director of Planning & Economic Development

Enforcement Report

Purpose

1. To inform Members about planning enforcement cases, as at 20 October 2017. Summaries of recent enforcement notices are also reported, for information.

Executive Summary

2. There are currently 83 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. Witness statements currently with Counsel, waiting further advice.

In addition to the above it is also noted that the person involved in the above action is appealing a planning decision (LDC) reference S/3569/16/LD in connection to a parcel of land known as unit C which is situated at Hill Trees and is currently covered by the existing High Court Injunction and is due to be heard on the 5th December 2017

(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. Investigation now complete and prosecution files relating to ten (10) plots, who are still in breach of the notice have been submitted to the councils legal team for summons.

(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, Further appeal submitted for non-determination of the planning application. Date to be advised

(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 heard week commencing 11th December 2017

Investigation summary

- 6 Enforcement Investigations for September 2017 reflect an 25.6% increase when compared to the same period in 2016. Forty nine (49) 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:

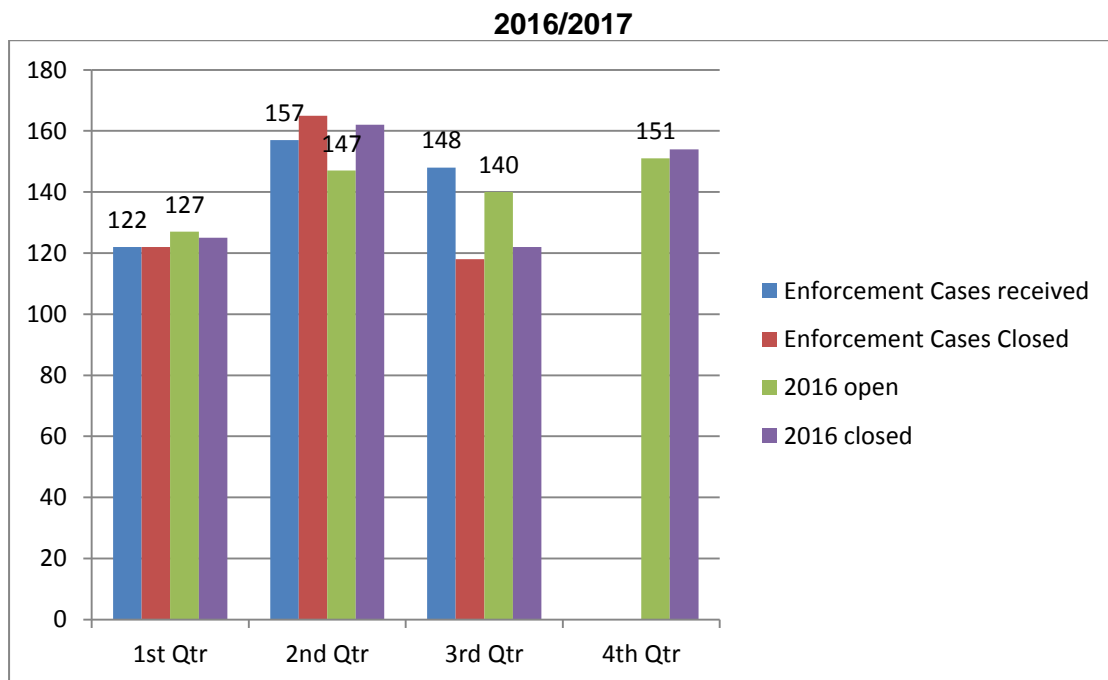
The following background papers were used in the preparation of this report:

- **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	49	52
1 st Qtr. 2017	122	122
2 nd Qtr. 2017	157	165
3 rd Qtr. 2017	148	118
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
	September 2017	2017
Enforcement	2	13
Stop Notice	0	0
Temporary Stop Notice	0	5
Breach of Condition	0	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
ENF-092-17 Material change of use of the land to store motor vehicles, caravans and site a mobile home	Oakington	Land to the south of New Road	Enforcement Notice
SCD-ENF-09417-A Unauthorised installation of a CCTV camera & mounting Pole	Whaddon	9A Bridge Street	Enforcement Notice

3. Case Information

Twenty six of the forty nine cases opened during September were closed within the same period which represents a 53.1% closure rate.

A breakdown of the cases investigated during September 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.
Five (5) cases were investigated

Medium Priority -Activities that cause harm (e.g. adverse affects on residential amenity and conservation areas, breaches of conditions)
Forty (40) 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 September period are broken down by case category as follows.

Adverts	x 06
Amenity	x 00
Breach of Condition	x 16
Breach of Planning Control	x 01
Built in Accordance	x 00
Change of Use	x 04
Conservation	x 00
High Hedge	x 01
Listed Building	x 03
Other	x 06
Unauthorised Development	x 09
Permitted Development	x 03
<u>Total Cases reported</u>	<u>49</u>

Agenda Item 11



REPORT TO: Planning Committee

1 November 2017

LEAD OFFICER: Joint Director for Planning and Economic Development

Appeals against Planning Decisions and Enforcement Action

Purpose

1. To inform Members about appeals against planning decisions and enforcement action, and proposed hearing and inquiry dates, as of 24th October 2017. Summaries of recent decisions of importance are also reported, for information.

Statistical data

2. Attached to this report are the following Appendices:
 - Appendix 1 - Decisions Notified by the Secretary of State
 - Appendix 2 – Appeals received
 - Appendix 3 - Local Inquiry and Informal Hearing dates scheduled

Contact Officer: Stephen Kelly Joint Director for Planning and Economic Development for Cambridge and South Cambridgeshire

Telephone Number:: 01954 713350

Report Author: Ian Papworth Technical Support Team Leader (Appeals)

Telephone Number: 01954 713406

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Appendix 1

Decisions Notified By The Secretary of State

Reference	Address	Details	Decision	Date	Planning Decision
S/3547/16/FL	20 Mill Road, Over	Erection of dwelling and ancillary access arrangements	Dismissed	09/10/17	Refused
S/0570/17/FL	Farriers, Newton Road, Whittlesford	Demolition of existing dwelling excluding detached leisure building. Erection of a replacement dwelling and associated works	Allowed	10/10/17	Refused
S/0501/17/OL	18, Greenbanks, Melbourn, Royston, Cambridgeshire, SG8 6AS	Outline planning permission for new new house and garage with all matters reserved.	Dismissed	11/10/17	Refused
S/1991/16/OL	Land to the north of, Whittlesford Road, Newton, CB22 7PH	Outline application for residential development with all matters reserved apart from access.	Dismissed	11/10/17	Refused
S/0209/17/FL	Old GPO Building, Ermine Way, Arrington, Royston, Cambridgeshire, SG8 0AD	Change of use from commercial to mixed use - live work unit - demolition of existing buildings - construction of new single unit with workshop/office area and associated small dwelling unit.	Allowed	16/10/17	Non-Determined

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Appeals Received

Reference	Address	Details	Date Appeal lodged
S/0361/17/OL	Land to the East of 49 Primrose Hill, Little Gransden	Outline planning permission for the construction of two dwellings, formation of access and driveways, ancillary development. with all other matters reserved.	29/09/2017
S/1707/17/FL	Land Adj Home Farm Cottage, Little Heath, Gamlingay, SG19 3LL	Erection of detached three bedroom dwellinghouse	02/10/2017
S/1901/16/OL	Eternit UK, Whaddon Road, MELDRETH, SG8 5RL	Outline planning application for mixed use development (up to 150 dwellings, public open space, and new technology plant); new car park and access for Sports & Social Club; and associated infrastructure all matters reserved except for access.	05/10/2017
S/2312/17/FL	8, Meadowsweet Close, Cambourne, Cambridge, Cambridgeshire, CB23 6ET	PROPOSED GARAGE CONVERSION.	07/09/2017
S/2482/16/OL	Land at Mills Lane, Longstanton, Cambridgeshire, CB24 3DT	Outline Application for 9 No. Self-Build Dwellings	19/10/2017
S/2876/16/OL	Land north east of Rampton Road, COTTENHAM, CB24 8TJ	Outline Planning Application for residential development	16/10/2017

Appendix 2

		comprising 154 dwellings including matters of access with all other matters reserved.	
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Appendix 3

Local Inquiry and Informal Hearing dates scheduled

- **Local Inquiries**

Reference	Name	Address	Planning decision or Enforcement?	Date confirmed/proposed
ENF/0012/17	Mr Thomas Buckley	The Oaks, Meadow Road, Willingham	Enforcement Notice	11/12/2017 for 3 days TBC
S/1092/17/FL	Mr Dolph Buckley	The Oaks, Meadow Road, Willingham	Planning Decision	11/12/2017 for 3 days TBC
S/1969/15/OL	Mr Jon Green	Horseheath Road, Linton	Planning Decision	09/01/2018 for 3 days Confirmed
S/2553/16/OL	Mr Jon Green	Horseheath Road, Linton	Planning Decision	09/01/2018 for 3 days Confirmed
S/0096/17/OL	Gladman Developments Ltd	Agricultural land North East of Back Road, Linton	Planning Decision	16/01/2018 for 5 days Confirmed
S/3569/16/LD	Mr Fleet Stother Cooke	Unit C, Hill Trees, Babraham Road, Great Shelford	Planning Decision	05/12/2017 TBC
ENF/0483/16	Ms Julie Lee	Overbrook Farm Nursery, Green End, Landbeach	Enforcement Notice	TBC

- **Informal Hearings**

Reference	Name	Address	Planning decision or Enforcement?	Date confirmed/proposed
ENF/0433/16	Mr Tony Price	7 Moor Drove, Cottenham	Enforcement Notice	Postponed TBC
ENF/433/B/16	Mr Tony Price	7 Moor Drove, Cottenham	Enforcement Notice	Postponed TBC
ENF/433/C/16	Mr Tony Price	7 Moor Drove,	Enforcement	Postponed

Appendix 3

		Cottenham	Notice	TBC
S/2896/16/FL	Mr Tony Price	7 Moor Drove, Cottenham	Planning Decision	Postponed TBC
S/3396/16/RM	Cala Homes North Home Counties	8 Greenacres, Duxford	Planning Decision	TBC
S/3391/16/OL	Gladman Developments Ltd	Land off Boxworth End, Swavesey	Planning Decision	05/12/2017 Confirmed
S/2876/16/OL	Mr Stephen Conrad	Land North east of Rampton Road Cottenham	Planning Decision	TBC